CHAPTER-II

TERRORISM – HISTORICAL PERSPECTIVES

Today many nations face the threat of terrorism. At the forefront is the very stability of the modern state: whether a parliamentary system or a dictatorship most political systems have to face this threat. The route of violent revolution is a short term phase of a few to achieve their ends – be it for religious, social or political ends, the means employed are the same i.e., violence, threats and disruption of daily life of ordinary civilians. Presently various governments are victims of terror and threats.

Historically, terrorism has existed from times immemorial\(^1\). The assassination of political enemies, religious heads or kings, Czars, Caliphs or Sultans have taken place.

Terrorist groups and organizations did not exist in the ancient past as they do today. However such activities are not unknown. Terrorism is warfare by extreme methods.

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\(^1\) Grover Verinder, Encyclopedia of International Terrorism, New Delhi, Deep and Deep Publications, 2002, p.3
Terror is derived from the Latin word “terrere” which means to tremble frighten although identified with State action as noticed during the French Revolution, later it came to be applied to individual / group violence. The forms of violence used include – hijacking, kidnapping, hostage taking, killing, destruction of public property etc..... it is used broadly to cover a variety of situation. Rebels and guerrilla groups used terror tactics to oust rulers and regimes: It is often used for secessionist purposes. This is different from the theme ‘vigilante’ which refers to groups who come together in support of established order”.

“Terrorism has been defined “as acts which in themselves may be classic forms of crime, murder, the use of explosives”, as “they are executed with the deliberate intention of causing panic, disorder and terror within an organized society in order to destroy social discipline, paralyse the forces of reaction of a society and increase the misery and suffering of the community”.

2 Jain Sharada, Politics of Terrorism in India, New Delhi, Deep and Deep Publicatiokns, 1995, p. 42
DEFINITION OF TERRORISM

According to International Law "terrorism" as a term, has no clear definition. Terrorism is said to be a strategy of the weak. It is very difficult to define in clear, distinct but precise terms. Terrorism can be seen to exist according to the acts and ultimate objectives. However in certain circumstances the acts can be indeed by themselves. Terrorism is defined as ; "the deliberate and systematic murder, maiming an menacing of the innocent to inspire fear for political ends".

Terrorism is a method of action by which the agents tends to produce terror to impose his domination on the state in order to transform it. The following definitions amply describes the difficulty in defining terrorism:-

Political terror is the planned use of violence or threat of violence against an individual or social group in order to eradicate resistance to the aims of the terrorist' (Chisholm 1948).

3 Oxford Advanced Learners Dictionary (1998). Despite such incidents all over the world, there is no accepted definition.

Terror can strike without any preliminary provocation, its victims are innocent even from the point of view of the prosecutor. (Arendt 1951).

Terrorism is the threat or use of violence for political ends’ (Crozier 1960).

‘Sociologically, terror is a person or thing or practice that causes intense fear or practice that causes intense fear or suffering, whose aim is to intimidate, subjugate, especially as a political weapon or policy, politically, its main function is to intimidate and disorganise the Government through fear and through this political changes can be achieved. (Roucek 1962).

‘Terrorism may gain political ends in one of two ways – by mobilizing forces or by immobilizing forces and reserves sympathetic to the cause of the insurgents or by immobilizing forces and reserves that would normally be available to the incumbents. A process of terror is the act or threat of violence the emotional reaction and the social effects, whereas the system of terror may be defined to include certain states of war as well as certain political communities. (Walter 1964).

‘An action of violence is labelled terrorist when its psychological effects are out of proportion to its purely physical result. (Aron 1966).
‘Terrorism as an element in the process of violent change can be defined as the use of physical violence. It is a complementary tactic to both guerilla and conventional warfare. Terrorism differs from guerrilla warfare in as much as its purpose is to influence the opponent and any third parties rather than annihilate him. The purpose of the act not the nature of the act itself is the essential characteristic, which distinguishes terrorism (Silverman and Jackson 1970).

The basis of terror tactics is the threat; and terrorism is a form of guerrilla warfare. The basic tactics for guerilla warfare is to hit and run and hide, hit, run, hide, Guerillas conceal themselves in mountains or rural areas; and terror tactics are employed in urban areas as well (Mallin 1971).

Terrorism is the systematic use of intimidation for political ends. (Moss 1971).

Terrorism is part of a revolutionary strategy, it is manifested in acts of socially and politically unacceptable violence. Terrorism’ attractiveness and significance for revolutionary organizations are due to a combination of economy, facility and high psychological and political effectiveness. (Crenshaw Hutchinson 1972).
‘Events involving relatively highly organized and planned activities on the part of small but cohesive groups are the chief characteristics of terrorism. (Morrison 1972).

The definition of someone who is a terrorist is purely a labelling device. (Horowitz 1973).

Politics by violence and propaganda by the deed are the hallmarks of terror. (Neale 1973)

Terrorism is the most amoral of organized violence’ (Wilkinson 1973).

“What distinguished terrorism from both vandalism and non-political crime is the motivated violence for political ends” (Crozier 1974).

According to the U.N. General Assembly “all acts methods and practices of terrorism wherever by whomever committed” are condemned as criminal.

A) TERRORISM – ANCIENT PERIOD:

According to Greek mythology, terror was a way of seizing power. These acts are mentioned in the famous works of Homer-Iliad, Odyssey
and Aenid which described the destruction of the two great cities Troy and Carthage.

From Greek times terrorist tactics were used to secure the return of Helen of Troy. The Greek city States practiced cross border terrorism.

One of the often cited examples is that of a terrorist movement 'sicarii'-members of a religious sect involved in the zealot struggle in Palestine. These are known to be the "oldest terrorists".

B) TERRORISM - MEDIEVAL PERIOD:

In the middle East, China, the Russian Revolutionaries Group “Narodnaya Volya” practiced terrorism. In India the practice of Thuggee was in vogue in the medieval period of history.

Later groups with politico-religious objectives such as the Irish Republican Army (IRA) used terror tactics of extreme violence against the public to meet their narrow political ends.

Later came the phase of attempts on the lives of leaders eg. president Garfield and Makisley in USA, the French President in the late 19th century. The Ku-Klux-Klan an anti-Negro organization used terror and threats to achieve their political objective against the ethnic group.

C) TERRORISM - POST II WORLD WAR:

After the II World War, new states in Asia and Africa came into being. At that time various movements for “freedom” of the region came into being eg. Palestine Liberation Organisation and its Splinter Group Black September, Black Panthers in USA, the Euzkadita Azakatasuma (ETA) a Military Group in Spain has been interested in a separate Homeland; the Federation de Liberation du Quebec (FLQ) sought the independence of Quebec from Canada. In Srilanka, the Liberation Tigers of Tamil Elam (LTTE) used terror tactics, asking for a Tamil State in India.

D) TERRORISM IN INDIA:

In India, the Mukti Bahini used terror against Pakistan during its struggle for a Bangladesh. India in the last couple of decades witnessed terrorist violence, disrupting the peace and progress of the nation. Terrorism was witnessed in Punjab, Jammu and Kashmir and Bengal where the Naxalite Movement originated. Political, religious and social factors contributed to threat and unrest in society. Later Assam - United Liberation Front of Assam and Peoples War Group in Andhra Pradesh came to be considered more militant than others. “Meiti” terrorism developed in
Manipur. The Bodos demanded a separate Bodoland while in Punjab there was a clamour for Khalistan.

Since independence the Kashmir Valley has been engulfed in violence and terror; killings and bloodshed. Cross-border terrorism is well known in this area, which continues until today.

E) VARIOUS FACTORS OF TERRORISM:

Various factors have influenced the growth and development of terrorism. They are political social, economical & religious factors.

1. POLITICAL FACTORS:

Political ideology is a strong motivation for the misguided youth to choose militancy and violence. Many groups and organizations have strong political views. In the past they have been considered “freedom fighters”. However today this has been relegated to the back by most governments.

Violence is a manifestation of political, ideals of small group of people. The law and order machinery is used to repel such attacks as is evidenced in the Punjab problem. Jarnail Singh Bhindranwale used his political ideas to preach for a separate state for Sikhs, looking back at the glory of Raja Ranjit Singh’s empire. However in a democratic India this is
not possible and “Operation Blue Star” wiped out the last impressions of this outdated ideology. Social factors are especially significant where there are social differences in the structure of society. For any political system to be stable social coherence and unity is necessary. Multi-ethnic multi-lingual, and diverse religious backgrounds are breeding grounds for social tension—which result in political violence. Violence is visible when there are caste, racial or religious riots. This is the inception of terrorism. Eg. Racial difference between the Whites and those of African origin. Arabs and Jews etc. India has witnessed violence during the anti-sikh riots and various other communal riots. Islamic fundamentalist militants create tensions in Jammu and Kashmir. They seek to seize power by appearing to displace national / communal loyalties. Agitations using all violent means and used to ventilate “Popular demands”. When social tensions are aroused, violence is the result. This poses serious consequences for the peace and harmony of society.

2. RELIGIOUS FACTORS:

Religion is often exploited by terrorists to spread fear and terror. Havoc and destruction resulted by the use of the religious factor to coerce misguided youth to the path of militancy e.g. Jammu and Kashmir. This is one of the oldest methods to justify acts against the innocent public, e.g.
killing of sports – persons at the Olympic Village in Germany during the Olympic Games. Earlier it was used in the Middle East to fight the Crusades. In fact so deep rooted is this ideology that even the Knights Templars used violence and terror during the fighting of the crusades.

Russia and Chechnya have been fighting for supremacy over their land for decades. They have turned from fighting battles to suicide bombers and hitting civilian targets. Similar acts are done by the E.T.A. in Spain. The IRA favoured market/public places and important persons in society.

3. ECONOMIC FACTORS:

Economic discontent lies at the very basis of terrorist activity. Aristotle to Karl Marx wrote widely about such problems. Economic inequality leads to frustration in society.

Hartals and bandhs in India are the result of economic inequalities and frustrations. The treatment meted out to the underprivileged sections of society are indicative of the growing exploitation in the country.

After terrorists “hit” economic targets to de-stabilize the economy eg. the bombing of the twin towers in New York. Many Arabs feel that
they have been discriminated against by the Westerners and therefore are receptive to acts of violence against such countries.

The U.S. is said to have backed Israel for many decades and this have kept up old rivalries in the Persian Gulf. Similarly the Shah of Iran received support from the U.S.

F) NON-STATE TERRORISM

Non-State terrorism includes acts by revolutionary groups to destabilise governments by employing terror tactics. Every act of violence is not necessarily a terrorist act. Terrorists acts contain extra normal violence. Stealth and secrecy is used by certain individuals / groups / organizations.

An important feature of terrorism is the distinction of the intended victim or target. Eg. An airport, or important political person, transport systems. This sends shock waves among the community once the deed is done.

The victim / target is chosen to make a point elsewhere. Here the role of the media is significant as publicity creates an awareness, a fear and a threat. It represents unrest, destruction of public property, and hurt and harm to property. The end may be to secure the release of other terrorists.
concessions from the Government or other political advantages. Intention is manifest through the use of violence. Anxiety of the unknown creates fear in the minds of the public. This is what the terrorist / hijacker thrives on.

According to H. Lasswell terrorists (1) strive for political results. According to M. Censhaw (2) Terrorists have a collective set of goals, leadership a definite structure, organization and funding. Naco-terrorism is closely linked where finances obtained from the sale of narcotics is used to fund other terrorist strikes (3) eg. From the Golden triangle, golden sickle.

Hitler, Stalin, Idi Amin and others all used tactics to create fear, anxiety and worry among the general public. The Narodnaya Volya or Naxalite both used similar methods for achieving their political ends.

Terrorism may be classified as: See Chart –1.

G) TERRORISM INTERNATIONAL SPHERE:

In many European and East European countries, communist and totalitarian States terror was a part of public policy in the last century. Terror was used to secure obedience of the citizens, eg. Under the Bolsheriks, terror tactics were used in larger measures. Stalin used it in the former USSR; General Franco used it in Spain. Governments used it to
CHART 2.2
Classification of Terrorism

- Terrorism
  - Political
    - International
      - a. State-sponsored
      - b. Non-state/insurgent
  - Domestic
    - State
    - Non-State
      - Vigilante
      - Revolutionary
      - Sub-revolutionary
        - National Liberation Movements
        - a. Autonomist/Reformist
        - b. Separatist/Secessionist
        - c. Ethnic/Religious
        - d. Single Issue
  - Psychopathological
eliminate enemies "legitimitizing the use of terror like France used it in Algeria, also in Jammu and Kashmir by Pakistan and US in Nicaragua. Funds, training and the equipment are provided by the sponsoring state in extension of their clandestine activities.

Sophisticated electronics equipment used in communication eg. The broadcasting network, media all the world over, generates adequate publicity which most terrorists want. Many times after an incident a group often accepts responsibility for the act, gaining public support for their cause eg. Yasser Arafat of the PLO was able to address the U.N. was the first non-governmental representative to do so.

As a mode of violent conflict in modern times, terrorism has become a viable option for those who seek violent revolution. It is not expensive, receives public attention immediately and inspires the followers to use the same methods. In the developing world external factors play an important role in facilitating such action. They are funded and guided by others from the outside. Mainly because of the lack of international consensus in dealing with terrorists (trial or extradition) is crucial to the life span of the

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6 Case of Military and Para-military Activities in Nicaragua ICJ, 1986.
Links with other groups, sale of narcotics and arms, sustain terrorism.

In modern times the possibility exists that nuclear materials / weapons radio active materials may be used by them, posing serious consequences to the governments. The use of civilian nuclear technology abroad has grown rapidly, and nuclear technology has spread to various nations groups. The possibility of causing mass casualties poses grave danger to the public. A fertile attack could create alarm, which would spell victory among the publicity seeking terrorists. As nuclear facilities increase, opportunities increase and becomes a high risk factor. This constitutes the greatest threat to democracy and the World at large. However the ever increasing flow of information and technology from research laboratories, make the risk real. Governments need to effect counter measures and strategy against the use or attack on nuclear facilities ie., deterrent or remedial measures. Deterrent measures could also be considered such as convincing them of the consequences ie., MAD (Mutual Assured Disaster).

The dynamics of terrorism is that a new model of terrorist incidents may escalate into further violence. Groups may use the imitation or diffusion method, which would cause a rapid rise of such incidents into a
virtual epidemic. Most terrorist acts are domestic in nature. It would seem that terrorism seems to confront societies in the open leaving no choice but to tolerate terrorist violence and accepting loss of their civil liberties on the other.\(^8\)

Acts of terrorism are costly both for the terrorist and the State. Apart from direct damage sustained, the state has other problems to face:

1. Capital no longer is readily available. Most business concerned pull out and take their business elsewhere ie, MNCs (Assam / Gujrat).
2. Extortion payments are made is order to secure release of victims eg. The Achille Lauro Incident.
3. Security measures are stepped up. Men and electronic equipments are installed to prevent such attacks eg. Metal detectors, training etc.
4. Re-routing of flights airlines, ships and other forms of transport has to be done. Sometimes alternative routes are planned.
5. Anxiety and tension faced by public / victims / relatives is immense eg. during hijacking of airlines, diplomats.

6. The cost of research institutes and personnel is included. Most nations are looking for a national response to terrorism. Eg. The Govt. of Israel.

Over the years, there have been several responses to terrorism by Governments the world over.

Governments have tried to create forums for ventilating grievances. There are noticeable gaps in criminal law efforts are on to close these gaps by updating laws and other procedures. States need to come forward to pay informers or announce incentives. Some countries have implemented international agreements. Finally preparedness for such attacks / situations would reduce the risk of such attacks.

Looking back over the last five decades. There has been a perceptible change in acts of terrorism. The killing of heads of state and important leaders have given way to attacking soft targets – eg. Civilian targets like market places, religious places of worship etc. By hijacking planes persons fleeing from religious / political persecution seized planes to secure the release of other terrorist and huge amounts of money Today terrorism has a specialized task force, training camps, political or religious ideology, Many terrorist are educated and trained in this vocation. Many
such organizations are backed by governments and finances from outside. Eg. U.S. aid to the Contras in Nicaragua. The victims of terrorism, today may be individuals, groups, civilians, airports, banks and industrial complexes, police, Judges or soldiers on the case may be.

New forms of terrorism have emerged such as cyber terrorism. Terrorist groups eg. Hamas, Hez bollah and others have sophisticated Web Sites. Many of such groups and organizations use computers for a variety of purposes logistical, electronic money transfers, funding etc.. Electronic transfers have assisted many such terrorist groups in moving funds from one place to another, transiting numerous jurisdictions. When sent through financial havens this a cash is untraceable, facilitating on line payments to individuals and organizations.

Terrorist groups and organizations hack into the systems of governmental organizations and agencies to access the information stored. Cyber terrorists have the ability to target and destroy computer systems. Information warfare is a tool in the hands of the modern terrorist.

The workshop of the 10th U.N. Congress on the prevention of the Treatment of Offenders dealt with some of these issues.

An upsurge of terrorist incidents now appear to be carefully noticed all over the world targets now appear to be carefully chosen – targets to create fear and terror to civilians and public alike to draw the attention of the World media such as the attack on Parliament in New Delhi, and the Twin Towers and Pentagon in the U.S.

Since terrorism is a word of uncertain legal content with no definition accepted by the international community, it would follow that there can be said to be no international crime of terrorism.\textsuperscript{10} There is a problem in differentiating the violence used in the domestic arena as differentiated from the international.

According to many States\textsuperscript{11} freedom fighters, self determination or acts committed against colonial rule do not come within the purview of the accepted understanding of terrorism.


\textsuperscript{11} According to Cicero in De Republica, National Law is important, as natural order is important to society.
THE UN. GENERAL ASSEMBLY-INTERNATIONAL TERRORISM

The U.N. has been concerned with international terrorism in a variety of ways. First of all there is an obligation on the part of the States to co-operate to prevent and combating of terrorism. However in reality, it is noticed that states neither furnish information when it would be against their interests nor do they act on information received if it would adversely affect on its nationals. Incidents of hijacking first brought terrorism to light before the international community. The unlawful seizure and acts of sabotage were known in the early 1940’s, but progressively increased in the 1960s. At first they were committed by individuals who faced persecution in the country because of the religious or political beliefs.

The U.N. General Assembly has been very concerned by the increasing acts of violence, taking place in many regions of the world due of intolerance or extremism. In furtherance of State co-operation in order to combat terrorism, and other crimes connected with terrorism, brought into being various measures to curb, illegal arms, trade, trafficking in drugs, smuggling of nuclear weapons and money laundering, there have been

\(^2\) GA Res 40/61 of Dec. 9, 1985
various Resolutions\textsuperscript{13} over the years. It has been concerned as terrorism endangers the constitutional order of States as well as basic human rights. The Resolutions call upon the member States to refrain from assisting or participating in such acts. They are also called to take effective measures to eliminate terrorism. Further they are called upon to conclude extradition agreements with each other. In 1995 the U.N. General Assembly once again called upon member States to effectively implement these provisions\textsuperscript{14}. Also it stressed the need to implement their obligations under International Law.

Later, it was decided to effectively implement these measures in order to combat international terrorism by following the Plan of action drawn up in 1996\textsuperscript{15}. All given on their territory must cease according to the Security Council as these are considered unlawful activities.

As the U.N. and other regional organization find new ways and means to prevent, combat and eliminate terrorism, the violence has increased over the years. A Convention against Terrorism is under

\textsuperscript{13} Res. 46/51 of Dec 1991, Res. 49/60 of Dec 1994 Declaration on Measures to Eliminate International Terrorism.

\textsuperscript{14} Ibid

\textsuperscript{15} Res. 51/210 Dec. 1996
discussion. Most national and international forums, discuss the various aspects of terrorism and its consequences.

Many States were sympathetic and offered such persons asylum. The Cuban refugees received all help from the U.S. when they arrived on its shores – this was viewed as a human rights situation. But then demands were made for ransom, release of various political prisoners lodged in jails, threats of further acts were made. Later they became more serious in nature. In 1963 the Tokyo Convention\textsuperscript{16} came into being. Later, the Montreal Convention\textsuperscript{17}, in order to establish jurisdiction of States over such acts. Yet, States found in breach of its obligations were let off. Acts of sabotage and armed attacks are said to be international violence. Many regional organization like the Council of Europe condemned these acts eg. the exchange of hostages for other terrorists. Regional action in this regard was emphasised.

In the same year, India experienced the first hijacking of an Indian Airlines Aircraft, which was hijacked to Pakistan. Thirty six persons belonging to the National Liberation Front who had been detained in jails

\textsuperscript{16} The Convention on Offences and certain other Acts Committed on Board Aircraft
\textsuperscript{17} Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, 1971.
were released. The crew and passengers were released and the Aircraft was blown up. The hijackers became heroes in Pakistan. The case even came up before the ICJ in 1972 on matter of jurisdiction.

Pakistan's complicity and failure to punish the hijackers was seen as hostile to India and in a furtherance of terrorist acts against India.

Over the years, the nations of the World contemplated preventive and punitive efforts to deal with various acts of terrorism. The matter of law and policy now confronts states and the U.N. No country is free from the menace of terrorism. Later in 1972, terrorists attacked the Olympic Village and killed Israeli athletes. This shocked the conscience of the world. Israel changed her policies and laws, the government would not release militants lodged in jails in return for hostages. Also the Lod Airport Massacre in 1972 brought terrorism center stage before the international / national society.

Terrorist acts are characteristically political offences. Offences against the State are to be met by the use of force as envisaged under the UN Charter. Pre-emptive force is also authorized by the Charter according to the American view.
In 1968 the US strikes against Libya were supposedly against terrorist targets. Colonel Gaddafi had encouraged terrorists to act against the U.S. and hence posed a threat to the entire international community. Various conventions and agreements including the U.N. Law of the Sea Convention has created obligation on the part of States to co-operate with each other in matters concerning international terrorism (Bonn Summit). The States\textsuperscript{18} were obliged to initiate action against terrorist hijackings. Derogation would be considered a breach of obligation under international law. The extradition and trial of offenders was an obligation on the part of States. Many Regional Conventions dealing with the subject came into being including the European Convention on the Suppression of Terrorism, 1977, Convention to Prevent and Punish the Acts of Terrorism – OAS and other bilateral agreements came into being. National Regional and International Co-operation in this regard was expected so that gross violations of human rights would not occur. After the establishment of jurisdiction, the responsibility of states is to bring to trial / punish, or extradite terrorists which is now mandatory. If the terrorist is not extradited there is an obligation to prosecute. In the absence of international consensus and enforcement machinery the UN could only make its,\textsuperscript{18} GA Res 48/122 1993 called upon members to take all necessary and effective measures to prevent combat and eliminate terrorism.
obligatory for States to co-operate and exchange information. Once "responsibility was fixed for such indiscriminate acts of terrorism, and effective legal response would follow at the domestic and international level. Incidents of State sponsored terrorism are on the increase.

The U.S. has over the years used various means to curb terrorism such as economic sanctions\(^{19}\). They were used on States like Libya, Iran, Cuba, Iraq, Syria etc.

Most international and UN responses to terrorism have been peaceful in nature. This was because the international community sought all possible legal measures to deal with terrorism in their own way in the absence of international support. Many nations preferred to be silent when it came to voting on any decision taken by the UN or its agencies / committees. Unlawful force or extra – legal measures serve no purpose. International consensus has been slow over the years.

However, in the past years, terrorists have been pursuing their objectives with more sophisticated weapons which has forced States to pursue both their domestic and international policies aggressively. This at

\(^{19}\) Economic sanctions to curb terrorism, Bureau of Public Affairs Special Report No.149, 1986.
times includes the use of force as it is necessary to protect its citizens.\textsuperscript{20} States were called upon to enhance, the legal regime to combat terrorism. In furtherance of this objective, various draft conventions and protocols dealing with various aspects would need to be brought into being.

This received further impetus after 9/11 attack in the U.S. and the December attack on the Indian Parliament.\textsuperscript{21} States are urged to take all necessary steps to combat such terrorist attacks by freezing funds and financial assets of citizens or groups working in their country.

The exchange of information is a crucial factor, which can only be achieved by international co-operation. Further states while granting refugee status, should suitably scrutinize the application. This Resolution of the Security Council equated terrorism with trans-national organized crime.

Terrorism was called as a threat to international peace and security. A committee was formed to implement and monitor the resolution. The role of "mercenaries" and training camps also received international attention. Noting this assistance and concessions are considered unlawful by the world body.

In the words of Ariel Sharon "There is no good terrorism or bad terrorism. There is only terrorism. The thing is to oppose it but not use it".

\textsuperscript{20} This is considered well within the jurisdiction of States under Act 2 (4) of the Chapter. Eg. Air raid by Israel on PLO headquarters and Israeli military commandoes at Entebbe.

\textsuperscript{21} Sec. Council Res. 1373, 2001 More than 3000 people lost their lives in the 9/11 attack. American business was crippled for many months.