

LEGAL IMPLICATION OF REVENGE KILLING AND ITS RELATION TO TERRORIST IDEOLOGIES

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ABSTRACT

The study examines legal implication of revenge killing and its relation to the terrorist ideologies. Vengeance is basic human instincts which tantamount to the terrorist ideologies. Individuals or group who have been oppressed or wronged often seek to take revenge outside of the rule of law believing this is the best way to punish those who have wronged them. Revenge has positive and negative impact to the person in question and society at large. Some individuals seek to weigh this positive and negative side of vengeance and if the negative is weightier than positive, they might choose to forgive their transgressors or adopt other ways of satisfying their instinct of vengeance and revenge such as legal action. In addition, revenge is one of the terrorist motives especially suicide bombings. Instead of choosing to follow legal routes to solve problems of oppression, terrorists choose to kill others, believing that this serves justice. Hence, revenge is deeply connected to terrorism and terrorist ideologies around the world. This paper examines the psychological and sociological background of revenge. It also discussed criminal elements of revenge, scope, and legal implication to the society at large. In addition, this paper discusses types of revenge and concept of justified and unjustified revenge. In highlighting the direct relationship between revenge and terrorism, this paper hopes to provide policymakers with useful information on how to deal with and prevent terrorists. This helps to build a more detailed framework that can be used by policymakers when formulating measures to prevent terrorism and provide a successful counter-narrative to the public.

Keywords: Legal, Implication, Killing, Revenge, Terrorist, Ideology.

INTRODUCTION

The history of terrorism is as old as the existence of human beings (Merari and Friedland, 1985). With revolutionary developments around the world, the threat of terrorism has also evolved to an alarming situation where the peace of the entire planet is at stake. Specifically, there are three intervening trends which have changed the entire face of terrorism such as corporate globalisation, enhanced modes of transportation, and dissemination of information in an inexpensive and easier way. These inventions have created intense competition of thoughts and rival ideologies. In this regard, September 11, 2001 is being considered as the warning event for the survival of humanity. It is stated by Stern (1999) that the trends of terrorism are creating danger for the anthropology of the human civilisation.

Most of the current literature presents the outcomes of terrorist activities such as the consequences of terrorism for the survival of world and humanity. However, in order to control this extreme phenomenon, it is necessary to explore the causes which motivate human beings to join terrorist organisations.

In order to understand the exact motives behind terrorist actions, whether committed by a group or individual, researchers must have a clear psychological profile of terrorists. This will then aid in developing and improving counter-terrorism policies and procedures. In addition, it will also help to develop counter radicalisation and de-radicalisation programmes in both Muslim-majority and non-Muslim majority states. The central theme of terrorist narratives concentrates on revenge, and this can be clearly seen from the analysis of terrorist propaganda. Therefore, research examined the legal impact of vengeance and the relationship between revenge and terrorism ideologies. It is also discussed psychological and sociological background of revenge and its implication. In addition, it looks into the criminal elements of revenge, scope, and legal implication of revenge and terrorism. In highlighting the direct relationship between revenge and terrorism, researcher provides policymakers with useful information on how to deal with and prevent terrorists. Similarly, this study looks at types of revenge and discusses the concept of justified and unjustified revenge. This helps to build a more detailed framework that can be used by policymakers when formulating measures to prevent terrorism and provide a successful counter-narrative to the public.

Conceptual Clarification

Revenge is the first instinct of an individual who has been wronged or hurt in some way (Majumdar, 2009). It is a form of primitive justice that is usually assumed to be present or expected when there is lack of rules and regulation its implementation (Raghaven, 2007). Revenge is further defined as a harmful action that is done against a person or group as a retaliation to those who wronged them which might be real or perceived (White, 2008). Revenge means righting a wrong by going outside the limits of law. One of the main reasons for vengeance is that the individual who is taking revenge thinks that the culprit will not be severely punished as deterrence to other and lesson to the culprit in particular (Rainsford, 2006). Revenge is also called payback, vengeance, retribution and retaliation, and this may be characterized as a form of justice but which exists outside the jurisprudence of a country's law (Schleifer, 2008). This kind of justice is more of an altruistic action by the one who has been oppressed in some way in response to the perceived deficiencies of that legal system. Such illegality and lawlessness will have negative impact on society at large where innocent person can be attacked wrongly under the pretext of vengeance (Bongar et al., 2007). It is cleared from the above that revenge not only involves retribution but involve illegality, lawlessness and criminal activities.

Historical and Cultural concept of Revenge

Past literature argued that revenge is the most natural response to an act of oppression or injustice religiously, socially, and legally (Schleifer, 2008). It might even be inevitable and perhaps the more prevalent response in the natural setting (White, 2008). Some examples of the themes of vengeance in classic plays and novels include Iliad, Hamlet, Macbeth, The Great Gatsby and The Count of Monte Cristo. Other examples are included in high and low brow motion pictures like The Virgin Spring, Kill Bill and The Godfather (Zaibert, 2006). Even the ancient legal systems like The Code of Hammurabi in 1790 BCE also provide a protection against the acts of vengeance and view these acts as socially acceptable forms of punishment. In fact, ancient has been believed that revenge was natural and was even permitted by the Greek Gods in the historical description of Greece (Griffiths, 1991). In the history of mankind,

especially during the middle Ages, this act of vengeance or violence in the form of revenge persisted for generations in a retaliatory cycle (Fletcher, 2003).

Motives for Revenge

A lot of literature in the past has brought about the fact that the act of revenge and its disposition is related to adverse psychological outcomes such as negative effects on living standards, depression and a reduced amount of satisfaction from life (McCullough et al., 2001). Apart from this, strong desires for revenge and a greater willingness to take revenge from the transgressors has been known to be related to symptoms of post-traumatic stress disorder as well as psychiatric illness and indisposition. In contrast to this, the reductions in revenge motivations on a given day were seen to be related to a higher amount of satisfaction from life as well as increased positivity in moods and fewer psychosomatic symptoms in the future (Bono et al., 2008). According to Carlsmith et al. (2008), there were a few experimental studies conducted on revenge which revealed potential psychological disadvantages and negative effects of the phenomenon. However, the findings of the study by Carlsmith et al. (2008) were different from the studies by Crombag et al. (2003), according to which it was found that the avengers or the revenge takers were generally pleased and satisfied with their decision of revenge taking from their transgressors for up to a year later.

According to Lawler et al. (2005) the motivations of revenge could also affect the human health in an adverse manner. The load of revenging someone lies in one's heart and leads to higher stress levels which cause heart problems. In contrast to this, when the person decides to forgive their transgressor, it is associated with reduced stress, lower levels of blood pressure and lower heart rate, which is comparatively a healthy outcome as there are fewer illness symptoms (Klausen, 2015).

Revenge in the Modern Era

Even in this modern age, acts of revenge and vengeance occur in a high amount in many countries like Albania, China, India, Iraq, Turkey and Yemen (Lanchin, 2008; WuDunn, 1993; Majumdar, 2009; Raghaven, 2007; Rainsford, 2006; Schleifer, 2008; White, 2008). In fact, statistics have stated that revenge killings have taken over ten thousand lives in the past ten (10) years in Albania and Yemen alone (White, 2008). These acts of revenge killing are not just restricted to blood feud cultures. According to Kubrin and Weitzer (2003), almost 20% of the homicides in the United States have been motivated by revenge. The state of revenge can occur for all types of acts of lethal vengeance, and revenge can take place among workplace colleagues, friends and family members. The market is filled with many books that teach the art of revenge for example:

“Don’t get mad, get even: The fine art of revengemanship”,

“Up yours: Guide to advanced revenge techniques”.

Apart from this, several websites, here especially the social media websites like Facebook provide groups in which victims are given the opportunity to disclose information about their oppressors and wrong doers; an example of such a group is Revenge is Sweet (Zaibert, 2006).

Hence, it is extracted from the review of literature that technological innovations alongside awareness among the societies and individuals have enabled the authorities to control terrorist activities which are motivated by revenge. Particularly, the mass dissemination of the information allows the victim to seek justice in a legitimate manner rather than resorting to excessive revenge which may manifest itself as terrorist activities. Such a strong historical body of evidence on revenge should indicate to policymakers and researchers that harmful and oppressive actions perpetrated by governments or individuals may encourage revenge as a terrorist act. This is especially important in cultures where revenge is seen as something honourable and is historically embedded within the psyche of its members.

Analytical Development of Revenge

Although there is an apparent enthusiasm for vengeance illustrated in societies, public attitudes towards the act of revenge are mixed. It has votes both in favour and against it. According to Elster (1990), some people consider revenge to be an irrational act that has no place in a civil society. Cota-McKinley et al. (2001) and Tripp et al. (2002) have an opposite view regarding revenge as they explain that revenge is the most natural response that is both rational and morally justifiable, especially when a society has injustice in its actions and responses. Revenge has been defined as both an act (physical) and desire (emotional). When an individual takes revenge, he is responding to his oppressor by harming him in same way he harmed him (Amaraegbu, 2011). Therefore, revenge is an urge to pay back the wrongdoers in some way; this means that revenge is something that lies in the person's heart. The act of revenge imply that revenge is different from general aggression, deviance, anger and resentment as revenge requires a provoking action whereas acts of aggression and deviance do not require a provoking wrong (Klausen, 2015). This means that in contrast to revenge, anger and resentment are affective rather than behavioural responses. However, it is important to explain here that punishment and revenge are less easily differentiated but are two different things as punishment is defined as a penalty that is charged against a wrong doing (Zaibert, 2006). Apart from this, the goals of acts of revenge and punishment are entirely different. The motivation behind the act of revenge is to see the oppressor suffer and the motivation behind punishment is to improve the future behaviour of the oppressor. The act of revenge is always preceded by anger whereas the act of punishment may not be preceded by anger (Amaraegbu, 2011). Therefore, taking this into account, issues that may cause excessive anger in society must be addressed by authorities to make sure that individuals do not seek revenge by committing terrorist acts. Similarly, punishment is legal and it's within the rules and regulation while vengeance is illegal and lawlessness because the actor will act emotional and taking law from his or her hands which is illegal.

The Psychology of Revenge

According to Crombag et al. (2003) and Elster (1990), there is an additional element included in the definition of revenge which is the cost of revenge or the risks included in the act of revenge. Behaviour can be classified as revenge if it has some costs associated with it (Amaraegbu, 2011). In one of the classic tales of revenge, Euripides, Medea murders her husband's new wife and her own children to take revenge for her husband's disloyalty. This

example is quoted as a classic tale of revenge because it involves this additional element associated with revenge, which is the cost of killing her own children that Medea had to pay to avenge her husband and see him suffer (Zaibert, 2006). This means that the motivation behind this act of revenge is the suffering of the transgressor rather than any personal benefit of the person who is avenging a wrong doing. However, some theorists do not include this idea or component of cost from the definition of revenge, implying that avengers do not incur any cost when they are taking revenge, and they can even benefit from their actions (Klausen, 2015).

One of the most important psychological implications of revenge is that there is no objective standard for the declaration of an act that has been motivated by revenge (White, 2008). An act could be labelled as revenge based on how the perceivers make an attribution for the act. In addition, revenge is an inference and it is regardless of the fact that the individuals who are making the inference are the harm-doers themselves. Similarly, the injured or wronged parties or the outsiders are the part of the revenge act. Since revenge is an inference, various individuals can disagree on whether the same actions are revenge (Zaibert, 2006).

Theorists and researchers in the past have agreed that acts of revenge offer personal and social advantages to the avengers. According to McCullough (2008), evolutionary psychologists state that there are three main adaptive functions that revenge serves. The first adaptive function of revenge is that the mere possibility of revenge discourages the wrong doers to inflict harm upon someone (White, 2008). The individuals who are known to be more vengeful are less likely to be harmed because the cost of harming them would be high (Zaibert, 2006). The second adaptive function in this regard is that if the wrong doing has been done in some situation, the act of revenge will stop the wrongdoers doing further harm because they will be penalized (Amaraegbu, 2011). The third adaptive function of revenge is that it would foster cooperation by preventing individuals from taking advantage of the work that has been done by others (Klausen, 2015).

In some theories, the use of revenge by people to restore justice has been hypothesized as beneficial to the psychology of other people who could possibly inflict harm. According to the Equity Theory, individuals experience the feelings of distress when they think that they have been treated unfairly (White, 2008).

There are many favourable aspects of revenge that have been focused on previous literature by the theorists and researchers, but a part of that research has also focused on the negative and disrespectful behaviour of revenge as well (Zaibert, 2006).

Terrorist Ideologies and Revenge

In order to understand the relationship between revenge and terrorist ideology, it is important to understand the lifecycle of a terrorist (Klausen, 2015). The basics of becoming a terrorist include a focused and sustained commitment to the group as well as the motive behind the terrorist activities being carried out by that group. The terrorists in the terrorist groups and organizations pass through different phases of a whole psychological process in the terrorist life cycle. The attraction to and the entrance into the terrorist path is a slow and gradual process which usually begins in early childhood where hatred and revenge is nurtured (Atran, 2006). Generally, an individual will be initially attracted to a potential terrorist group when he or she experiences differences in terms of radicalization as well as collective identity, which in turn will lead the individual to be a part of a group which will carry out terrorist activities (Chase, 2013).

Most terrorists are from religious or secular groups and several manipulative leaders consolidate the collective identity of the terrorist group to bring out one motive which might be driven by revenge (Nacos, 2012). This implies that it is significant that an individual is influenced from early childhood to be included and recruited into a terrorist group so that the feelings of revenge or other motives are imbedded in their psyche. In a closed group, it would be difficult to penetrate the psychology of a late comer and change and extricate him. Terrorism is a complex and diverse phenomenon which takes into view several things like the psychology of the people associated with the group (Chase, 2013). There might be various kinds of terrorist groups who of course will have different kinds of motivations like the right-wing to the government group, the nationalist or the separatist group, the social, revolutionary or the religious and fundamentalist group. The actions of these terrorist groups as well as their terrorist psychologies combined explain the behaviour of the terrorist group (Mahmood, 2012). There is no unified or generalized theory that explains the behaviour of terrorists (Amaraegbu, 2011). Although in order to understand terrorist behaviour it is important to understand that their individual and group psychology. It is also important to understand that their political, historical, cultural, economy, religious and ideological background as well as the motives and causes behind their terrorist activities. Each terrorist activity would have a different and thus a different political, cultural, social or historical background which might or might not be rooted in revenge (Aquino et al., 2006). According to Sandler (2008) the feelings and emotions related to revenge are one of the most important feelings that are felt and considered by individuals who are enlisted and enrolled in terrorist organizations. This revenge can be related to both the lost comradships and the ideological injustices which have been disturbed by law as revenge has been known to play a prominent role in developing anger to an extent that the avenger would destroy everything in the way in order to avenge his transgressor (Chase, 2013).

Another very famous and most practiced type of a terrorism activity is suicide terrorism which has been known to be motivated by revenge (Klausen, 2015). It is martyrdom function, where the terrorist who attempts to make this suicide terrorist activity is ensured that not only will he be able to avenge his transgressors by killing them, he will also achieve martyrdom by killing himself in the act of terrorism and aggression (Nacos, 2012). In order to get such an act done from the terrorist, their minds and psychology are influenced to a large extent and are kept in line with the group psychology. Therefore, this kind of psychology would especially be influenced if the individual's psychology is similar to the group's psychology (Amaraegbu, 2011). Hence, it is analysed from distinct dimensions of the literature that an excessive amount of revenge could lead the humans towards the terrorist activities.

Terrorism and Revenge

Recent history has also explained that the instinct of revenge causes acts of terrorism. This brings to the discussion how individual and group psychology relating to revenge leads to acts of terrorism (Chase, 2013). In fact, psychologists have even asserted that the terrorists are psychologically normal and in fact are not clinically psychotic (Bongar et al., 2007). Psychologists also assert that these terrorists are neither depressed nor crazy fanatics (*ibid*). In fact, terrorist organizations have special screening process which screen out the emotionally unstable individuals and do not hire them for terrorist activities as these people would represent a security risk. There are multiple motivations behind these acts of terrorism (Chase, 2013).

Firstly, the act of terrorism is carried out to gain a sense of power on the ones who are powerless (Mahmood, 2012). Secondly, motives behind the act of terrorism included revenge. Thirdly, motive behind the act of terrorism was to gain a sense of significance above others (Klausen, 2015). Research has established that even within a group, different individuals might have different motives for the acts of terrorism they carry out (Amaraegbu, 2011). Research has established that the group members will be motivated to different degrees by the group interest or their self-serving actions while others will be motivated by ideology or by their motivation to take revenge from others (Chase, 2013). However, it is not actually the individual psychology that matters but actually the whole group, organizational or social psychology that matters the most and is called the "*collective identity*". This is helpful in understanding terrorist psychology and behaviour. In some cultures or groups, especially terrorist or the nationalist groups, this psychological thought is embedded in the minds of individuals, which means that hatred and revenge is actually nurtured within them (Zaibert, 2006). Revenge becomes a part of the socio-natural context which can both be present in the context of collective and individual identity. The terrorist organizations train their terrorists to make a preference for the collective group identity above the identity of the individuals themselves. This is to indicate and proof that what they doing for the group is of more importance than what they do individually (Bongar et al., 2007). However, the two terms could not be used interchangeably; revenge could be a cause of terrorism motivation, but it is not itself a terrorist activity, whereas violent revenge could be a form of terrorism if it is outside the law. On the other hand, killing a terrorist group could also be categorised as the revenge or pro-active measure which is legally and ethically acceptable in every society.

Legal Implication of the Terrorist Ideologies

Revenge has been cited as a factor in one in five murders in developed countries. According to a report released in 2002, between 1974 and 2000 the motivation behind three in five shootings in the United States was revenge and vengeance. Studies state that revenge might have its positivity but it also has a negative effect and this side effect is not just for the recipient of the revenge but also the one who is taking revenge. Revenge might lead to counter revenge and then the revenge upon revenge episodes can be prolonged for centuries (Klausen, 2015). In a study by Stillwell et al. (2008), the participants reported one revenge incident from the avenger's side and another revenge incident from the perspective of the transgressor. The avengers rated the revenge incident as equitable, whereas the transgressor rated the revenge incident as high on the scale and excessive (White, 2008). Due to this gap in the perceptions of both sides, the ongoing vicious and escalating cycle of revenge continues (Chase, 2013). The avengers perceive the revenge to be equal, whereas the transgressors perceive that the revenge is disproportionately severe which brings them to the brink of counter revenging the avengers and thus this cycle continues. A long world history of such vengeful acts exists between many groups in the world such as between Israelis and Palestinians, Hindus and Sikhs, Shi'ites and Sunnis, Protestants and Irish Catholics are a few examples (Zaibert, 2006).

Excessively, revenge could be explained in simplest form as an act of hurting a person as a reaction of the injustice done by the same person. However, there are certain perspectives that could be taken into consideration even in case of revenge because the legal and ethical values do not allow a person to harm any other in excessive manner (Zaibert, 2006). Therefore, the extent

of revenge should be aligned to the harm committed and inflicted by the individual or group. For instance, a human is not allowed to kill other for committing theft, if the person does so, it would be the excessive revenge which is not permissible as per the legal and moral perspectives. The act of revenge or the thought of taking revenge contributes in reducing the level of stress by making things square with the wrongdoer or the transgressor. One of the most frustrating and infuriating thing is being harmed by the transgressor because he walks in pleasure and I am suffering (Frijda, 1994). Although revenge cannot undo what has been done once the harm was inflicted, it can restore the balance of suffering between the victim and the transgressor to some extent. When the transgressors inflict harm, they show that their victims are not worthy of any respect, but when victims take vengeance, they can restore their self-worth and they are able to show that they are not powerless (Chase, 2013). Again, the idea is based on blind revenge which does not distinguish between the innocent and the guilty. This draws the line between revenge and terrorism. An example of vengeance can be seen in the attacks of 9/11 on the World Trade Centre in the USA. Osama Bin Laden regarded these attacks on the WTC as a revenge for the humiliations that dated back to earlier wars. However, opposite to this, President Bush called these acts of attacks on 9/11 as "*evil, despicable acts of terror*" that attempted to bring down the world's biggest nation of freedom and opportunity (Klausen, 2015). Therefore, revenge could cause threats to all of humanity when it is excessive, such as the 9/11 attacks. This in turn caused wars that have killed many innocent people, who are not responsible for the actions of Osama Bin Laden. Educating youth about the harms of terrorist actions is essential. In addition, authorities must highlight that the cost of revenge through terrorist actions is high. It is clear from analysing the events after September 11th that the terrorist's desire to cause harm to their perceived enemy actually resulted in a greater harm to terrorists and innocent people. Killing innocent children, women, elderly people, disable people, securities, worshipers, and others for the uncommitted crime. The revengers will take laws form their hands which resulted to destroy of lives and properties. Expensive properties would be damaged and destroyed simply because of revenge while such destruction may not be renovated on time. Even, the vengeance's victim might be bread winner of a less privileged family and his or her sudden death will cause financial difficulties for such family.

CONCLUSION

It could be asserted that terrorist activities are acts of violence and aggression which might or might not be motivated by revenge. Newspapers and media reports are all filled with acts of horrific violence that are more often portrayed as acts of revenge. In the last 15 years, the number of suicide bombings carried out in the name of revenge has increased more than ten times. Along with the benefits that have been known to be associated with revenge, there are many costs that are associated with revenge as well. Although terrorist activities are aimed to focus on the transgressors, there are other innocent lives in the same region as well who may have to experience the effects of revenge, especially when the terrorist activity involves suicide bombings. Instead of automatically responding to injustice and transgression, some victims will more likely compare the relative costs and benefits that are associated with revenge and then plan out a revenge scene; and if the negative effect of revenge is higher than its benefits, the victims will choose other methods of coping with the aggression inflicted on them. Because of these higher costs, the victims would out rightly reject vengeance for other actions that will help

to achieve similar outcomes. Some of these actions could include voicing their pain and requesting compensation from governments or higher authorities and corporations. Other actions could also include choosing official channels for attaining justice through police and other legal systems. Some people will even choose forgiveness and putting things behind them to tackle victimizations. These forms of avenging are much safer and have known to bring out positive outcomes like increased cooperation between people and groups, improved physical and psychological health, relationship repair and improved affect between people (Ysseldyk et al., 2007).

Revenge has been known to be deeply associated with terrorist activities as revenge is one of the most important motives behind terrorist activities. Terrorism around the world is motivated by revenge outside the context of law against innocent people. Excessive revenge is characterized by killing innocent people because of their perceived affiliation to a group who are seen by terrorists as the enemy. The psychology of revenge and its manifestations must be made an important factor in policymaking and in counter-terrorism measures and de-radicalization programs.

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