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Lecture Notes, November 8

We've characterized terrorism. Now, can we find any defense of it?

I. Terrorism and consequentialism

Frey and Morris consider a consequentialist defense of terrorism.
On a consequentialist calculation, the ends can justify the means.
If you murder one to save nine, the net result is nine lives saved.

Frey and Morris point out that most consequentialists are universalists.
By this they mean that one must count all persons equally.
So, unless terrorist acts directly save lives, it's hard to see how the ends could justify the means.

In addition, terrorism is likely to be ineffective in attaining its goals.
It tends to harden the opposition, who fear that caving to terrorist demands will increase the likelihood of further terrorism.

Moreover, options like passive resistance and civil disobedience may be just as effective without causing as much short and long term unhappiness.

It looks like we're likely to find no consequentialist justification of terrorism.
If the goal is to rectify injustice, the creation of more injustice, when coupled with universalism, just makes matters worse, p 108.

II. Seeking a Kantian defense of terrorism.

Prima facie, this seems even more unlikely.
Kant's respect for persons seems to debar acts of violence.
But there might be a loophole.
If some one has abridged the CI, the community has a responsibility to punish the offender.
We might interpret 'community' to mean the world community.
So, it might be that terrorism, like war more generally, might be justified on Kantian grounds.

The questions of the justifiability of terrorism and the justifiability of war, more generally, may thus hinge, in large part, on the questions of innocents.
A Kantian can not defend harming innocents.
But if the people in an enemy state aren't innocent, then we might find room to defend terrorism as retribution.
Consider how the IRA might consider the status of English citizens, or how Israeli citizens are viewed by Hamas (especially the settlers).

Instead of seeing the targets of violence as innocent victims, they portray them as complicit, and dangerous enemies.

Also, if we can make any distinction between war and terrorism, or perhaps between legitimate and illegitimate acts of war, it is likely to be in terms, at least in part, of the killing of innocents.

See Wasserstrom, p 118.

The philosophically interesting point, here, is whether there is any legitimate way of characterizing innocence with regards to war, or war-like aggression.

III. Abstract analysis of 'innocence'

Frey and Morris point out that there are two senses of the term 'innocent'.

On the 'moral' sense, an innocent is some one who is not responsible for wrongdoing.

On the 'causal' sense, an innocent is one who does not pose any threat.

We can affirm that some citizens of an enemy are morally innocent, and still deny their causal innocence. Thus, as a mere principle of self-defense, we may harm those who are morally innocent, if they are not causally innocent.

For example, consider the booby-trapped infant.

In determining whether an enemy is a legitimate target, for any attack, whether 'terrorist' or not, one might appeal to the causal sense, even if the moral sense fails.

So, even if the English citizen hasn't actively oppressed the Irishman, and so is morally innocent, the IRA can claim that the English citizen poses a threat to Ireland by supporting an oppressive regime.

Note: I know that my example here is a bit passe, but I'm trying to use a case which isn't too emotionally charged at the moment.

IV. Concrete analysis of 'innocence'

(This discussion relies on both Wasserstrom and Frey and Morris.)

We can't easily define 'innocent' as 'non-combatant'.

Workers in munitions plants, farmers who grow food for the army, and doctors and nurses who rehabilitate soldiers for further combat all contribute to directly to the war effort, even if they aren't combatants.

We also can't make the distinction on the causal connection to war.

Some soldiers might not be productive to war effort, but we can't in any practical way distinguish them. Some civilians would have such a connection, others wouldn't.

We can try culpability, but that's tricky, as well.

People who aren't involved in the war effort may be responsible for its arising.

Electoral, financial, and tacit support prevent anyone from being deemed innocent.

It looks like there is no good way to determine innocence.

V. Options, in the absence of a good definition of innocence.

Given that killing innocents is obviously wrong, we have two possible conclusions:

1. Thus, war, and consequently terrorism, are unjustifiable.

Wasserstrom calls this the absolutist view, attributes it to Anscombe, p 120.

The killing of innocents is inevitable, no matter how we define them.

E.g. children, the powerless infirm.

Killing of innocents is wrong.

This makes war obviously immoral.

This first view is implausible.

Even knowing that innocent children are likely to die, we still will fight just wars, like WWII.

There is a more moderate view, p 119.

2. Thus, we will have to look towards gradations: fighting a war is always morally bad, but some wars are worse than others.

Warlike actions may not be thoroughly justified.

But we can distinguish between more and less justifiable actions.

This more moderate view is more plausible.

Even so, it eliminates the use of nuclear weapons, for example.

For, the indiscriminate killing of large numbers of people can never be justified.

Even if we can't generate an airtight definition of innocence.