

Terrorism

To make its research readily available to a broad audience, the Center for Philosophy and Public Policy publishes a quarterly newsletter: *QQ—Report from the Center for Philosophy and Public Policy*. Named after the abbreviation for “questions,” *QQ* summarizes and supplements Center books and working papers and features other selected work on public policy questions. Articles in *QQ* are intended to advance philosophically informed debate on current policy choices; the views presented are not necessarily those of the Center or its sponsors.

* * *

In this issue:

Terrorism has been called “the cancer of the modern world.” What is the distinctive evil of terrorism compared with other forms of political violence? Can it ever be justified? How should we combat it? p. 1

Are mandatory drug tests for student athletes a good idea? How about for the pros? And how about for the rest of us? p. 6

A closer look at the Bork nomination and at the debate over judicial activism which lay at its core p. 9

Daniel Callahan’s new book, *Setting Limits: Medical Goals in an Aging Society*, is reviewed . p. 12

In Enniskillen, Ireland, a bomb explodes during a memorial service, fatally injuring 11 civilian mourners gathered to honor their dead. Explosives detonated in the crowded Rome and Vienna airports kill tourists heading home for the holidays. A cruise ship is held hostage in the Mediterranean, and an elderly, wheelchair-bound passenger slain. Ordinary people going about their ordinary business are subjected to violent assaults carried out not by any legal authority or warring army, but by secret groups motivated by some political grievance. This is terrorism.

Terrorism horrifies almost all of us, even, sometimes, its perpetrators: the IRA issued an apology after the Enniskillen bombing. International terrorism is “the cancer of the modern world,” says one commentator, “a dynamic organism which attacks the healthy flesh of the surrounding society.” The U.S. State Department calls terrorism “a criminal activity that no political cause can justify.” President Reagan has made the battle against terrorism a rhetorical cornerstone of his foreign policy.

Why does terrorism inspire such revulsion? Why do acts of terrorism horrify us more than other acts of political violence? Fewer than 200 Americans died in terrorist incidents abroad in all the years between 1973 and 1982; the CIA estimates that about 3300 people worldwide were victims of terrorism between 1968 and 1980. These figures pale by comparison with the 200,000 reported killed in East Timor by Indonesians between 1980 and 1984; the more than 30,000 killed in El

Salvador between 1979 and 1982; the 20,000 murdered in Chile in the two years after General Pinochet's 1973 coup—not to mention the civilian casualties in the last dozen of this century's bloody wars. Yet terrorism grips our collective consciousness in a way far out of proportion to the numbers involved.

Judith Lichtenberg, director of the Center for Philosophy and Public Policy's project on the media, suggests that we react this way in part because the horror of terrorism is simply more telegenic: the dramatic nature of many terrorist incidents lends itself to intensive media coverage, which focuses our fear and outrage on one particular kind of violence. "A hijack-

It is also...only human nature to care more about violence when we can place ourselves imaginatively in the place of its victims. Violence targeted against ordinary people makes ordinary people everywhere feel uneasy.

ing is ready-made news: it occurs *here and now*"; the seizing of American hostages is "a breaking story, an ongoing crisis providing the press with a continual flow of action, suspense, and new information."

It is also, Lichtenberg notes, only human nature to care more about violence when we can place ourselves imaginatively in the place of its victims. Violence targeted at ordinary people makes ordinary people everywhere feel uneasy. When American tourists are gunned down on a holiday abroad, other Americans find themselves thinking, "That might have been me"—however minute the chance of such an occurrence. But while this facility in identifying with the victims of terrorism helps to explain our greater preoccupation with this kind of violence, Lichtenberg argues that it provides no guidance for how we should evaluate terrorism in *moral* terms.

What is distinctively wrong or evil about terrorism compared with other forms of political violence? How wrong or evil *is* terrorism? Is terrorism always beyond the moral pale, or can it ever be justified? What can and should be done to combat it?

Who Is Innocent?

The evil laid at the door of terrorism is that it harms or menaces innocent people to achieve its political ends. Those attempting to justify a given terrorist act (or to deny that it deserves the morally loaded label of "terrorism") argue either that its victims are not innocent in some deeper sense or that the violence is nonetheless justified as the only means to a greater good.

Terrorist acts target civilians; do they target the *innocent*? Robert K. Fullinwider of the Center for Philosophy and Public Policy points out that who is "innocent" is

often precisely the question at issue between terrorist groups and their opponents. Terrorist acts are often directed against political leaders, government officials, civilian agents of occupying powers, or the police—who at least bear some responsibility for the policies that draw the terrorist's ire. Nor are guilt and innocence strictly legal matters. Where the law itself is corrupt or violates our moral standards, we can sympathize with the desire to "take the law into one's own hands," to redress the injustices to which it is obdurately blind. The terrorist, in Fullinwider's view, sees himself as appealing to a "higher law," to morality itself.

In many cases, however, it is difficult to claim that the terrorist's victims are connected in any clear way to the alleged crimes redressed by terrorist violence. What reasonable connection did Leon Klinghoffer, the passenger slain by the *Achille Lauro* hijackers, have to Palestinian grievances against Israel? His only "crime" was to be American and Jewish—an offense against neither law nor morality. According to Fullinwider, "If this is enough of a connection to make [someone a] fair target, then no one is innocent. The 'immunity of the innocent' is emptied as a moral notion." If terrorist violence of this sort is to be justified, some other strategy will be needed to do it.

Of Omelets and Eggs

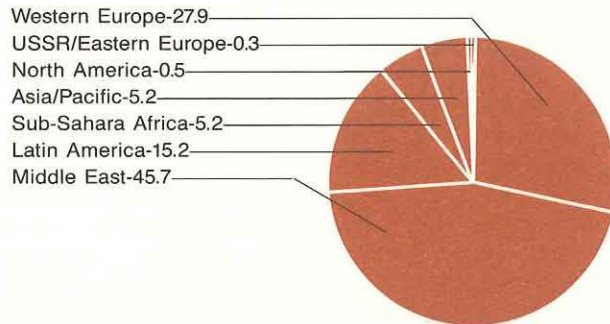
A second avenue for justification is to argue that violence against even the truly innocent is a regrettable but necessary means to achieve some greater good. At least some revolutionary groups are seeking to resist oppression and to promote justice; violence may seem to be their only viable option for advancing these goals in the face of the greater might—and hostility—of their oppressors. The claim here is, quite simply, that terrorism works, and that it is the only thing that works.

At least some revolutionary groups are seeking to resist oppression and to promote justice; violence may seem to be their only viable option for advancing these goals in the face of the greater might...of their oppressors.

Does terrorism work? According to Walter Laqueur, author of *The Age of Terrorism*, terrorist violence has been strikingly ineffective at producing political change. Individual terrorist campaigns have tended in fact to produce "violent repression and a polarization which precluded political progress." Seen in historical perspective, Laqueur observes, "terrorism has been effective only in very specific circumstances.... In most cases, terrorism, in the longer run, made no political difference one way or another—in some, it caused the exact opposite of what the terrorists hoped and intended to achieve." Even if violence against the in-

Geographic Distribution of International Terrorist Incidents, 1985

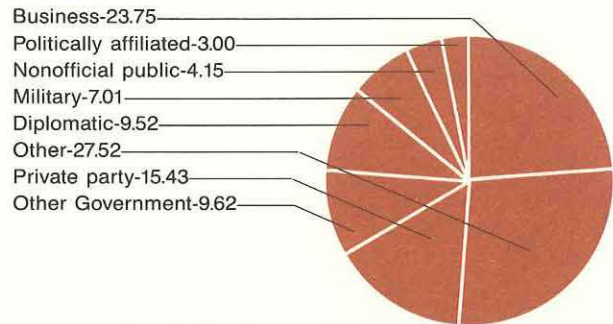
Percent



Source: U.S. Department of State
Patterns of Global Terrorism: 1985

International Terrorist Incidents By Type of Target/Victim, 1985^a

Percent



^a These percentages are based on numbers that are higher than the total number of incidents because of multiple recordings of victims and/or installations attacked.

nocent were an effective tactic of political change, it is almost never the only option available for political transformation, not for a movement with the widespread popular support needed for political legitimacy. Laqueur's historical analysis of terrorism bears out the conclusion that "terrorism frequently occurs where there are other, non-violent political alternatives."

Nor is it clear that most terrorism, even if successful, would actually result in securing greater justice. Today's revolutionary movements, according to Laqueur, often aim at "domination, not liberation; this kind of terrorism is simply one form of nationalist or religious strife." Even where terrorists have been fighting dictatorships for greater political freedom and social justice, success might "well mean the replacement of one type of dictatorship by another, more effective or more charismatic, but more severe; the case of Iran provides a great deal of food for thought."

The Moral High Road

Finally, whatever the claimed efficacy of terrorism, one wants to say that there are some means that we just *don't use*. Civilized people have renounced some means as morally indecent, among them attacks against the truly innocent. Even in warfare, there are limits beyond which we will not go.

But in this century, as in all centuries before, even the most civilized states, with the most robustly moral rhetoric, have repeatedly crossed these uncrossable moral lines. Terrorism is hardly the only example of violence against the innocent for political ends. Attacks upon the innocent, just-war theory notwithstanding,

are a staple of modern-day warfare. The fire bombing of Dresden and the London Blitz were deliberate attempts to raise the toll of civilian casualties, and 120,000 men, women, and children perished in Hiroshima and Nagasaki. These military decisions were defended as hastening the end of the Second World War and so reducing the ultimate costs in human suffering: a noble end was held to justify ignoble means. If Harry Truman could make such a claim, why not Yasser Arafat?

C.A.J. Coady, professor of philosophy at the University of Melbourne, argues that the moral justifiability of terrorist violence should be assessed in the same way as the moral justifiability of violence committed by organized states. But in fact it is not. Coady suggests that "many condemnations of terrorism are subject to the charge of inconsistency, if not hypocrisy, because they insist on applying one kind of morality to the state's use of violence in war...and another kind altogether to the use of violence by...the revolutionary. For one's own state a utilitarian standard is adopted which morally legitimates the intentional killing of non-combatants so that such acts of state terrorism as the bombing of Dresden are deemed to be morally sanctioned by the good ends they supposedly serve. The same people, however, make the move to higher ground when considering the activities of the rebel or the revolutionary and judge his killing of non-combatants [as intrinsically wrong]." Coady resolves the inconsistency by objecting "to the technique of terrorism as immoral wherever or whenever it is used or proposed."

If this standard is adopted, state violence against the innocent may end up looking worse than terrorist

violence. Certainly the figures cited above suggest that state violence is responsible for a far vaster quantity of human misery. If there is some special evil in terrorism, then, it can't lie in the fact that it alone targets the innocent or wreaks a terrible toll in human misery. The special horror of terrorism can't be simply, as Coady quotes a modern-day jingle, that "throwing a bomb is bad, dropping a bomb is good."

The Distinctive Wrong of Terrorism

What, then, makes terrorism special? Does our present preoccupation with it have any rational grounding? Certainly the preoccupation with terrorism is intensified by the special frustrations in trying to deal with it. The current administration has been consumed with the practical problems of terrorism: desperation to obtain the release of American hostages led to the humiliating recourse of an arms deal with the Ayatollah. There seems to be no straightforward way to avenge terrorism without endangering still more innocent bystanders—and without making ourselves into terrorists in the process, since terrorism typically offers no clear target for retaliation and we don't want to be guilty ourselves of indiscriminate violence.

This last may contain the key to what is not only the distinctive frustration but a distinctive evil of terrorism. It is this: terrorism preys on the special vulnerability of those who try to live by a moral code that invests vast moral significance in ordinary, individual persons. The terrorist counts in the first place on the fact that his adversary will indeed be devastated by the death or kidnapping of even a single citizen, willing to jeopardize any number of foreign policy concerns to return one captured journalist to his family. And, second, the terrorist gambles that the same moral code will tie his adversary's hands in responding to terrorist provocation.

We ourselves may violate our own moral code, may stand guilty of war crimes or other monstrous moral wrongs, but insofar as we try to live up to a moral vision that places value on every individual person, terrorism

can be said to hold us hostage in effect just to what is best in us. It achieves its results by exploiting our most deeply held moral convictions. It differs in this respect from the violence states perpetrate in warfare: warfare is carried on by a sheer exercise of raw power, intended to compel the adversary's surrender by brute force alone. A warring army aims to leave the adversary no choice but surrender, by destroying any power to resist. Terrorist violence needs no nuclear bombs, only crudely made car bombs, for its most potent weapon is not its military might, but its adversary's moral sensibilities, its moral conscience and moral code.

Responding to Terrorism

How can we respond to terrorism? One commonly proposed first step is a simple one: insofar as terrorism capitalizes on the media coverage it attracts, we can take steps to deny it any publicity. John O'Sullivan, deputy editor of the *London Times*, argues that by their front-page coverage of terrorism the media "help the terrorist spread an atmosphere of fear and anxiety in society, they provide him with an opportunity to argue his case to the wider public, and they bestow an undeserved legitimacy on him." But Lichtenberg counters that, if anything, media coverage "promotes not terrorism but Rambo-like responses to it." First, "by emphasizing terrorist incidents...to the neglect of other political violence, it exaggerates the significance of terrorism and promotes the view that it constitutes the greatest threat to world peace, civilization, and the rule of law. In addition, the style of most media coverage—long on drama and slogans (*America Held Hostage: Day 412*), short on analysis and explanation—encourages the view that terrorists are irrational psychopaths to whom the only appropriate response is force." And as long as hostage dramas sell newspapers and boost ratings, the media in a free society are not likely to limit coverage of them.

The natural response when struck with terrorism, of course, is to strike back, as the United States has tried to do overtly in the raid on Libya and covertly in various

International Terrorist Incidents by Region, 1981-85

Source: U.S. Department of State
Patterns of Global Terrorism: 1985

Patterns of Global Terrorism: 1985					Number of incidents	
	1981	1982	1983	1984	1985	Total
Total	496	477	485	598	782	2,838
Middle East	97	51	107	205	357	817
Western Europe	215	249	189	232	218	1,103
Latin America	112	96	121	83	119	531
Sub-Saharan Africa	19	16	20	45	41	141
Asia/Pacific	15	28	37	27	41	148
North America	31	32	9	5	4	81
USSR/Eastern Europe	7	5	2	1	2	17

CIA maneuvers and machinations. As we have seen, attempted retaliation can be morally problematic. Michael Walzer, professor at the Institute for Advanced Study in Princeton, reminds us that "counter-terrorism can't be excused just because it is reactive," for "every new actor... claims to be reacting to someone else, standing in a circle and just passing the evil along." Repression and retaliation, Walzer cautions, "must not repeat the wrongs of terrorism, which is to say that they must be aimed systematically at the terrorists themselves, never at the people for whom the terrorists claim to be acting... The refusal to make ordinary people into targets, whatever their nationality or even their politics: this is the only way to say no to terrorism." Lichtenberg agrees that "our claim to moral superiority lies in our refusal to adopt the tactics of terrorism. The outrage we reserve for it is mere hypocrisy if in our zeal to destroy it we become near enough to terrorists ourselves."

Benjamin Netanyahu, Permanent Representative of Israel to the United Nations, insists that a policy of restraint would leave the West at the mercy of terrorism: "In practical terms, an inflexible rule against risking civilian casualties would make any military action virtually impossible... Responsible governments seek to minimize civilian casualties. But they do not grant immunity to an aggressor simply because their response might endanger civilians... An absolute prohibition on civilian casualties affords the terrorist an invincible shield."

The risks—moral and otherwise—that the United States should be willing to run in responding to terrorism depend greatly on what exactly is placed at risk by terrorism. Here Laqueur argues that the threat posed by terrorism seems to be exaggerated. He rejects the metaphor of terrorism as "the cancer of the modern

... "our claim to moral superiority lies in our refusal to adopt the tactics of terrorism. The outrage we reserve for it is mere hypocrisy if in our zeal to destroy it we become near enough to terrorists ourselves."

world," pointing out that it is neither fatal ("there has not been so far a single case of a society dragged down to destruction as a result of terrorism") nor spreading (the number of terrorist bombings has remained fairly constant over the last twenty years). If this is so, we should perhaps err on the side of protecting innocent human life, wary of eroding the moral difference between perpetrating terrorism and responding to it.

Another approach is to attempt to respond, not to terrorism itself, but to its underlying causes: in Walzer's words, "to address directly, ourselves, the oppression

the terrorists claim to oppose." Laqueur rejects the view, however, that terrorism and oppression are tightly correlated or that "the only known means of reducing the likelihood of terrorism is a reduction of the grievances, stresses and frustrations underlying it." Even if a reduction of grievances would quench terrorist ardor, often the grievances simply cannot be eliminated. Where the demands of national and religious groups are mutually exclusive, for example, "acceding to the demands of one group may mean injustice to another."

"First oppression is made [by the terrorist] into an excuse for terrorism, and then the terrorism is made [by the anti-terrorist] into an excuse for oppression." We cannot let the terrorist intimidate us from acting justly.

Some would even argue that attempts to prevent terrorism by reducing the oppression that animates it are not only unlikely to be successful but in fact aid and abet the terrorist. "There is an argument," Walzer notes, "that we should refuse to acknowledge any link at all between terrorism and oppression—as if any defense of oppressed men and women, once a terrorist campaign has been launched... would give terrorism the appearance of effectiveness, and so increase the likelihood of terrorist campaigns in the future." But, in Walzer's view, this kind of argument just goes the terrorist one better at his own game: "First oppression is made [by the terrorist] into an excuse for terrorism, and then the terrorism is made [by the anti-terrorist] into an excuse for oppression." We cannot let the terrorist intimidate us from acting justly.

The greatest danger terrorism poses for the United States may lie in a double-edged temptation: on the one hand, to over-react, to respond in kind, with equally indiscriminate violence; on the other, to become so jaded by repeated terrorist incidents that threats to innocent human life no longer seem worth resisting. In both cases we violate our moral convictions and compromise our moral vision. In both we make ourselves more like the terrorist.

The sources quoted in this article are: Judith Lichtenberg, "Beneath the Rhetoric of Terrorism," unpublished paper; Robert K. Fullinwider, "Understanding Terrorism," in *Problems of International Justice: Philosophical Essays*, edited by Steven Luper-Foy, Westview Press, forthcoming; Walter Laqueur, *The Age of Terrorism*, Little, Brown, 1987; C.A.J. Coady, "The Morality of Terrorism," *Philosophy*, vol. 60 (1985); John O'Sullivan, "Deny Them Publicity," in *Terrorism: How the West Can Win*, edited by Benjamin Netanyahu, Farrar Straus Giroux, 1986; Michael Walzer, "Terrorism: A Critique of Excuses," in *Problems of International Justice*; Benjamin Netanyahu, "Terrorism: How the West Can Win," in *Terrorism: How the West Can Win*.