TERRORISM
A PHILOSOPHICAL INVESTIGATION

IGOR PRIMORATZ

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Introduction

The Subject

Since the terrorist attacks in New York on September 11, 2001, and those that came in their aftermath in London, Madrid, Bali, and elsewhere, terrorism has been the focus of a worldwide public debate. This debate has involved a wide array of participants, from political scientists and historians to politicians and common citizens. Yet the debate has not been very fruitful: there is little agreement on any of the main questions raised by terrorism, whether conceptual, moral, or political. It has often been plagued by lack of clarity about what its subject is: Who is a terrorist? What is terrorism? It has often been affected, and indeed informed and directed, by all manner of emotions, passions, and interests. It has been plagued by double standards and has often led to talking at cross purposes.

Perhaps this should not be surprising; after all, any debate greatly affected by emotion is liable to get confused and confusing. And terrorism is bound to stir some strong emotions. For, on all plausible accounts, terrorism is a type of violence, and violence is obviously an emotion-laden matter, in particular when directed at life and limb, as most terrorist violence is. Moreover, in an important respect, terrorism is the most frightening type of violence. For, although it is normally on a much smaller scale than the violence of war, unlike war, it is utterly unpredictable and potentially ubiquitous. As a civilian, I may not be under any threat of deadly violence even though my country is at war. But if my country is undergoing a campaign of terrorism, there is not much I can do to make sure that I and those I most care about are not killed or maimed. To be sure, we can avoid going to certain particularly dangerous places, or being out at all at

particularly dangerous times. But that will only make for a somewhat better chance of not being hit – it will not provide real and long-term protection.

But the subject of terrorism is not emotion-laden only because terrorism is so frightening. In addition to triggering our apprehension or outright fear for our own life and the lives of family and friends, it often stirs our distinctively moral emotions. Many feel that terrorism is highly morally provocative and repugnant – indeed, a paradigm example of moral atrocity.

Of course, some will find terrorism morally repugnant because they consider all violence repugnant. But if one is not a pacifist, if one allows that violence, including state violence, and including war, too, may be morally justified, one might still draw the line at terrorism. In that case, what would be the crucial consideration concerning terrorism? Just why would one think that recourse to violence in law enforcement or war might be morally right, while terrorism is always morally wrong, and extremely wrong at that?

One possible reason is lack of authority. Terrorists act without any authorization, and indeed in opposition to and in contempt of the authorities. Whereas the violence employed by police officers in law enforcement, or by soldiers in war, is employed on behalf of the state, with its express authorization, terrorists "take the law into their own hands." Their violence is unlawful; indeed, it poses a challenge to the very idea of the rule of law.

Another reason is that terrorists operate in the dark, rather than fighting openly. Unlike soldiers and police officers, they do not identify themselves as such, but rather act as a "secret army." In this way they avoid taking chances of the sort they impose on those they attack.

Yet another way of explaining the deep moral repugnance most of us feel in relation to terrorism is to highlight those on the receiving end of terrorist violence. Unlike soldiers, who fight enemy soldiers, or police officers, who may resort to violent means in apprehending (suspected) criminals, terrorists aim their violence at randomly selected common citizens – that is, people who, by any plausible criterion, neither deserve nor are liable to be killed or maimed.

Each of these explanations can be challenged. The first and the second might be faulted as predicated on the widespread yet questionable assumption that terrorism is by definition employed only by non-state agents. The third might be accepted as relevant to some instances of terrorism, but not to terrorism in general. For, it might be said, some terrorists, just like soldiers (or guerrilla fighters), attack

legitimate military targets. Of the three planes that reached their intended targets on September 11, 2001, two crashed into the World Trade Center, where they killed almost three thousand common citizens of the United States and many other countries. But the third crashed into the Pentagon, where it killed 125 people who certainly were not innocent civilians.

What moral considerations are relevant to attempts at a moral assessment of terrorism, then, depends on just what we take "terrorism" to mean. The moral and the conceptual questions are closely related. Before we set out in search of a moral account of terrorism, we need to decide what definition of "terrorism" we will be working with in our search.

Such a definition will need to relate to the actual use of the word "terrorism" in history, in social sciences, and in everyday discourse. In search for a helpful definition we should not be trying to craft one that would cover the entire range of actual use. In such matters, a measure of prescription is quite acceptable, and indeed necessary. But, of course, only a measure: if we wade too far afield, we risk ending up with an elegant definition, but one that leads to a discussion that is no longer of a piece with actual debates about terrorism among historians, political scientists, politicians, and our fellow citizens.

A plausible definition of terrorism – one that is both descriptive and (reasonably) prescriptive – should take us beyond the relativism indicated by the cliché "one person's terrorist is another's freedom fighter." It should also help us display and eliminate double standards that corrupt so much of public debate about terrorism. But the main point of trying for a helpful definition of "terrorism" is that it should provide a proper focus for our investigation of the moral questions posed by terrorism: Just what is morally wrong with it? Is it wrong in some special, distinctive way? Is it always wrong, or can it sometimes be morally justified? If it can, just what would it take to justify it?

This book is a discussion of these two topics – how "terrorism" should be defined and what its moral standing is. These are distinctively philosophical questions about terrorism, which are not discussed – at any rate, not systematically and in detail – in any other discipline. Of course, questions about the causes, main varieties, and various psychological, political, economic, and cultural effects of terrorism are highly important too. But such empirical questions are properly discussed in the social sciences rather than in philosophy. How terrorism has evolved throughout history is also very important.

But that is something best investigated by historians rather than philosophers.

The practical importance and timeliness of the subject of terrorism need no emphasizing. But the subject is also of great theoretical interest, both in itself and in its ramifications. It brings up the vexing issue of the morality of violence in general, and political violence in particular, in an especially dramatic form; for terrorism is, by any standard, a particularly morally and politically provoking type of violence. It poses yet again the problem of collective responsibility, since some terrorists and some apologists of terrorism seek to justify it by portraying its victims as sharing collective responsibility for the oppression, injustice, and misery they allege and want to see eliminated. It also raises, in a particularly sharp way, a fundamental ethical problem: Should most basic moral prohibitions, such as that of killing or maiming innocent people, be adopted as absolute, or do they sometimes give way to other extremely weighty moral considerations?

Plan of the Book

For the most part, the discussion in this book falls into two parts: chapter 1 deals with the question of defining "terrorism," while chapters 3 to 7 discuss the moral questions posed by terrorism. Chapter 2 straddles this division: it spells out the implication of my discussion of the meaning of "terrorism" that states, too, may engage in terrorism, and offers a moral assessment of state terrorism. Chapters 8 and 9 are case studies, showing how the view of the nature and moral status of terrorism offered in the book can be applied in understanding and judging particular campaigns of terrorism. The concluding remarks sum up the main points I seek to make in the book.

In chapter 1, I highlight some confusions and double standards plaguing ordinary use of the term and most everyday moral and political debates and then review some attempts at defining "terrorism" in philosophical literature. These attempts have included both definitions that acknowledge the core meaning of "terrorism" in ordinary use – violence for the purposes of intimidation – and definitions that sever the connection between "terrorism" and violence or between "terrorism" and terror. I go on to present a definition I believe should be particularly helpful in moral discourse about terrorism, focusing on four traits that cause most of us to regard it with great moral repugnance: (i) violence, (ii) innocence of its direct

victims, (iii) intimidation, and (iv) coercion. I also look into the ways
the question of definition of "terrorism" and that of its moral justifi-
cation are related.

Government agencies and, more often than not, the media and the
general public, too, tend to assume that terrorism is the preserve of
non-state agents and find it difficult to discern and acknowledge the
terrorist character of certain acts and policies of states. Yet, there is
such a thing as state terrorism. In chapter 2 I review the varieties of
state involvement with terrorism and argue that, by and large, state
terrorism is morally worse than terrorism employed by non-state
agencies.

Chapters 3 to 6 address the fundamental ethical question posed by
terrorism: Can terrorism ever be morally justified? One might try to
justify some acts or campaigns of terrorist violence by arguing that,
appearances notwithstanding, its direct victims, common citizens,
are not really innocent and therefore should not be deemed morally
protected against deadly violence. Rather, they are complicit in the
unjust or inhumane practices the terrorist fights against, and accord-
ingly are liable to be attacked with such violence. I discuss some
arguments along these lines in chapter 3.

Alternatively, one could concede the innocence of direct victims
of terrorism and go on to argue that there are moral considerations
weighty enough to override the moral protection against violence
enjoined by their innocence. Adherents of consequentialist ethics
might argue that, under certain circumstances, the consequences of
resorting to terrorism can rationally be expected to be better, or less
bad, on balance than the consequences of any other available course
of action. In such cases, recourse to terrorism will be morally justi-
fied. Consequentialist justifications of terrorism are the subject of
chapter 4.

Yet another option is to argue that, although terrorism violates
some of the most important rights of its victims and constitutes a
grave injustice, there are other, even weightier considerations of
rights and justice that tell in its favor. This line of argument is dis-
cussed in chapter 5.

In each of these three chapters, I reach the conclusion that the
arguments under discussion do not succeed. If so, we do not have
a cogent general defense of terrorism. Terrorism is not justified by
the involvement of its direct victims in the wrongs the terrorist fights
against, or by the balance of its consequences, or, finally, by some
considerations of rights and justice. It is morally wrong: not only
because, and insofar as, its rationally expected consequences are bad

on balance, but rather in itself, because of what it is. Moreover, it is extremely morally wrong. Is terrorism, then, absolutely wrong, whatever the consequences of failing to resort to it? I address this question in chapter 6. While quite a few philosophers endorse absolute moral rejection of terrorism, some argue that it may be justified *in extremis*. A widely discussed version of this position proposes that terrorism may be justified in a "supreme emergency," as the only way of staving off an imminent threat to the survival and freedom of a political community. I argue that this view is vague and overly permissive and go on to present a position that is structurally similar, but much more restrictive, which I term the "moral disaster" view. Terrorism is *almost* absolutely wrong, and may be considered only in the face of a "moral disaster," understood in a special, highly restrictive sense.

In addition to holding that terrorism is absolutely, or at least extremely, morally wrong, many feel that it is wrong in its own distinctive way. However, it is difficult to justify this feeling: to give a reasoned account of the distinctive moral atrociousness of terrorism. In chapter 7 I take a critical look at a string of attempts at providing such an account.

The discussion of the basic conceptual and moral questions raised by terrorism in chapters 1 to 7 is followed by two case studies. In chapter 8 I look into a campaign of state terrorism prosecuted in the course of a conventional war: the terror bombing of German cities in World War II. In chapter 9 I review and assess the role of both insurgent and state terrorism in an ethnic, religious, and political conflict that has been going on for almost a century now and still shows no signs of coming to an end: the conflict between the Zionist movement and the state of Israel, on the one hand, and the Palestinian people, on the other. Each of these cases of the use of terrorism is of considerable interest in its own right; but their discussion also helps test the relevance and cogency of the understanding and ethical evaluation of terrorism advanced in the book.

1
Defining Terrorism

Ordinary Use

What is terrorism? Current ordinary use of the word displays wide variety and considerable confusion; as a result, discussing terrorism and an array of moral, political, and legal questions it raises is difficult and often frustrating. Only two things stand out clearly in most instances of this use: terrorism is, or has to do with, violence and terror, and it is a bad thing, not something to be proud of or to support. Virtually nobody applies the word to their own actions or to the actions of those with whom they have sympathy or whose struggle they support. As the cliché has it, one person's terrorist is another's freedom fighter. This suggests that in discussions of terrorism, as in so much public debate, a double standard is at work: one of the form "us vs. them."

Another type of double standard, less obvious and thus perhaps even more of an obstacle to coming to grips with the notion of terrorism, is the tendency to accuse insurgents who resort to violence of resorting to terrorism, without pausing to take a closer look at the type of violence employed and just who its victims are, coupled with an unwillingness to mention terrorism when talking about violent actions and policies of a state, especially one's own state – even when *what* is done is the same. This indicates a double standard of the form "state vs. non-state agents" – the assumption that, whatever it is, terrorism is by definition something done by insurgents, and never by the state.

Much of this is apparent in the public debate about the use of terrorism in the Israeli–Palestinian conflict, for example. Both Palestinians and Israelis are committing what many among the uninvolved would

call terrorism; both sides deny that they are engaging in terrorism; each accuses the other side of doing so; and both attempt to justify the violence they employ, wholly or in part, by the terrorist acts of the other side. Palestinians claim that theirs is a just struggle to put an end to occupation and oppression and to attain self-determination. We are morally and legally entitled to use violence to this end, they say. That is not terrorism, but rather fighting for freedom. Israelis retort that the state of Israel is certainly not engaging in terrorism. It is rather facing a terrorist onslaught, and is merely doing what any state in such circumstances would be morally and legally entitled and indeed obligated to do: it is using its armed forces and security services in defense of the country and the security of its citizens.

Those speaking on behalf of Palestinians are thus assuming that the decisive criterion of terrorism is the ultimate goal of the agent who resorts to violence. If it is a legitimate goal, such as national liberation, that cannot be terrorism. From their point of view, "terrorists fighting for freedom" is a contradiction in terms.

A classic statement of this position is given in Yasir Arafat's speech at the United Nations General Assembly on November 13, 1974:

> Those who call us terrorists . . . seek to hide the terrorism and tyranny of their acts, and our own posture of self-defense. The difference between the revolutionary and the terrorist lies in the reason for which each fights. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists, cannot possibly be called terrorist; otherwise the American people in their struggle for liberation from the British colonialists would have been terrorists, the European resistance against the Nazis would be terrorism, the struggle of the Asian, African and Latin American peoples would also be terrorism, and many of you who are in this Assembly Hall were considered terrorists. [Ours] is actually a just and proper struggle consecrated by the United Nations Charter and by the Universal Declaration of Human Rights. As to those who fight against the just causes, those who wage war to occupy, colonize and oppress other people – those are the terrorists, those are the people whose actions should be condemned, who should be called war criminals: for the justice of the cause determines the right to struggle. (Arafat 1995, pp. 334–5)

On the other hand, those speaking on behalf of Israel typically assume that it is the identity of the agent that determines whether some act or policy of violence is terrorist or not. This is apparent in the policy of both government spokespersons and the media of por-

traying as terrorism all violence on the part of Palestinians, whether directed at common Israeli citizens, at holders of high political office, or at members of military and security agencies. If an act or campaign of violence is carried out by insurgents, then it is terrorism; if by the state, then it is either a policing action or warfare. From their point of view, "state terrorism" is a contradiction in terms.

Moreover, this game of denying that one's own side is guilty of terrorism while accusing the other side of resorting to it, in a conflict in which both sides engage in the same type of violent activity, suggests that an additional assumption may be at work. Both sides may well be assuming that, if there is a violent conflict between two parties and one is guilty of terrorism, the other party is thereby absolved of the charge. If *they* are terrorists, *we* cannot be.

Efforts by the United Nations to develop a definition that could be accepted universally and open the way to dealing with terrorism by means of international law seem to have fallen victim, at least so far, to the same sort of relativism and confusion. Trudy Govier describes the impasse these efforts have reached:

> The United Nations has been trying to define terrorism for some thirty years, and has given up in its quest for a definition that everybody can agree upon. A major problem is that Western governments wanted to make sure that state agents could never be considered terrorist, while Islamic countries wanted to make sure that national liberation movements in the Middle East and Kashmir could never be considered terrorist. (Govier 2002, p. 89)

Once they are brought into the open, none of the three assumptions seems plausible. There is no reason whatsoever why two parties to a conflict cannot both be using terrorism, just as two criminals can be at each other's throats, or two states at war can both be waging an unjust war, whether in terms of *jus ad bellum* (justice of going to war) or *jus in bello* (justice in fighting) or both. The bias in favor of the state and against insurgents will not withstand scrutiny either. Although there is much to be said for having a state rather than living in a "state of nature," that is not to say that, in any conflict between a state and an insurgency, we should be on the side of the state. We sometimes find that an insurgency is morally justified and the attempts of the state to put it down are not; this is typically the case in a struggle for national liberation. Even in such a struggle, however, not every means will do, morally speaking. We sometimes have much sympathy with a people fighting to push out the occupying power, but still

object if its fighters seek to achieve that by attacking enemy civilians rather than the military.

These remarks suggest that we will be in a better position to understand and therefore also to evaluate terrorism if we discard all three assumptions and try for a definition that does not define terrorism in terms of the agent or the agent's ultimate goal, and which allows for the possibility that victims of terrorism might themselves make use of it in response. Such a definition should focus on just what is done and what the proximate aim of doing it is, and put to one side the identity of the agent and their ultimate and allegedly justifying aim.

Terrorism and Violence

Etymologically, "terrorism" derives from "terror." Originally the word meant a system, or regime, of terror: at first that imposed by the Jacobins, who applied the term to themselves without any negative connotations. Subsequently it came to be applied to any such policy or regime and to express a strongly negative attitude, as it generally does today. Since I am seeking a definition that will cover both a single act and a policy of terrorism, I propose to put aside the notions of "system" and "regime" but preserve the connection with terror. Terrorism is meant to cause terror (extreme fear) and, when successful, does so. But if someone did something with a view to striking terror in the hearts of others with no further aim, just for the fun of it, I think we would not see that as a case of terrorism. Terrorism is intimidation with a purpose: the terror is meant to make others do things they would otherwise not do. Terrorism is coercive intimidation.

This is just the definition offered in one of the early philosophical discussions of the subject, Carl Wellman's paper "On Terrorism Itself": "the use or attempted use of terror as a means of coercion" (Wellman 1979, p. 250). Wellman remarks that violence often enters the picture, as it is one of the most effective ways of causing terror, but hastens to add that "the ethics of terrorism is not a mere footnote to the ethics of violence because violence is not essential to terrorism and, in fact, most acts of terrorism are nonviolent" (ibid., p. 251).

The ethics of terrorism is indeed more than a footnote to the ethics of violence, but not for the reason given by Wellman. Moreover, it seems to me that it does not make much sense to speak of "nonviolent terrorism" (taking this to exclude threats of violence as well). Wellman has three counterexamples, none of which strikes me as

convincing. One is a judge who sentences a convicted criminal to death in order to deter potential criminals. I should think that execution is one of the more violent things we can do to a person. Then there is blackmail, in which the prospect of exposure is used as a means of intimidation and coercion. I think we would need to know just how serious the harm caused by the exposure would be in particular cases. If the harm threatened were great, and if we understand acts of violence as acts that characteristically inflict great harm in a striking manner, as Wellman does, then such instances of blackmail might indeed qualify as threats of violence. Finally, Wellman says:

> I must confess that I often engage in nonviolent terrorism myself, for I often threaten to flunk any student who hands in his paper after the due date. Anyone who doubts that my acts are genuine instances of the coercive use of terror is invited to observe the unwillingness of my students to hand in assigned papers on time in the absence of any such threat and the panic in my classroom when I issue my ultimatum. (1979, p. 252)

This seems quite fanciful. But if Wellman's students were indeed as given to panic and terror as he suggests, and if to be failed in his course was indeed such a great and dramatically inflicted harm that their reaction becomes understandable, then his threat was a threat of violence after all. It was not terrorism, though; nor is blackmail, or the meting out of the death penalty to a convicted criminal – but not for the reason adduced by Wellman.

A more radical version of Wellman's position on the definition and moral wrongness of terrorism is offered in Robert E. Goodin's book *What's Wrong with Terrorism?* While Wellman's understanding of terrorism is broad enough to allow for both political and nonpolitical terrorism, Goodin emphasizes its political role. He finds both its "analytic core" and its "core wrong" in the use of terror as a means for achieving a political purpose. Terrorism, he writes, is "fundamentally a political tactic, involving the deliberate frightening of people for political advantage. That is not the worst thing that terrorists commit. But it is the *distinctive* wrong that terrorists commit, making them terrorists and not mere murderers" (Goodin 2006, p. 49). On Wellman's account, one can commit an act of terrorism without using or threatening to use violence and without inflicting any great harm in some nonviolent way, merely by threatening to inflict such harm (see Wellman 1979, pp. 253–4). On Goodin's account, one need not even make a threat of any sort: one acts as a terrorist merely by issuing a warning about the acts of *others* that is meant to intimidate