

Is Terrorism Always Wrong?

By Robert E. Kelly

Abstract

The War on Terror encourages a moral rigidity that all terrorism is automatically normatively wrong. Yet conceivable counter-examples, such as terrorism against Nazi wartime installations or African National Congress (ANC) behavior in the apartheid struggle, suggest otherwise. Asymmetric terrorism is a tactic generally found morally repugnant, but we leaven our normative judgment of it by three more factors: 1) the target, 2) the regime-type, and 3) the ideological goal. That we cross-reference these four vectors in our normative judgment of terrorism generates the moral complexity of, e.g., the 'freedom fighter' problem in terrorism studies.

Introduction

This summer I participated in two terrorism study programs – the Foundation for the Defense of Democracies' Academic Fellowship on Terrorism and the Summer Workshop on Teaching About Terrorism. [1] Across a full month of talks and presentations almost no one mentioned how we evaluate the justifications/reasons for terrorist acts. Most speakers, if they mentioned the ethical question at all, simply assumed terrorism was wrong. A perusal of back issues of *Terrorism and Political Violence* and *Studies in Conflict and Terrorism* revealed no research on the topic, nor did searches of the JSTOR database. The 'just war' literature does speak to appropriateness of the use of force, but broadly assumes inter-state violence.

This essay attempts to fill this gap, by re-imagining 'just war' arguments for the asymmetric methodology of terrorism. Hints of the difficulty in normatively judging terrorist incidents arise in the well-known 'freedom fighter' problematique of terrorism studies. In the wake of 9/11, a UN response to terrorism and 'Southern'(loosely defined) responses in general were hampered because of the definitional question. For example, on October 10, 2001, the Organization of the Islamic Conference(OIC) wrote: "The conference rejected the confusion of terrorism with the right of Islamic and Arab peoples, including the Palestinians and the Lebanese, to self-determination, self-defense, sovereignty and resistance to Israeli or any foreign occupation and aggression. These are legitimate rights guaranteed by the United Nations Charter and by international law." [2] Years earlier, Palestinian essayists made similar arguments.[3] The following argument unpacks the ethical logic of the 'freedom fighter' claim. I compose a four-dimensional matrix to morally judge political violence. By contrast, 'Northern states'(loosely defined)

contemporary preference that all terrorism is wrong appears unidimensionally reductionist.

Why Reflexively Label Terrorism Normatively Wrong?

The assertion that terrorism is always normatively inappropriate is less about ‘evil’ or ideology than state justificationism. Terrorism provides a method for feeble, frequently non-state actors to attack conventionally militarily dominant states. As such, defining terrorism as wrong suits states, which prefer conventional conflicts which they know, understand, and believe they can win. Herein lies the split between the Northern and Southern perspectives on terrorism. Southern populations wish to retain the moral legitimacy of national liberation movements and other asymmetric modes of force. For many states and movements, this is the only tool they have to violently resist perceived Northern injustices – neo-colonialism, imperialism, foreign corporate penetration/dominance, or culturally assimilating globalization.

Conversely, Northern militaries dislike counter-insurgencies intensely. They are democratically unpopular, are protracted, require great patience and tenacity, and do not play to modern militaries’ comparative advantages – logistics, enormous firepower, and air dominance. Indeed, so unhappy with counter-insurgency was the post-Vietnam US military, that a generation of officers, best embodied by Colin Powell, explicitly rejected ever using the US Army in that manner again. The Powell Doctrine called for clear goals, overwhelming force, and a clean exit. None of these attributes fit the anti-terrorist/counter-insurgency campaign in which the US now finds itself. The post-Vietnam US military consciously self-structured in order to constrain policy-makers from even considering counter-insurgency again. This selective myopia also suited the procurement process of military-industrial complex, with its preference for big-ticket items.

The military outcome of this purposeful resistance to counter-insurgency training is Donald Rumsfeld’s famous ‘You go to war with the army you have, not necessarily the army you want.’ This implied that the Powell army had trained to fight the Soviet Union for 30 years and was purposefully unstructured for contesting terrorists and militias that wore no uniform and enjoyed local public support.

The ideological outcome of this mismatch between the shape of the force and the mission has been the effort to re-write the overall mission, and ‘state-ize’ America’s opponents in the global war on terror (GWoT).[4] By delegitimizing terrorism as a violation of international rules of war, the United States and similarly conventionally strong powers seek to ‘re-interpret’ the GWoT around their strengths. The United States can beat the Iraqi and Red armies, so it is best if the GWoT is fought against states (Afghanistan, Iraq, or Iran). This probably played some part in the fact that the so-called ‘axis of evil’ included only states; terrorists are depicted as ‘craven’. As the saying goes, “real opponents would put on a uniform”.

It is likely that terrorists would lose such a conventional conflict, and so they have not fought the war opposing governments would have preferred and were prepared for. Predictably, the Southern perspective rejects the delegitimation trope. To delegitimize asymmetric violence strips the internationally weak of a tool to deploy against stronger powers. The Northern ascription to the state of a unique moral authority over the use of force is actually discursive system-justificationism. If only states may properly use force, then the state is reified as singular. Given the weak nation-like status of many parts of the developing world, this, unsurprisingly, is rejected. In Africa and the Middle East particularly, sub- and trans-state identities (pan-Arabism, Kurdish nationalism, Bantu linguistic ties) run strong, and states are highly illegitimate. Non-state challengers, such as al-Qaeda or the ANC have employed terrorism. Indeed, the terrorism of those two groups illustrates the pitfall of automatic normative judgment regarding terrorism. Many felt sympathetic to ANC violence against the apartheid regime. Conversely, most reject al-Qaeda's analogous tactics because its goals and targets are different.

Four Vectors to Normatively Judge the Use of Political Violence

Terrorism is not an ideology, but a tactic. Although frequently mentioned, this distinction is blurred by unidimensional GWoT rhetoric that terrorism is evil or anti-American. As a tactic, other considerations impact our judgment of its appropriateness. Terrorism by the ANC demonstrates the real-world awkwardness of a universal condemnation, and counterfactuals can be starker. To blow up a busload of school children is appalling. The terrorist method strikes the onlooker as inappropriate, and the target, children, is even worse. Yet, if these children were Hitler Youth cadets on their way to a camp where they would learn how to exterminate the Jewish or Slavic menace, then the onlookers opinions may waffle.

This example suggests that our moral judgment does not in fact automatically condemn terrorism, but rather weighs it against other, competing normative claims. Terrorism as method or tactic does indeed strike us as wrong. Violence by soldiers in uniform, trained and under formal command, appears more just. Similarly, targeting children - with immature decision-making capacities and hardly responsible for the policies the terrorist rejects - strikes us as deeply wrong. Nothing convicted Timothy McVeigh in the court of public opinion as much as the deaths from day-care center in the Oklahoma City bombing. But the goal of the terrorist act and the type of regime against which the terrorist struggles also leaven our judgment. Al-Qaeda's goal of a theocratic caliphate scares many, while the ANC's goal of a multi-racial democracy inspires us. Furthermore, when al-Qaeda strikes a democracy, the onlooker recoils, but if an anti-Nazi terrorist strikes a repressive, expansionist dictatorship, most would be sympathetic.[5]

In short, terrorism is not normatively wrong in itself. It is a tactic, which states with a reification agenda - to preserve their monopoly on the legitimate use of political violence - will certainly define as criminal. But moral judgment of a terrorist act goes beyond just the event. Specifically, the moral observer cross-references four measures to gauge the normative appropriateness of acts of political violence; see figure 1. Each measure is a continuum of appropriateness, and final judgments are mix of the four.

Figure 1: Four Continua of the Appropriateness of Political Violence

Least Appropriate —————▶ More Appropriate

1. Method

Terrorism → Insurgency/Guerilla Warfare → Revolutionary War → Inter-state War

2. Target

Children → Adult Civilians → Government Employees → Soldiers/Combatants

3. Regime Type being Contested

Democratic → Authoritarian → Totalitarian

4. Goal/Ideology

Genocide → Authoritarian *Machtergreifung* → National Liberation

These four vectors conform to our intuitions of the proper use of political violence and update just war theory to include asymmetrical terrorism.[6] First, the expansion and solidification of the state as the sole arbiter of proper force turns the observer against informal and asymmetric force. Terrorism is the most odious because of its secretive, inconspicuous nature. Conversely, interstate warfare fits our sense of the laws of war because violent intentions are declared openly by responsible authorities. Guerilla armies like Mao's rural revolutionaries are better than terrorists because there is a semblance of declared hostilities by an agent of some coherence and command. By contrast, terrorism appears informal and under-handed. Indeed, Osama bin Ladin appears to sense this legitimacy problem; he 'formally' declared war on the West in August 1996 and partially 'state-ized' al-Qaeda through its incomplete merger with the Taliban.[7]

Second, targets matter significantly. The asymmetric counter-value of targeting civilians reduces terrorists' legitimacy claims. Particularly, targeting children devalues the struggle because of the powerful norm that non-majority age persons lack intellectual maturity and cannot be held accountable for political policies. When leftist urban terrorism began indiscriminately targeting anyone as a 'tacit' supporter of corrupt capitalism, Western European publics quickly turned against them as criminals. Similarly, Hamas' willingness to bomb Israeli buses and restaurants led to its quick placement on the State Department terrorist list and its near universal isolation after the Gaza takeover in 2007. By contrast, Hezbollah, like the ANC, has made efforts to target Israeli soldiers. This bolsters the claim that they are not random or ill-disciplined, but meaningful entities engaged in para-war, counter-force activities.

Third, the slow evolution of a global democratic norm has raised the legitimacy costs of political violence against liberal democratic states. The democratic peace literature suggests democracies, in general, are less war-like, and the democratic process of negotiation and compromise are explicitly designed to make violence as political expression unnecessary. Non-state, asymmetric violence particularly violates this norm.

The Irish Republican Army (IRA) and Quebec Liberation Front's (FLQ) experiences reflect this democratic resentment of terrorism. Both struggled for legitimacy in systems with broad popular legitimacy and venues for nonviolent grievance resolution. Only when the British appeared to mobilize for a military solution to the IRA did Northern Irish Catholics harden on the side of the IRA. In the 1990s, when London made significant efforts toward full democratic participation in Northern Ireland, support for the IRA diminished quickly. By contrast, terrorism against authoritarian, or even worse totalitarian, regimes enjoys some legitimacy. ANC activity played on this sensibility with success, while terrorism directed against Israel has been unable to fully paint Israel as an authoritarian ethnocracy.

Fourth, the goal or ideology of the terrorist lies at the heart of the freedom fighter problematique that often sets the Northern perspective adherents against the Southern. In the modern era of nationalism, violence on behalf of liberation and autonomy appeals to Wilsonian notions of national self-determination. The ANC, National Liberation Front of Algeria, FLQ, Tamil Tigers, and IRA have all traded on national liberation to excuse their harshest behavior. The OIC communiqué referenced above explicitly invokes this privilege. When Yasir Arafat spoke at the UN in 1974, he summarized the dilemma:

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. [8]

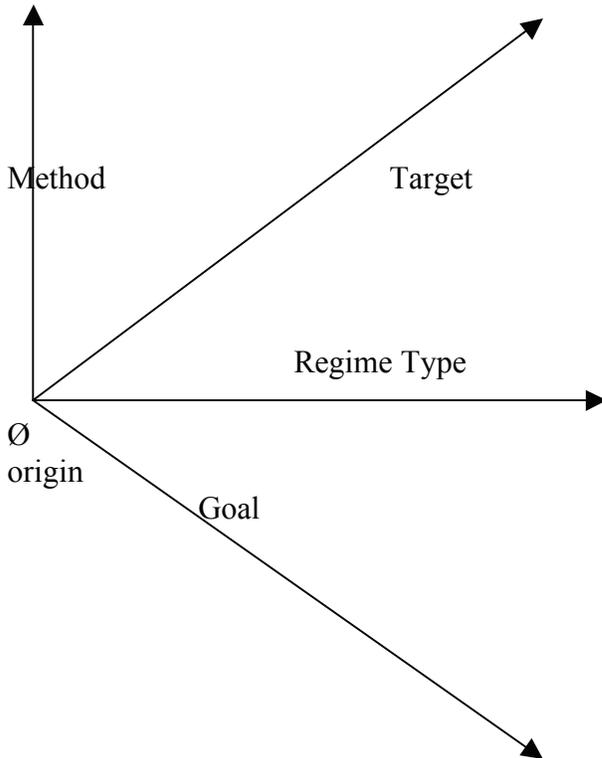
By contrast, political violence that installs or perpetuates dictatorships or ignites genocide is illegitimate. Under the weight of the global democratic norm and slow accumulation of international law against war crimes and genocide, political violence, such as the Armenian repression of 1915, is far less legitimate today than at the time. Frequently, this is state or state-sponsored terrorism. Iraq's gassing of the Kurds, and Latin American dictators' use of kidnappings was inappropriate political violence. Both, however, retained a patina of legitimacy as internal policing, with which the totalist political violence of the Rwanda genocide or the Holocaust wholly dispensed.

Formally modeled in figure 2, these vectors can be mapped together into a four-dimensional plot. The origin would be the least appropriate act of political violence: a terrorist strike, targeting children, inside a democracy, for the purposes of mass elimination. Hamas bombings in the 1990s in Israel, for example, fit this profile. By contrast, a conventional war fought against the soldiers of a totalitarian state on behalf of national autonomy is the most just use of force. France's struggle against Nazi imperialism in 1940 fits this profile.

Graphed into this plot, 9/11 is highly inappropriate. The *hijackers* engaged in terrorism with no recognized open war declaration against the society in which they lived for many months (albeit a general umbrella declaration was issued in 1996 by bin Ladin, et. al.). Their targeting was indiscriminate. The targeted regime type was liberal democratic, in

which several million Muslims live. Finally, al-Qaeda's goal is an extreme theocracy, in which non-Muslims, especially polytheists like Hindus, would suffer enormously.

Figure 2: Integrated Plot of the Appropriateness of Political Violence



Conclusion & Future Research

Terrorism is simply a repugnant tactic. Northern efforts to automatically delegitimize it have failed in the South because the method is one of the few weapons of the weak in a state-system heavily tilted toward Northern power. Hence, universal condemnation of terrorism is not a moral judgment, but a reflection of the (Northern) state's desire to control legitimated political violence and thereby shore up its own sovereign position. In the specific context of the current GWoT, the delegitimation discourse seeks to reconstruct the GWoT in a manner most conducive to American power assets and bureaucratic proclivities.

However, our ethical judgment of political violence is more nuanced. This essay elaborates four interrelated vectors by which we judge political violence and reveals a far more complex normative terrain than GWoT rhetoric about 'evil.' Examples such as

counterfactual anti-Nazi or ANC terror undergird this extension of just war theory to include the asymmetric terrorist methodology.

Future work would read other terrorist and political violence events into the integrated plot of figure 2, to test whether the outcomes conform to our intuitions of the just use of force. Perhaps, a fifth vector might improve this model of moral judgment on political violence. For Example, how economically or infrastructurally valuable is the target attacked (a dilapidated rural bridge vs. the World Trade Center)?[9]

The next step would be to assign interval scoring to the plot of Figure 2. The continua of Figure 1 imply ordinal scoring. Some acts of political violence are worse than others – targeting civilians instead of soldiers. But these ethical judgments are hard to quantify. Just how much worse is it to target civilians than soldiers? If such a weighting were possible, ‘moral scores’ and specific spatial positions in the four-dimensional plot could be generated for individual political violence events. This would enable moral comparison between incidents – a macabre, but ultimately important process.

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NOTES:

[1] (http://www.defenddemocracy.org/programs/programs_list.htm?attrib_id=7403) and (www.swott.com).

[2] <http://www.saudiembassy.net/2001News/Statements/StateDetail.asp?cIndex=385>.

[3] Bilal al-Hasan, ‘Who has the Right to Condemn Terrorism?’ *Journal of Palestine Studies* 15/3 (Spring, 1986), pp. 150-151.

[4] Robert E. Kelly, “From GWoT to War of Ideas & Counterinsurgency,” guest blog post at *Security Dilemmas*, <http://www.securitydilemmas.blogspot.com/>, October 24, 2007.

[5] The White Rose group might have become this had they evolved:
<http://www.jlrweb.com/whiterose/>.

[6] I accept John Rawls’ “reflective equilibrium” - theories of justice originate in and then retroductively inform our intuitions of justice (*Theory of Justice*, Cambridge: MA, Harvard UP, 1971, p. 20).

[7] http://www.pbs.org/newshour/terrorism/international/fatwa_1996.html

[8] http://www.mideastweb.org/arafat_at_un.htm

[9] I thank Benjamin Presson of the Ohio Division of Homeland Security for this insight.