MORALS IN TERRORIST TIMES

This is a volume without actual subject-matter. That is not the editor's fault: when the volume was being planned, it seemed to have a topic, and an important one, too. This turned out to be an illusion. The subject was to be the ethics of terrorism and counter-terrorism. As for the ethics of terrorism, I confess I would have doubted right from the start that this is a live subject, since there is nothing worth asking here. It is wrong, and obviously wrong, to kill third parties, or with the common but misleading term, to kill innocent people, for political aims without political authority. Not that it is right with political authority to kill third parties for political aims. Perhaps it is, perhaps it is not, that is not obvious. Terrorism, by contrast, is a matter as clear as can be. At least real terrorism is. Maybe philosophers could come up with tricky scenarios that would be hard to judge in moral terms. Actual cases of terrorism, cases we heard about in the news, never present any moral problem. The ethics of terrorism is a subject as interesting as the ethics of murder.

The ethics of counter-terrorism is not a suitable topic of inquiry for a different reason. Let us first be clear about the concept. "Counter-terrorism" could be taken to refer to a fight against terrorism conducted itself by terrorist means. This is not how I will use the expression, for that turns the ethics of counter-terrorism immediately into the same non-subject as the ethics of terrorism is. Moreover, it is only state agencies that are currently fighting, or pretending to fight, terrorism, and states do not use terrorist means - mind you, not thanks to their virtue, but thanks to their concept: state terrorism is, on my understanding of the words, a square circle. This concept of counter-terrorism would be empty, then, and uninterestingly so. Instead I shall take "counter-terrorism" to mean "measures by state agencies designed to combat terrorism". Now with respect to counter-terrorism so defined important questions could have emerged regarding the moral grounds and the moral limits of such measures. In fact, however, these questions are moot. In the sense defined, there is no counter-terrorism to speak of. The concept is practically empty again, though this time more interestingly so. There is no war against terrorism being waged or being prepared for waging. What we have been witnessing since 2001 and what we are going to witness in the near future are not wars against terrorism, but wars, period.

True, there have been bits and pieces of counter-terrorism. In various countries police measures have been taken with the aim, first, of bringing to court persons responsible for preparing the terrorist attacks of September 2001, and second, of preventing further activities of terrorist organisations in these countries. True also, some of these measures raise difficult political and legal issues, for instance what evidence authorities need to have, and to produce publicly, to justify taking these

measures, and what kind and degree of danger individuals or groups must present to be justly hindered in their activities. However, such problems are not specific to terrorism, they come up in ordinary police law as well: where is the line between legitimate prevention of crime and illegitimate abridgment of individual freedom? Yet police measures of this kind have not formed the center of states' activities in terrorist times. Hence our topic was rather to be the employment of military, as opposed to police, means to combat terrorism. However, military means are actually not being employed to combat terrorism. So the topic is moot.

It will be asked: if terrorism is not the target of current military activities, what is? and also: if terrorism is not the target of current military activities, what is it? As for the first question, the considerations put forward by the governments of the United States and the United Kingdom to show that an attack on Iraq is called for, indicate that such an attack is aimed at a state whose government pursues a political course not in accordance with the objectives of the United States government; whose government is, in particular, building up, or capable of building up, a military power which, from the point of view of the objectives of the United States government, it should not have. And Iraq is going to be an exemplary case only, politically exemplary, I mean: recent declarations on the part of the United States government indicate that it is now their general strategy to put down deviant governments by force; though one might expect that other governments, on seeing the fate of Iraq, will surrender without resistance. Just to have a handy term, and without endorsing a particular theory of international relations, let us say that the wars currently waged or prepared by the United States and their allies are imperialist wars. True, the United States' Empire differs in important respects from other empires, like the British or the Roman Empire. What nevertheless justifies the common term is this feature they share, the erection of a formation of rule extending far beyond the boundaries of the respective central state.

The second question was what terrorism has got to do with current military activities, if it is not, contrary to what representatives of the United States and the British government claim, their target. The answer, I should think, is evident: terrorism is the pretended reason for undertaking these activities and therefore the real reason for which a large number of people, in the United States and elsewhere, support them. The terrorist attacks of September 2001 formed a window of opportunity for a number of governments, above all for the United States government, and they have been using to the full the political leverage thereby afforded. The sense of vulnerability that has spread in the United States population, the sense of humiliation at seeing the symbols of United States' superiority felled, the urge for taking revenge, these reactions made war, any war, undertaken with whatever intention and directed against whatever opponent, wonderfully easy to sell to the United States' citizens. It just needed to be called a war against terrorism, and the broadest support was ensured. Other governments like those of Israel and Russia followed suit in the armed conflicts in which they are involved. Other governments again, like the German and the British one, presently having no armed conflict on their hands, used the so-called war against terrorism for cutting down civil liberties.

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Thus, "terrorism" has actually become the name of whatever enemy governments wish to be supported in attacking, with the special advantage that both exterior and interior opponents can plausibly be brought under this label.

It may be said: Fine, there is no such thing as counter-terrorism at present. So let us put quotation marks round the word "counter-terrorism", and we can proceed then to discuss the ethics of terrorism and so-called counter-terrorism. – Not with me, for I fail to see an interesting issue here. The ethics of imperialist war, whether you name the latter "counter-terrorism" or "so-called counter-terrorism", is as much a non-subject as the ethics of terrorism is. Imperialist wars are morally unacceptable, and that is the end of it. Nor does it take a radical pacifism to say that. It is the standard view of the just war tradition, from Augustine on, that wars not aimed at restoring a state of right are morally prohibited, and the prominent example of a war not so aimed is, classically, the imperialist war, i.e. the war aimed at extending some state's sphere of domination.

What I have said so far is not likely to go uncontested, and I would have to defend these claims in suitable detail. That is not, however, what I should like to do here. Frankly, if you do think that the military activities currently underway are indeed intended to combat terrorism, and are not merely called so to gain public acceptance for them, you strike me as believing in Santa Claus; and while I am confident of the power of my arguments to prove your belief wrong, the present occasion can surely be used more profitably.

Let us rather turn the question around. There is the practice of moral judgment on terrorism, alleged counter-terrorism and war. That is the direction of inquiry I have been pursuing so far, with little success, or in a way with too much success, everything of interest here being clear. There is, conversely, the employment of moral notions by those who practice terrorism, alleged counter-terrorism and war: that is what I propose to consider now. That is to say, I am inviting you to leave the moral point of view which subjects the political landscape to moral judgment, and to take up a political point of view instead which subjects the practice of moral judgment, among other things, to political judgment. The truth or falsity of moral judgments is then irrelevant. The point is to understand what they are good for. However, knowing too little about the role of moral notions in the thoughts of terrorists, I shall restrict my topic further and consider only so-called counter-terrorism, asking how it is served by moral notions. "Morals in terrorist times" allows two readings: let us now turn from what morals say to what they do in terrorist times.

The salient fact is that morals in terrorist times have become a tool in the preparation of war. Perhaps not an indispensable tool, such things are hard to judge. But it does seem to be a central element now in the orchestration of warfare in the technologically and economically advanced states. The Hutu may have slaughtered hundreds of thousands of Tutsi just because of their ethnic difference. This could not happen here. Our governments only kill masses of people for the sake of the good.

You may object that this is not a recent development. In all ages the enemy was described in derogatory terms, both to give our troops a feeling of superiority and to diminish any misgivings they might feel about killing large numbers of people on the

other side. Still, what does seem to be a recent development is the re-casting of such contrasts in chiefly or even exclusively moral terms. People going to war used to imagine themselves superior in all sorts of ways, in their technology, military valour, political institutions, or even in their biological makeup. It seems to be only now that they insist on being good and fighting evil. And the moral distinction does not merely wrap up a political or economic one, as was still the case in the rhetoric of the Vietnam war. There we were good and they were evil because we defended freedom and they fought for communism. Nowadays it is no longer their cause that makes them evil. They just are evil, and that is why it is right for us to fight them.

Why this change? One thing that may explain the significance of moral distinctions in the current rhetoric of war is the enhanced sensitivity of people to war's moral questionability. This again, it would seem, is a relatively recent development. Not being a professional historian, I can only judge on the basis of the experiences that happened to come my way, but a watershed in this respect does seem to lie between World War II and Vietnam. Both Germany's waging war in World War II and the United States' waging war in Vietnam were morally reprehensible, I take it, but while the German population by and large did not consider World War II a moral issue at the time, a sizeable part of the United States population came so to consider Vietnam. The students singing in front of the White House: "LBJ, how many babies did you kill today?", heralded the arrival of moral judgment on a field hitherto the exclusive domain of Realpolitik. It was an important change, not least by contributing to the eventual withdrawal of the United States forces. A war in conflict with the moral convictions of a considerable part of the population, it turned out, is difficult to sustain in states answerable, or pretending to be answerable, to independent and reflective individuals.

The fact has not been lost on war-planners that war, in contrast to the progress in military technology that makes killing and destruction smooth, clean, and easy, has become considerably more difficult to sell. They drew several lessons, the one of interest here being the imperative to occupy the moral high ground before starting any actual killing. So this is the first thing the moral distinction of good and evil does for you in terrorist times, it helps to stabilize the home front. You won't have defections, scepticism or outright moral indignation as you had in the Vietnam war, or at least you will have much less of that, if it is settled beforehand that the enemy embodies evil. Morals are good for morale: killing large numbers of people is alright, or at any rate not seriously objectionable, once these people are seen as serving evil.

Here is a second explanation, related to the first, for the significance of moral interpretations in current preparations of war. Holding the moral high ground may help you to escape the demands of law, international or domestic. For everybody agrees that law is not the last arbiter on what we are to do. We know that law is sometimes not just, and its claims on our compliance are sometimes overridden by moral considerations. Accordingly, once our opponent is not this country or that political system, but evil plain and simple, we seem to have an argument for no longer obeying laws that would otherwise restrict our military activities. No holds are barred in a battle against evil objectified.

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The phrase "evil objectified" is taken from Michael Walzer's discussion of "supreme emergency" in "Just and Unjust Wars", 1 and a closer look at his text may help to see how the argument works. Walzer is concerned in that book to exhibit what he calls "the war convention", the set of moral, legal or professional norms governing our judgments of conduct in and around war; and perhaps the most important strand of the war convention is the prohibition against killing non-combatants. What about the British bombing of German cities between 1940 and 1942, then: was it morally objectionable? No, says Walzer, arguing as follows: "we see it [i.e. Nazism] - and I don't use the phrase lightly – as evil objectified in the world", the threat of its victory therefore constituting a supreme emergency, which justifies overriding the war convention. (And because that threat receded after 1942, the later bombings, which killed far more people, were not justified.) So there are bigger evils and smaller evils, Walzer thinks, none of them justifying a breach of the traditional norms of war conduct, but then there is, in a different order and beyond comparison, evil itself having become an object in the world, and in the face of that the norms of war conduct vield.

What we are offered here is a kind of inverted incarnation story: as for Christians God became flesh in Jesus, so for Walzer evil itself appeared in the world as Nazism. And just as Christian warriors, authorized by God through his worldly representatives, were free to do what otherwise would have been morally impermissible, so on Walzer's view those who fight, not evils, but evil itself, are no longer subject to the moral laws governing war. Which is excellent advice for warplanners: by all means, take the very high moral ground, present yourself, not as pursuing lowly goods like oil, power, or even freedom, but as just fighting the forces of evil, and you will be off any hook whatever.

This is not to suggest that Walzer wrote his text to open a gate for governments, or indeed for the United States government, to evade the strictures of the war convention. It is merely to suggest that he did open such a gate. His insistence that genuine cases of supreme emergency need to be distinguished from merely pretended ones does not prove otherwise: anyone using the gate he opened is likely to insist that nearly everybody else must not do so, and in this way the path becomes a busy highway. And this is also to suggest that Walzer used illicit means, theoretically speaking, in opening it. Evil objectified is as mythical as the God incarnate.

There is a discrepancy, then, between what morals say and what they do in terrorist times. Morals reject, at least on my understanding, both terrorism and war waged under the pretense of fighting terrorism. In effect, however, morals serve the efforts of war, both in fending off doubts about one's own cause and in lifting, if needs be, the restrictions to which warfare, by law or by custom, is subject. This discrepancy should not cause too much surprise. Given how much power moral considerations still have in directing people's steps, it is only to be expected that political leaders bend them to serve their purposes. The interesting reflection, once again, is the political one: what are the political consequences of moral distinctions being harnessed to political service? The modern state was not conceived for fighting

evil, nor was it traditionally accused of doing evil, except by a handful of anarchists: what will it become on turning into a moral player?

It may be that nothing much will change, because moral talk in the political realm is mere varnish covering political interests and political actions continuing as before. The moral vocabulary, it is true, may wear out in the process, the way, say, a harmless word like "exciting" was worn out by thousands of ads, and we may just get bored by people pretending to fight evil. In political substance, though, there would be no change.

Or it may be that states will pursue a moral mission in earnest. Hobbes had told states to leave behind all moral intentions and to restrict themselves to the one aim of securing peace within and abroad. It may be that with an agenda as modest, resources sufficient for contemporary warfare can no longer be marshalled; and so states, as masters of war, find themselves bound to rally citizens behind a moral agenda. States, the idea is, cannot continue in business unless diversifying their products. Peace alone won't do. So they go into fighting evil. And in that respect terrorism again comes handy, for here there is evil aplenty, and evil whose political sources easily go undetected, which again helps the moral rallying call.

If that is what is happening, citizens are soon going to be assembled not as free and equal human beings, but as good ones, with divergent views about goodness being ironed out by repression; and they are going to select at the behest of their leaders those evil people who need to be killed next. In an international context and on a larger scale, we will thus in effect re-install 'la terreur' (using the French expression to prevent confusion with 'terror' which, remember, states cannot engage in), where the good maintain their power and at the same time continuously prove their goodness by killing ever new groups of allegedly evil human beings.

Then again, if citizens do warm to the idea of gathering behind a moral flag, this may be a victory that governments will learn to regret. Once going, people are likely to find other causes worth dying and worth killing for, not to mention worth paying, than those determined by political authorities, and so Hobbes' historical compromise will break apart. If governments kill for the sake of the good, it is natural to ask, why should not we do the same off our own bat, especially when governments are falling behind in serving the good? Thus the level of inner-state violence can be expected to rise in consequence of governments' killing abroad for moral reasons.

With people taking what they consider the good into their own hands we are back with terrorism, or at least a close relative of it. Thus the political use of morals and terrorism go together. Terrorist attacks of unheard of dimensions called forth a military build-up and military action justified in moral terms. Military action undertaken for moral purposes in turn sets the stage for terrorism. Sets the stage: whether or not it triggers or provokes it, the point is that terror forms a response in kind to a public killing in the name of the good, and a response that is predictable. Terror makes sense in moralist times. That is what the game is now, and it may change the states we knew.

These states were by their charter committed to seek peace, external peace at least as a modus vivendi, internal peace as founded on law; and peace was deemed, if not

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natural, at least feasible for humans. It may be that the kind of state being formed before our eyes is no longer committed to peace. It no longer considers peace possible, and so is committed to fighting it out by any means, whatever "it" is. In the end that may be an especially important function to which morals are put in terrorist times, namely to lead us to acquiesce in that change. For who would dream of a fight against evil coming to an end?

NOTES

¹ Walzer, Michael (1977, ²1992): Just and Unjust Wars. Chap. 16. Basic.

² Ibid. p. 253.