

Justice, Violence, and Responsibility

7. Justice

Status of Justice

- "Whatever justice is, everybody is in favor of it"
- John Rawls's influential Theory of Justice (1971) relates justice to "the justifiability and fairness of basic social institutions"

Types of justice

- Social, Distributive, and Penal Justice
- Justice of Recognition and Justice in the Family
- Environmental, Ontological, and Cosmic Justice

Justice and Osama bin Laden

- You would need to be sure he is the person you have apprehended
- You would need to be sure he sponsored 9/11 attacks

Justice and al-Qaeda and Taliban prisoners

- United States view
 - Did not grant them prisoner-of-war status
 - Classified them as "illegal combatants"
- View of penal justice as retributive requires trials

8. Violence

Views on Violence

- Popular culture both criticizes and admires violence
- Govier defines violence as use of "physical force to damage or destroy life or property"
 - This definition is what Newton Garver terms 'overt violence' and omits 'covert' or 'quiet' (psychological) violence
 - This definition is anthropocentric (human-centered) and omits intentional damage to the environment and other living creatures

Status of Violence

- Popular Views
 - Generally viewed as wrong
 - Often regarded as an option in a conflict situation
- Philosophical Views
 - "Violence in response to conflict is not inevitable" (it is contingent)
 - "Violence tends to inspire further violence" (it can be counterproductive)
 - "Violence doesn't resolve conflicts in the long term" (it is not a final resolution to conflict)

Justifications of Violence

- Often viewed as the only means to an end or goal
 - It is viewed as necessary
 - Self-defense is typically presented as the paradigm case or prime example of when violence is justified
- Now U.S. strategy for national security includes preemptive self-defense
 - For the new doctrine, go to [The National Security Strategy of the United States of American \(Sept. 2002\)](#)
 - United Nations has so far mainly recognized the legitimacy of war in response to an aggressive war (invasion of a country as an illegitimate violation of national sovereignty)

Just War Theory

- Main Distinction
 - Jus Ad Bellum (Justice of Going to War)
 - Just Cause
 - Last Resort
 - Likelihood of Success (Emergent Peace)
 - Jus In Bello (Justice in Conduct of War)
 - Distinction between combatants and civilians and illegitimacy of targeting civilians
 - Principle of noncombatant immunity (problem of "collateral damage")
 - Large-scale violation in saturation bombings of World War II (Leipzig, Dresden, Tokyo) and atomic bombings of World War II (Hiroshima and Nagasaki)
- Further information on Just War, go to [Warism, Pacifism, and Just War Continuum](#)

Jihad

- Two Main Interpretations
 - Spiritual: "struggle against temptations within oneself"
 - Military: "war against an external enemy"
- Further aspects of militant version of Jihad
 - "The Islamic tradition incorporates fine distinctions between suicide and martyrdom that are likely to strike a Western observer as contrived and bizarre"
 - From this perspective, 'Killing innocent people is wrong but resisting imperialist oppression is admirable'

Resolution of Dilemma when presented with only the option of "Total Pacifism" or "Total Realpolitik"

- Either immorality of all war or amorality of and in war
- "Just War Theory seems to help us chart out that comfortable middle territory"
 - Still, temptation of "Our Side Bias"
 - Problem when criteria of jus ad bellum and jus in bello cannot be met

Terrorism

- Types
 - Govier presents what political scientists define as insurgent terrorism (physical violence by subnational groups)
 - Political scientists also refer to incumbent terrorism (State terrorism)
 - Govier notes "most people refuse to call political violence terrorism when they approve of it"
 - "The term terrorism has a core descriptive content; but, in addition, it is used to express value judgments"
- Ambiguity on States and Terrorism
 - The U.S. government maintains that "only states are authorized to employ violent means in political conflicts"
 - Nations termed by the United States as "terrorist states" often "do not commit terrorist acts directly; rather, they fund or assist terrorists"
 - Illustration of ambiguity, if not special pleading, in use of terms: "Palestinian suicide bombers are terrorists, but Israeli troops who enter Palestinian villages to destroy houses and kill suspected terrorists are not terrorists"

Terrorism and War

- "The moral problem with terrorism is that terrorists frighten and kill civilian people"
- "The moral problem with war is that soldiers frighten and kill innocent people"
- "The moral dilemmas of political violence arise if we want to argue that sometimes but only sometimes this killing of the innocent is justified"

9. Responsibility

Investigation of Root Causes

- Various conditions cited as root causes of terrorism
 - Poverty
 - Lack of opportunity
 - Absence of institutions permitting democratic political participation
 - Simplistic and intolerant ideologies
 - Resentment and envy
 - Real or perceived inadequacies in U.S. foreign policy
- Controversial after 9/11
 - "Political and military leaders have said nothing about the need to address root causes"
 - Impact on conception of blameworthiness
 - Seems to diminish blameworthiness of the terrorists as individuals
 - Seems to imply blameworthiness on the part of the United States and Western nations

Danger of Ignoring Root Causes

- "Even the killing of every al-Qaeda terrorist on earth wouldn't keep Western societies safe"
- "If the underlying causal conditions are not changed, more terrorists will be trained and motivated"

Kant and the Antinomy of Terrorism

- Ambiguity involved in views on causation and moral responsibility
- Apparent Dilemma or Contradiction
 - On the one hand, "we should not explore the root causes, because when we do so, we inappropriately exonerate the perpetrators and blame the victim"
 - On the other hand, "we should seek out these root causes, because otherwise these factors will persist to support the growth of more terrorism and doom our quest to eradicate terrorism"

Govier's attempted Resolution of the Antinomy of Terrorism

- Regard root causes of terrorism as "standing conditions" (necessary)
- Recognize that root causes of terrorism are not adequate for causing or explaining the motivations and actions of individuals (not sufficient)

Necessary and Sufficient Conditions

- Technically, for X to be a cause of Y requires that it is a necessary or a sufficient condition
- Contributing factors are not causes in the technical sense (they are neither necessary nor sufficient but have some statistical correlation with the occurrence of a phenomenon)
- For more information on causality and causal analysis, see [The Logic of Causality](#)

Consequence of Govier's Position

- "The existence of root causes does not deny the fact of choice" (these conditions are necessary but not sufficient to produce terrorism)
- "Causation and moral responsibility are compatible" (necessary conditions can be present and terrorist responses do not have to be chosen)