

**PHIL 140**

§§0103 (1:00pm Armory 0103), 0106 (10:00 am Art & Soc 3221), 0107 (12:00 pm Phys 4208)

**Discussion Notes**

**May 9, 2008**

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**Second Term Paper Statistics**

- Sorted by Section, in descending order of score. Note that O1 – O4 refer to the options you had (O1: Option 1-Peter Singer, O2: Death Penalty applied to reformed or remorseful criminals, etc.)

<i>Sect</i>	<i>0107</i>	<i>Sect</i>	<i>0103</i>	<i>Sect</i>	<i>0106</i>
<i>topic</i>	<i>paper 2 grd</i>	<i>topic</i>	<i>paper 2 grd</i>	<i>topic</i>	<i>paper 2 grd</i>
O2	95	O1	99	O2	96
O2	94	O4	90	O4	89
O2	94	O4	89	O2	88
O4	92	O1	86	O2	88
O4	91	O4	85	O4	88
O3	91	O4	84	O1	87
O2	90	O1	80	O2	86
O4	90	O3	80	O4	85
O1	90	O2	78	O1	83
O2	88	O2	77	O4	82
O4	87	O4	77	O2	81
O4	86	O1	75	O1	81
O1	85	O4	74	O1	81
O4	85	O4	74	O3	80
O2	85	O2	74	O1	80
O4	84	O2	74	O2	80
O2	79	O4	72	O4	80
O1	78	O1	70	O1	79
O2	75	O4	69	O4	77
O1	73	O2	68	O2	76
O1	70	O1	67	O2	75
O2	69	O1	64	O3	71
O1	68			O1	71
O1	56			O1	63
				O1	61

<i>Section</i>	<i>0107</i>		<i>0103</i>		<i>0106</i>
<b>Average</b>	<b>83.13</b>		<b>77.55</b>		<b>81.31</b>
<b>Median</b>	<b>85.50</b>		<b>76.00</b>		<b>81.00</b>
<b>Standard dev</b>	<b>10.06</b>		<b>8.54</b>		<b>7.95</b>

		<b>All Sections</b>
<b>Average</b>		<b>80.41</b>
<b>Median</b>		<b>80.00</b>
<b>Standard dev</b>		<b>9.05</b>

- Sorted according to question, or option, in descending order of score. Note that O1 – O4 refer to the options you had (O1: Option 1-Peter Singer, O2: Death Penalty applied to reformed or remorseful criminals, etc.)

<b>Sect</b>	<b>0107</b>	<b>Sect</b>	<b>0103</b>	<b>Sect</b>	<b>0106</b>
<b>topic</b>	<b>paper 2 grd</b>	<b>topic</b>	<b>paper 2 grd</b>	<b>topic</b>	<b>paper 2 grd</b>
O4	92	O4	90	O4	89
O4	91	O4	89	O4	88
O4	90	O4	85	O4	85
O4	87	O4	84	O4	82
O4	86	O4	77	O4	80
O4	85	O4	74	O4	77
O4	84	O4	74	O3	80
O3	91	O4	72	O3	71
O2	95	O4	69	O2	96
O2	94	O3	80	O2	88
O2	94	O2	78	O2	88
O2	90	O2	77	O2	86
O2	88	O2	74	O2	81
O2	85	O2	74	O2	80
O2	79	O2	68	O2	76
O2	75	O1	99	O2	75
O2	69	O1	86	O1	87
O1	90	O1	80	O1	83
O1	85	O1	75	O1	81
O1	78	O1	70	O1	81
O1	73	O1	67	O1	80
O1	70	O1	64	O1	79
O1	68			O1	71
O1	56			O1	63
				O1	61

<b>Topic</b>	<b>Section-&gt;</b>	<b>0107</b>	<b>0103</b>	<b>0106</b>
<b>O1</b>	<b>Average</b>	<b>74.29</b>	<b>77.29</b>	<b>76.22</b>
	<b>Median</b>	<b>73.00</b>	<b>75.00</b>	<b>80.00</b>
<b>O2</b>	<b>Average</b>	<b>85.44</b>	<b>74.20</b>	<b>83.75</b>
	<b>Median</b>	<b>88.00</b>	<b>74.00</b>	<b>83.50</b>
<b>O3</b>	<b>Average</b>	<b>91.00</b>	<b>80.00</b>	<b>75.50</b>
	<b>Median</b>	<b>91.00</b>	<b>80.00</b>	<b>75.50</b>
<b>O4</b>	<b>Average</b>	<b>87.86</b>	<b>79.33</b>	<b>83.50</b>
	<b>Median</b>	<b>87.00</b>	<b>77.00</b>	<b>83.50</b>

Topic		All sections
O1	Average	75.96
	Median	78.00
O2	Average	82.27
	Median	80.50
O3	Average	80.50
	Median	80.00
O4	Average	83.18
	Median	85.00

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### Discussion Questions & Class Discussion

- Haig Khatchadourian

Recall that his argument for the case against the moral permissibility of terrorism can be depicted by the following rubric: (the “?” means the issue is open to question)

<i>Terrorism's Core features →</i>		<i>Predatory</i>	<i>Retaliatory</i>	<i>Political</i>	<i>Moral/religious</i>
<i>Just war Theory ↓</i>					
<i>Jus ad bellum</i>	Right reason(s) for going into war (just cause)	<b>Never morally permissible</b>	<b>Never morally permissible</b>	<b>Can be morally permissible</b>	<b>Can satisfy a notion of just cause by definition, if notion of just cause is interpreted broadly enough<sup>1</sup></b>
	<b>Proportionality</b>	<b>Never</b>	<b>Never</b>	<b>?</b>	<b>?</b>
		“[N]o...terrorist movement in this century...has succeeded in realizing its ultimate...objectives. Moreover, these movements have no more chance of success in the future than they had have so far.” (Vaughn 518)			
<i>Jus in bello</i>	Discrimination between combatants and non-combatants	<b>Never</b>	<b>Never</b>	<b>?</b>	<b>Never</b>
	<b>Proportionality</b>	“Political, retaliatory, or moralistic terrorists, driven by passion or paranoia, often baselessly enlarge, sometimes to a tragically absurd extent, the circle of alleged non-innocent persons.” (516) No assessment possible: “[A]ll...the preceding types of terrorism are indeed in serious violation of the political principle of proportion. <b>For the result in tallying the evils of terrorist acts in human pain, death and destruction, against the nonexistent overall benefits leaves a huge surplus of unmitigated evil on the negative side.</b> ” (518)			

<sup>1</sup> “By definition, moralistic terrorism satisfies just cause if ‘just cause’ is interpreted broadly...[which] may also satisfy the condition of right intention.” (Vaughn, 515)

In addition, further reinforcing the general moral impermissibility of terrorism, regardless of the forms (predatory, retaliatory, political, religious/moral) *all* violate basic human rights<sup>2</sup>, whether conceived weakly or negatively as the right not to be killed unjustly, or more positively in terms of the right to “satisfy...needs and interests, and to actualize...potentials.” (519); i.e. the right to be treated as moral persons:

Treating people as moral persons means treating them with consideration in two closely related ways. First, it means respecting their autonomy as individuals with their own desires and interests, plans and projects, commitments and goals. **That autonomy is clearly violated if they are humiliated, coerced and terrorized, taken hostage or kidnapped, and above all, killed.** Second...it includes sensitivity to and consideration of their feelings and desires, aspirations, projects, and goals...[T]errorism in general violates both aspects of its targets’ right to be treated as moral persons. In retaliatory and moralistic/religious terrorism, that is no less true of those victims or those victimized who are morally responsible in some degree for the wrong that precipitates the terrorist strike than of those who are completely innocent of it. In predatory terrorism, the terrorist acts violate the human right of everyone directly or indirectly hurt by them. For the terrorists the life of the immediate victims and their human rights matter not in the least. (emphasis added, 519-520)

My questions concerning Khatchadourian are:

- 1.) Despite his long disclaimer concerning the problematic semantics of the notion (511-512), his “core notions” may present an excessively idealized picture of *actual* terrorist activity. In other words, when analyzing the activity of a particular terrorist organization, don’t they embody or instantiate *all* of the above four notions<sup>3</sup> in varying degree? If so, does this undercut Khatchadourian’s analysis?

Most in the three discussion sections agreed that it appears to be unrealistic to characterize a given terrorist organization by just one of the above aims posed by Khatchadourian. **Karuna Panitz (§ 0106)** took this a step farther and pointed out that the above aims seem relative to what side you’re on, (regarding whether or not you sympathize or condemn the terrorists’ methods or agenda).

- 2.) Can a notion of “just cause” truly be expanded in the manner suggested by Khatchadourian in the moral/religious case? Consider the great differences between al-Qaeda’s dogmatic and delusional visions of establishing some version of an international Islamic caliphate, versus those of the IRA what they considered was defending the interests of the Catholic Irish majority.

**Zina Makar (§ 0106)** mentioned that the issue is perhaps even more basic: Perhaps international terrorist organizations like al-Qaeda don’t fit *any* of the above categorical

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<sup>2</sup> There are however exceptional circumstances (in which such a right is overridden by special and urgent consideration-as in the case of combat in war) which he also qualifies by two conditions: 1) the act is the lesser of the two evils, 2.) won’t violate principles of fairness and justice. The example he cites satisfying the latter two conditions includes the case of voluntary active euthanasia. (519)

<sup>3</sup> For instance, consider the IRA’s activities, from 1920-1980: Kidnappings & demanding ransom (predatory), bombings which were justified according to political reasons (to end the British oppression) and moral/religious ones (defending the Catholic majority); but in many instances were basically retaliatory (avenging the deaths of some of their members by British counterattacks).

aims—i.e. that the threat and make-up of international organizations like al-Qaeda is a twenty-first century phenomenon and that the analysis Khatchadourian is based on twentieth century outfits. Aside from the (relatively bygone, in this topic) publication date (1998) of his article, **Zina's** points make good sense when considering that the motives as well as the organization of al-Qaeda are far more complex and lethal. One need only read Osama bin Laden's statement (Vaughn 540-541) in a 2003 interview to realize that their intentions are nothing short of some global *jihad*, in which *any* citizen of *any* Western country affiliated in *any* favorable fashion with the US or Israel is a co-conspirator. Yet contrary to falling under Khatchadourian's simplistic characterization, al-Qaeda was (and is, despite its weakening from US and allied retaliation<sup>4</sup>) a sophisticated internationally sponsored outfit, analogous in structure to the 'Super Drug Cartels' (in areas of Colombia) which defies simple categorization. To name one issue: though the (former) Taliban-controlled rogue state of Afghanistan was (by default) al-Qaeda's "host country," it is erroneous to consider this to have been a case of "State-sponsored" terrorism," since al-Qaeda was financed by and large by international illegal trade ranging from weapons and drug smuggling to donations from warlords and sympathizers. The destitute Taliban government "contributed" next to nothing, aside from allowing the organization to roam freely in their country and build bases "rent (or tax) free."

- 3.) (Recall Sterba's argument concerning the possibility that terrorist acts can and are committed by legitimate states<sup>5</sup>) is it *really* the case that "[w]hat is absolutely essential for an adequate concept of terrorism...distinguish[ing] it from all other uses of force and coercion...is terrorism's 'bifocal' character...the crucial distinction between 'the victims'...and...'the victimized'?" (513) Isn't this bifocal nature inherent in other uses of force?

Most in all three sections agreed. **Karuna Panitz (§ 0106)** for instance went on to say that perhaps *all* acts may share this character, thus rendering the notion tautological (at least when applied across the domain of human violent acts).<sup>6</sup>

- 4.) (Sterba vs. Khatchadourian) Sterba (among other things) makes a case for the Palestinian cause<sup>7</sup> while Khatchadourian terrorism is never justified because no matter what form it

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<sup>4</sup> Nevertheless it bears emphasizing that in spite of the all the military engagement in Afghanistan, bin Laden nor any of his closest supporters were ever apprehended. (Sterba, in Vaugh, 526). Moreover, "some good police detective and police work, not military action, has recently led to the capture...of Abu Zubaydah, who is thought to be bin Laden's second or third lieutenant." (527)

<sup>5</sup> As he argues that the US's A-Bomb drops of Hiroshima and Nagasaki were examples of unjustified acts of terrorism, since "the United States...could have easily this butchery by dropping its demand for Japanese surrender...Hence, the United States' terrorist acts of dropping the atomic bombs...cannot be justified on the grounds of shortening the war." But there were instances of justified terrorism committed by legitimate state as well, according to Sterba (who paraphrases Walzer). "[F]or that relatively short period of time when Britain had no other way to try to avert a Nazi victory...its reliance on terror-bombing was morally justified." (525)

<sup>6</sup> For instance, consider a fistfight. "The victim" (immediate target) might have been the person's nose or jaw, but the 'victimized' is the person's ego.

<sup>7</sup> "[T]he Palestinian cause is clearly a just one, but just as clearly the Palestinians lack the military resources to effectively resist Israeli occupation and aggression...under these conditions...a moral justification for Palestinian suicide bombers against Israelis civilians emerges...similar to ...the United States confin[ing]

takes, it will always fail in the proportionality requirements (both in *jus ad bellum* as well as *jus in bello*, see table above). However, there were campaigns aided by terrorist activity that enjoyed recent success<sup>8</sup>

**Daniel Loveland (§ 0103)** pointed out that regardless how one may historically rate the importance of the Algerian terrorist activity in ridding Algeria from French colonial domination, the analogy won't work in the case of present-day Palestine. The Israelis consider the land their "homeland" and hence have a vested interest in securing what they consider are their claims in a far more zealous manner than perhaps anything the French may have generally felt with respect to their colonial rule in Algeria. Hence, the net effect in the case of Palestine is that any terrorist activity on their part (no matter how justifiable in theory) seems only to further undermine the prospects of a just solution, among other things demanding that Israel at the very least recognize Palestine justly and fairly as an independent state as well as recognizing the Palestinians as moral persons. Unfortunately, Khatchadourian describes the matter in more realistically representative terms: "Palestinian acts of terrorism (as distinguished from Palestinian resistance...) from the very start have hurt that cause almost beyond repair." (518)

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Native American Indian nations...surely the Palestinians have a right to resist that struggle as best they can." (526)

<sup>8</sup> Consider, the activity of Algerian terrorists (1950s-1960s): those living in Algeria as guestworkers were allowed to stay, even after the French troops began.