Chapter 18:

Violence, Terrorism, and War
“The use of physical force to cause injury to another or others.” (p.439)

Key Issues:

- What causes violence?
- availability of guns
- income (close correlation to low income and higher incidence of violence)
- violence in the media
- violent video games
- What can be done to prevent it?
- Do producers/corporations have a moral responsibility to cease production of products if linked to violence even if they’re highly profitable (high consumer demand)?
- Is violence ever justified?
“Poverty Matters: A Reassessment of the Inequality–Homicide Relationship in Cross-National Studies”

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http://bjc.oxfordjournals.org/content/early/2011/03/30/bjc.azr019.abstract
Abstract:

“Dozens of cross-national studies of homicide have been published. Virtually all have reported an association between inequality and homicide, leading scholars to draw strong conclusions about this relationship. Unfortunately, each of these studies failed to control for poverty, even though poverty is the most consistent predictor of area homicide rates in the US empirical literature and a main confounder of the inequality–homicide association. The cross-national findings are also incongruent with US studies, which have yielded inconsistent results for the inequality–homicide association. In the present study, I replicated two prior studies in which a significant inequality–homicide association was found. After the original results were replicated, models that included a measure of poverty were estimated to see whether its inclusion had an impact on the inequality–homicide association. When effects for poverty and inequality were estimated in the same model, there was a positive and significant poverty–homicide association, while the inequality–homicide association disappeared in two of three models. These findings were consistent across different samples, data years, measures of inequality, dependent variables (overall and sex-specific homicide rates) and estimation procedures. The new results are congruent with what we know about poverty, inequality and homicide from the US empirical literature and suggest that the strong conclusions drawn about the inequality–homicide association may need to be reassessed, as the association may be a spurious result of model misspecification.”
Violence:

 “Reality Bytes: Eight Myths About Video Games Debunked”

Henry Jenkins
MIT Professor

 http://www.pbs.org/kts/videogamerevolution/impact/myths.html
Definitions:

- first used in French Revolution – violence on behalf of a state (p.440)
- most common usage is violence against a state
- US State Department – “The term ‘terrorism’ means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience.” (p.440)
- DOD – “the calculated use of violence or the threat of violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological.” (p.440)
Motivations:

- religious fundamentalism/youthful idealism
- personality disorders – inability to empathize with one’s victims
- cultural beliefs about martyrdom
- “…global revolutionary anti-Western perspective that echoed the anti-imperialism of the older Arab and European new left and even today’s anti-globalization movement.” (p.441)
Consider the fact that during the beginning of the American Revolution; our “patriots” were referred to by the British as “terrorists.”

British Colonel Henry Bouquet complained of the French and American fighters that, “They never congregate in a group that could be destroyed by the superior firepower of regular troops and when attacked they never stand their ground but immediately give way only to return to the charge when the attack ceases.”

In fact, the earliest documented cases of guerrilla warfare were used by these fighters which, ironically was taught to them by the indigenous Indians.

Ethical Issues:
- is terrorism an evaluative term based on one’s perspective?
- can one justify acts of violence by appealing to just ends?
- can terrorism work to produce just ends or does violence just beget more violence?
- what limits should be imposed on fighting terrorism? Is the Patriot Act (Full title: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001) just?
- does preventing acts of terrorism outweigh civil rights?
Pacifism:

“…the view that the use of force, including lethal force is morally objectionable.” It is the opposite of militarism – “…the view that the use of force, especially military force is noble and just.” (p.442)
Example: William James argued that fighting a war required the virtues of heroism, self-sacrifice and loyalty but argued for a substitute for war that would develop these virtues without the destruction of armed combat. (p.443)

Pacifism may be defended on consequentialist grounds such as non-violent means produce non-violent ends or on non-consequentialist grounds such as “killing is wrong.”

Proponents of intermediate positions argue that military intervention is sometimes the only way to end greater harm. “It was always held that in cases of massacre on the other side of the border, you have a right, and maybe an obligation to go in and stop it if you can.” (Michael Walzer, political philosopher paraphrasing international law doctrine of humanitarian intervention p.443)
Just War Theory:

- Drawn from intermediate position between pacifism and militarism.

- Three kinds of issues:
  - *Jus ad Bellum* – the justness of going to war – war defended on basis of just cause.
  - *Jus in Bello* – justness in war – concerns about conduct during war & means of waging war; must be added to *Jus ad Bellum* to fully justify war.
  - *Jus post bellum* – issues of just conduct following the end of a war, may involve issues of surrender, war crimes trials, reparation and reconstruction.
Just War Theory:

- *Jus ad Bellum* - Issues in justifying a war:

  The principles of the justice of war are commonly held to be: having just cause, being a last resort, being declared by a proper authority, possessing right intention, having a reasonable chance of success, and the end being proportional to the means used. One can immediately detect that the principles are not wholly intrinsicist nor consequentialist—they invoke the concerns of both models. Whilst this provides just war theory with the advantage of flexibility, the lack of a strict ethical framework means that the principles themselves are open to broad interpretations.

  - [http://www.iep.utm.edu/justwar/](http://www.iep.utm.edu/justwar/)
Just War Theory:

**Jus ad Bellum - Issues in justifying a war:**

- what constitutes a just cause?
- preventative vs. preemptive strikes – need one wait to be attacked first? Can one ever be sure that an act of aggression will happen?
- proportionality – part of justifying a war is that it is proportional to the harm or threat of harm – difficulty measuring value of freedom and self-determination or a way of life
- last resort – war should never be regarded as first resort – diplomacy and negotiation, boycotts, etc. must have failed – difficulty lies in determining point and degree of failure
- right intention – intervention must always be directed to the goal set by the cause and to the eventual goal of peace.
Jus in Bello - Issues in justifying conduct in war:

The rules of just conduct within war fall under the two broad principles of discrimination and proportionality. The principle of discrimination concerns who are legitimate targets in war, whilst the principle of proportionality concerns how much force is morally appropriate. A third principle can be added to the traditional two, namely the principle of responsibility, which demands an examination of where responsibility lies in war.

One strong implication of the justice of warfare being a separate topic of analysis to the justice of war is that the theory thus permits the judging of acts within war to be dissociated from its cause. This allows the theorist to claim that a nation fighting an unjust cause may still fight justly, or a nation fighting a just cause may be said to fight unjustly. It is a useful division but one that does not necessarily sever all ties between the two great principles of warfare: the justice of a cause remains a powerful moral guide by which warfare is to be judged, for what does it matter, it can be asked, if a nation wages a war of aggression but does so cleanly?
Just War Theory:

*Jus in Bello* - Issues in justifying conduct in war:

- **Proportionality** – no more force than necessary is used – problem lies in determining sufficient force and end goal defining that sufficiency.

- **Discrimination** – no intentional attacks on noncombatants and nonmilitary targets & “number of them likely to be injured when a target is attacked must not be disproportionately great compared to the significance of the target.” (p.446) prefers “noncombatants” over “innocent” since soldiers could be conscripted and thus innocent but nevertheless are a threat.
Jus in Bello

What if a war and all of its suffering could be avoided by highly selective killing? Could just war theory endorse assassination for instance?

Assassination programs have often been secretly accepted and employed by states throughout the centuries and appeal, if challenged, is often to a “higher” value such as self-defense, killing a target guilty of war crimes and atrocities, or removing a threat to peace and stability.

The CIA manual on assassination (1954, cf. Belfield), sought to distinguish between murder and assassination, the latter being justifiable according to the higher purposes sought. This is analogous to just war theorists seeking to put mass killing on a higher moral ground than pure massacre and slaughter and is fraught with problems raised … in the just war literature.
Just War Theory:

- *Jus in Bello: Weapons of Mass Destruction*
- includes biological, chemical and nuclear weapons. MacKinnon argues that their use would violate both principles of proportionality and of discrimination (despite far greater percent of deaths being caused by conventional methods).
**Jus post bellum – Issues of Justice following a war**

Following the cessation of a war, three possibilities emerge: either the army has been defeated, has been victorious, or it has agreed to a ceasefire. Principles of justice may then be applied to each situation.

Orend presents a useful summary of the principles of *jus post bellum*: the principle of discrimination should be employed to avoid imposing punishment on innocents or non-combatants; the rights or traditions of the defeated deserve respect; the claims of victory should be proportional to the war’s character; compensatory claims should be tempered by the principles of discrimination and proportionality; and, controversially, the need to rehabilitate or re-educate an aggressor should also be considered.

- [http://www.iep.utm.edu/justwar/](http://www.iep.utm.edu/justwar/)
Jus post bellum: Emperor Hirohito & The Surrender of Japan

The Emperor was not put on trial for war crimes, but he was forced to explicitly reject the State Shinto claim that the Emperor of Japan was an arahitogami, i.e., an incarnate divinity. This was motivated by the fact that, according to the Japanese constitution of 1889, the Emperor had a divine power over his country, which was derived from the shinto belief that the Japanese Imperial Family was the offspring of the sun goddess Amaterasu.

Hirohito was however persistent in the idea that the emperor of Japan should be considered a descendant of the gods. In December 1945 he told his vice-grand chamberlain Michio Kinoshita: "It is permissible to say that the idea that the Japanese are descendants of the gods is a false conception; but it is absolutely impermissible to call chimerical the idea that the emperor is a descendant of the gods." In any case, the "renunciation of divinity" was noted more by foreigners than by Japanese, and seems to have been intended for the consumption of the former.

Although the Emperor had supposedly repudiated claims to divine status, his public position was deliberately left vague, partly because General MacArthur thought him likely to be a useful partner to get the Japanese to accept the occupation, and partly due to behind-the-scenes maneuverings by Shigeru Yoshida to thwart attempts to cast him as a European-style monarch.
Special operations forces key to U.S. exit strategy in Afghanistan

U.S. Marine Cpl. Joshua Boston (left) talks to an Afghan villager during a patrol in Sistani, in Helmand province, during a joint patrol by Marines, members of the Afghan army and local forces.

PAKTIKA, Afghanistan — A hundred or so turbaned, bearded Afghans packed the plastic mats outside the fort, staring skeptically at Afghan officials on a makeshift outdoor stage. The officials were making the case for setting up a local police force.

Off to the side, watching silently, were the U.S. special operations troops who had made the meeting possible by flying in the officials and disarming the villagers before they entered the compound.

If all went well, the Americans would later be training the police force to protect the villagers from the Taliban, and hastening the handover of security responsibility to the Afghans.

The Associated Press got a rare glimpse of this U.S. special operations mission — one vastly different from the daring raid to kill Osama bin Laden in Pakistan.

The U.S. commander in Afghanistan, Gen. David Petraeus, credits increased use of special operations with helping blunt Taliban momentum, largely by killing or capturing militant leaders.

Less known is the model Petraeus has supported alongside the expanded raids, in which special operations troops pair with Afghans to provide protection while training forces — ranging from local police to Afghanistan’s own special operators — to take their place. The fledgling success of such units marks a subtle shift toward Afghan independence, and an exit strategy for the U.S.

Senior officials at the White House and in Congress are beginning to speak cautiously of a new special-operations-led model as the way ahead in Afghanistan. Roughly 100,000 U.S. conventional forces would be reduced to fewer than 30,000 conventional forces, while special operations forces would mentor local security forces and continue their high pace of kill-and-capture raids against militants.
**Jus post bellum: War Crimes and Universal Human Rights**


- Raised issue of “enemy combatant” designation in Guantanamo Bay who are refused rights to fair hearing and representation. Global Rights claims that it is an invented category to circumvent protocols and conventions.

- Problems today with agreement on principle of human rights, enforcement, violations among members such as Burma, China, Cuba, Libya and North Korea who would be unwilling to accept international intervention.