Moral Absolutism in the Wake of Terrorism

Vicente Medina

20.10.2023 doi: 10.59704/39a7d52bbb2b8ec1

In the light of the terrorist attack perpetrated by Hamas against innocent civilians in Israel on October 7th, some contend that "The imperative to protect human dignity only applies absolutely if it applies universally, and it only applies universally if it applies absolutely." In the face of evil, there is no room for relativism. Hamas's deliberate attack against innocent civilians is absolutely wrong. Therefore, it should be universally condemned.

I agree with the above conclusion. However, I wonder how a universal recognition of an absolute duty of respect for human dignity can help solving the existential conflict confronting Israelis and Palestinians. Ideally, a two-state solution proposed by the international community can be seen as a reasonable and fair compromise. Nevertheless, the reality on the ground is different. Thus far the existence of one state has precluded the existence of another with no end in sight to their mutually destructive violence. Their conflict demands that people who are reasonable and fair-minded try to understand it holistically and to offer an impartial assessment of this intractable conflict without relativizing the underserved human suffering of all those involved and affected by it. Such an existential challenge is not just about denouncing barbaric violence, which, ought to be condemned regardless of where it is coming from, but, most importantly, it is about finding common ground for a viable and just solution to meeting their existential needs.

While in principle the protection of people's human dignity does not necessarily require the existence of a state, the unique tragedy and history of the Jewish people has demonstrated that without a state people's moral and physical integrity can be in peril. One can argue that without a state the vulnerability of the Palestinian people is compelling. Still, while the existence of a Palestinian state is a pragmatic condition for the protection and preservation of their human dignity, it is insufficient. Respect for human dignity depends not only on the existence of a state but rather on its moral quality. The existence of an authoritarian and corrupt state where citizens' fundamental rights are consistently violated is a threat rather than a warrantor for human dignity. The despotic violence of Hamas not only against innocent Israelis but also against innocent Palestinians in Gaza is an evident example of such a threat.

It is urgent for the international community to develop a feasible plan where Israelis and Palestinians can fulfill their needs without resorting to violence. The Israelis already have a viable and vibrant – yet contested – democratic state, an important need that has already been achieved. The Palestinians, however, do not have one, an important need that has yet to be realized. Our absolute duty of respect for human dignity cuts both ways. If so, a necessary condition for the respect of the human dignity of Palestinians has been forsaken too long by the Israeli government and by the international community. Of course, Hamas's terrorist operation against Israeli civilians violates the human dignity of both the latter and ironically of all civilian Palestinians who have been victims of the Israel Defense Forces (a.k.a. IDF) retaliatory operation in Gaza.

While there is no universal agreement on the meaning of terms, such as "terrorism" and "human dignity," one can cogently understand the term terrorism as designating the deliberate use of indiscriminate political violence, be it by a non-state actor or by a state, against innocent noncombatants to influence a domestic or an international audience. Those who argue that nonstate actors are the ones responsible for engaging in terrorism need only to look at human history to realize that most states have been founded on terrorist violence. Moreover, state violence has killed more innocent civilians than all the nonstate

actors together. Yet whether coming from a state or a nonstate actor, deliberate violence against innocent civilians is categorically wrong and forbidden by international law. In addition, those responsible for engaging in such a type of violence, whether we call it terrorism or war crimes, need to be brought to justice in a court of law. Legal justice might be imperfect, but it is preferable to none.

One might understand human dignity in a religious, or a secular moral and/or legal sense. In a secular moral sense, we ascribe human dignity to people by virtue of having a capacity for reasoning, suffering, and empathy for others rather than for themselves only. After the Nuremberg and Tokyo War Criminal Trials in the wake of World War II, international law has put protecting the moral and physical integrity of the human person above the relative domestic law of nations. So, in the legal sense, one finds references to human dignity embedded in international and legal instruments. This term designates fundamental claims, including a right to equal consideration and respect before the law, as found in the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, and in the *Grundgesetz* (Basic Law) in the Republic of Germany.

One finds a classic interpretation of human dignity in a religious sense in the Judeo-Christian tradition by conceiving of people as worthy of respect because they have been created in the image of God. Similarly, in the Islamic tradition one finds that the children of Adam are to be honored because of their unique position in God's creation. In these traditions, the dignity of one person is as valuable as the dignity of every person. Hence, by violating the dignity of one person, one is violating the dignity of every person.

Whether secular or religious, those who appeal to human dignity conceives of people as being valuable in themselves by virtue of belonging to a class whose individuals typically share properties, such as having a capacity for reasoning and self-determination. Those who hold this understanding of human dignity refuse to trade off people's dignity for a greater good, such as punishing the innocent few pretending to improve the lives of the innocent many. Hamas as well as other terrorist organizations, including ISIS, Al-Qaeda, and Hezbollah, embrace this Machiavellian way of thinking to justify or excuse their deliberate and/or indiscriminate targeting of innocent civilians.

Immanuel Kant's categorical imperative offers a classic example of a defense of human dignity in the moral sense. For Kant, the nature of morality is about respecting people's dignity rather than about tradeoffs or the consequences of our acts. For him, the practice of deliberately trading off the dignity of the innocent few allegedly to protect and improve the lives and dignity of the innocent many is categorically impermissible. According to him, we have an absolute obligation to respect the humanity of people as being intrinsically valuable ends rather than as means only. That is, the will to do evil by violating the dignity of others, as Hamas has done in perpetrating their terrorist attack against innocent Israelis, undermines their own moral dignity. While Kant allows for defensive wars, in his *On Perpetual Peace*, he condemns engaging in war for testing rights and acknowledges our duty to try to return to a state of peace. Also, he recognizes that the parties involved in a violent conflict must avoid engaging in actions that are likely to undermine trusting one another by employing morally suspect practices. Although he does not mention terrorist violence by name, he objects, for example, to using assassins and poisoners in war whose practices could amount to terrorist violence when targeting innocent noncombatants. For Kant, how people fight a war can have future repercussions for establishing either a truce to prepare for a future war or a long-lasting peace. The endless violence between Israelis and Palestinians attests to Kant's insightful reflection.

Hamas's attack on innocent civilians is a prototypical act of terrorism. As such, it is an evident and flagrant violation of human dignity as understood by the already mentioned moral, religious, and legal principles. Flagrant violations of human dignity are intrinsically wrong. Hence, Hamas' heinous attack on Israeli civilians is absolutely wrong. Still, given the long and tragic experience of the Jewish people, the international community expect the IDF military campaign against members of Hamas and their acolytes to

comply with both the letter and the spirit of international humanitarian law in defending their citizens' human dignity and their need for safety. However, as stated above, the need for safety and for the preservation of human dignity also apply to the Palestinian people. It is important to make a distinction between Hamas and the Palestinian populace. Until the Israeli government and the international community commit themselves to meeting the needs and dignity of all Palestinians and the safety of Israelis, I am afraid that the vicious circle of retaliation will continue violating the human dignity of both Israelis and Palestinian alike. After the dust has settled, let us hope that sensible minds on both sides will prevail and will try to develop a fair and viable two-state compromise so that both Israelis and Palestinians can live peacefully side by side. Yet let us not forget that the devil is in the details of the compromise.

ABOUT THE AUTHOR

Vicente Medina

Vicente Medina is a professor of philosophy at Seton Hall University where he has been teaching for the past thirty-two years. He has published on terrorism, political philosophy, and applied ethics.

SUGGESTED CITATION

Medina, Vicente: Moral Absolutism in the Wake of Terrorism, Verfassungsblog, 20.10.2023, doi: 10.59704/39a7d52bbb2b8ec1.

Licensed under CC BY-SA 4.0.

Langzeitarchiviert bei IntRechtDok unter: doi.org/10.17176/20231020-233642-0.