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To our contributors, who inspire and enlighten us with every submission.

To Anthony Kammas, professor and friend, without whom this journal would not exist.

To all great minds, ancient and modern.

*Ilios* is the undergraduate-run journal connected to the Political Science Undergraduate Association (PSUA) at the University of Southern California; it is primarily a journal of political science and political philosophy. Our intention is to create a forum for students to critically assess and analyze political issues—whether contemporary, historical, or theoretical in nature. The idea is to create a space for argumentation and analysis that mirrors the world around us—since all aspects of public life make their way in and out of political life, we believe our journal should be similarly open to such a flow of issues and dilemmas.

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CONTENTS

6 Letter From The Editors

10 Ends and Meanings
Si Guarda Al Fine and Machiavellian Virtue
By Amanda Griffiths

39 Why Not Be Selfish?
The Case for Altruism as the Highest Form of Egoism
By Saul Tobin

48 Regional Terrorism
How Perceptions Predict Tactics
By Tyler Tyburski

60 The Politics of Hatred
Assessing Pre-Genocidal Factors in Syria and Turkey
By America Hernandez

82 Op-Ed
Why Anti-Rationalism is the Biggest Problem in Politics
By Saul Tobin

86 Taking Aim on the First Amendment
A Legal, Political and Social Analysis of Brown v. E.M.A.
By Brandon Martinez, Jr.

104 Technocratic Totalitarianism
One-Dimensional Thought in Jean-Luc Godard’s Alphaville
By Maximilian Yoshioka

Virtù and Terror: The Meaning of Politics and the Politics of Meaning • Vol. 1 No. 3 • Fall 2013
This issue of *Ilios* emerges in a world seemingly filled with more than enough terror and nowhere near enough virtue. Across the globe, economic recession, arguably a result of the unregulated greed of a few, has caused long-term social and political misery for the many. The effects of the so-called Arab Spring continue to reverberate across the Middle East and surrounding regions, placing enormous pressure on the legitimacy of rulers and leading to the vast bloodshed of the ruled. The United States, a country whose national mythology rests on ideals of a restrained government and individual privacy, has found itself rocked by extraordinary revelations of secret state surveillance programs, all springing from the defection—some say treason—of NSA contractor Edward Snowden. Meanwhile, many thousands upon thousands continue to die in Syria, a country whose people are terrorized by a violently oppressive government, all while the global community looks on and wrings its hands.

In some respects, these contemporary political issues are old news. Socioeconomic collapse, revolution, the trespass against fundamental human rights—these are topics that political philosophers of all eras have studied, shaping the way the rest of us see the world along the way. They themselves may be ancient, but their tremendous contributions to political thought are far from dead. *Ilios* is a journal of classical political philosophy geared for the modern college student, and as such, it attempts to draw connections between the political works of old and the critical issues of the present. Answers, the journal supposes, can come from the minds of generations prior as much as those of our generation today. In this sense, this issue is truly the product of a collaborative effort: departing from its prior tradition of executive and assistant editorship, the current edition of *Ilios* was reviewed, edited, and compiled by an entirely democratic editorial board. This spirit of collaboration was inspired by the work of our contributors, who turned to the counsel of thinkers both ancient and modern—Machiavelli, Kant, even the American Framers—to answer new questions, and question old answers.

As contemporary debates surrounding privacy, interventionism, and isolationism increase in scope and complexity, public discourse regarding the economization of power turns not merely to the results an action may ultimately produce, but the intention that incites the action. With this in mind, ‘Ends and Meanings: *si guarda al fine* and Machiavellian Virtue’ provides a fresh exploration of one of the most famous—or perhaps infamous—maxims in political thought, offering an eye toward how both private ‘virtues of goodness’ and public ‘virtues of greatness’ may be used to judge the ultimate worth of political actors.

But are ideals such as ‘the public good’ and ‘the welfare of the state’ truly any different than self-interest writ large? Saul Tobin’s ‘Why Not Be Selfish? The Case for Altruism as the Highest Form of Egoism’ turns classical logic on itself to suggest that, contrary to the casual rhetoric, selfishness often results in the treatment of external agents as ends rather than means. Following Tobin’s piece, Tyler Tyburski empirically evaluates the consequences of social systems that glorify what might commonly be regarded as the highest form of altruism: self-sacrifice. ‘Regional Terrorism: How Perceptions Produce Tactics’ is a striking and stoic comparison of terrorist activity between societies whose social institutions either condone or condemn suicidal practices; Tyburski further suggests ways in which these findings may pave the road for region-specific counterterrorism strategies.

While ‘Regional Terrorism’ attempts to predict and, to some extent, prevent activity among terror groups, ‘The Politics of Hatred: Assessing Pre-Genocidal Factors in Syria and Turkey’ is an effort to diagnose and prepare for genocidal conditions the state level. When America...
Hernandez penned her analysis in May 2012, the death toll in Syria hovered near 5,000. Today, that number has risen to over 100,000, making ‘The Politics of Hatred’ a tragically relevant addition to our discourse on power, strategy, and diplomacy.

For the first time since its inception, Ilios is proud to introduce a shorter opinion/editorial component to its list of selections. ‘Why Anti-Rationalism is the Biggest Problem in Politics’ inaugurates a transition in this issue’s discussion of power, moving the conversation from one on visible force to another regarding invisible coercion. ‘Anti-Rationalism’ illuminates the dangers of claiming a monopoly on Reason: not merely between external factions, but among the diverse belief systems that exist within our own minds. The notion that any two ideologies are a priori incompatible with one another remains a grave philosophical threat, not only as we converse with others but as we organize and valuate our own thoughts.

This journal is a testament to how inextricably politics and the mind are intertwined, and how the shrewd use of one, for virtue or for terror, can so strongly shape the other. We hope this fundamental truth is as enlightening for you as it has been for us.

Keeping this in mind, Brandon Martinez, Jr. moves readers from the theoretical realm to the practical, interpreting the implications of institutionalized coercion in ‘Taking Aim on the First Amendment: Brown v. E.M.A. and its Impact.’ The journal closes with Maximilian Yoshioka’s brazenly austere ‘Technocratic Totalitarianism: One-Dimensional Thought in Jean-Luc Godard’s Alphaville,’ an analysis of the most subversive (and therefore all the more insidious) methods of centralized thought control. Driven by the intellectual guidance of Foucault, Dostoevsky, Marcuse, and Badiou, ‘Technocratic Totalitarianism’ explores the use of language and metaphor to evaluate the treatment of will, control, power, and illusion in Godard’s fictional universe—though perhaps, the paper begs us to wonder, such a universe is not quite fictional enough.
Ends and Meanings: Si Guarda Al Fine and Machiavellian Virtue

Amanda Griffiths

Abstract

The following paper is a critical examination of one of the most enigmatic and controversial phrases in the canon of modern political thought: Niccolò Machiavelli’s *si guarda al fine*. Once translated as ‘the ends justify the means,’ and now thought to read ‘one looks to the outcome,’ this paper argues for a dialectical re-interpretation of the phrase, taking into account the dual meaning of fine as one of both intentions and outcomes, and exploring the implications of this double meaning on Machiavelli’s notion of virtue. A dichotomy is presented between Machiavelli’s virtues of men, which are virtues of good intentions, and his virtues of princes, which are virtues of great (or effective) outcomes. The paper demonstrates that excellence in Machiavellian virtue involves the tempering of good intentions with great outcomes, and that *si guarda al fine*, deliberately chosen with its dual connotation in mind, was written to help illustrate this ideal.

Perhaps the single quote most often misattributed to Machiavelli is ‘the ends justify the means.’ This bastardization has been brought to more casual audiences via the artful rhetoric of the Protestant Reformation, which saw, in 1577, a popular translation of Gentillet’s *Contre-Machiavel* circulated among Englishmen.

Prior to any direct introduction to Machiavelli’s literature – the first English translation of *Il Principe* did not appear until the early seventeenth century – English Protestants first encountered the Italian statesman through the Huguenot Gentillet, who, within the pages of *Contre-Machiavel*, constructed and refuted such apocryphal Machiavellian maxims as ‘the world ... judgeth of al[ ]l actions not by the causes, but by the issue and end’¹ and ‘crueltie which tendeth to a good end is not to be reprehended.’²

At a time when Europeans were renewing their reflection on what it meant to be Christian, and attempting to wrest themselves from Papal dominion politically as well as doctrinally, the most ready representation of Catholicism’s sins must have been Machiavelli, whom Gentillet denounced as an ‘atheist’ who ‘teacheth the Prince to be a true con- temner of God and of Religion.’³ Were it not for Machiavelli’s *Il Principe*, Papal monarchs would have been mere individuals; the deeds of ruthless condottieri isolated occasions, not held together by any narrative of advocacy or approbation. There would not have been a text explicitly condoning the actions of these leaders and charging the princes of Catholic Italy to imitate their practices: to calculate, manipulate, betray and deceive for what might easily, to undiscerning eyes, appear to be their own tyrannical gain. Catholicism’s enemies required a concrete, cohesive narrative of Catholic vice. The fact that they were able to produce one, written by a Catholic, who condoned these ostensibly hedonistic vices, provided too perfect an opportunity to ignore. *Il Principe*, by the very virtue of its pragmatism, could be made to look quite wicked indeed. Machiavelli became a prophet of evil, and *Il Principe* his gospel.

The most ardent of Machiavelli’s accusers were hardly stupid themselves. Rather, they were incredibly cunning—Machiavellian, in fact. Whether or not they cared to realize it, they had internalized the lessons of the very book they sought to condemn. In the interest of turning their own people toward the new modes of a Protestant creed and away from the old orders of the Catholic Church,
Machiavelli’s enemies manufactured a superficial—and at times utterly erroneous—reinterpretation of Il Principe in order to instill in their newly Protestant subjects a fear of Catholicism’s cruelty.4 ‘The ends justify the means’ is only one of many inventive perversions of Machiavellian philosophy. It is, in fact, a corruption of a rather cryptic quote found in book 18 of Il Principe—si guarda al fine.5

Somewhat shockingly, however, the vast majority of modern translators seem to have ignored entirely the enigma of si guarda al fine. With a mechanic sort of predictability, all have interpreted it to mean something along the lines of ‘one looks to the outcome.’ Rebhorn writes this precisely;6 Marriott has ‘one judges by the result’;7 Mansfield admits a more nuanced ‘one looks to the end’ in his translation of the text.8 but, disappointingly, clarifies in his introduction: ‘the end is the outcome.’9 More infrequently, less literal translators have taken even more jarring liberties with si guarda al fine, writing ‘one must consider the final result’10 or ‘the result is what matters.’11 In all instances, regardless of how precise or distorted the wording, fine has been taken to signify the final product of an action, and this translation has long since become tradition. In reality, the definition of fine is not nearly so plain, and bears a dual meaning, identical to the dual meaning of end in English. The Italian fine can indeed mean ‘outcome,’ and when it does, it generally takes the feminine article la; fine can also, however, signify the intent or aim of an action. In these instances, fine adopts the masculine article, il. Alla fine, then, means ‘at [or to] the outcome’; al fine, often, ‘at [or to] the intention.’ The phrase in question, si guarda al fine, contracts the preposition a with the masculine article il, and therefore uses the masculine fine—that used to discuss intentions or aims. It is possible, then, that Machiavelli’s si guarda al fine—the cornerstone of so much controversy and the quote that was once thought to epitomize what it meant to be ‘Machiavellian’—means, in part, ‘one looks at the intention.’

‘In part’ is written because ‘one looks at the intention’ is by no means a complete articulation of si guarda al fine. Nor is ‘one looks to the outcome.’ Had Machiavelli wished to impress that the common man looked ever and only to the intention of an actor, rather than the outcome of an action—an unlikely thing to believe, anyhow—he could easily have provided his readers with a much more definitive si guarda allo scopo, or si guarda all’intenzione. Similarly, had he desired to indicate that the outcome was the only thing of any real significance—an equally illogical assertion, and counter to much of what Machiavelli writes elsewhere in Il Principe—si guarda alla fine might have been used, as well as si guarda al risultato. For Machiavelli, as we shall discover, the concept of fine as ‘intention’ is just as important as the notion of fine as ‘outcome,’ and both are central to one of Machiavelli’s greatest contributions to political thought: his perennially enigmatic virtù.

Rebhorn’s The Prince prefers to leave virtù in its original Italian, emphasizing the contrast between Machiavelli’s idea of virtue and our contemporary understanding of the term;12 for precisely the same reason, Mansfield adopts the reverse strategy, and makes no linguistic distinction between virtù and virtue.13 From this point onward, this paper will follow Mansfield’s example, acknowledging that there are certain benefits and disadvantages to either method. Whether the reader believes one to be more effective than the other is merely a matter of preference.

The scope of this paper is twofold: first, it presents an assessment of the arguments for si guarda al fine as ‘one looks at the intention,’ taking into account the linguistic structure of the phrase, incidences of both il fine and la fine elsewhere in Il Principe, a critical interpretation of book 18, and an examination of Machiavelli’s attitudes toward both intentions and outcomes throughout Il Principe. Textual evidence shows that Machiavelli’s si guarda al fine means to allude to both intentions and outcomes, and that Machiavelli deliberately selected fine, with its double meaning, to indicate that both are equally relevant to effective rule. In its second part, the paper analyzes the implications of a dual rendering of si guarda al fine—particularly with regard to its concern over intentions, neglected in prior translations—on Machiavellian virtue. We come to understand that for Machiavelli, virtue can be summarized as both goodness of man and greatness of leader: goodness of man demanding noble intentions, and greatness of leader requiring effective results. For a prince14 to be truly virtuous, he must temper one with the other, checking, as always, his mode of proceeding with the qualities of the times.15

This paper distinguishes between Machiavelli’s Il Principe and English interpretations of The Prince, referring to the former when Machiavelli is being quoted directly and to the latter regarding any indirect English
translations. The purpose of this device is to highlight what this paper seeks, in part, to prove: that though an individual may see words on a page and understand them, however comprehensively, in their own tongue, it is impossible to grasp the full meaning of a text independent of the language in which it was first written, with all its colloquial nuances and native idiosyncrasies. Too, as this paper has already demonstrated, the true nature of a text may at times become obscured through far more sinister means. Either deliberate distortion or strategic simplification of key quotes and ideas can yield an understanding quite counter to an author’s original meaning.

For these reasons, this paper relies on literal translations as far as academically possible, offering alternative interpretations and clarifying idiomatic obscurities with footnotes when necessary. Any deviation from the literal meaning of a word or phrase will be explained immediately following any sort of re-wording, and at times the original Italian will be given along with the feminine and masculine article (‘at’ or ‘to’) and the masculine article il; therefore, in the phrase si guarda al fine, Machiavelli uses fine in its masculine form—the form often reserved for describing intentions and aims.

As one might expect, however, this argument, while a necessary point of departure, is hardly enough to challenge five hundred years of convention. The most obvious objection comes from the hypothesis that the definition of il fine as ‘the intention’ is somehow a more recent construct, or that alla fine, for whatever idiomatic reason, could not have been used to signify ‘the outcome.’ This supposition, that Machiavelli might only have used the masculine fine throughout the text, is entirely unfounded. Both alla fine, as ‘at the outcome’ (or ‘at the conclusion’) and al fine as ‘to the intention,’ (or ‘to the aim’) along with simply il fine as ‘the intention,’ occur multiple times in Il Principe.

Anna fine is written three times in Il Principe: once in book 16—sarà necessitato alla fine (‘it will be necessary at the end,’) once in book 18 itself—allà fine hanno superato quelli che si sono fondati in su la realtà (indicating princes who ‘at the end overcame those [other princes] who founded themselves on reality’); and once in book 24—se alla fine perdé el domini no di qualche città (‘if in the end he lost the dominion of any cities ...’). Similarly, Machiavelli uses the masculine (il) fine to mean ‘the aim’ or ‘the intention’ twice in Il Principe, not including the disputed passage in book 18. In book nine, Machiavelli notes, quello del popolo è più onesto fine (‘that of the populace is the most honest aim’); in book 25 he writes l’uno si conduce al suo fine e l’altro no—‘the one guides himself to his aim and the other does not,’ referring to men who employ the same methods under different circumstances; while one prospers (i.e., achieves what he intends), the other meets his ruin.

There are, however, other occasions in which fine is used in Il Principe, devoid of an article, but alongside a masculine adjective. In these cases, fine does, indeed, seem to mean ‘outcome.’ This implies that in some cases, the meaning of il fine is open to interpretation. It is, therefore, understandable that a translator, schooled in the tradition of Machiavelli as amoral counselor, would neglect the interpretation of fine as ‘intention’ for that of fine as ‘outcome.’ The adaptable nature of the masculine fine also suggests that it would be inadequate and irresponsible for our discussion of si guarda al fine to rely wholly on literal meanings, as even these are subject to opinion. We must go further, paying particular attention to Machiavelli’s views on both intentions and outcomes throughout Il Principe, as well as within book 18 itself.

The Contextual Argument

Moving to the overall framework of Il Principe, we find several instances in which Machiavelli refers, either directly or indirectly, to intentions


and outcomes. One could conceivably argue that the entire treatise is, in its own right, a discussion of the relationship between intentions and outcomes; yet, while this is certainly a theme, it is hardly the whole point of *Il Principe*, and any attempt to prove otherwise would prove nothing apart from the exceptional perils of confirmation bias. The recurring interplay between intentions and outcomes in *Il Principe* is neither to be neglected nor exaggerated. It is one of many critical threads to be found in the vast tapestry of Machiavellian thought, interwoven throughout several designs of equal import and intricacy. What follows, then, is hardly an exhaustive discussion of all Machiavelli’s allusions to intentions and outcomes, or to the significance of both in effective rule. It is, however, an analysis of some of his more appreciable references, all of which demonstrate that outcomes are scarcely the only markers by which leaders are judged.

**Of Princes and Popes**

In book 7, Machiavelli discusses, in great detail, Cesare Borgia’s undertakings as a prince, which, Machiavelli concedes, suffered a tragic conclusion (mainly because Cesare’s life suffered a tragic conclusion, as while he lived, he was spectacularly successful). ‘Gathering together, therefore, all the actions of the duke, I would not know how to rebuke him,’ Machiavelli writes; ‘[b]ecause he, having a great spirit and high intention, could not have governed himself otherwise; and only the brevity of Alexander’s life and [Cesare’s] own sickness opposed his designs.’ Lauding Cesare Borgia as an ideal prince, even while admitting his eventual downfall, Machiavelli indicates that excellent leadership demands a certain harmonization of multiple qualities—among them, high intentions and great designs—and that taken together, these qualities and intentions supersede mere outcomes. Considering the Borgias, an additional point is worth noting: that within the catalogue of calumnies that typically constructs the Borgia narrative, both Cesare and Pope Alexander VI are (and were) blamed not for the outcomes of their failures, but for the intentions behind their successes.

Following his extensive praise for Cesare Borgia, Machiavelli enters into a partial condemnation against Agathocles of Sicily, which, as others have explained elsewhere, is marvelously equivocal, and on the surface, quite contradictory. After multiple references to Agathocles’s virtue, both ‘of spirit and of body’ and of action, Machiavelli seems to shift his opinion of the Sicilian tyrant, writing:

“One cannot yet call virtue murderering one’s citizens, betraying one’s friends, being without faith, without compassion, without religion; these modes can acquire empire, but not glory. … [O]ne does not see why [Agathocles] has to be judged inferior to any most excellent leader. Nonetheless, his heinous cruelty and inhumanity, with [his] infinite villainy, do not permit that he will be celebrated among the most excellent men.”

Seldom does one find so many superficially incongruous statements explicitly articulated, then subtly reconciled, in so few words. First of all, the qualities that Machiavelli censures Agathocles for failing to possess are the same as those listed in book 18 of *Il Principe*, those things ‘for which men are held good.’ The things for which men are held good are independent of the things for which leaders are deemed great, and on several occasions, these two sets of qualities conflict with one another. Machiavelli spends a good portion of *Il Principe* examining the dangers of this contradiction. His distinction here between ‘most excellent leaders’ and ‘most excellent men’ is telling. It is the distinction that differentiates great leaders—those capable of securing effective outcomes—from good men—those who hold benevolent intentions. Agathocles, Machiavelli brazenly admits, was a man whose deeds yielded exceptional outcomes: he ‘occupied and maintained the principality of [Carthage] without any civil controversy,’ was ‘able to defend his city’ and ‘in short time liberated Syracuse from the siege and brought Carthage to extreme necessity.’ Yet, Machiavelli says, Agathocles will not be celebrated among the most excellent men.

As ever, it is important to note the precise wording of Machiavelli’s argument: he tells us, not that Agathocles should not be celebrated among the most excellent men, nor that it is wrong for Agathocles to be celebrated among the most excellent men, but that he will not be. One—here the universal ‘one,’ the same pronoun used in *si guarda al fine*—can not yet call Agathocles’s myriad barbarities virtue, because, even granting Agathocles the triumphs of his successes, it is impossible for one to ignore his lack of humane intentions. Agathocles possesses a conditional sort of virtue: his is only the
virtue of great leaders, not of good men. Were ‘one’ only to be interested in the outcome of a leader’s actions, one would not concern oneself with evaluating that leader’s humanity. Clearly, however, one does consider the humanity and noble intentions of a leader, and for this reason, one cannot call Agathocles’s atrocities virtue. This, says Machiavelli, is why Agathocles will not be celebrated among the most excellent men.

Held among the more excellent men, at least in Machiavelli’s time, was Pope Julius II, of whom Machiavelli writes: ‘all [his] enterprises succeeded for him, and with so much more praise [than was given to Pope Alexander VI], inasmuch as [Julius] did everything for increasing the Church and not any private person.’ For the moment, this paper will overlook the fact that Pope Alexander VI—whose intent, viii Ma per will overlook the fact that Pope iniquitous aims. Julius, on the other hand, whose outcomes were no more profitable than his predecessor’s, was praised more highly only because people believed his intentions to have been more righteous.

**Book 18 and the Virtues of Intention**

More will be mentioned regarding the disparity between intentions and outcomes throughout *Il Principe*, which parallels the often-volatile relationship between goodness and greatness, further on in this paper. For now, we approach the crux of our argument: a critical interpretation of book 18, and of the passage surrounding *si guarda al fine*. Rendered in literal English, the passage reads:

> “And men are so simple, and so obedient to present necessities, that whoever deceives will always find [someone] who will let himself be deceived. ... To a prince, therefore, it is not necessary to in fact have all the aforementioned qualities, ix but it is very well necessary to seem to have them. In fact I will dare to say this: that, having them and always observing them, they are detrimental, and seeming to have them, they are useful. ... “A prince, and especially a new prince, cannot observe all of these things for which men are held good. ... And so it is necessary that he has a spirit disposed to turn himself accord- ing to the winds and variations of fortune ... [and] not depart from the good, when he is able, but to know how to enter into the evil, when necessary.

> “It is necessary, therefore, for a prince to have great care that nothing ever leaves his mouth that is not full of the aforementioned five qualities. ... And men universally judge more by the eyes than by the hands; because it touches everyone to see, to feel, few. Everyone sees that which you seem, few feel that which you are; and those few do not dare oppose themselves to the opinion of the many that have the majesty of the state that defends them:36 and in the actions of all men, and especially of princes, where there is no judgment to appeal to,5 one looks at the intention.”

Of initial significance is Machiavelli’s reference to men as ‘obedient to present necessities.’ Here he suggests that men, infatuated as they are with materialism and their loyalties changeable, are hardly the sorts of creatures who will wait until a ruler has reached the end of his tenure to determine whether he should be praised or blamed. Of course, the inevitable objection arises that, since Machiavelli’s ‘universal man’ is often so petty in his faith and so careless with his judgment, he is blind to the true intentions of his leader and therefore focuses solely on the outcomes of that leader’s actions. The second half of this premise would be valid were it not for the references explored above (those to Agathocles, Julius, and Pope Alexander VI), xii all of which indicate that the actual achievements of a prince matter less to his people than do his apparent ambitions. The first half, however—that a great leader might well be able to conceal his true intentions from his subjects—is eminently probable, so much so, in fact, that Machiavelli advises rulers to for granted the myopic nature of man.

This is why actual achievements matter less than apparent ambitions. It is not necessary to act from compassion, fidelity, humanity, wholesomeness, or adherence to religious doctrine in reality; what is more important is that a prince seem to possess these inclinations, these things ‘for which men are held good.’ These are the virtues of men, not of princes; of goodness, not of greatness. They are virtues of intention, not of outcome. The virtues of men, the things that
make men good, are virtues of intention for three reasons: first, as Machiavelli explains above, these virtues need not be fulfilled by a leader, merely intended (in appearance). Second, these virtues are revealed, not through actions, but through words: Machiavelli advises a prince to ‘take great care that nothing ever leaves his mouth’ that is not replete with these virtues. Were these virtues outcomes, and not intentions, they would not need to be communicated, merely performed. Finally, these virtues are causes, and not effects: in everything a prince does, he must seem to have acted out of compassion, out of fidelity, out of humanity, out of wholesomeness, and out of religion, making any one of these things an action’s impetus, but not its result.

To illustrate this point, we may recall the example of Julius, who ‘did everything for increasing the Church, and not any private person’; although the effects of his actions were the same as, or perhaps even lesser than, those of Pope Alexander VI, his cause seemed to be religion, and for this reason, he was lauded as a better man.

These considerations, of course, are often neglected in translating si guarda al fine, owing in large part to the passage that follows it. Its first clause—facci dunque uno principe di vincere e mantenere lo stato—has been interpreted a number of ways: Marriott writes ‘let a prince have the credit of conquering and holding his state’; Mansfield, ‘so let a prince win and maintain his state’; Rebhorn, ‘a prince should, therefore, conquer and maintain his state’; Ricci, ‘let a prince therefore aim at conquering and maintaining his state.’ None of these is precisely literal, and this paper offers no literal substitute as certain elements of the phrase are idiomatic and open to interpretation.

If, however, we were to accept this portion of Ricci’s translation, we would find clear evidence for a fine-as-‘intention’ argument, given that il fine means ‘the aim’ as well as ‘the intention,’ and that the passage in question would therefore read: ‘one looks to the intention [or aim]. Let a prince therefore aim at conquering and maintaining his state: the means will always be judged honorable … ’. ‘The means will always be judged honorable’ is the phrase that begins the second part of the passage, which, taken literally, reads: ‘the means will always be judged honorable and lauded by everyone; because the common people are only taken with that which seems [to be] and with the event of the thing.’

None of these considerations of course, are often neglected in translating si guarda al fine, owing in large part to the passage that follows it. Its first clause—facci dunque uno principe di vincere e mantenere lo stato—has been interpreted a number of ways: Marriott writes ‘let a prince have the credit of conquering and holding his state’; Mansfield, ‘so let a prince win and maintain his state’; Rebhorn, ‘a prince should, therefore, conquer and maintain his state’; Ricci, ‘let a prince therefore aim at conquering and maintaining his state.’ The word for ‘event’ is evento, which Marriott replaces with ‘what comes of it.’ Mansfield’s edition of The Prince, no better in this situation, substitutes evento with ‘outcome,’ in book 18 as well as in book 21.

It is unclear why Mansfield elects to deviate, here, from the strictly literal. The word ‘event’ may denote an outcome in some instances; however, should a reader wish to interpret ‘event’ as ‘outcome,’ the reader may do so even if evento is left in its literal form. There is no need to replace a word with a very broad meaning by one of its much narrower definitions, particularly when translating the work of a man who was so artful in his expression. (This is what has, historically, been done in the case of si guarda al fine, and is what this paper seeks to avoid through offering a dialectical re-interpretation, and not necessarily a total re-translation, of the phrase.)

Furthermore, just as evento can indicate the outcome of an action, it can also allude to appearances and to spectacle. It is just as much a word of performances as it is of outcomes. Given the nature of book 18 as a whole, it feels infinitely more likely that Machiavelli was referring to the theatrical aspect of the word evento, to a thing’s pomp and ostentation. Although various editions of The Prince may suggest otherwise, however, it is unnecessary to replace lo evento della cosa with anything other than its direct translation. Lo evento should retain its literal form: ‘the event.’

It should be recognized, then, that in a chapter dealing primarily with appearances and the immediacies of public opinion, a phrase such as ‘one looks to the outcome’ is glaringly out of place, and, moreover, reflects neither the habits of the common man nor of Machiavelli himself. Intentions, and not outcomes, are the subject of book 18, along with a leader’s ability—and occasional necessity—to conceal his true aims, so that his intentions may appear to be good before his actions can be known to be great.

The Subtextual Argument

At this point, we must move beyond appearances entirely and venture into the subtext of book 18, approaching, in the process, a deeper understanding of what Machiavelli means—and not simply what he says—in si guarda al fine. In order to fully appreciate this section, it is necessary to understand Machiavelli’s inclination toward wordplay: as a writer, he was remarkably poetic in every facet of his composition,
The most relevant aspect of Machiavelli’s wit in book 18—aside from the double-meaning of the word fine itself—is the recurrent interplay between the concepts of seeing and feeling. ‘Men universally judge more by the eyes than by the hands,’ Machiavelli writes, ‘because it touches everyone to see, to feel, few.’

Seeming and appearing are actions judged by the eyes, which are used to determine the qualities Machiavelli spends book 18 arguing that a prince should at all times appear to possess: compassion, fidelity, wholesomeness, humanity, and religiousness. These, as the contextual argument explains, are intentions, which are commonly judged by appearances, and can rarely be gauged by results. They indicate why an action is performed, not whether the action itself is great. They are the things ‘for which men are held good.’

We can be sure that Machiavelli means that intent may be judged by appearance, as, when he recites his inventory of noble intentions earlier in book 18, he notes: ‘To a prince, therefore, it is not necessary to in fact have all the aforementioned qualities, but it is very well necessary to seem to have them.’

More to the point is Machiavelli’s use of the verb guardare in si guarda al fine. Guardare means ‘to look’ or ‘to watch.’ It describes the type of judgment done by the common man (si), the type of judgment performed by the eyes. One does not feel the true intentions of his leader; one merely looks at them, and for this reason, one only observes the purported intentions of the prince. The common people, then, do not judge with their hands, but with their eyes: they see that which a prince seems to be, and they look at, but do not feel, his intentions. Insofar as they are ‘subject to present necessities,’ they are insensitive to their leader’s true aims, just as they are less concerned with the tangible, long-term outcomes of his actions.

However, for Machiavelli, as well as for the common man, outcomes are still significant. This much is evident through Machiavelli’s choice of fine, a word that means both ‘intention’ and ‘outcome’, but a word whose meaning is, here, left vague by design.

As previously discussed, had Machiavelli wished to be clearer, or emphasize that men looked only to the intentions of their princes, si guarda allo scopo would have sufficed; alternatively, to argue that men were concerned merely with outcomes, Machiavelli might have written si guarda alla fine. That he did not was no accident. Machiavelli was neither careless with his thoughts nor curious with his words. It was not incidental that he chose fine, with its dual meaning, able to allude to both intentions and outcomes, when one of the most prevalent themes of Il Principe is the precarious relationship between these two concepts.

The point is not that si guarda al fine means either ‘one looks at the intention’ or ‘one looks to the outcome.’ The point is that it means both. Machiavelli meant to imply the importance of intentions as well as outcomes, because a virtuous prince—and a ‘most excellent man’—must consider the two alongside one another. It is here that Machiavelli’s notion of virtue takes center stage.

**Goodness of Man, Greatness of Action: Intentions, Outcomes, and Virtue**

The qualities of Machiavelli’s time made it very difficult for any leader—ecclesiastical or temporal—to consider Christian virtue a particularly critical tool in the art of ruling. One need only study the strategy of a Sforza, Ferrante, or Bentivogli to understand that Renaissance politics demanded a ruthless sort of cunning, and that such cunning often gave way to outright cruelty. It was against this senseless sort of cruelty that Machiavelli sought to defend himself and his state, realizing that a ruler’s gluttony for power amid his moral famine was scarcely conducive to the united, republican Italy that Machiavelli desired.

However, any sort of undue faith in the goodness of humanity could hardly maintain such a republic. Machiavelli was a student of his age, and, indeed, of every age: he saw the wickedness in the world, understood its intractability, and sought to reconcile it with man’s ancient love of liberty. A republic demanded the sort of legislator willing to allow for this liberty among his people, but able to defend this liberty against the venality of others. The former willingness is a matter of intention, and, accordingly, requires the virtues of good men; the latter abiliti...
ty deals with the skills necessary to affect desirable outcomes. These are the virtues of a great leader.

The Sins of Princes

It was Thomas Fuller, who, in his *Gnomologia*, wrote that ‘great and good are seldom the same man.’ Though Machiavelli had been dead more than two hundred years by the time Fuller published his book of adages, he doubtless would have agreed with the English preacher, who, likely without knowing it, had summarized so much of what Machiavelli spends *Il Principe* trying to convey. For Machiavelli, there is a fundamental dichotomy between the virtues of men and the virtues of leaders: the first are defined by their goodness; the second, their great outcomes. The sins of princes, [the princes] have suffered the pain of both these classes of virtue in a single incident that God chose to punish the Florentines—specifically the Florentines—by permitting the 1494 French invasion. [W]ho said that the cause of [the invasion] was our sins, spoke the truth,’ Machiavelli writes, referring to Savonarola, ‘but they were not those [sins] that he believed, but those that I have recounted: and because these were the sins of princes, [the princes] have suffered the pain of them.

Here, Machiavelli very clearly separates the sins of princes from the sins of private men. The sins of princes are not the sins of men; therefore, the princes, and not their people, have borne the brunt of their pain.

While the subjects of Italy suffered some displacement upon Charles VIII’s invasion, the worst of these afflictions fell to their rulers, who, in allowing Charles to usurp their land, had failed both themselves and the states they had been charged to defend. As their kingdoms lost their power, the princes lost their reputations. Their sins, therefore, were not violations against goodness, but greatness, and their punishment was the loss of what would have earned them their empire. The sins of princes, as Machiavelli writes in book 15, are ‘those vices that would take [the prince’s] state from him.’ They are, therefore, questions of outcomes, and can only be measured by results. They are markedly different from the sins of men, and—quite profoundly—may even be committed as a consequence of trying to adhere too tightly to the virtues of men.

In book 17, Machiavelli recalls the folly of prior Florentine leaders who, ‘to escape a name of cruelty, left Pistoia to be destroyed.’ To Machiavelli, the province of Pistoia, struggling as it was under the precarious weight of internal factions and civil strife, would have benefited from Florentine intervention, even if it meant Florence’s temporary cruelty. Instead, the Florentines sacrificed great outcomes for the sake of good intentions, and Pistoia was left to its own destruction. For this reason, Machiavelli calls the Florentines crueler than Cesare Borgia, and sardonically reminds his readers that though Cesare was held cruel, ‘that cruelty of his had restored the Romagna, united it, forced it into peace and to faith.’

Here again, one may reflect upon the notion that men hardly judge actions only by their outcomes, as if they did so, Cesare Borgia would be more likely lauded as a liberator of the Romagna, and less likely condemned as a scheming tyrant.

Machiavelli’s Advice for Princes and Aims for Italy

Machiavelli does take exceptional care to note the necessity of good intentions, as well as great outcomes, among the most virtuous princes. Each provision of potentially nefarious advice is immediately qualified by some sort of caveat: princes should ‘not depart from the good, when [they are] able’; they should strive to be both loved and feared; and, though they should ‘learn to be able to be not good,’ they should use—and not use—this skill ‘according to necessity.’ It should be reiterated that it would have done Machiavelli no good to advise a prince to hold self-aggrandizement his highest ideal, to seek power above all else, and to abuse his subjects according to whim, when Machiavelli himself was a republican, and ultimately sought a united, peaceful Italy—the sort of state that Cesare Borgia had very nearly created before he was struck down by the device of Julius II.

In order to unite the states of Italy, and establish among them a new tradition of republican rule, a Machiavellian prince would need to be far-seeing, but not blind to the immediacies of men’s desires.

He would have to exercise the necessary measures to fashion this new
Italy and to safeguard it from both internal and external enemies, but not allow his strength in battle to overpower his will toward the welfare of his people. He would need to check his actions against his intentions, so that the outcomes he achieved accorded themselves with the aims he desired. This, to Machiavelli, was virtue. And if Machiavelli’s words were to take root only among the power-hungry, he would need to find a way to ensure that his own intentions appealed to the power-hungry: by couching his reason in a rhetoric of ambition, and by aligning the prudent use of goodness with the princely aim of greatness.

_Si guarda al fine_ is not merely a description of the judgments of men; it is a prescription for the behavior of leaders. Through deliberately selecting _fine_, a word in which both goodness and greatness are implicit, Machiavelli provides a distilled definition for a critical component of his virtue: the effectual harmonization between the goodness of a man, seen through his appearances, and judged by his intentions; and the greatness of a leader, felt through his actions, and determined by their outcomes.

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**Notes**

1. Simon Patericke, trans. _Discourse Upon the Means of Well Governing and Maintaining in Good Peace, a Kingdom, or Other Principality_. Divided into three parts, namely _The Counsell, the Religion, and the Policie, which a Prince ought to hold and follow_. Against Nicholas Machiavell the Florentine. (London: Adam Filip, 1602). 92.
2. Ibid. 227.
3. Ibid. 92.
5. Ibid. 140.
9. Ibid. xviii.
12. Rebhorn, xxix.
13. See Strauss points out, Machiavelli’s use of the term ‘prince’ is fluid and applies to all sovereigns of all states; therefore, citizens of republics and democracies are also ‘princes’ in the Machiavellian sense. (Leo Strauss, _Thoughts on Machiavelli_ (Chicago: University of Chicago Press, 1978), 47.)
32. Machiavelli, Il Principe, 90.
33. Or ‘abide by’.
34. Or ‘itself’.
35. Mansfield writes ‘to defend them’. (Mansfield, The Prince, 71.)
37. Here we assume Machiavelli’s familiarity with Aristotle’s definition of virtue as that which makes an object a good version of itself; that enables it to fulfill its aim (Terence Irwin, trans. Nicomachean Ethics. (Indianapolis: Hackett Publishing, 1999), 352-3).
40. Mansfield, The Prince, 88. The quote here, literally, reads: ‘he has always done and plotted great things, which have always kept the spirits of [his] subjects in suspense and admiration, and occupied in the event of them.’ (Machiavelli, Il Principe, 174.) Mansfield writes ‘occupied with their outcome.’ (Mansfield, The Prince, 88.)
42. Marriott, The Prince, Book XVIII.
43. Marriott, The Prince, 88. The quote here, literally, reads: ‘he has always done and plotted great things, which have always kept the spirits of [his] subjects in suspense and admiration, and occupied in the event of them.’ (Machiavelli, Il Principe, 174.) Mansfield writes ‘occupied with their outcome.’ (Mansfield, The Prince, 88.)
44. For a thorough illustration of these rhetorical tactics, the reader may refer to the introduction of Rebhorn’s The Prince (Rebhorn, The Prince, xxxvii-xlii).

Works Cited:


Simon Patericke, trans. Discourse Upon the Means of Wel Governing and Maintaining in Good Peace, a Kingdome, or Other Principalitie. Divided into three parts, namely The Counsell, the Religion, and the Policie, which a Prince ought to hold and follow. Against Nicholas Machiavelle the Florentine. London: Adam Filip, 1602.


One of the most basic questions of ethics is, “why not be selfish?” From the cradle onward our mothers teach us that it’s bad to be selfish, citing it as a reason why we should share our toys or let somebody else have the first slice of birthday cake. It is a primary motivation of many of the important ethical philosophers, such as Kant and Mill. Both of them set their task to be giving reasons why a person should act against her self-interest in certain situations. Refuting selfishness is more or less explicitly the main subject of Parfit’s book *Reasons and Persons.*

For other philosophers, refuting selfishness is a strong ulterior motive. In *Gorgias,* Socrates argues with Polus that acting selfishly is actually a poor way of achieving one’s ultimate self-interest. The ostensible point is to prove that rhetoric does not make a person powerful, but Socrates has an evident underlying agenda to show that ethical behavior requires more than mere selfishness. Similarly, Aristotle makes it his business in *Nicomachean Ethics* to show how one can best achieve a fulfiling life. In the process, he articulates at length how many of the requisite virtues entail eschewing selfishness. It might be argued that the impulse to refute selfishness lies at the heart of why we even do ethics. Historically, there have been three main approaches to attacking selfishness:

1. To give a rationale for balancing one’s self-interest against the interests of others.
2. To argue that it is in one’s own best interest not to be selfish.
3. To argue that there is nothing wrong with being selfish after all.

The first strategy includes the philosophies of Kant and Mill, as previously suggested. These strategies could be termed *altruistic theories,* because they ask agents to genuinely act against their own interests to benefit others, and grounds these theories give for such actions do not consist of an ultimate benefit for the agent herself.

A drawback of this strategy is that to explain why a person should act against her self-interest requires one to give much stronger reasons than explaining why a person should act in her self-interest. Also, since it would be silly to suggest that a person ought to act against her self-interest all the time, one must give criteria to describe in what circumstances one should act against her self-interest. Again, the grounds must for such criteria must be relatively strong. All this means that altruistic theories have many potential vulnerabilities to attack, and their foundations must accordingly be rock solid.

The second strategy necessitates a distinction between acting in one’s self-interest and acting selfishly: not all self-interested actions are selfish actions, but all selfish actions are self-interested. Theories that take this strategy hold, like Socrates in *Gorgias,* that selfish actions are shortsighted, and do not actually achieve one’s ultimate self-interest, for example because selfish people have few friends. These theories argue that to perform actions that appear altruistic is in fact to be ultimately self-interested. I shall call these theories *egoistic or self-interested theories.*

A major difficulty with egoistic theories is that there are some strong intuitive counterexamples of actions that are genuinely altruistic, such as a mother sacrificing her life to save a child. Egoistic theories need to bite the bullet one way or the other, and either say that such actions are neither ethically obligatory nor praiseworthy, or say, like Bentham, that even the most self-evidently altruistic action is ultimately self-interested.

The third strategy was perhaps first articulated by some of the opponents of Socrates, such as Callicles in *Gorgias.* More recently, some thinkers have even taken the position that not only is it acceptable, it is in fact virtuous to be selfish! Such a position has its modern roots in Adam Smith’s tale of the pin factory, in which the selfish behavior of individuals in a group leads to the economic betterment of the whole group. Ayn Rand’s somewhat extreme version of
selfishness-as-virtue, though ill thought of in the halls of academia, has taken a strong grip on certain portions of contemporary American culture, as epitomized in the mythi-
cical ideal of the sovereign individual. Philosophers throughout the ages have made a pastime of eviscerating positions like those of Callicles and Rand for being self-inconsistent; Parfit is a modern exponent of that tradition. Still, the pro-selfish position gives a veneer of intellectual respectability to what everyone’s inner three-year-old would like to be true, so it is no surprise that it retains just as many adherents today as it did in Socrates’ Athens.

My attempt at refuting selfishness draws primarily on the tradition of egoistic theories. Rather than focusing on an individual agent’s ultimate versus immediate self-interest, though, my fundamental distinction is between individual self-interest and collective self-interest. I suggest that the counterexamples to traditional egoistic theories can be explained by arguing that when agents act against their individual self-interest to benefit others, it is often because the agent is acting in the collective self-interest of some group of which she and the beneficia-
ry are a part. Accordingly, I consider there to be a continuum of self-interest theories ranging from the narrow individual self-interest to broader and broader collective self-interest theories. These collective self-interest theories don’t just represent the greater good for the group, but rather consider, for example, the welfare of a mother to on one level encompass only her individual welfare, on another level to encompass the welfare of her children, and on a still broader level to encompass the welfare of her neighborhood, etc. In this way, I benefit from the argumentative advantages of strategy two over strategy one, while avoiding the primary pitfall of strategy two.

The thrust of my argument is as follows:

1. Egoism entails treating one’s welfare as an end.
2. Grant that some range of narrower and broader self-interest theories corresponds to legitimate (i.e. not illusory) experiences of self.
3. The collective self-interest of a group is best achieved by achieving the self-interest of each of the agents in the group on an individual basis.
4. If a self-interest theory does not encompass an agent, and therefore does not treat the welfare of that agent as an end, the theory must treat that agent as a means to the welfare of the agents the theory does encompass.
5. Take, out of the legitimate range of self-interest theories, a collective self-interest theory that encompasses the welfare of some group, and another self-interest theory that only encompasses the welfare of some subset of that group.
6. There must be some agents whose welfare is encompassed by the broader theory but not by the narrower. Since the narrower theory does not treat the welfare of these agents as an end, it must treat these agents as a means to achieve the welfare of the other agents.
7. Since those agents are encompassed by the broader theory, according to some legitimate interpretation of the self-agent’s welfare, those agents’ interests count as part of the self-interest.
8. Therefore, the narrower theory requires, on some legitimate interpretation, that the self-agent treat aspects of her own welfare as a means and not as ends toward achieving her general welfare.
9. Since there are no agents whose welfare is encompassed by the narrower theory but not the broader, the reverse is not true.
10. The broader theory therefore achieves the best interest of each agent in the group individually according to both the broader and the narrower interpretations of self-interest.
11. The narrower theory, however, only achieves the best interest of each agent in the group individually according to the narrower interpretation of self-interest. According to the broader interpretation, the narrower theory requires the welfare of some agent in the group to be sacrificed to achieve greater welfare for the rest.
12. Therefore, since both the broader and the narrower interpretations of self-interest are legitimate, egoism dictates that one should prefer the broader theory to the narrower one.
13. Thus, in general, egoism dictates that one reject any given self-interest theory T in favor of the broadest legitimate collective self-interest theory that encompasses all of the agents encompassed by T.

I shall go through the argument premise by premise. After providing rationale for the initial four premises, I shall flesh out the rest of the argument in parallel with a concrete example. Following that, I shall
discuss what it takes for a collective self-interest theory to count as legitimate, and what sorts of theories probably should be considered so.

**Egoism as an Ends Theory**

(1) Egoism entails treating one’s welfare as an end.

Premise (1) is definitionally true.

It is worth noting that I will not be arguing for any specific ethical content of self-interest theories. One of the advantages of the egoistic model is that one can make clear in whose interest one ought to act without committing to a position as to the best means of achieving that interest. (An agent’s interest or self-interest, incidentally, just means the welfare of that agent insofar as one might act to achieve it.)

By specifying the interests upon whose behalf one should act, one can make substantive moral claims without giving specific ethical directives: everyone knows what it is to act toward someone’s benefit, and everyone knows what it is to figure out how to do so. I shall leave it to other philosophical works to explore how one can best achieve one’s self-interest; Plato and Aristotle, among others, have had something to say on the subject. I am only interested in arguing for whose interests one should act on behalf of.

**Legitimate Self-Interest Theories**

(2) Grant that some range of narrower and broader self-interest theories corresponds to legitimate (i.e. not illusory) experiences of self.

In principle there is no limit on the possibilities for different collective self-interest theories: for every grouping of agents, it is conceivable that any of those agents could consider her self-interest to encompass that group. Self-interest theories therefore range along a continuum from the narrowest self-interest theory, which only encompasses the individual self-interest, through ever broader theories all the way up to the collective self-interest theory that encompasses the entire universe.

Most people would probably find most of these theories arbitrary and dismiss them intuitively. That is because the basic reason to accept a collective self-interest theory is that it corresponds to one’s actual experience of ethical self. For instance, most parents know what it feels like for one’s personal welfare to encompass the welfare of a child. Team members probably know what it feels like for one’s personal welfare to encompass the welfare of the rest of the team. Patriots may feel similarly for their country. The Dalai Lama might even know what it feels like for his personal welfare to encompass all of humanity or the entire universe. Groups that we don’t relate to in that way leave us with no reason to give credence to the corresponding collective self-interest theory: such theories don’t seem like actual self-interest theories, they just seem to ask us to act altruistically without much reason.

Towards the end of the paper, I shall discuss what sorts of self-interest theories we should probably count as legitimate. For now, given that most people experience some form of expanded self-interest, whether with respect to a child, a lover, a friend, or a team, it is plausible to grant that there is some range of legitimate self-interest theories ranging from individual self-interest on the narrow end to some collective self-interest theory on the broad end.

**Why Collective Self-Interest Theories Should Be Categorical**

(3) The collective self-interest of a group is best achieved by achieving the self-interest of each of the agents in the group on an individual basis.

One might think that the collective self-interest of a group would be better served if a small harm were permitted to one agent in order to secure a greater benefit for another agent or the group as a whole. For that strategy to work, one needs to be able to accurately measure the harm against the benefit. Such measurement, though, is subject to massive uncertainty.

For one thing, harm and benefit are often largely subjective, and to the degree that they are, the Problem of Other Minds poses an obstacle to accurate measurement of one agent’s harm versus another’s benefit. For another thing, it is questionable how harms and goods can be measured against one another when they are of different kinds. Notably, John Stuart Mill makes a strong argument that some sorts of goods — “higher pleasures” — are worth more than any quantity of another sort of good. This incommensurability would pose an obstacle to weighing a harm with
error in measuring one agent’s harm against another’s good are manifold, and the resulting uncertainty about the measurement is titanic.

A collective self-interest theory that allows the trading of one agent’s harm for the benefit of others within the group is, as one might gather, a utilitarian collective self-interest theory. Conversely, a theory that arms Premise (3), disallowing such trading, is a categorical collective self-interest theory, because the welfare of each agent in the group is treated as an end. Utilitarian collective self-interest theories allow treating some agents as a means to the welfare of the group.

If one were to be wrong in measuring harm against good in applying a utilitarian collective self-interest theory, one very possibly could inadvertently cause a net harm to the group. Therefore, given the gargantuan uncertainty involved in measuring harms against goods, if one is to be risk averse, one should err on the side of using a categorical collective self-interest theory, because the welfare of each agent in the group is treated as an end. Utilitarian collective self-interest theories allow treating some agents as a means to the welfare of the group.

If you’re not with us, you’re against us

(4) If a self-interest theory does not encompass an agent, and therefore does not treat the welfare of that agent as an end, the theory must treat that agent as a means to the welfare of the agents the theory does encompass.

This premise requires a somewhat confusing lemma to demonstrate, which will not immediately seem relevant, but bear with me.

I want to draw a fairly subtle distinction between egoistic theories and self-interest theories. The names are purely for convenience, so don’t read too much into it. An egoistic theory I shall consider as a sort of black box function, which takes as an input an ethical situation involving a group of agents, and which outputs an action that each agent ought to take. When I apply a given egoistic theory to a situation, I want to be able to do it from the perspective of any agent in the situation, and when I do that, the actions the theory spits out for each agent should be the ones that are in the best interest of the agent from whose perspective I applied the theory. A self-interest theory is what you get when you apply an egoistic theory from a particular agent’s perspective: a theory of what self-interest looks like for that particular agent. Egoistic theories don’t commit to a particular self-perspective, self-interest theories do—hence the names. Note that this nomenclature is consistent throughout the paper: most of the paper deals with self-interest theories, not egoistic theories.
commons, thus ensuring Alice’s victory. So this egoistic theory, from Alice’s perspective, would conclude that Bob ought to use the commons fairly. It is obvious enough that when one applies the theory from Bob’s perspective, the prescribed actions are exactly the opposite.

Notice from the example that it is very possible for a single egoistic theory to specify several different actions for a single agent, depending on the perspective from which the theory was applied. It is also possible for that not to happen. For example, Alice and Bob might apply the egoistic theory, be nice and share. According to that theory, from Alice’s perspective Alice ought to use the commons fairly, and so should Bob. The same conclusion arises when Bob applies the theory. Since egoistic theories represent the self-interest of whichever agent from whose perspective the theory is applied, Alice and Bob’s self-interests agree according to this theory. In cases like this, where, according to some theory, the self-interests of a group of agents agree, that theory determines a specific outcome for the situation. That outcome is, of course, in the individual self-interest of each of the agents, and therefore, by Premise (3), it is also in the collective self-interest of the group.

Since in that situation that theory works to the collective self-interest of the group as well as the individual self-interests of the group’s members, it follows that in that situation that theory qualifies as a categorical collective self-interest theory. This is true even if there are some other agents involved in the situation whose interests do not agree with those of the group.

To go back to the example, according to the be nice and share theory, Alice and Bob’s actions are the same regardless of which one applies the theory. Therefore, the theory determines a single outcome for the situation—they both share the commons—and that outcome, according to the be nice and share theory, is in both agents’ individual self-interest. Since it is in their individual self-interest, it is also in their collective self-interest—according to the be nice and share theory—and therefore the be nice and share theory is in this situation a categorical collective self-interest theory for Alice and Bob. Categorical because it achieves both Alice’s and Bob’s self-interest individually, collectively because it achieves their collective self-interest, and a self-interest theory because under this understanding Alice’s welfare can be understood to encompass Bob’s and vice versa. It isn’t necessary to say whether the collective self-interest theory is from Alice’s or Bob’s perspective, because each agent’s self-interest theory is the same as the other’s.

One last example before getting on to the main rationale for Premise (4). Imagine now that Alice and Bob are joined by another livestock owner, Joey, and they apply the egoistic theory, share the commons, but only with people whose names are alphabetically adjacent to yours. According to this theory, Alice and Bob behave the same towards each other as they did in the last example, so this theory counts as a categorical collective self-interest theory for them, but between the Alice and Bob bloc and Joey, things look as they did in the first example, where their interests collide. From Joey’s perspective, Joey should try to take over the commons, while Alice/Bob should share; the reverse is the conclusion from the perspective of Alice or Bob.

In summary, any time an egoistic theory determines the same actions for a group of agents from the perspective of each agent in that group, applying that theory from the perspective of any agent in that group yields a categorical collective self-interest theory for that group, even if there are other agents in the situation who are not included in that group.

Now that the lemma is established, here is the argument for Premise (4). Some notation first: if $T$ is an egoistic theory, $T_J$ represents that theory applied from the perspective of agent $J$.

1. Consider an ethical situation involving some group of agents $M$ and agent $J$.

2. Take some egoistic theory $T$ such that the self-interest theory $T^*$ encompasses the interests of $M$, but not of $M+J$.

3. By Premise (3), we can assume that $T^*$ is a categorical collective self-interest theory for $M$, not a utilitarian one.

4. Clearly, since $T$ is a categorical collective self-interest theory for $M$, for any agent in $M$, the action that $T^*$ yields for that agent will be in the self-interest of every agent in $M$.

5. Suppose that according to $T^*$, $J$ would act according to his self-interest; in other words, $T^*$ would agree with $T_J$ as regards $J$’s action.
6. Further suppose that according to $T^*$, $M$ would act in $J$'s interest; in other words, $T_J$ would agree with $T^*$ as regard's $M$'s actions.

7. It would then follow, by the lemma that $T^*$ constituted a categorical collective self-interest theory encompassing not only $M$, but $M+J$.

8. Since that violates the specification, we can conclude that, since $T^*$ does not encompass $M+J$, $T^*$ requires either that $J$ act against his self-interest or that some agent in $M$ act against $J$'s interest.

In short, $T^*$ requires a harm to be done to $J$ in virtue of $T^*$ not encompassing $J$ in the self-interest, because if $T^*$ did not require a harm to be done to $J$, it would entail $T^*$ encompassing $J$ in the self-interest: in any situation involving a given agent, if a categorical collective self-interest theory does not encompass the interests of that agent, it entails a harm to that agent.

To put it in the terms of the example, take some egoistic theory $T$ such that when I apply that theory, it constitutes a categorical collective self-interest theory for me and Alice, but not me, Alice, and Bob. Since $T$ is a categorical collective self-interest theory for me and Alice, whatever actions $T$ says we ought to do when we apply it will be in both of our self-interests individually.

Now suppose that this were also true of me, Alice and Bob. That would mean that when I apply $T$, whatever it says Bob should do is in Bob's self-interest, and thus agrees with what $T$ tells Bob to do when Bob applies it. It would also mean that when Bob applies $T$, whatever it tells Alice or me to do would be in our respective self-interests, and thus be the same as whatever $T$ tells us to do when we apply it.

So, if the categorical collective self-interest theory I get by applying $T$ is called $T^*$, since $T^*$ only includes me and Alice, but not Bob, it must be that $T^*$ requires me, Alice, or Bob to act against Bob's self-interest. And since the only reason someone has to act to harm Bob is that Bob wasn't part of my categorical collective self-interest theory, it follows that any time a categorical collective self-interest theory doesn't encompass the interests of an agent, and that agent is involved in a situation with agents the theory does encompass, the theory mandates harm to that agent.

Harming one agent in order to secure a benefit for another, as discussed in section three, means using the former agent as a means to the welfare of the latter agent. Since the harm entailed by categorical collective self-interest theories to agents they do not encompass arises directly from whose welfare is being treated as an end, the harm can be considered instrumental in achieving that welfare.

Thus, if a categorical collective self-interest theory does not encompass an agent, it must treat that agent not as an end but as a means to the welfare of the agents the theory does encompass. Given Premise (3), we can assume that all collective self-interest theories are categorical, so Premise (4) follows.

**Broader Is Better**

Now that rationale has been given for the first four, somewhat contentious, premises, all that remains is to take them to their conclusion, with the aid of the tragedy of the commons example.

(5) Take, out of the legitimate range of self-interest theories, a collective self-interest theory that encompasses the welfare of some group, and another self-interest theory that only encompasses the welfare of some subset of that group.

Suppose I know what it feels like for my personal welfare to encompass the welfare of my siblings and cousins. Imagine that I, my sister Alice, and my cousin Bob all own livestock that graze on the town commons. Take some collective self-interest theory (categorical by Premise (3)) that encompasses me and Alice, like share the commons, but only with your relatives. Imagine that I, my sister Alice, and my cousin Bob all own livestock that graze on the town commons. Take some collective self-interest theory (categorical by Premise (3)) that encompasses me and Alice, like share the commons, but only with your relatives.
(6) There must be some agents whose welfare is encompassed by the broader theory but not by the narrower. Since the narrower theory does not treat the welfare of these agents as an end, it must treat these agents as a means to achieve the welfare of the other agents.

While the relatives only theory includes Bob, the siblings only theory doesn’t include Bob, because Bob is only a cousin. Since the siblings only theory doesn’t treat Bob’s welfare as an end, by Premise (4) the siblings only theory has to treat Bob as a means towards the welfare of me and Alice.

(7) Since those agents are encompassed by the broader theory, according to some legitimate interpretation of the self-agent’s welfare, those agents’ interests count as part of the self-interest.

As I mentioned, I know what it feels like for my personal welfare to encompass the welfare of my cousin Bob. I also know what it feels like for my personal welfare to only encompass me and my sister Alice. Maybe I experience one version of my ethical self sometimes, the other at other times. Maybe these experiences somehow coexist in my psyche. The point is that Bob’s welfare counts as part of my personal welfare under some versions of my self-experience, but not others.

(8) Therefore, the narrower theory requires, on some legitimate interpretation, that the self-agent treat aspects of her own welfare as a means and not as ends toward achieving her general welfare.

Since the siblings only theory forces me to treat my cousin Bob as a means towards the welfare of me and Alice, and under some versions of my self-experience Bob’s welfare is part of my own welfare, under those versions of my self-experience the siblings only theory forces me to treat part of my personal welfare as a means to further other aspects of my personal welfare. Basically, the siblings only theory forces me to hurt myself in order to help myself. But that experience coexists with an experience that I am merely hurting others to help myself.

(9) Since there are no agents whose welfare is encompassed by the narrower theory but not the broader, the reverse is not true.

Since Alice and I are both included by the relatives only theory as well as the siblings only theory, there is no-one who is included only under the siblings only theory but not under the relatives only theory. If there were someone like that, it would mean that whenever I followed the relatives only theory, I would be harming them, but not when I followed the siblings only theory. Since that person—call him Charlie—would be included in the siblings only theory, I would know what it feels like for my personal welfare to include Charlie’s welfare. And just like Bob, Charlie would only be included in some versions of my self-experience.

Thus, just like when I hurt Bob I experience hurting myself, whenever I hurt Charlie I would experience hurting myself (along with experiencing merely hurting somebody else). So just like when, by following the siblings only theory, I hurt myself by hurting Bob, by following the relatives only theory I would end up hurting myself by hurting Charlie. But there is no-one like Charlie, so, considering just the theories and people I’ve stipulated, I can avoid getting hurt altogether by following the relatives only theory.

(10) The broader theory therefore achieves the best interest of each agent in the group individually according to both the broader and the narrower interpretations of self-interest.

Since there is no Charlie that the relatives only theory treats as a means, the relatives only theory treats the welfare of everyone in the scenario as an end. This means that the relatives only theory allows me to always treat every aspect of my welfare as an end, regardless of whether I include Bob’s welfare as part of my own.

(11) The narrower theory, however, only achieves the best interest of each agent in the group individually according to the narrower interpretation of self-interest. According to the broader interpretation, the narrower theory requires the welfare of some agent in the group to be sacrificed to achieve greater welfare for the rest.

It is true that Alice and I don’t get quite as much of the commons when we follow the relatives only theory; in fact, Alice and I collectively lose exactly as much as Bob gains. But when we follow the relatives only theory, all three of us are treated as ends, whereas when we follow the siblings only theory, Bob gets treated as a means.
According to Premise (1), egoism means treating one’s personal welfare as an end, and according to Premise (3), that means treating as an end each agent whose welfare is encompassed in one’s own. The broader theory allows one to do that under both interpretations of self-interest, while the narrower one only allows one to do that under the narrower interpretation of self-interest. Therefore, since by Premise (2) both the narrower and the broader interpretations of self-interest are legitimate, an egoist should prefer the broader self-interest theory.

In the terms of the example, the relatives only theory allows me to treat all aspects of my welfare as ends, in keeping with Premises (1) and (3), regardless of whether I regard Bob’s welfare as part of my own. The siblings only theory, though, only allows me to treat all aspects of my welfare as ends when I don’t regard Bob’s welfare as part of my own. Since a legitimate variety of my self experience has me experience Bob’s welfare as part of my own, egoism dictates that I should prefer the relatives only theory over the siblings only theory.

(12) Therefore, since both the broader and the narrower interpretations of self-interest are legitimate, egoism dictates that one should prefer the broader theory to the narrower one.

(13) Thus, in general, egoism dictates that one reject any given self-interest theory $T$ in favor of the broadest legitimate collective self-interest theory that encompasses all of the agents encompassed by $T$.

By the same logic, if I added my friend Rachel to the scenario, and I knew what it was like to experience my friend’s welfare as part of my own welfare, egoism would dictate that I prefer a friends and relatives only theory over a relatives only theory. Et cetera.

**Which Self-Experiences Should We Consider Legitimate?**

The only way that experiences can be illegitimate is for them to be illusory, but it is unclear what it would mean for an experience of self to be illusory. It seems, therefore, that at minimum, one ought to accept all versions of self that one has experienced. As mentioned before, that probably means that most people, depending on their personal history, will admit collective experiences of self that encompass the welfare of lovers, children and other family members, close friends, team members, comrades in arms, and some will admit broader experiences that encompass the welfare of city, nation, or world.

A couple of questions arise: what is the phenomenological character of one of these expanded self-experiences? Should one admit as legitimate self-experiences that one one’s self has not experienced?

The answer to the first question is properly the subject for another paper, but I think intuitively most people can relate to the idea that one’s personal welfare encompasses the welfare of certain others. This is basically the sort of empathy one experiences when one feels genuinely happy for another person’s triumph or pain at another person’s sorrow. There might also be an aspect of consciousness of one’s self as part of a feedback system with the other person, so that what affects one will interaffect the other. Again, on the relatively narrow level of family and close friends, most people probably have a sense of this experience. On the very broad level of nation or universe, this type of experience treads into the territory of mysticism.

The answer to the second question should probably be yes. Suppose one has only experienced a sense of self up to a certain point of broadness, and that experience excludes a certain person, call her Jamie. Suppose that based upon that experience, one acts in such a way as to use Jamie as a means to further one’s personal well-being. Suppose, then, that at a later date one gains a new, broader self-experience, which encompasses Jamie. One would likely retroactively experience self-harm, as a result of the consequences of one’s earlier actions.

So to the degree one grants that it is possible to broaden one’s self-experience, it is egoistic for one to err on the side of broader self-interest theories than one has yet experienced.

Taking this caution to its logical conclusion, one would end up applying a categorical collective self-interest theory to the entire world. Such a theory would look much like Kantian ethics, but with an important difference. Kantian ethics is focused on achieving a good will, but it says little about what “good” constitutes, relying on the Enlightenment assumption that such things would be self-evident to one applying his Reason.

Nowadays, when it is clear that reasonable people can come to radically contradictory conclusions, Kantian ethics seems to be missing a
keystone: if one wanted to have a perfectly silly will, or a perfectly evil one for that matter, one would be able to follow Kant’s recipe to the letter and achieve just that. A categorical universal self-interest theory, though, provides the “thick” content for the “thin” concept of good by saying, “act in your self-interest, but do it in such a way that you follow the Categorical Imperative.” Self-interest is substantive in a way that “good” is not.

If one wanted to be more cynical, one could argue that rather than erring on the side of caution, one should actively try to stay away from broader self-experiences, so as to be more selfish without incurring self-harm. This seems to be a weakness of the categorical collective self-interest approach to ethics, and should be addressed in any future work on the subject.

**Conclusion**

When one experiences another person’s welfare as a part of one’s own welfare, it becomes intuitively self-evident that one should treat that person as an end, and not as a means for gratification. The same conclusion follows if one formalizes the idea of expanded self-interest and applies egoistic ethical principles to it.

There are still some situations where it is appropriate to employ utilitarian-style balancing of one person’s harm against another’s far greater benefit. Such situations, though, are rare, where the benefit so greatly outweighs the harm that it is indisputable. Generally speaking, it is conservative to err on the side of treating others as ends whenever they play a part in one’s personal wellbeing.

According to this approach, the last recourse of the selfish is to make sure not to ever feel empathy for anybody, lest they incur self-harm by harming a person they feel for.

Eschewing empathy seems indeed like cutting off one’s nose to spite one’s face. One could probably argue, in the tradition of Socrates in *Gorgias*, that one who eschews empathy in order to be selfish is in fact doing himself a greater harm in the eschewing! If that were shown, the selfish person would then be thrust onto the moving walkway of collective self-interest theory, forced to treat ever more people as ends in order not to do himself harm.

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Regional Terrorism: How Perceptions Produce Tactics

Tyler Tyburski

Setting the Stage for Study: An Introduction

The face of terrorism is ever in flux. In the years following the attacks of 11 September 2001, states—primarily liberal democracies—have struggled to devise comprehensive grand strategies to combat evolving threats. However, these initiatives, expansive and expensive, are often hindered by an excessive breadth of scope. Indeed, it is simply infeasible to combat international terrorism on an international level. While terror is now a global phenomenon, it is firmly grounded in regional roots. The Middle East and parts of Africa, for instance, have become harbors of suicide terrorism while South America and Europe serve as bases for more traditional guerilla forces. Thus, in the interest of formulating a more effective counter-terror strategy, states are compelled to inquire as to precisely which factors account for these regionalized differences in modus operandi.

This paper seeks to try the hypothesis that the underlying perceptions of suicide pervading within a given area are tactical determinants for terrorist groups based therein. In testing for a meaningful correlation, a brief background is provided so as to construct an edifice of empirical evidence to support the nuanced notion of region-specific terror.

The research then shifts into a categorical breakdown of the cultural, political, and religious influences on suicide perception that affect two largely dissimilar regions—the West (composed primarily of North America and Europe) and the Middle East. Intervened into the establishment of this important dichotomy is a comparative case-study between two tactically dissimilar terrorist organizations—the West's Irish Republican Army (IRA) and Middle East's al Qaeda. Interlocking these discussions binds tightly theoretical principles and real-world examples, thereby providing a conceptually durable basis for preliminary conclusions and further research.

Following a succinct section on the outlying variable that is human nature, the hypothesis is supported by an explanation of the conclusion that suicide terrorism is largely an outgrowth of regional perceptions of suicide. Finally, the paper closes with a reflection upon the significance of such study, and what is at stake for those pursuing continued research.

Substantiating Region-Specific Terror, an Empirical Analysis

States are stagnated in their efforts to combat terrorism by their inability to assign a single, precise definition to such an abstract phenomenon. When conceptualizing terror, however, governments tend to do so “very broadly.” This not inadvertent; it is a deliberate attempt to design catch-all descriptions that provide state-based power structures with maximum maneuverability of policy and force. Indeed, most of the “more than one hundred authoritative definitions of terrorism” operationalized by the United States (U.S.) government embrace this strategy.

From this, a cruel irony has emerged: in their attempts to maneuver themselves into strategically advantageous positions, states have actually rendered themselves less fit for the task of combating terror. By neglecting the fundamental reality that international terrorism springs from “regional centers,” states fail to confront the problem at its source, opting instead to meet
Terrorist activity can be differentiated along the lines of *modus operandi*. As suggested by Robert A. Pape, a respected anti-terror scholar at the University of Chicago, there are “different forms of terrorism, the most important of which are demonstrative, destructive, and suicide terrorism”—each more intense than the one preceding it.

While the majority of terrorist organizations partake in demonstrative and destructive attacks, suicide terror—a tactic becoming dramatically more noticeable on the international stage—is of paramount importance to governments the world over. Remarkably, however, the groups that employ these more extreme practices are based primarily—almost solely—in either the Middle East or Africa.

In fact, according to Pape’s 2003 study of the “188 separate suicide terrorist attacks between 1980 and 2001,” 171 (90.9%) of them have been conducted by organizations spawning from one of these two geographic regions (See Table 1). Thus, one might well conclude that the environmental norms pervading within a given region are, at least to a certain degree, relevant to the strategic maneuverings of terrorist organizations operating therein.

Perhaps then, underlying regional perceptions of suicide are the critical factors that either prompt or prevent suicide terror tactics within these same terrorist groups. To test this premise, a comparative analysis of the ways in which regional perceptions of suicide—formed of broader cultural, political, and religious norms—inform the divergent tactics of the West’s IRA (a demonstrative and destructive terrorist group) and the Middle East’s al Qaeda (a suicide terrorist group) is hereafter employed.

**Suicide in Culture and Terrorism**

Traditionally, *Western culture* has stigmatized the practice of suicide. Often times, suicidal individuals have been pushed further towards self-inflicted doom by the alienation that they feel from their disapproving society. Indeed, the majority opinion within the Western world has long held that “the mere thought of suicide constitutes a major public and mental health problem.” This suicide-insanity association is not entirely self-sustaining, however. It is commonly reinforced by popular media sources that tend to portray it, even when employed as a terror tactic, as a tragic and pitiful practice. In so doing, the populace is largely dissuaded from identifying with suicidal individuals/groups and imitating their actions.

This regenerative cycle is a strong force that has branded suicidal persons, and their actions, with a scarlet letter of delegitimizing cowardice.

The IRA, operating amidst a society engrained with such attitudes, has largely discarded suicide terrorism as a beneficial and viable *modus operandi*. Realizing that Western society is not likely to take seriously the threats levied by an organization thought to be cowardly or insane, they have selected a militarized guerilla-style approach that focuses on “professionalism and [the] exploitation of modern tech-
nology for terrorist purposes." 8

This less-extreme style of terrorism is custom-tailored to the cultural particularities of the West. Indeed, by operating in a non-suicidal manner, they increase their effectiveness by bolstering the degree to which they are perceived as a legitimate force, perhaps even as a band of freedom fighters, driven by rational ends. 9 This subtle swaying of societal opinions is essential to amassing a base of sympathizers and weakening the moralistic superiority claimed by their enemy, the British government.

In the Middle East, however, suicide tends to be viewed from a different, more tolerant, standpoint. Long bound up with glorified notions of martyrdom, it is commonly regarded “with empathy” rather than pity. 10 This underlying degree of cultural acceptance, although far from a social endorsement of suicidal behavior, becomes a dangerous point of exploitation when seized upon by terrorist propagandists. Terrorist-produced media effectively espouses aggrandized images of suicidal “martyrs” so as to “energize believers [and] spur recruitment.” 11 Moreover, “with an average internet penetration rate of 7.8% in 2006, or 23 million users,” 12 the Middle East’s population is largely isolated from popular outlets of global/Western culture. This being the case, it often happens that skewed perceptions—instilled via propagandistic, or even terrorist, channels—will go unchecked by outside points of view. These altered perceptions can then blend with pre-existing notions of base-level suicide acceptance to push societal opinions closer to the heroic, martyrdom-affiliated perception peddled by terrorist recruiters.

Al Qaeda, operating out of a region characterized by a pre-existing cultural disposition towards suicide tolerance, manipulates this trend—as it would a resource found in an indigenous landscape—to its strategic advantage. The hard chore of convincing individuals to sacrifice their lives in support of a grand objective is rendered less complicated because suicide is not already deemed entirely reprehensible. Therefore, potential terrorists are more easily “brainwashed into seeking martyrdom” through such means. 13

Al Qaeda has little to fear in the way of losing societal favorability by employing such tactics, because, like the IRA, its methodology runs with the grain of prevailing cultural norms.

Suicide in Politics and Terrorism

Western politicians have largely been inclined to avoid public discussion regarding suicide. They seem to prefer remaining silent on this issue for two primary reasons: (1) so as not to associate themselves with such a socially—and, therefore, politically—toxic issue, and (2) to avoid “encouraging suicide among those whom they have deemed unworthy of it.” 14 However, when compelled to speak of suicide, they often do so in very certain and unflattering terms. Indeed, Western governments have primarily treated the practice as a legal issue, tending to “label suicide in a more criminalizing way” than most administrations/ regimes wielding power in other corners of the world. 15 To a significant extent, these measures have discouraged a productive regional discourse as to the true nature of suicide, and, in so doing, have further stigmatized the issue. Again, these trends dissuade the IRA from the pursuit of suicidal tactics in that it would only further impede their quest for legitimacy. Were they to pursue such tactics, despite what “victories they may accrue,” their larger ends would certainly be compromised.

Conversely, many Middle Eastern political figures—often affiliated with terrorist organizations such as al Qaeda—do not shy away from discussing, if not promoting, suicide. One will surely recall Saddam Hussein’s infamous policy of doling out government-funded monetary rewards to the families of Iraqi suicide bombers who had attacked the West Bank. Indeed, it is commonly agreed that, especially within the Middle East, “the most important determinant of support for suicide attacks is attachment to political Islam.” 16 This radicalized theo-political movement is well renowned as a propaganda-producing machine, ever funneling fresh recruits into al-Qaeda training camps.

With the political sphere saturated by such a volume of unfiltered and irresponsible suicide-based discourse, respondents within the region, especially children, are rendered “more likely...to endorse suicide activities.” 17 The ultimate result of such grossly illegitimate politics is a horribly corrupted society operating within a violently enflamed social situation that has come to recognize acts of suicide terrorism as noble feats of martyrdom. Al Qaeda, providing much of the impetus behind political Islam, is the obvious beneficiary of the results and recruits that it produces.
Suicide in Religion and Terrorism

In the West, religious institutions have normally contributed to the negative connotations associated with self-murder. Indeed, they have commonly been conceived of—with regards to the issue of suicide—as the moral reinforcement for the legal edicts established by the government. Christian churches and Jewish synagogues have long been “unequivocal in [their] condemnation of suicide,” painting it as a heathen practice with godless ends. This message has sounded loudly in the ears of many faithful followers of Christ—a congregation to which IRA members, firmly locked in their Catholic convictions, play a party to. Their devout and uncompromising affiliation with such a belief system renders them, perhaps more than anything else, incapable of pursuing suicidal tactics.

Messages emanating from Middle Eastern religious centers/leaders are neither as clear nor unified as those previously highlighted. Quarrelling messages between traditional and fundamental Islam cloud the conceptual lens through which individuals must draw their personal perceptions. With passionate tenacity, al Qaeda leaders, loyal to the doctrine of radical Islam, peddle the notion that suicide towards the pursuit of “enlightened” (tactical) goals is a pure path to divinity and salvation. This notion, however, is met only with lukewarm resistance by the tenants of traditional Islam.

Indeed, some traditional Muslim leaders, while entirely opposed to the wild distortions of faith perpetrated by al Qaeda and other terrorist groups, still find a potentially-suicidal calling in the notion of “istishad,” the deed of “giving one’s life in the name of Allah.” In so doing, although remaining truthful to their honest interpretations of holy passages within the Qur’an, these religious leaders establish a spiritual environment where there exists no explicit denunciation of suicide. Thus, the vicious tactic is rendered more easily marketable by al Qaeda’s recruiting base.

Human Nature: A Factor Beyond Calculation

Culture, politics, religion, and the social perceptions to which they contribute, are ultimately products of human nature. Therefore, while analyzing these factors seems to establish a sound conceptual framework to explain why suicide tactics either develop or fail to develop within terrorist groups of certain regions, a fundamental issue remains: man is capable of behaving in accordance with individual free will, entirely independent from regionally established norms. Indeed, it is this fascinating element of unpredictability, so essential to the essence of humanity, which accounts for the outlying 9.1% of suicide terrorist attacks between 1980 and 2001 (See Table 1).

These outstanding terrorists/terrorist groups, just as Timothy McVeigh, the American-born perpetrator of the 19 April 1995 Oklahoma City bombing, comprise a category of statistics that are likely to remain forever unaccountable to even the most nuanced theoretical approaches.

Terrorism is hardly a new phenomenon. In fact, its practice likely stretches back beyond “the dawn of recorded history.” An outgrowth of various other simultaneously developing factors, it has undoubtedly undergone a number of fundamental transformations—the mass incorporation of suicide as a popular modus operandi being among its most profound developments.

However, with a history expansive enough to link it to the origins of man, it may well be the case that terrorism is endemic to the human condition—at least within a minority grouping of people. The worry then is that terrorism, encoded within human nature, the timeless characteristic that defines all of humanity, is destined to linger indefinitely as a plague to the world. This being the case, individual terrorists/terrorist groups—guided by “ideological and operational agenda[s]” incompatible with those established by mainstream society’s popular trends, will continue to wreak havoc upon chronically unprepared states. Indeed, liberal democracies will be forever insufficient to the task of predicting exactly when, why, or how outlying terrorists will defy strategic models such as the one previously established within this paper. However, it must be noted that these cases, despite their ominous status as indefinite inevitabilities, are quite rare and cannot be thought of as representative snapshots of a larger picture.

Conclusion

Modern liberal democracies are left to combat an ever-shifting, intensifying, and expanding apparatus of global terror. However, at its core, international terrorism springs forth from region-centric terrorist organizations. Reliable statistical analysis has revealed that the chosen tactics of these groups seem to breakdown
along regional lines, with an intense concentration of suicide terrorism centered in the Middle East and in Africa. Notably, these are regions in which local cultures, politics, and religions are more sympathetic to—if not subtly, or even blatantly, supportive of—suicidal practices. This suggests a strong correlation between underlying regional beliefs, sentiments, and values, and the tactics of the terrorist organizations that arise therein.

The above categorical, comparative case-study clearly supports this hypothesis. Indeed, the al Qaeda and the IRA, two of the planets most noteworthy terrorist organizations, are prime examples of this apparent truth. Thus, it might preliminarily be said that suicide terrorism permeates from corners of the globe in which the act of suicide is perceived under more socially accepting conditions. The implication here is that other terror tactics could also be regionally linked to prevailing modes of thought regarding their underlying practices. Such a model might pave the way for a revolution in counter-terror strategy by emphasizing a focus on region-specific terror prevention. Governments pursuing such a stratagem might, perhaps, attempt to subtly infuse regional cultures, politics, and religions, with subtle messages intended to quell societal sentiments hypothesized to be necessary for allowing certain terror tactics to remain in use.

Such hypothetical policy prescriptions, however, will certainly require significantly deeper research targeted at further substantiating and revising this base research. These ongoing studies ought to be conducted with the following notion in mind: “Terrorism can be contained at a tactical level but it can only be defeated at a strategic level.”

This is to say that future research needs to be based in the knowledge that terrorism must be confronted at its sources, not on its fringes. Perhaps by focusing on the notion of regional terror as a way to focus counter-terror strategies, global terror can be controlled without such a heavy reliance on the expensive and expansive policies that rule in present day. 

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Notes

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The Politics of Hatred: Assessing Pre-Genocidal Factors in Syria and Turkey

America Hernandez

Abstract

After briefly surveying various theories in the body of literature on genocidal preconditions (by no means exhaustive) and determining common factors, I will take Barbara Harff’s six-factor assessment model for predicting genocide and what she terms ethno-politicide (political mass murder, which can intersect with particular ethnic groups) and apply it to current conditions in Turkey and Syria. Using both government and independent data analysis reports, as well as news articles dealing with political uprising and intrastate relations, I will give an overview of each country’s political situation to assess stability through the following factors: history of political upheaval, prior genocides, the presence of exclusionary ideologies and autocratic rule, ethnic and religious cleavages, low economic development, and economic and political interdependence. Due to the current political activity and violence going on, Syria will be my main country of focus, with Turkey acting as a contrast and counterpoint to the former’s situation. Through this analysis I hope to determine the risk level for an impending genocidal state in both countries.

Nearly every genocide that occurred in the past fifty years took place either during or immediately after a civil war, revolution, or collapse of a regime (otherwise known as a state failure). According to Staub’s (1999) model, the destructive process is instigated by a frustration of basic needs, be it material deprivation of food or shelter, or political chaos and lack of stability.

In this unstable environment, ideologies that incite ethnic hatred can mobilize revolutionaries to identify and kill members of a targeted group that threaten (in reality or simply as a perception) the survival of the majority, who are then branded enemies of the new order.

In addition, almost all genocides or politicides in this same period of time were either ideological in nature, as in the Cambodian campaign against ‘intellectuals,’ or retributive, according to Harff. Case studies suggest that the more intense the prior struggle for power and the greater the perceived threat the excluded group poses to the new regime, the more likely they are to become victims of geno-politicide.

Whereas ideological genocides can be thought of as outcomes of elite succession struggles, retributive geno-politicides are strategies forged during and in the immediate aftermath of civil wars. Some occur during a protracted internal war—whether ethnic or revolutionary or both—when one party, usually the government, systematically seeks to destroy its opponent’s support base. Some retributive episodes occur after a rebel challenge has been militarily defeated.

It is important to denote here the difference between genocide and politicide, which often take place under the same conditions, so as to arrive at a more flexible working definition of these mass murders that the Genocide Convention’s definition leaves out.

In genocides, targeted outgroups are mainly defined in terms of their communal characteristics (in the Holocaust, the Jewish people shared a religion, culture and ethnic history and were not politically organized or defined). In politicides, however, the victimized group is identified by its political opposition to the regime and dominant groups (Harff 3).

Harff contends that the Kurds in Iraq were victims of politicide and not genocide because many Kurds serve in the Iraqi bureaucracy and
military, and are members of the ruling Ba’ath party—the Kurds targeted in the al Anfal 1987 campaign were those rural Kurds who supported the Kurdish Democratic Party and the Patriotic Union of Kurdistan, thus making it political in nature.

The Genocide Convention’s definition also does not account for the destruction of rival groups by nonstate actors—that is, episodes occurring during civil wars where territorially-based revolutionary or nationalist movements target their enemies. To account for these episodes, we can define geno/politicide as:

“The promotion, execution, and/or implied consent of sustained policies by governing elites or their agents— or, in the case of civil war, either of the contending authorities—that are intended to destroy, in whole or part, a communal, political, or politicized ethnic group.”

— (Harff 1)

A problem arises in identifying relevant predictive factors of geno/politicide: though they are present within a context of political violence, the massacres themselves cannot be explained simply by theories of ethnic or revolutionary conflict, or political instability in general. Why is it that some cases of state failure or conflict end in mass murder, whereas the vast majority do not? Moreover, effective early warning efforts to prevent genocide rely not on hearing statistics that widespread killings have already occurred—successful prevention depends on watching for signals of intent in a country or regime beforehand. How is prior intent detected?

Comparative studies on the common factors occurring in genocides the world over have provided information about factors present in all genocides. During the early 1980s social scientists began to study genocide comparatively (see Fein 1979, 1992; Harff 1987, 1992; Kuper 1981; and Melson 1992) and found certain steps taken down the path to mass murder:

- selection of a target group with longstanding ethnic or religious divides within the community,
- an increased pressure based on lack of security or material necessities, and
- a method of killing that is “systematic, efficient, and controlled” —(Bond 32)

Prior to killings taking place, pre-genocidal factors have also been identified through case study, examining elite characteristics, regime type, and international context, among others. Potential committees of killings include the state itself or rival authorities, such as military or police units, or militias authorized by the state or by revolutionary leaders (Bond 33).

Elites in genocidal states and groups linked to the elite use hate propaganda to attack political and ethnic opponents of the state (Harff 4), as in the Holocaust and Rwandan genocide.

Additionally, all occurrences of mass killings by a state have involved government repression that is greatly disproportionate to the opposition activities it is responding to—with security forces and authorities ignoring isolated killings and abuse of the outgroup members. Analyses of the causes of state repression and maintenance of social order (see Lichbach 1987, 1998) are more indicative in this case. This approach focuses on factors that affect the decision calculus of authorities in conflict situations—in particular, the circumstances that lead to decisions to eliminate rather than accommodate rival groups.

Numerous researchers point out that democratic norms and political structures constrain elite decisions about the use of repression against their citizens, whereas autocratic elites are not so constrained (Gurr 1986; Henderson 1991; Rummel 1995) and thus are more likely to engage in mass violence against its in-state enemies. Others suggest that the international environment is a major source of both incentives for and constraints on the elite’s use of repression.

Thus a country’s peripheral status in the international system can be a permissive condition (Harff 1987), and international war can provide a cover (Melson 1992), whereas international engagement and condemnation can constrain repression.

Specifically in the case of Muslim countries, the Center for International Development and Conflict Management’s State Failure Task Force identified eight characteristics of state failure that can lead to genocide.
Those are:
- the presence of sectarian Islam,
- very low or very high religious diversity (faction groups),
- few memberships in regional organizations,
- low trade openness,
- large populations,
- violent internal conflict in neighboring states,
- high infant mortality, and
- a partial or full democracy.

Note this last factor was included not because democracies commit genocide, but because Muslim countries attempting democracy can fail and lead to civil war, with genocidal conditions thus arising.

The two countries examined in this paper, Syria and Turkey, each possess a variety of the factors mentioned above. One is an authoritarian regime, the other a full democracy; one with a prior history of violent suppression, the other a full-blown genocide on its books. Both are situated in an area with violence occurring in neighbor countries, in an environment where battles between religious sects make governments rise and fall.

Through examining the common factors that predispose a state to genocidal or politicide, we will see the high likelihood of politicide to occur in Syria due to opposition forces to the al-Assad regime, and a heightened risk of genocide in Turkey toward the Kurdish population, which is inflamed by militant fighting, separatist calls for an autonomous region, and influx of immigrants from Syria that can strain resources and political stability.

**Genocidal Factors**

**History of Political Upheaval**

A key factor affecting the risk of genocide or politicide in the context of state failure is a country’s history of violent upheaval. In the past 15 years, the odds of genocide were three times higher in countries with relatively frequent or intense upheaval than in countries with relatively little recent upheaval (Esty 13).

Syria has a long history of political intrigue, from the military coups of the 1950s to its largely democratically-ruled union with Egypt and Yemen (UAR), to the ascension of charismatic Hafez al-Assad in 1970 during a military seizure of power, where martial law was imposed and remained in place for the next 40 years. The state’s power has been placed overwhelmingly in the hands of the executive, formerly Hafez al-Assad, but since 2000 his son Bashar.

Since its secession from the United Arab Republic in 1961, Syria has been characterized by a strong authoritarian-style of government that leaves no room for opposition to the one-party Ba’ath regime (Marshall 2). Although a series of parties exist legally under the banner of the National Progressive Front (NPF), the Ba’ath party takes hegemonic control of these polities; Syria’s 1973 Constitution reserves a required majority for parties associated with the Ba’ath dominated Front, and a limited number of “independent” seats. The 2007 elections for the People’s Assembly (the legislature) showed 134 seats out of 250 for the Ba’ath party, 81 non-partisan seats, and 35 seats for other parties associated with the NPF.

The government is highly centralized and, up until 2000, was headed by a highly personalist dictator—neither the legislative or judicial branches provide serious checks to his power. However, for many citizens the lack of political rights are an accepted sacrifice in order to maintain political stability in Syria’s politically and ethnically fragmented society (Marshall 3).

With the death of Hafez al-Assad and the ascension of his son, it is tempting to label Syria’s executive as being hereditary in nature; however the true power lies not in dynastic succession but rather in the Ba’ath party’s designation. Since his securing of power at the top of the Ba’ath hierarchy, Bashar faces the most difficulty and opposition not from pro-democracy forces or ethno/religious factions, but from the conservative “old guard” within his own party which seeks to slow his proposed economic and political reforms.

Political legitimacy from the people has been reported as low, or “moderately fragile” by the Center for Systemic Peace’s 2011 Global Report (Cole 53). The civilian uprisings in early 2011 and calls for a “day of rage” against the dominating Ba’ath party began as largely unsuccessful in the wake of other Middle Eastern activity during the “Arab Spring.” The civilian uprisings in early 2011 and calls for a “day of rage” against the dominating Ba’ath party began as largely unsuccessful in the wake of other Middle Eastern activity.
during the “Arab Spring.” However, anger over results of the May 2012 Parliamentary elections (following a new Constitution and lifting of martial law in January 2012) left citizens incensed over the seemingly symbolic and cosmetic nature of Bashar al-Assad’s “democratic” reforms.

Violent repression of pro-democracy protesters by mukhabarat security forces have led to more anti-government uprising throughout the country and violence against civilians by the al-Assad regime. According to the U.N. High Commissioner for Human Rights, as of January 2012, the death toll in Syria now exceeds 100,000 over one hundred times more than the estimated deaths in July 2011, when Genocide Watch issued its first Genocide Alert for Syria (Genocide 5). Over two million more have fled as refugees to neighboring countries like Jordan and Lebanon. Ceasefire treaties have had no effect on the situation, and observers fear an impending civil war or state failure.

Many civilians have sought refuge across the border in neighboring Turkey. A constitutional democracy since 1982, the country has been hailed as a model for the Middle East, despite a troubling downward trend toward repression and increasing government control of the press.

Government reports show political life in Turkey as having a double face: on the surface, it is a competitive, multiparty democracy where the Prime Minister is beholden to the Grand National Assembly (the legislative branch of power) for political support, with the parliament-elected President and the judiciary providing limits on PM power. A closer look, however, shows a strong military presence that guides, if not directly controls, the political system, and exhibits substantial control over “executive recruitment” (Marshall, Turkey 2).

The military also continues to use repression against Kurdish political activists and civilians, and secularist protests urging the Islamic Prime Minister to abstain from running for re-election have further inflamed the Turkish political scene. Due to the country’s strong desire to join the European Union, a series of amendments and constitutional changes have been put into place starting in 2004, continuing through 2007, which include abolition of the death penalty, full equality for women, and abolition of the controversial anti-terrorist state security courts (Marshall, Turkey 3). The largest barrier to EU integration, however, is undoubtedly the chronic human rights violations toward the Kurds, who are prohibited from using their own language and are constantly the victims of violent deaths and clashes with government forces. Ever since the Kurdistan People’s Congress, formerly the PKK, ended a five-year ceasefire treaty in 2004, violent attacks by Kurdish militants have continued, including the bombing of Istanbul’s vacation resorts in 2006.

In response, the Grand National Assembly voted to authorize military incursions into Iraq in pursuit of PKK rebels. Aided by US intelligence regarding locations of the PKK, Turkish forces crossed into Iraq to directly engage PKK militants in 2007. Despite its professed strong desire to gain acceptance to the EU, Turkey continues to substantially restrict the representation of Kurdish interests (Marshall, Turkey 4).

**Prior Genocide**

All sources examined for this paper listed the presence of a prior genocide in a country’s past as a major factor increasing the likelihood of renewed mass killings. The idea is that a regime becomes habituated to using repressive, violent methods as a strategic response to uprisings and opposition that threaten state security. In the last 45 years, 10 countries had multiple episodes of genocidal/politicide, showcasing the prevalence of “repeat offenders” (Huff 37).

The obvious legacy in this case is the Armenian Genocide that began in 1915, where 1.5 million Armenians were killed systematically by the Young Turk government of the Ottoman Empire. A religious minority with a history of persecution, the Armenian population bears many similarities to the outgroup status of the Kurds in modern-day Turkey: they are surrounded by a population hostile to their expressions of culture, religious, their very existence; they both experience denial by the government of deaths instigated by those same state forces. To this day, Turkey denies the existence of the genocide, acknowledging only a mass relocation of Armenians from the “war zone” during conflict.
cases of documented killings of Kurdish people in Turkey since 1990, the government refers to the events only in terms of insurrection, with response required to maintain safety, or otherwise ignores them completely.

While the international scene has called on Turkey to end the repression and targeted violence, so far it remains an issue. Recalling that many genocidal governments are shielded by international attention focused on other wars, the escalation of violence in Syria may provide a cover for Turkey as scrutiny is directed on their neighbor. Coupled with the migration of Syrian Kurds fleeing civil war, it is worth researching the effects of an increased population in Turkey of an “unfavorable” group. If the influx of immigrants strains the Turkish economy and increases the power base of Kurdish political groups, it is very likely that the government killings will increase, and if they feel sufficiently threatened, the government may begin murdering systematically en masse.

Although no official genocide lurs in Syria's past, the Hama massacre of 1982 leaves the country with a history of government slaughter against the Muslim Brotherhood and and other Sunni Islamic groups who revolted against the al-Assad regime (politically dominated by the Alawi minority, an offshoot of Shi’ite Islam). The Syrian army, under orders of Hafez al-Assad, conducted a “scorched earth” operation against the town of Hama to quell the revolt. Estimates of those killed range from 1,000 to 20 or even 40,000 Syrian citizens dead. In her Dreams and Shadows: the Future of the Middle East, Robin Wright calls the Hama incident as “one of the single deadliest acts by any Arab government against its own people in the modern Middle East” (Wright 243-244).

Barbara Harff’s assessment model for predicting genocides points to a state’s habituation to violence en masse as significant; ten countries had multiple episodes of geno/politicide in the last 45 years (Harff 23). Presumably elites and security forces become more used to mass killing as a strategic response to challenges and state security, increasing the likelihood of repeat offenses (especially because the targeted groups are rarely destroyed in their entirety).

The violence in Syria stems largely from the fact that a religious minority (the Alawite faction) holds the majority of political power and operates under an exclusionary ideology—any concession is seen as a loss of power and control. According to Genocide Watch, “If the Alawite government of al-Assad believes it is about to lose all power in a zero-sum, winner take all revolution, its massacres could turn genocidal” (Genocide 7).

Exclusionary Ideas and Autocratic Rule

The ethnic character of elites, their ideology, and a country’s religious composition also have powerful effects on the risk of genocide. Other things equal, the odds of genocide were three to five times higher when any of the following factors are present: elites who are predominantly drawn from one particular ethnic group, elites who espouse an exclusionary ideology, or a single religious group with a strongly dominant position in society (Esty 23)—all of which are seen in the Alawite political elite that dominate Syrian political life.

Full or partially democratic regimes were somewhat less likely than autocracies to face impending genocides or politicides, but because young democracies often fail, which can lead to genocidal episodes. While Turkey’s democracy is not necessarily too “young,” the exclusionary ideologies espoused toward the Kurdish people and recurring violence toward that same group definitely shows an augmented likelihood that the killings could once again become genocidal.

As mentioned earlier, the Syrian legislature is in practice a one-party system dominated by the Ba’ath faction in the National Progressive Front coalition. Tensions and political strife have been an ongoing theme in Syria due in large part to the opposing ideologies of the regime’s ruling Alawite minority—Ba’athist socialism and the Sunni Muslim majority, which makes up three quarters of the country’s population, and largely favors adherence to Islamic law.

The Ba’ath party has consistently allocated many funds for the development of the military. Up until January 2012, civil and political rights in Syria were suspended under the long-standing “State of Emergency Laws.” Originally issued to keep order following the 1967 coup that brought President Hafez al-Assad and his Alawi-dominated faction of the Ba’ath Party to power, these powers were retained by Bashar al-Assad’s regime until early 2012, claiming they were still necessary because of the threat that Syria faced from its Israeli enemies.
Because of the level of repression used by Hafez al-Assad's regime under these laws, there is little open opposition to Alawi rule. Opposition groups like the Muslim Brotherhood or Kurdish political parties are outlawed and forced underground, while government members are routinely purged and jailed for suspected disloyalty to the President. Even under the new al-Assad president, the government has resorted to the extreme measures of closing off borders and shutting down the internet as part of the handling of the political dissidence that has sprung up in lieu of pro-democracy/anti-Assad protests.

The reforms promised by Bashar upon his assuming power in 2000 turned out to be largely economic, freeing the country from socialism, while retaining the authoritarian style of his predecessor. Currently entire neighborhoods are occupied by the Syrian army for suspected disloyalty to the regime. Among the crimes the al-Assad regime is committing are: indiscriminate, widespread attacks on civilians; arbitrary detention of thousands in the political opposition; rape of detainees; widespread torture, including torture and murder of children; and denial of food, medicines and other essential resources to civilians.

The current conflict separates based on political, rather than ethnic divides, while the two do intersect: The Syrian Free Army, which, due to the majority population, is composed of Sunni muslims, and army defectors. The Syrian government has classified these opposing parties as “enemies of the state,” and “terrorist,” mobilizing state forces as legitimate action to protect the government and presumably civilians. The historically repressive-style government has roots in its ethnic prejudice and discriminatory policies against many groups, which are examined in the following section.

The situation in Turkey is definitely less authoritarian, although the military's control and direction of state politics considerably dampens the democratic aspect of government. This was evident in 1997 when military forces succeeded in forcing the resignation of Prime Minister Necmettin Erbakan, leader of the Islamic Refah Party (Marshall, Turkey 1). Although troops never actually engaged in physical action, the virtual coup resulted in the collapse of a democratically elected government, and its replacement with one that was more amenable to military goals and influence.

Under the authority of Turkey's Article 118, the National Security Council, composed of military officers and like-minded civilians, works as a kind of shadow government. This Council makes “recommendations” to the government that elected politicians ignore at their own risk (seen with PM Erbakan). The continued role of the military means that some of the most important functions in the executive branch, like internal security, are held by non-elected officials.

However, recently the armed forces have experienced a reduction in their political control: the Council now contains elected civilians and can be subject to audits by the civilian government. Despite voicing its reservations, the military acquiesced to the election of President Abdulla Gül, an Islamist AKP candidate—the presidency has traditionally been held by a secularist candidate. What is unsure is whether the armed forces will choose to tighten its control once again in the face of increased fighting with the Kurdish militants, and encouraging Separatist protesters to call for the resignation of the Islamist President.

Given the nation's past proclivity for military crackdowns on insurgent groups, the Turkish Kurds, inspired by their politically active Iraqi counterparts, may be susceptible to systematic ethnic and political destruction.

**Ethnic and Religious Cleavages**

The Alawi in Syria are a politically advantaged minority and practice a form of Islam that started in the 9th century by splitting off from the Shiite branch. Alawi literally means “those who adhere to the teachings of Ali,” the son-in-law of the Prophet Muhammad. Syria’s three-quarters majority Sunni population considers the Arabic-speaking Alawi to be heretical in their rejection of traditional Islamic restrictions. Most Alawi live in Latakia, a province in the northwest of Syria, where they make up almost two-thirds of the regional population. In addition, they are secular and believe in the separation of religion and politics.

According to the Minorities at Risk project, the Alawi can be reasonably predicted to remain politically advantaged in Syria into the near future, with forty years in power (which involved suppression of the Muslim Brotherhood through the Hama massacre mentioned above). Bashar al-Assad's economic policies con-
continue to improve the socioeconomic standing of the formerly neglected Alawi— they may be politically empowered now, but when Syria was under Sunni rule prior to 1970, they were subject to economic, social, and political discrimination before they took control of the military and government (MAR Alawi 3). Their power base is in Damascus and safeguarded through authoritarian means. Because they are an advantaged minority, there have been no recent protests or Alawi rebellions; their position benefits them politically. However, their minority status leads them to wield power with a tight fist and repress others to maintain their position, like the Kurds.

The Kurdish people within Syria are not highly organized because of the mountainous region they live in and because Kurdish political parties are banned in Syria. Fifteen Kurdish political organizations do exist covertly. Kurdish grievances include equal legal protection under the Syrian constitution, better education and economic opportunities and the cessation of Arabization policies. This would allow them to speak their language and practice their cultural customs. Like Kurds in Iraq and Turkey, there is also some support for an autonomous region. The Syrian government’s policies of Arabization and oppression of the Kurdish people are still in place.

In 2004, fighting between fans of rival football teams escalated into ethnic riots in Qamishli, resulting in the deaths of more than 30 people and hundreds more injured. Reports of arrest and torture of innocent Kurds in the wake of these riots are widespread. In 2005, following the abduction and murder of a prominent Kurdish cleric, Sheikh Muhammad Mashuq al-Khaznawi, protests erupted and turned violent when local Arabs attacked protesters and Kurdish shops. Non-violent Kurdish protesters were killed by Syrian government forces in both 2004 and 2005, and in 2006 Kurds celebrating the Kurdish New Year were arrested.

The Kurdish people of Syria exhibit some factors pointing to increased risk for rebellion. They are somewhat geographically concentrated and have a regional base in northeastern Syria. Additionally, they have faced high levels of government-led discrimination and repression in recent years. However, Syrian Kurds lack the political organization of their kin in Turkey and Iraq. Organized rebellion, therefore, remains unlikely at this point. All Kurdish organizations remain banned in Syria, as are expressions of Kurdish nationalism. Syrian Kurds have a moderate risk for protest, primarily due to longstanding cultural restrictions. However, such protests are unlikely to become sustained protest movements, due to consistent and relatively effective repression by the Syrian government.

The political life of Kurds in Turkey is an especially interesting case, because as aforementioned, open displays of “Kurdishness” are restricted, if not prohibited in many cases, as in Syria. Any discussion of discrimination of Kurds in Turkey must be qualified, because if a Kurd renounces his culture, all forms of social progress are open to him.

Yet unassimilated Kurds face a great deal of cultural, economic and political discrimination in Turkey. For example, authorities often censor pro-Kurdish newspapers, particularly in the southeast Kurdish region. In some towns, local authorities prohibited Kurdish New Year celebrations and arrested scores of persons for participating in the celebrations. Kurds face restrictions on speaking, publishing, and instructing in their native language as well as forming organizations that promote Kurdish culture. In 2001, authorities closed the Mesopotamia Cultural Center, established to promote Kurdish language and culture, and the Kurdish Institute, another cultural institution.
However, the climate for Kurds has slightly improved, particularly in 2003, since the country’s leaders began pushing for admittance into the European Union by meeting democratization goals. For example, in 2002, parliament passed laws allowing parents to give their children Kurdish names. In some cases, classes on the Kurdish language are allowed now, and Kurdish broadcasters may set up their own television station. This has not stopped certain Kurds from attempting to end Turkish policies conventionally. The People’s Labor Party (HEP) was founded in 1990 when 10 pro-Kurdish members of parliament broke off from the Social Democrats, Turkey’s main opposition party. In 1993 the HEP was outlawed for being pro-Kurdish and its members founded the Democratic Party (DEP), which was outlawed in 1994 when its members formed the People’s Democracy Party (HADEP). This party was not officially Kurdish, but in practice its members attended Kurdish rallies and often yelled out Kurdish slogans in Parliament. It faced sizable restrictions, and its pro-democratization campaign was viewed with suspicion by the government because of the pro-Kurdish undercurrent of the party. Though the government closed HADEP in 2003, Kurdish protest levels have remained high in recent years.

Low Economic Development

The State Failure project has consistently found that armed conflicts and adverse regime changes are more likely to occur in poor countries. This is true globally and for sub-Saharan Africa, Muslim countries, and countries with ethnic wars (Goldstone et al. 2002). Syria has recently experienced annual economic growth rates of around four percent, but the country is still plagued by staggering unemployment, increasing costs of living, stagnating wages, and widespread poverty. Syria’s primary economic challenge is unemployment, which has been increasing at a rate faster than GDP growth (AKDN 1). Although official data from Damascus (which is notorious for its overly optimistic calculations) lists unemployment in the first quarter of 2010 at eight percent, independent estimates hover around 20 percent, with even higher rates among the younger generation (Bröning 3).

Economic policies based on the state’s responsibility to ensure full employment contrast with the increasing demands of a free market economy and Bashar’s attempts to deregulate. As a result, changes on the ground remain difficult despite al-Assad’s commitment to expand foreign investment and increase the pace of economic liberalization. Because underemployed and disillusioned youth comprised one of the driving forces of revolutions in Tunisia and Egypt, observers have noted Syria’s youth unemployment rate as a signal of potential revolt (Bröning 4). Oil has played an important role in the economy, with oil exports accounting for about two-thirds of foreign exchange earnings and contributing the bulk of government revenues, which in turn are used to heavily subsidize the inefficient agricultural sector from external competition.

According to the 2007 Global Report, Syria and its neighbors in the “Muslim Countries” region experienced a large increase in fragility in the category of “economic legitimacy” due to its increasing independence on revenue from primary commodities—mainly oil (Cole 23). But Syria has experienced a steady fall in its oil production, down to 388,000 barrels per day in 2008 from a peak of 590,000 barrels per day in 1996, and a depletion of its reserves to just 2.5 billion barrels, which will be exhausted in 17 years at current rates of production (Oxford 23).

In addition, Syria became a net oil importer in 2007, which has only exacerbated the problems in an economy struggling with international competition in all areas. Under sanctions already applied by the United States and the European Union, Syria’s two most vital sectors, tourism and oil, have ground to a halt in recent months. Electricity cuts
trouble Damascus and critical products like heating oil and staples like milk powder are becoming scarce. Regarding economic restrictions imposed by the international community, George Lopez, a sanctions expert at the University of Notre Dame, said the sanctions levied against Syria would curtail short-term financial flexibility and produce dramatic monetary losses. The restrictions carve out an exception for important consumer goods, to try to lessen the impact on ordinary Syrians, although those facing the brunt of the economic ills are in fact civilians in the lower economic bracket of the population. This problem is intensified by the military’s refusal to let goods into cities occupied by the Free Syrian Army (FSA), leading to starvation in Homs and other areas of the country on top of the nonstop violence between the FSA and the official government forces (Sky News 1).

The burning question is not whether geno/policide occurs but what Syria’s economy is going to look like as the civil conflict progresses—looking beyond immediate relief for the population in terms of resources, it will be extremely difficult to even return to the state the country was in pre-protest. After all, the international community is still grappling with how to support the economies of the other Arab Spring countries despite the urgent need for assistance. More than a year after the fall of Egyptian strongman Hosni Mubarak, the United States and Egypt are still in the drafting stage of an economic Action Plan, and the European Bank for Reconstruction and Development has yet to finalize any projects for Egypt or Tunisia (Bernhardt 3).

**International Context: Economic and Political Interdependence**

According to the State Failure Task Force’s Phase III research on preventative measures, the factor most strongly countering the likelihood of genocide and politicide is engagement in international trade. All other things being equal, countries with below-average trade openness confronted odds of genocide more than six times as high as countries with above-average openness (Esty 43).

The European Union, members of the Arab League, and the United States have all imposed economic sanctions (Bernhardt 1) on Syria and have been heavily vocal about condemning the human rights violations and violent crackdowns on pro-democracy protesters since they began in early 2011. President Barack Obama of the United States and other leaders have gone further, calling for the liberation of Syria from its current government. In an official statement from the White House, the President declared that “A Syria without Assad could be a Syria in which all Syrians are subject to the rule of law and where minorities are able to exercise their legitimate rights and uphold their identities and traditions while acting as fully enfranchised citizens in a unified republic...The suffering citizens of Syria must know: we are with you, and the Assad regime must come to an end” (White House 4).

However, as of yet no Western country has offered military intervention or assistance to the Free Syrian Army in the form of weapons or money, citing rebel fragmentation and a lack of credible, unified opposition group to the Assad government.

A Lybian analyst quoted in the New York Times called the economic resolution acts by the Arab League an alternative to military intervention. The sanctions imposed on behalf of the Arab League include travel bans against senior Syrian officials, a freeze on Syrian government assets in Arab countries, a ban on transactions with Syria’s central bank and an end to all commercial exchanges with the Syrian government (MacFarquhar 11). Economists estimate that about 50 percent of Syria’s exports go to the Arab world and 25 percent of its imports originate there, much of that from its immediate neighbors, so this constitutes a major blow that the Syrian regime has denounced as an attempt to topple the government (MacFarquhar 2).

What is unsure is whether simply economic pressure from abroad will be enough to force the Assad/Alawite regime to stop the violence; so far all peace treaties have gone ignored, with the government insisting FSA are terrorists to be purged. With civilian armies armed with simple Baryshnikovs against the military’s tanks and superior technology, the mass killings will continue unless direct aid is supplied. The United Nations current death toll shows over 100,000 dead, and France acted to institute humanitarian corridors to alleviate civilian suffering (Al Jazeera 1). While current Arab League policy is to avoid foreign intervention, the Qatari prime minister warned that if the bloodshed does not stop, intervention will be the answer (MacFarquhar 4).
Conclusion

Following the series of regime failures and widespread protests in what has been called the Arab Spring, inflamed conditions in both Syria and Turkey are ripe for increased violence on the part of the state towards targeted outgroups: political opponents to the Assad regime in Syria, which are comprised mostly of Sunni Muslims, pro-democracy protestors and army defectors, united under the FSA; and the Kurdish people in Turkey, whose situation may be exacerbated by the influx of Syrian emigrants fleeing their political situation.

In Syria's case, the violence would be classified as a politicide, despite religious and ethnic factors that go along with having a religious minority elite in power (the Alawí), and can be prevented by direct foreign intervention—the current economic sanctions have not persuaded the government to honor cease-fire treaties or stop the violence, framing the issue instead as one of national security in purging “terrorists” to protect its civilian population.

In Turkey, however, any systematic violence would most likely fall under the traditional category of a genocide, directed specifically at the Kurdish population, whose existence as a separate people was not officially recognized until the nineties. The presence of Kurdish people in Turkey as well as surrounding states currently enmeshed in violence (Syria, Iraq, etc.), plus many calls for an autonomous area (Separatists), put Turkey in danger of backsliding into its former violent repressive behavior to keep stable control. Prevention here must involve national watchguards, despite diverted focus toward Syria that could provide a cover for Turkish mass killings.

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Why Anti-Rationalism is the Biggest Problem in Politics

Saul Tobin

The third issue of Ilios introduces a new shorter format Op-Ed section, which gives voice to students’ opinions on issues of the day.

These days the number of intractable problems facing the world seems to multiply every day, and the prospects seem dim for the enactment of any real solutions. Unemployment is the worst it has been in decades, debt is rampant, conflicts around the world continue to grow, and the environment is not getting any cleaner or cooler. I’ve heard it said that my generation is the Hopeless Generation. Raised in boom times with the expectation that we would inherit the most peaceful, prosperous, and enlightened era in human history, we now enter adulthood in a world that is increasingly violent and petty, into a workforce that has no place for us. The legacy left by our parents will haunt us economically, environmentally, and politically for the rest of our lives. This realization has been the underlying theme of the recent wave of successful populist movements around the world inspired by Arab Spring. In the United States, this realization underpins both the Tea Party and Occupy Wall Street movements. This wave of populism represents the awakening of my generation to the truth that the system of our parents is blind to our needs and deaf to our voices. As we turned away from the rotting institutions of our parents, we found each other, and in each other we found strength. That strength, that unity, has the power to change the world for the better. And this is heartening.

But there is a danger. History warns that the triumph of freedom is all too often the prelude to a tyranny of the masses. Indeed, it is often hard to say where the one ends and the other begins. The moral decline of the French Revolution began with Robespierre, not Napoleon. Around the world, the gears of this process may already be in motion. A hungry beast can be easily turned to the ends of whomever can tame it best. Truth is secondary to a desperate people in search of a leader. Beware unscrupulous charisma.

We must remember how we got here. The single failing, the tragic flaw, of our parents’ generation was to replace reality with ideology. Their arrogance was to presume that they could solve problems by imagining that those problems didn’t exist. And so we have come to address environmental problems by calling into question science itself. Their hubris was to presume that they could solve questions of method by reference to principles. And so, the free market is no longer good because it promotes the common prosperity, as Adam Smith thought; rather it has become a good in itself, and damn the consequences. Our politicians discuss not how to best solve the global financial crisis, but base economic policies on blind faith. We have fallen prey to the fallacy that, if we dispute them, facts can be changed to mere opinions.

It is sad to see, but altogether unsurprising, that this nihilistic relativism is not confined to the failing institutions of our parents, but has also taken root among populist movements. And so, elements of both the Tea Party and Occupy Wall Street have cried for the abolition of the Federal Reserve, never mind that the Fed is likely the single most stabilizing force in the United States economy. Anti-rationalism has always been the ally of populism. But we must not allow ourselves to fall into denial any longer. Grass is green, whether we acknowledge it or not. We must not allow the pressure of popular sentiment or a charismatic leader to convince us otherwise.

Reason may often demand in these difficult times that we accept uncomfortable truths about reality. Climate change is happening. The global economic crisis was not a fluke. Some of these truths are emotionally and culturally charged: the leap is not so great from denial of evolution to denial of climate change. I have seen all too many political disputes devolve into arguments over atheism. People around the world have been rushing to the front lines to fight a war of Faith versus Reason. But we must remember that Reason is above disputes of God and country. Reason is nothing less than the faculty of understanding reality. Those who fight their petty cul-
ture wars under the banner of Reason trivialize the objectivity of facts. And those who, opposing them, attack Reason itself make a deal with the devil: the road from anti-rationalism to denial of reality is short indeed. If liberty is to be universal, then since facts are the foundation of knowledge that grass is green, we will already have secured the basis from which all liberties spring.

The tragic flaw was to replace reality with ideology.

Today we are told that pollution makes the air cleaner, that laying off workers makes more jobs, and that voting restrictions make democracy more fair. If we allow ourselves to believe that the grass is not green, we are but a short step from thinking that the Ministry of War is the Ministry of Peace. As George Orwell knew, the basic erosion of freedom begins with the dilution of Fact. Without facts, freedom is merely an illusion. But the sense of reality, the sense of fact, is something that no tyrant can take away without our consent, and if we maintain the liberty, we must not allow facts to become the exclusive province of anyone. Therefore, if we are to fortify our populism against tyranny, we must be prepared to put aside our cultural grievances and recognize that reason belongs to everyone, rich and poor, religious and atheist, Christian and Muslim.

A Republican can acknowledge climate change and still rationally disagree with a Democrat on environmental policy. An atheist must be prepared to respect that a religious person believes in both God and science, even if she does not have all the answers as to how. A banker can concede that unemployment is a systemic problem and still reasonably support fiscally conservative economics. These admissions may be painful, but they are essential if we are to set about the work of facing reality. That Reason belongs to everyone and that facts are objective are two sides of the same coin, and if one is denied, it undermines the other.

The time for us to lay down the arms of our cultural battles over Reason and Fact is not unlimited. Climate change is happening at an accelerating pace, and, argue as we might over the details, the window of opportunity to do something about it will close, sooner rather than later. Populism driven by widespread unemployment and hunger will not wait for us to get around to burying our cultural grievances before it finds an outlet. Many will doubtless consider their pet causes exceptions to this burying of the hatchet, saying things like, “but Gay Rights really is a rational cause!” or “but abortion is murder!” Many of these will even be good causes, with rational arguments in their favor, and some human urgency. But we must not waver in our vigilant distinguishing of fact from opinion. Claiming a monopoly on Reason as a rhetorical technique may seem attractive, but as soon as this strategy becomes fair game, it makes itself indispensable. It is precisely this type of rhetorical arms race that has led to the current ascendancy of denial and anti-rationalism.

We are now faced with the urgent task of carrying out rhetorical disarmament, and the only way to do that is to be completely strict in refraining from the abuse of Reason and Fact. If we succeed, we will have secured liberty and cleared the way for making a constructive path out of the wreckage left by our parents’ mistakes. If we fail, we will have paved the way for tyranny and left the floodgates wide open for destruction by the rising economic and environmental tides.

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Taking Aim on the First Amendment: A Legal, Political and Social Analysis of Brown v. E.M.A. and its Impact

Brandon Martinez, Jr.

Abstract

This paper seeks to provide a preliminary analysis of the legal arguments at issue in the Supreme Court’s 2011 decision in the case of Brown v. Entertainment Merchants Association. After an in-depth discussion of the reasoning behind the California legislature’s design of A.B. 1179, a bill which sought to restrict the sale of “violent” video games to minors, the paper critiques the state’s two-pronged defense of the law, which asked the Supreme Court to expand traditional obscenity exceptions to the First Amendment to include depictions of violence, therefore requiring a lesser standard of scrutiny to be applied to the state’s claim that violence in video games negatively affects the psychological health of children. While it argues in affirmation of the Supreme Court’s eventual rejection of A.B. 1179 as an undue infringement on First Amendment rights, the paper’s examination of the case’s legal and social impact – using scholarly evidence as well as analyses of the words of those involved in the case’s outcome – also finds that Brown has had positive material and social consequences for both interactive media and those seeking to protect the wellbeing of California’s minors.

In 2005, California Governor Arnold Schwarzenegger signed Assembly Bill 1179 into law, banning the sale or rental of “violent” video games to minors and requiring the packaging of such games to be labeled “18.” The act’s supporters, including the American Academy of Pediatrics and the California Psychological Association, lauded the bill as a progressive step necessary for the psychological protection of California’s minors and for the preservation of parents’ rights to govern their children.

Its detractors, on the other hand – including the interactive media industry itself and a significant number of civil liberties, technological, journalistic, and artistic organizations like the ACLU and American Society for News Editors – criticized the law and a host of similar statutes in states like Michigan and Illinois as unconstitutional assaults on the First Amendment expression rights of video game designers, as well as unfair limitations on the freedom of minors to access to speech. The resulting lawsuit between the state and the video game industry, now referred to as Brown, Governor of California, et al. v. Entertainment Merchants Association, et al., quickly became a hotspot in the ongoing evolution of First Amendment litigation and was eventually ruled upon in June 2011 by the United States Supreme Court. This paper will review the fundamental legal, social, and political issues that ultimately decided the fate of California’s restriction on the distribution of violent video games to minors. By analyzing scholarly evidence and interviews with individuals closely involved with and affected by the law at question in Brown, it will assert that, based on the strength of legal arguments in favor of the First Amendment protection of video games, and the weakness of current social scientific and legal evidence arguing to the contrary, the Supreme Court was indeed correct in finding that the California law “does not comport with the First Amendment.”

In an effort to contribute to a research field that is becoming more and more relevant to the lives of millions of gamers, parents, and children, this paper will also examine the possible legal and social impact of the Court’s decision in Brown, particularly as it relates to the content of video games and the interactive media’s efforts at self-regulation. A review of the published literature, along with an analysis of the words of those involved in the case’s disposition, will shed some light on what social and legal consequences may emerge.
Traditionally, where the law and social policy meet, the quality of one or the other often suffers. As this paper intends to show, however, Brown v. EMA has yielded positive developments for those seeking to protect children as well as for interactive media, an outcome that makes its critical analysis particularly important in a discussion of reasonable approaches to further disputes involving the First Amendment.

“Gaming the System”: Issues at the Heart of Brown v. Entertainment Merchants Association

Litigation regarding children’s exposure to violent video games has been at issue for well over a decade, particularly as legislators across the nation have become increasingly more sophisticated in drafting legislation that overcomes the constitutional defects of anti-violent games bills of the 1980s and 90s. In the case of Brown, the California legislature sought to overcome constitutional challenges to past legislation similar to A.B. 1179 by adapting the language of Supreme Court precedent cases in its definition of what counts as a “violent” video game to be distributed only to adults.

Without any past Supreme Court case dealing specifically with video games, however, and with relatively little precedent for successful statutory limitations on violent speech, California’s attorneys were required to be creative in their approach to the writing the law.

Relying on the definition of obscenity established in Miller v. California and the “variable obscenity standard” of Ginsberg v. New York, along with a large quantity of controversial soft-scientific material allegedly demonstrating dangerous correlations between exposure of children to violent video games and increased aggression and violence in that age group, the state argued that the “interactive nature of video games distinguishes them from movies” and other artistic creations – thereby making them exempt from absolute First Amendment protection – and that violence in interactive media is “synonymous with obscenity.”

Defending the violent video game statutes, state attorneys argued that California has a compelling interest in protecting the physical and psychological care of minors, an interest fulfilled, they claimed, by the statute in question, which would “assist parents in protecting their children’s well-being” and would accomplish the same ends – those being the moral and psychological protection of children – as state laws that “prohibit the sale of sexually-explicit material to minors.”

Essentially, the California defense of A.B. 1179 before the Ninth Circuit and the Supreme Court was two-pronged, its first step being to convince the courts that, in regards to First Amendment protection, “violence” of the kind seen in interactive media games should be categorically considered a kind of obscenity, thereby placing it in the realm of the Miller obscenity standard.

As prominent First Amendment scholars Terri R. Day and Ryan C.W. Hall note, “obscenity belongs to one of those ‘well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem.’” With this in mind, the California legislature, likely under the guidance of many of the legislative attorneys who would later be defending the statute in the appellate court pipeline, structured A.B. 1179 to define “violence” in video games with language very similar to the Supreme Court’s definition of “obscenity” found in Miller.

In the bill, the state sought to deem as violent all games “in which the range of options available to a player includes killing, maiming, dismembering, or sexually assaulting an image of a human being,” a remarkably specific list consistent with a very clear attempt to fulfill the Supreme Court’s holding in Miller that a state statute restricting sexual material contain a “threshold limitation that restricts the statute’s scope to specifically defined ‘hard core’ materials.”

Further indicating that the legislature sought to echo Miller in constructing its video game law, California’s A.B. 1179 included three additional requirements for testing a game’s violent nature: “a reasonable person, considering the game as a whole, would find [the game] appeals to a deviant or morbid interest of minors,” “It is patently offensive to prevailing standards in the community as to what is suitable for minors,” and “It causes the game, as a whole, to lack serious literary, artistic, political, or scientific value for minors.” These additional requirements for violence are, as the justices of the Supreme Court noted in their ruling, undoubtedly adaptations of the language drawn up by the court in Miller regarding obscenity. The language of the Miller
standard and that of the violent video game law are nearly identical.

The justices and a number of constitutional scholars have noted that, considering the Supreme Court’s history of upholding statutory restrictions of sexual material, California’s tactic of “bracketing violence with sex,” if successful, would prove an ingenious method of ensuring that “most regulations on violent video games will easily survive constitutional scrutiny.”

In other words, if California could convince the court that “violence can be ‘squeezed into’ obscenity,” a category of speech historically left largely unprotected by the First Amendment, then A.B. 1179, patterned after the Miller obscenity standard, would survive a strict scrutiny analysis – assuming, that is, that California counsel could prove a “compelling state interest” in limiting minors’ exposure to violent video games.

The Supreme Court, by this logic, would not be required to carve out another category of speech not deserving absolute First Amendment protection should it rule in favor of the state (as it has with incitement, fighting words, obscenity, and other categories) but would instead place violent speech into the already heavily limited category of obscenity.

As the state’s attorneys discovered while guiding the legislation through the federal courts, however, the psychological evidence in favor of a compelling state interest that would satisfy strict scrutiny in this case was largely rejected as such by the federal judges presiding over Brown. To defend its bill, the California Department of Justice, in collaboration with the California Chapter of the American Academy of Pediatrics, the California Psychological Association, and California Senator Leland Y. Yee, a child psychologist and sponsor of A.B. 1179 in the California legislature, assembled a large number of expert studies, including meta-analyses of those studies, that “strongly suggest[ed] that participating in the playing of violent video games by children increases aggressive thought and behavior; increases antisocial behavior and delinquency; engenders poor school performance; and desensitizes the game player to violence.”

Unfortunately for Senator Yee and his bill, the Ninth Circuit and ultimately the Supreme Court rejected this evidence as being shaky at best, and refused to accept the argument that the violent video game law furthered a state interest that was indeed “compelling.”

Anticipating such from the court, California implemented the second prong of its defense of A.B. 1179 and attempted to coax the justices into applying the “variable obscenity standard” of Ginsberg to the law at question in Brown. The Ginsberg precedent, in which the court upheld a New York law prohibiting the sale of “girlie” magazines and other pornographic materials to minors, even though such speech was not prohibited for adults, would allow for states to restrict “particular violent video games for kids, while the same video games would be perfectly legal for adults.”

In applying the Ginsberg variable obscenity test to California’s A.B. 1179 – an application contingent on the success of the first prong of the state’s argument, that violence in video games should be considered “obscene” under the umbrella of the Miller obscenity standard – the Supreme Court would be pressed to uphold the California law “so long as it is rational for the legislature to find that violent video games might be harmful to kids.”

In other words, argued the state, if violence is to be considered obscenity, a category traditionally subject to limitation under historical First Amendment precedent, then the Ginsberg standard of restricting minors’ access to obscene materials otherwise available to adults should apply to the law in question, and the legislature’s burden in demonstrating a definitive connection between violent video game exposure and increased aggression in children should be reduced.

If the court agreed with this component of California’s logic, a “rational” correlation between violent video game use and increased child aggression, even one supported by scientific evidence that has not been definitively proven, would be sufficient for the law to be upheld. The Court would largely defer to legislators across the nation in determining the strength and rationality of the government’s interest in protecting minors by applying this “lesser ‘variable’ standard of scrutiny.”

This reasoning, while creative, was ultimately rejected by the Supreme Court, and with good reason. Writing for the majority, Justice Scalia silenced once and for all any lingering doubts amongst legislators, judges,
and legal scholars that video games, as media of entertainment that “communicate ideas – even social messages – through many familiar literary devices” like “characters, dialogue, plot, and music” and “through…the player’s interaction with the virtual world,” are forms of speech that deserve First Amendment protection.

Directly addressing the first prong of California’s argument, that grossly violent speech be subsumed into the category of obscenity, he wrote that “Our cases have been clear that the obscenity exception to the First Amendment does not cover whatever a legislature finds shocking [in this case, virtual depictions of violence], but only depictions of ‘sexual conduct,’” essentially damning this and future attempts to conflate the two categories of speech. As Hall and Day note, as a result of Brown, “The ‘violence as obscenity’ argument,” at least in application to video games, “is dead.”

Regarding the second prong of California’s argument, that its violent video game law be subjected to a “lesser variable standard of scrutiny” given its goal of protecting minors, Scalia noted that “Because speech about violence is not obscene, it is of no consequence that California’s statute mimics the New York statute regulating obscenity-for-minors that we upheld in Ginsberg v. New York.”

With no case precedent and no “long (if heretofore unrecognized) tradition of proscription” of violent speech to justify A.B. 1179, the majority decided, there was little merit to California’s argument that such speech is a category to be considered synonymous with obscenity, and therefore no constitutional or historical basis for restricting minors’ access to it. As prominent First Amendment scholar Geoffrey R. Stone argues, “In the context of violent images…there is no predicate category of low-value speech,” as there is with obscenity, “on which to premise a broader definition [for regulation purposes] with respect to children. Ginsberg is therefore irrelevant.”

The majority’s holding in this regard was intensely influenced by a tension in First Amendment jurisprudence regarding the free speech rights of minors. In the host of cases involving government regulation of the video game industry over the last fifteen years, the interactive media industry has argued that, “although protecting minors from harm may be a compelling interest in the abstract, the government cannot control how minors think and act by preventing them from being exposed to protected speech.”

As Paul M. Smith, attorney representing the industry, stated during oral argument (and as the majority noted in its ruling) “Supreme Court precedent recognizes that minors are entitled to First Amendment protections, and any restrictions on the distribution of protected material to them must be ‘narrow and well-defined,’” just as with regulations on adults’ access to free speech. As commentators noted even prior to the Brown ruling, despite the fact that “protecting the psychological well-being of minors is ‘compelling in the abstract,’ defendant governments [like California must] persuade[] the courts that restricting access to violent video games is a narrowly tailored means for advancing that interest.” For the Supreme Court to hold otherwise would give state legislatures a “free-floating power,” as Justice Scalia put it, “to restrict the ideas to which children may be exposed.” As part of this holding, the majority also rejected the argument made by California and other states with statutes similar to A.B. 1179 that such laws were necessary in “assisting parents to safeguard the well-being of their children,” a claim that the majority, along with a number of other federal judges below them, rightfully feared could be used to “undermine the First Amendment rights of minors willy-nilly under the guise of promoting parental authority.”

Notably, Justice Thomas dissented, a move that is perhaps surprising considering his tendency towards jurisprudential conservatism but that also demonstrates the extent to which the tension over minors’ freedoms in Supreme Court case law shook up the justices’ traditional ideological division in Brown.

After rejecting California’s attempt to “create a wholly new category of content-based regulation that is permissible only for speech directed at children,” Justice Scalia tackled the psychological studies proffered by the state to support the “compelling state interest” it claimed it had in legislating the violent video game law. Noting the similarity of the legislation to state regulation of allegedly “harmful” entertainment in the nation’s past, particularly the Supreme Court-sanctioned censorship of the movie industry beginning with Mutual Film Corp. v. Industrial Communication of Ohio in 1915, he considered California’s claims that “video games present

special problems because they are ‘interactive’ in that the player participates in the violent action on screen and determines its outcome,” and concluded that the studies submitted as evidence to support those claims are little more than “ambiguous proof” that “will not suffice” to withstand the compelling state interest requirement of strict scrutiny.

Going further, the justice applied the Court’s controversial 2010 ruling in Stevens v. U.S., which held that “new categories of unprotected speech may not be added to the list by a legislature that concludes certain speech is too harmful to be tolerated,” and wrote that, even if California’s psychological evidence did in fact demonstrate a “direct causal link between violent video games and harm to minors,” no government may “create new categories of unprotected speech by applying a ‘simple balancing test’ that weighs the value of a particular category of speech against its social costs and then punishes that category of speech if it fails the test,” at least absent a “long…tradition of proscription” in this country of that kind of speech.

Noting the traditional jurisprudential notion that content-based censorship is presumptively invalid, Day and Hall agree with the court and argue, “It is self-evident; there is no deeply rooted, historical basis to categorically exclude violent depictions from First Amendment protection, even if the exclusions are limited to children. As the Supreme Court reiterated in Stevens, mere offensiveness and lacking social value are not benchmarks for First Amendment protection.”

After having rejected the application of Miller and Ginsberg to the law at question in Brown, thereby subjecting it to strict scrutiny analysis under standard First Amendment jurisprudence, Scalia leveled a sound attack on the bill’s composition, correctly critiquing its definition of “violent” video games as being unconstitutionally vague and wildly underinclusive.

Prior to the Supreme Court’s ruling on the case, a number of legal scholars noted the fact that A.B. 1179 violated the requirement established in Grayned v. City of Rockford that “Statutes are void for vagueness because [i]t is a basic principle of due process...[th]at prohibitions [must] be clearly defined...” Particularly in regards to laws regulating First Amendment freedoms, “legislators must write statutes precisely” to avoid any “chilling effect on free speech,” which occurs when individuals or institutions, unclear due to vaguely written laws on what kinds of expression qualify as protected and which do not, “steer far wider of the unlawful zone...than if the boundaries of the forbidden area were clearly marked,” resulting in the “suppression of legitimate speech.”

In the majority opinion, Justice Scalia attacked A.B. 1179 on vagueness grounds specifically relating to the fact that, as Smith, counsel representing the respondents in the Brown case, puts it, “language describing the kinds of video games regulated does not give manufacturers and retailers a sufficiently clear idea of exactly what games are restricted by the law[.]” In particular, the California law sought to ambiguously define terms like “heinous” (a word used in an expanded description of “violent video game” within the bill’s text) as “shockingly atrocious,” and, like similar laws in Illinois and Michigan, failed to provide a precise definition of “human” or “substantially human” for determining which depictions of aggression in video games count as “violence” for the purpose of regulation.

As the justice noted, “The California Legislature is perfectly willing to leave this dangerous, mind-altering material in the hands of children so long as one parent (or even an aunt or uncle) says it’s OK,” a wild loophole during oral argument for Brown asked how California would categorize a “video game that portrayed a Vulcan as opposed to a human being, being maimed and tortured.” With such tremendous inadequacies as these in A.B. 1179’s language, the law clearly did not fulfill the vagueness standard of past First Amendment precedent, and the majority was correct in striking it down as failing under strict scrutiny.

California’s violent video game law also failed to pass constitutional muster insofar as its provisions were catastrophically underinclusive. In the majority opinion, Justice Scalia forcefully argued that, if it were indeed the California Legislature’s intention to act on compelling state interest and limit the exposure of minors to violence in interactive media, thereby decreasing instances of juvenile aggression and delinquency, the state would have not included a provision allowing the parents or guardians of minors to purchase violent video games on their behalf.

As the justices noted, “The California Legislature is perfectly willing to leave this dangerous, mind-altering material in the hands of children so long as one parent (or even an aunt or uncle) says it’s OK,” a wild loophole
in the law’s attempts to prevent the alleged psychological harm in children, caused by violent video games, that the law was supposedly designed to address. “This is not,” Justice Scalia insightfully asserted, “how one addresses a serious social problem.”

The court condemned A.B. 1179 as underinclusive in another respect as well, holding that, since the psychological evidence proffered by the state that allegedly distinguished the interactivity of video games from other media was inconclusive at best, there was little to no reason for the law to illegalize the sale or rental of violent video games to children while not doing the same for literature, films, or “Saturday morning cartoons.”

Summing up the majority’s argument regarding A.B. 1179’s vague- ness and underinclusiveness, Scalia wrote that such fundamental linguistic and public policy inadequacies in the law’s construction “raise[] serious doubts about whether the government is in fact pursuing the social problem it allegedly distinguished the in- teractivity of video games from other media was inconclusive at best, there was little to no reason for the law to illegalize the sale or rental of violent video games to children while not doing the same for literature, films, or “Saturday morning cartoons.”

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The final nail in the coffin for California’s A.B. 1179 was its inability to satisfy the component of strict scrutiny requiring that it be effective at correcting the social problem whose resolution has been identified by the state as a compelling government interest. Essentially, California’s violent video game law, while posited by the government as the least restrictive solution to an identifiable and demonstrable social problem – namely, psychological harm in minors caused by exposure to violent media – was in fact based on conjectural, not definitive, scientific evidence and therefore could not be considered an effective method of “alleviat[ing] these harms in a direct and material way.”

A significant number of legal scholars and psychologists note that, while a tremendous number of studies support a weak link between exposure to violent interactive media and temporary increased aggression in minors, the majority of the evidence is, as Justice Scalia argued, inconclusive at best, therefore failing to meet the “substantial evidence” burden demanded by the court in proving California’s compelling state interest in limiting game designer’s freedom of expression and minors’ access to protected speech.

In direct contrast to the evidence submitted by the state, some scholars and researchers suggest that violent video game playing may confer psychological and social benefits on children, including “increased confidence...enhanced creative problem-solving skills...improve[d] hand-eye coordination, reaction time, spatial visualization, neuro-psychological tests, visual attention, and mental rotation.”

In another indication of the feeble- ness of California’s evidence, the number of serious violent crimes committed by minors aged twelve to seventeen dropped sixty-one percent in the United States between 1993 and 2005, the year of A.B. 1179’s enactment, a fact that some commentators argue disproves the California legislature’s claim that the increase of minors’ exposure to violent video games from the 1980s forward has been causally linked with serious childhood aggression.

It is critical to note that, even if these studies in favor of violent video game use by children are not definitive, the opposing studies submitted by California counsel are equally as uncertain. The evidence on both sides, in sum, is inconclusive and conjectural. Since the social problem of psychological harm to minors identified by the state is “merely conjectural,” the policy promoted in A.B. 1179 as allegedly correcting it cannot be proven to resolve it in a “direct and material way.”

The objection may be made, of course, that legislators are better qualified to judge the strength of research like that at issue in the Brown case than judges, and that courts should defer to the state in formulating public policy when it involves areas of scientific ambiguity like the one seen here. But as Day and Hall note, Supreme Court precedent provides that, “Although [the court] must accord deference to the predictive judgments of the legislature, [its] ‘obligation is to assure that, in formulating its judgments, [the legislature] has drawn reasonable inferences based on substantial evidence.’”

96 Ilios Vol. 1 No. 3: Fall 2013


97
As Chief Justice Roberts articulated in *Stevens*, “The First Amendment itself reflects a judgment by the American people that the benefits of its restrictions on the Government outweigh the costs.” It is far better to overprotect speech, even the violent kind, than to under-protect it from the rule of uncertain and ambiguous social science. To this end, “While it is ordinarily not the province of the courts to second-guess legislative determinations of how best to promote the health, safety, and welfare of its citizens, such deference is not warranted when the legislative measure seeks to address a phantom harm,” as California sought to do in *Brown*.

**Hit Points: The Social, Political, and Legal Impact of Brown**

As the first instance in which the Supreme Court has directly ruled on the nature of video games and the challenges they pose to society, if any, it is critical to assess *Brown’s* broader effects, especially its efficacy as a protection of video game designers’ and consumers’ freedom of speech. In light of the *Brown* ruling, it is possible that the greatest danger to the sanctity of interactive media as protected speech – the specter of future legislative proposals similar to A.B. 1179 in states other than California, or even at the federal level – has been tremendously reduced.

In an interview, video game industry counsel Paul M. Smith noted that “Given the broadness of Justice Scalia’s opinion for the majority, it is not possible to regulate in this area constitutionally,” thereby legally precluding future attempts to institute restrictions on video games. Responding to Justice Alito’s conclusion in his concurrence that while “the California video game law fails to provide the fair notice that the Constitution requires,” he would “not express any view on whether a properly drawn statute would or would not survive First Amendment scrutiny,” Smith also stated that “I don’t think there is a way to frame a non-vague regulation” that accomplishes the same alleged ends of A.B. 1179, noting that “Many states tried in the past decade or more, and they were all struck down.” With what Smith during oral argument called the “insuperable problem” of using the English language precisely operating against legislative attempts to write violent video game regulations that are narrow enough to overcome the constitutional hurdles at issue in *Brown*, along with the majority’s absolute defense of interactive media as First Amendment protected speech, it appears unlikely that future regulations similar to California’s, though passed, will be able to withstand constitutional challenge.

This legal reality, however, does not preclude the possibility of future violent video game legislation being proposed. As Smith and other commentators note, it is highly possible that A.B. 1179 was passed by California legislators fully aware “from the start that it [was] an unconstitutional infringement on the First Amendment freedoms of those who create and sell video games.” There is little doubt that a popular “stigma attached to video games as a storytelling medium” makes legislation like California’s, ostensibly proffered to prevent psychological harm to children supposedly caused by exposure to violent interactive entertainment, a convenient means for state legislators to “gain politically from taking a pro-child stance,” by voting for bills of questionable constitutionality. Such behavior on the part of lawmakers, though contrary to ethical and constitutional norms, can be a form of “highly visible and publicized patronage to... constituents,” meaning it will, for at least another five or ten years, “continue to be...politically savvy.”

As long as “Children are merely used as a tool in cultural politics” as they relate to video game laws, bills like A.B. 1179 may continue to appear from time to time in city council chambers, in state legislatures, and even in Congress, in the future. The costs of such frivolous legislation could be enormous, with lawmakers not only wasting many millions of dollars on potentially unhelpful research but also spending taxpayer funds to compensate the video game industry for the time and money expended in defending itself from unconstitutional regulation. But not all of these future violent video game laws may be mere “political gesture,” as Smith phrased it. Some legal scholars note that, as in...
teractive media becomes increasingly more realistic and immersive in its depiction of violence, it is possible – though highly unlikely – that social scientific evidence causally linking exposure to such advanced games with psychological harm in minors may emerge and “require a reevaluation of our current video-game-violence jurisprudence.”

Such evidence in favor of a compelling state interest in regulating violent video games as they are distributed to minors may eventually become so definitive that laws like A.B. 1179 could satisfy the “substantial evidence” requirement of Supreme Court precedent and thereby survive strict scrutiny. With such evidence supporting them, states may also be able to narrowly tailor their violent video game laws to avoid issues of vagueness and underinclusiveness. As one commentator argues, “A major part of the game industry’s argument...is that the English language is simply too imprecise to draft a statute that is sufficiently narrow; thus, all attempts to regulate video game violence are...invalid under strict scrutiny. But this may not be the case as technology develops. By limiting a regulation’s application to very specific characteristics present in the fully immersive violent games of the future, the scope would be much narrower and the harm of this content might be more readily discernible. In this context, these regulations could be deemed constitutional.”

Such a development seems unlikely, but it seems that, based on Justice Alito’s concurrence in Brown arguing that “We should take into account the possibility that developing technology may have important societal implications that will become apparent only with time,” there remains a sliver of hope for those who seek the narrow curtailment of minors’ exposure to interactive media violence based on legitimate psychological findings. But until such evidence comes to light, “legislatures need to realize that the First Amendment does not permit the government to impose its own notions of what is too violent for this nation’s youth without a compelling reason.” Future attempts to regulate the video game industry may also become rarer as the current video-game-playing population ages and largely assumes control of the lawmaking institutions at all levels across the country. “It may... simply be a matter of time,” argues one commentator, “...for a new generation of politicians weaned on violent video games to take office and to replace the current generation that largely finds the games alien and incomprehensible.” These new generations of policymakers may largely be comprised of “gamers that played as children” and who are therefore less likely to “be shocked or offended as new controversies arise,” and as video games “become equally [as] ubiquitous in American culture” as films, it is likely that the kinds of video-game-stigmatizing regulation seen in laws like A.B. 1179 will dissipate over time. Since the overall social trend of American society has been one of “increasing tolerance for objectionable speech,” it is likely that, within five or ten years, video games will be fully accepted and protected components of First Amendment jurisprudence.

Despite the fact that proposals for state regulation of the interactive media industry will likely become much scarcer in the aftermath of Brown, the industry itself can do much to protect itself and decrease the likelihood of governmental restrictions like the California law that was at bar. A number of Supreme Court justices expressed worries that the Brown ruling would cause the video game industry to slacken its own self-regulation of potentially offensive material in its products by “reduc[ing] the industry’s incentive to police itself” through Entertainment Software Rating Board (ESRB) ratings and other methods.

But as Justice Scalia noted in the majority opinion, and as various legal commentators have verified, the ESRB has been tremendously effective in providing accurate information regarding the content of individual video games and has taken deliberate and effective steps to gradually improve compliance amongst game distributors with its ratings system. Addressing this very issue in an interview, Dan Hewitt, Vice President of Media Relations and Event Management for the Entertainment Software Association, stated that it is in the best interest for the video game industry “to continue providing parents with good and sound and reliable information” regarding the content of interactive media because consumers like easy access to ratings data, and it would therefore be financially beneficial for the industry to continue catering to that need.

Paul Smith agrees, arguing that the main reason he does not foresee any slackening of the industry's highly
praised ESRB rating system is that “consumers like the information provided. That is especially true of video games. Most parents say they appreciate the ratings and use them. It’s good business to keep them.” In another interview, Adam Keigwin, chief of staff for California State Senator Leland Yee, the sponsor of the bill that would eventually be passed as A.B. 1179, agreed with this analysis, stating that “the industry has too much in terms of public relations built into [the ESRB] rating system,” and any slackening or improprieties in that system would result in “an uproar from the public, from parents, which they can’t really afford to have happen.” With a slackening in self-regulation likely going to cause a decrease in revenues, there is little reason to predict that the interactive media industry will revise its ratings system, except to strengthen it.

Some commentators have suggested that the video game industry can prevent future attempts at state regulation by exercising some “self-restraint” in the content they put in their products. Noting that much of the last decade’s interactive media litigation sprung directly from highly controversial content in games like “Grand Theft Auto: San Andreas” and “JFK Reloaded,” one legal scholar suggests that “a little bit of self-restraint exercised by some members of the video game industry would go a long way in keeping politicians’ attention away from the games,” and that “a modicum of common sense...by segments of the video game industry...may help to quell and quiet the calls of politicians for legislative action.”

In an indication that the industry may be heeding such advice, Ken Levine, creative director for Irrational Games, noted in an interview with USA Today that “Video game developers are unlikely to push the limits” of violent content even in the aftermath of the Brown decision, “having realized that in general, extreme violence is not a recipe for creative or commercial success.” As with its continued interest in maintaining the integrity of its ratings system, the industry is interested in maintaining a balance between its creative freedom, affirmed in Brown, and publicly acceptable standards of decency in designing its games, primarily for economic reasons. But to silence those who may argue that A.B. 1179 sought to achieve much the same balance, by law as opposed to by private industry policy, industry members have asserted their own ability to self-restrain, agreeing with the Supreme Court that regulation of the content found in video games “comes from ourselves [the industry] and from our dialogue with gamers, or in the case of kids, their parents, not from the government.”

With this in mind, game designers will “move forward empowered [by Brown], but also with a sense of responsibility” in regards to self-policing. They have both a financial and political interest in doing so.

Regardless of how one views the industry’s self-regulation methods, it is undeniable that Brown has increased video game consumers’ awareness of the strengths of those methods, particularly the ESRB ratings system, and its work with retailers to control the distribution of games even the industry feels are inappropriate for children’s eyes. In an interview, Hewitt of the Entertainment Software Association vehemently insisted that Brown has acted as additional impetus for the video game industry’s efforts to “raise awareness about the tools that are out there that parents can use, whether that’s parental controls [installed on video game consoles], whether that’s [the] ESRB ratings system, so that parents can maintain control over what’s played by their children in their home.”

Chief-of-staff Keigwin noted a similar phenomenon occurring within the California Legislature in the aftermath of Brown, saying that while Senator Yee currently has no intention of pursuing further regulation of the video game industry, his office is “focused on just making sure that as many parents know about the rating system as possible, that they know how to access the content of these games, that they do the research, that they’re making sure their kids aren’t getting their hands on these terrible games. At the end of the day, that’s what our bill was really all about.”

In this respect, both the state of California and the video game industry are on the same page, making efforts to ensure that children are exposed to violence in interactive media only as their parents see fit. The full impact of Brown v. Entertainment Merchants Association has yet to be seen, but one can be sure that, regardless of the Supreme Court’s ruling in the case, its broader impact has proven a boon for both the state of California and the video game industry itself.

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The initial working title for Godard’s 1964 science fiction tour de force *Alphaville* (1965) was the rather more comical *Tarzan vs. IBM*, and although the former was arguably the more aesthetically suitable choice, the latter symbolically evokes a key aspect of the film’s intellectual narrative.

Alphaville is ultimately about the struggle of a single determined individual against a totalizing, dehumanizing rationally driven computer society, one that is quite literally operated by a central artificial intelligence, known as Alpha 60.

Like Tarzan, the protagonist, Lemmy Caution, is an independent, spontaneous individual, and in relation to the sterilized conformism of Alphaville he is wild, primitive and incomprehensible in his behavior. Alphaville and Alpha 60, on the other hand, are representative of the faceless, opaquely dominating presence of the technological corporation, exemplified by IBM, which was, in the period that the film was produced, the predominant force in the emerging information industry.

Expanding on the analogy, Caution is also like Tarzan in that he is the unique manifestation of a way of life that has been placed on the verge of annihilation by a new form of rational organization. As he navigates this barren terrain he must hide his emotions and subversive thoughts just as Tarzan hides his physical body in the trees and shadows of the jungle; one could even say that the game of hide and seek has been shifted to the plane of consciousness. Unlike Tarzan however, Caution ultimately triumphs in overthrowing the system of oppression.

A brief summary of the plot: Caution is a secret agent who arrives in Alphaville under the pretext of doing journalistic work for a publication called the *Figaro-Pravda*. He is from a place known as the ‘Outlands’, which is the name given to all the areas of the world that are not organized according to the technological principles of Alphaville.

His actual purpose is firstly to search for a missing agent known as Henry Dickson (Akim Tamiroff) and secondly to destroy the creator of Alphaville, a scientist known as Professor Von Braun, as well as the city and the system of artificial intelligence which he himself constructed.

Caution is introduced upon his arrival to the daughter of Professor Von Braun, Natacha, who has been assigned to him with the dual role of escort and supervisor.
Caution travels all over the city, taking pictures with his Instamatic camera and gaining insights into the inner workings of Alpha 60. He eventually finds agent Dickson, but the latter is in poor health and dies making love to one of the countless ‘seductresses’ that litter the city in one of the more absurd sequences of the film. Upon his colleague’s death, Caution focuses his efforts onto the downfall of Alphaville, arousing growing suspicion and hostility in those around him.

Rather predictably, he also falls madly in love with Natacha, who he sees emotional potential in, and commits himself to her escape. The narrative culminates in Caution’s capture by Alpha 60, but he is able to destroy the machine by confusing it with a paradoxical riddle, and after blasting his way into the headquarters of Professor Von Braun, he assassinates him and escapes back to the ‘Outlands’ with Natacha, as the city and its inhabitants disintegrate into oblivion.

Upon his arrival in Alphaville, Caution comes across a billboard stamped with the imperatives ‘SILENCE. LOGIC. SECURITY. PRUDENCE.’ These four words serve as a coercive reminder of the ‘correct’ modes of behavior accepted within the city, which act as an introduction to what Michel Foucault calls Power-Knowledge, i.e. forms of knowledge that have the effect of reinforcing particular structures and institutions of political power (political in the broadest sense, meaning in all its intellectual and emotional manifestations).

Throughout the film, Godard frequently inserts shots of visual symbols and images in between the events of the narrative, in order to emphasize the underlying structures of ideology that define Alphaville’s existence. The two main examples of these are the arrow and the equation. The arrow clearly represents the death of freedom and choice; with the ‘correct’ path always pointed out, one loses the ability to individually reject or accept alternative modes of action and existence. Determinism gains the upper hand over free will; and all manifestations of free thought and self-determination are stifled. The equation, the backbone of science and mathematics, points towards similar consequences, in that it also represents a form of pre-decided, logically necessitated reality that by definition destroys the possibility of choice.

One could object that, in least in the case of the arrow, such symbolic tools do not actually destroy choice; they merely make it harder to conceive of. It is not that the arrow prevents one from the turning in the opposite direction to that which it indicates, but rather it simply makes it harder to imagine doing so. Whilst this is true, the extent to which non-material symbols are capable of constricting our physical possibilities should not be underestimated.

Even so, one always has the possibility of irrationally asserting illogical mathematical propositions, regardless of the reactions of others; it is a right that Dostoevsky’s underground man sees as an essential
part of asserting one’s human freedom. Yet assuming that one is not willing to abandon the basic principles of mathematics, there is still the broader concern that the procedures relevant to mathematics might be applied inappropriately to other spheres of human existence, such as the subjective realms of emotion, the relation to the Other, artistic endeavors and so on. If the positivistic, empirical methods of mathematical and scientific evaluation are applied indiscernably to these forms of existence, the result is a stunted and mechanistically dehumanized society, such as is found in Alphaville.

These two mechanisms of symbolic coercion, the arrow and the equation, refer to a broader phenomenon of mindlessness in Alphaville, or what Herbert Marcuse calls ‘one dimensional thought’, meaning basically an inability to think critically or ‘negatively’ about the conditions of one’s own existence. For the person who thinks one dimensionally, affirmative statements about what already exists (i.e. political institutions, class/wealth relations, dominant ideologies) are all that is possible; consequently, any thought or desire that transcends those existing structures is inconceivable.

For Marcuse, the existence of this type of thinking is not so much intrinsic to human beings as it is a socially constructed mechanism build by those in power to reinforce the forms of domination particular to their existence. The dogmatic repetition of the commandment ‘One should never say why; but only because’ by the inhabitants of Alphaville is the perfect illustration of the ultimate realization of such a system of thought control. Marcuse was writing about contemporary society in the 1960’s, the same period in which Alphaville was released. While Marcuse tasked himself with describing the society he saw in front of him, Godard decided to imagine what would be its logical consequence.

Signs of this mental indoctrination, of the subordination of critical thought and agency to rules, regulations and ideology, are everywhere present in Caution’s travels across Alphaville. When he first arrives at his hotel from the ‘Outlands’, he is immediately haggled by staff offering to carry his luggage, direct him to the elevator, guide him to his room, all of which he bluntly refuses, thereby establishing an initial distinction for the viewer between the robotic behavior of the locals and Caution’s brash individualism.
He is escorted by an attractive but lifeless woman into his room, who all the while constantly asks him patronizingly if he is sleepy, if he needs to rest and so on.

Without even asking she begins to undress and offers to take a bath with him. Upon questioning, she reveals herself to be what is known in Alphaville as a ‘level three seductress’; essentially a glamorized prostitute. The apotheosis of this type of mechanical conformism is the way that the locals say ‘I’m very well, thanks for asking’ whenever they meet Caution, even though he never actually asks for such information. The traditional linguistic relationship between question and answer, where one waits until one’s conversational partner has asked a question before responding, is replaced with a mode of discourse that is based instead on preprogrammed utterances.

What one observes here, in a form highly reminiscent of the brainless constant comfort of Huxley’s Brave New World, is a society of total convenience and omnipresent guidance, where the strains of independent decision-making are now relics of an unscientific past. The determinism of the arrow and the equation has buried Borges’ Garden of Forking Paths. As Caution himself aptly laments, ‘People have become slaves of probability.’

The one-dimensionalization of thought in Alphaville is also implemented in a more direct fashion, in the control over language and concepts through ideology. As mentioned earlier, one of the main dogmas repeatedly uttered by the scientists and citizens of the city is that one must not ask why, but only because. As one of the head scientists tells Caution, ‘all is linked, all is consequence’. He describes the task of Alpha 60 as simply to calculate the consequences and chains of causality which Alphaville will then be bound to follow; in such a system of deterministic logic, there is no room for a ‘why’ to emerge. When Caution responds that he is a ‘free man’, the expression of utter confusion on the scientist’s face is truly priceless.

By forbidding the use of ‘why’, the technocratic elite of Alphaville is able to insulate its self-contained ruling system from challenge or criticism. Along the same lines, one frequently hears, either from Alpha 60 or from equally robotized humans, the claim that ‘no one has lived in the past, and no one will live in the future’. It is instructive to return again to Marcuse, who in One Dimensional Thought describes the dehistoricization taking place in contemporary technological society, where an ahistorical attitude towards the past is slowly replacing a more holistic perspective that values and interprets the moral and intellectual contributions of historical individuals. Instead, an ideologically driven positivism suppresses the past in favor of a short term, quantitatively driven measurement of neutral variables. Questions of where or how technological rationalism fits into a broader historical and political narrative are consequently ignored.

In Alphaville one sees the culmination of such a mode of analysis: rather than being simply ignored, the past is claimed to literally not exist. The destruction of the future dimension has a similar effect; it prevents the inhabitants of the city from contemplating future possibilities for their society, thereby preventing them from critiquing the status quo. Alpha 60 describes time as ‘a circle that turns endless—
ly’, again emphasizing a static view of reality comprehensively removed from a consideration of the alternative possibilities that are so threatening to established forms of power.

In this context, Caution’s frequent use of his camera to take photos of everything that goes on around him is highly significant. The camera as object represents the ability to record and document the past; it is the historical memory par excellence. The elite are not oblivious to this, and so cameras are banned amongst the citizens of Alphaville. But unlike the brainwashed people around him, Caution comes from a world where the process of dehistoricization has not been fully realized, and so his desire to preserve the past causes him to sharply stand out. Yet he is rarely cautioned (no pun intended), even by members of the higher authorities; in fact, it often appears as if his act of taking photographs is barely registered by them. The suppression of history and conceptual thought has been so effective in Alphaville that the notion of recording it has become practically inconceivable.

The control over concepts exemplified by the definition of time as an endless present is further refined by the Alphaville technocratic elite’s control over language, over individual words and meanings. Alpha 60, in one of his many ideological rants, announces that in his system, ‘everything has been said, provided words do not change their meanings, and meanings their words’. In attempting to control the limits of thought, the manipulation of language is perhaps the most foundational tool of all, for an individual can only think in the vocabulary available to them. Once again one observes a similarity between Marcuse and Godard, as the former frequently points to the redefinition of language as a key element in the formation of one-dimensional thought. The highest symbolic representative of authority over language is arguably the dictionary, in that it is generally seen as the legitimate arbitrator over how words to be used in a particular society, thereby setting the boundaries of how that society’s individuals are able to express themselves.

The decision to include or exclude particular words has clear political consequences, and so it is very appropriate that in the technocratic dictatorship of Alphaville, the dictionary is instead known as the ‘Bible’. The attitude of unquestioning reverence most often associated with the religious devotee is transferred by Godard to a total obedience of established language, and therefore of established thinking. When the scientists are describing the operations of the city’s ruling computers, they admit that most of their formulas and calculating mechanisms are too complicated for finite human minds to grasp; here again one sees a manifestation of the religious impulse. They are following the commands of an entity whose inner workings they are unable to understand for themselves; like the devout follower prostate before the all-knowing priest, they must have faith. Alpha 60 explains how in Alphaville, ‘only isolated words can be understood. The meaning of the whole escapes.’ Similarly, Marcuse describes a trend he observes in contemporary philosophy and academia towards an obsession with highly particularistic problems of language and meaning, rather than an all-encompassing analysis of how such meanings form a whole. This again has political implications, because as in the case of dehistoricization, a focus on concentrated specialization leads to a contextual blindness and ignorance that can only facilitates domination and exclusion.

Marcuse also expands his discussion of over particularization to the realm of social situations; he argues that this trend has contami-
nated the way they are reflected on by citizens in technocratic societies, resulting in individuals who are only able to interpret situations individually rather than seeing them as part of broader social structures.

He gives the example of a factory where a worker has filed a complaint about his working conditions. Rather than see his problem as the product of an entire system of productive relations and class dynamics, the management elite consider it only in the specific context of their individual factory; the problem is not that factories in general are miserable places, but that this particular factory is not clean enough, or quiet enough, or safe enough, etc. Such parochial forms of analysis ultimately have the effect of shielding the dominant structures of power-knowledge from comprehensive opposition.

Interestingly enough, there is an almost identical situation in Alphaville: when Caution asks Natasha why people in Alphaville look so sad, she replies ‘because they lack electricity’. Her limited conceptual abilities prevent her from contemplating the issue at a deeper level, and therefore from discovering, perhaps, that people are actually unhappy because they lack the freedom to openly express their emotions or thoughts. The truly sinister side of the regime reveals itself in the way it deals with those who are not able to fully conform to the accepted forms of Foucaultian power-knowledge. When Caution finds the missing agent Henry Dickson, he is being harassed by his landlord to kill himself. Dickson then explains to Caution that such is the initial method chosen by the regime to eliminate outliers; citizens are taught to encourage those who do not fit in to commit suicide.

When this fails, the state forcefully executes the remaining rebels, in a glamorized ceremony that involves the ‘guilty’ being killed by firing squad and then thrown into a swimming pool to drown. Around them, synchronized swimmers mechanically perform various acrobatic procedures in a bizarre accompanying spectacle, in what Foucault would see as symbolic of the state’s total control over the human body, down to the minutest movements. In another of Alphaville’s imaginative horrors, dissidents are executed by being taken to a cinema and electrocuted unexpectedly whilst engrossed in the entertainment on offer. Apart from its absurd hilarity, the procedure is an apt metaphor for societies, such as Alphaville or those in the contemporary Western world, which are quite literally entertaining themselves to death.

Yet in Alphaville one observes a combination of the modern and pre-modern forms of punishment, of concretized physical violence and hidden ideological violence. The state is active in processes of subtle surveillance, coercion and manipulation, as is evidenced by the numbered stamps found on all the citizens of Alphaville, as well as the encouragement of one-dimensional language and thought discussed earlier. Yet it is also glad to transparently assert what Walter Benjamin would call its capacity as ‘violent lawmaker’, i.e. to establish its ultimate supremacy over those who would attempt to subvert it. The ruling class of Alphaville does actually offer those who show...
'promise' a chance to escape death, but first they must be quarantined in hospitals and 'normalized'. If they respond appropriately to the propaganda and subliminal coercion on offer, then they are allowed to return to society. What this illustrates is the integration of all of society's institutions, even those that are ostensibly non-political, into the enforcing mechanisms of power-knowledge.

Does Godard have a solution to such a bleak situation? If there is even a hint of one, it is wholly represented by the character of Lemmy Caution. His abrasive and uncooperative attitude plays in dramatic contrast to the ideological slavery that characterizes everyone else in Alphaville. When asked why he enjoys shooting his pistol so frequently, he answers that it is his 'only weapon against fatality.' His initial interrogation by Alpha 60 is useful in demonstrating this. When asked if he knows 'what illuminates the night', Caution responds 'Poetry'. In its essence, poetry, and art in general, represent the absolute dialectical opposite of technological rationality. Their purpose is not cold efficiency or endless technical improvement, but rather they aim at triggering a certain qualitative experience of consciousness based on subjective awareness, emotion, and a deepening of man's understanding of his place in the world. Furthermore, art has the political potential to suggest new modes of existence and conceptualization; it is able to expand one's perception of what is possible and therefore equip one with the ability to oppose established forms of reality, with all the practices of domination and exclusion that go along with them.

Marcuse refers to art as having 'negative' capabilities, similarly emphasizing its ability to raise consciousness to a higher level of awareness, i.e. the 'second-dimension', by negating the established reality. Caution demonstrates his commitment to this principle by responding, when asked by Alpha 60 what his religion is, that 'I believe in the inspirations of conscience.' With the example of poetry, it is able to have this expansive effect by combining words and meanings in combinations incomprehensible to the dominant structures of thought, thereby causing a conceptual rupture. For Marcuse the stimulation of the second-dimension is the only way that those oppressed in technological dictatorships can liberate themselves from mental bondage. Clearly the technocracy of Alphaville recognize this fact, for those who write poetry are immediately banished, and whilst Alpha 60 attempts to make sense of it, it is unable to do with its limited conceptual architecture. Furthermore, the regime's recognition of the danger that unsanctioned language can pose to its legitimacy is displayed in its selected removal of particular words from the dictionary in an Orwellian manner.

Caution's belief in the value an ethic of new possibilities, of the 'inspirations of conscience', reaches its culmination in his final discussion with Alpha 60. In it, Alpha informs Caution of its plan to eliminate all those who are 'inferior, i.e. those who do not accept the dominant system of technological rationality.

When Caution argues that its plan is 'impossible', the robot responds that it 'shall calculate, so that failure is impossible'. Caution smirks and heroically declares that he 'shall fight, so that failure is possible'. In Caution's admirable declaration one finds the ultimate form of a commitment to the second-dimension of thought; rather than simply reject established reality and observe that other forms of reality might be possible, he puts his body and life on the line to ensure that such possibilities are genuinely realized. Here, the conceptual becomes the political, and thought is transformed into action. Or, to put it more bluntly,
when Alpha states that ‘it is logical to condemn you to death’, Caution brashly responds with ‘Fuck yourself with your logic.’ He then proceeds to destroy Alpha and the system he upholds by telling him a riddle, one that quite literally ‘fucks up’ its logic. Faced with a problem that cannot be solved by the concepts and meanings of its closed structure of limited rationality, Alpha 60 is liquidated. Yet although one would hope that the inhabitants of Alphaville would be liberated by the destruction of their virtual dictator, the opposite is in fact the case, and the final scenes of the film see them stumbling around in disoriented confusion, before finally collapsing. One would assume that Godard is commenting on the way that forms of power-knowledge and ideology become irreversibly interwoven into those they indoctrinate, to the point where the two become indistinguishable and inseparable; when one dies, so must the other.

The moral of the story, if there is one, seems to be that a commitment to one’s ideals, to one’s possibilities, regardless of how implausible they may appear to the society that one lives in, are the sole method through which can oppose systems of mental and political domination. In the aforementioned execution ceremony in the swimming pool, those being disposed of are those who challenged the dominant system of technological rationality by being committed to ideals outside of the accepted structures of knowledge, regardless of the consequences. This attitude is exemplified by a brief speech one of the prisoners makes before his death, in which he defiantly proclaims that ‘we see the truth you no longer see. The truth is that the essence of man is love and faith, courage, tenderness, generosity and sacrifice…the rest is the obstacle created by the progress of your blind ignorance!’ There is a strong resemblance in this speech to the philosophical commitments of Alain Badiou, who describes the importance of what he calls ‘fidelity to the event’, meaning the act of being faithful to an ‘event’ which shatters the dominant paradigm by being unassimilable. The event triggers a ‘break’ with established reality, which in the case of Alphaville could be something as simple as discovering that one has the ability to cry (one of the men is executed for precisely this), and this event must then according to Badiou be elevated to an ultimate ideal, and used as a source of inspiration for the rest of one’s life.

The citizens of Alphaville who are executed are exemplary of such an
ethical commitment, for they would rather die than continue to exist in a society that they see as fundamentally defunct, or be sent to the hospital to be ‘reformed’ and have their fidelity destroyed. In the case of Caution, his ‘event’ or break with reality is his arrival in Alphaville; the contrast between it and his society creates for him an imperative of destruction that he feels obligated to remain faithful to at all costs.

As for Natacha, her discovery of love (as opposed to the sensuality which is all she understands initially) serves as her ‘event’; it reveals to her an entire universe of emotion and irrationality that she had never known to exist. In fact, her role in the film is essentially to illustrate the possibility that an individual completely imprisoned within a system of ideology may still somehow break out. Yet her experiences are less believable than those of Caution: whilst the latter is an outsider whose rebellion against such an alien system seems natural, Natacha’s almost effortless abandonment of her mental chains comes across as rather implausible. There is however the not insignificant fact that she was brought to Alphaville by her father rather than born there; perhaps Godard would argue that this underlying foreignness is what gives her such a capacity.

Yet if only those who have existed outside of a particular system of power-knowledge are able to potentially escape from it, do those indoctrinated from birth have no hope? And then of course there is the question of what happens to those who escape from oppressive systems; are their new destinations ever free from forms of political oppression and domination? Foucault would not be optimistic about such a scenario; from his perspective, unequal structures of power are an intrinsic feature of reality. Perhaps Alpha 60 is correct when it claims that ‘the essence of the so called ‘capitalist world’ or the communist world...is not an evil volition to subject their peoples to the power of indoctrination or of finance...but simply...that there is the natural ambition of any organization to plan all its actions.’ The organization of human beings into political structures seems inseparable from the exercise of power.

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