

Blowing Holes in the Social Contract

Ethical Questions Raised By the Arrest of the Unabomber
Suspect

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The arrest of Ted Kaczynski in connection with the seventeen-year-long terrorist campaign of the Unabomber would seem to have raised more questions than it put to rest. Kaczynski may appear to be a nut case with a gunpowder fetish and a messiah complex, but the fact remains that he believed himself to be acting out of a moral and political obligation to bring attention to what he views as the excesses of technology. His brother, David Kaczynski, conducted an investigation with the help of private detectives before finally turning the evidence he had gathered over to federal investigators — with whom he attempted to bargain for anonymity and assurances that the government would not seek the death penalty for Ted. Still to be decided is the fate of the \$1 million reward the FBI has offered in exchange for information leading to the arrest and conviction of the Unabomber. Solid evidence is mounting to suggest that the FBI finally have their man; assuming that Ted Kaczynski is indeed guilty, what can we learn from his case? Can it be argued that the alleged Unabomber acted for morally virtuous reasons? Did his family have an ethical obligation to turn incriminating letters over to the government? And finally, are David Kaczynski and his family entitled to monetary reward for their actions?

Most modern democracies are based to a large extent upon Thomas Hobbes' philosophy of a social contract — which requires citizens to observe certain laws and parameters of behavior in exchange for protection and government services — and this is certainly true of the United States. One of the chief problems with the theory of the social contract, however, is that it makes huge assumptions about the willingness of individuals to accept the terms of the deal — some pundits have said that the social contract “isn't worth the paper it's not printed on.” Indeed, there may be times when civil disobedience is justified in order to bring attention to injustices or to outdated concepts within the system — generations of students have read admiringly of Henry David Thoreau's attempts to live a simple life unfettered by social norms and taxation, and civil rights activist Martin Luther King has gone from being considered a “subversive criminal” to canonization as a national hero in the space of thirty years. The Unabomber also considers himself to be a moral crusader; according to his rambling 35,000-word “manifesto,” his acts of terrorism are designed to create fear and disruption in everyday life so that the bomber can bring to light what he sees as the “great indignities” caused by an increasingly technological society. If the majority of Americans were to agree with the Unabomber's stated motives, would such a consensus justify his acts of random violence? Absolutely not. Thoreau and King made their protests effectively without resorting to violence, and they left behind articulate and moving documents that will continue to inspire and inform socially conscious people for generations to come.

Kaczynski, on the other hand, is believed to be responsible for sixteen bombings which have left twenty-three innocent people maimed and three dead. Kaczynski is, by all accounts, a brilliant thinker who once had a high-profile teaching position at Berkeley and a promising career ahead of him. Had he really cared for educating the masses about the injustices of the system, he could have used his position to do

so by means of lectures, publishing, interviews, and other public forums. It takes a brave person to publicly state and promote his or her radical beliefs, but Kaczynski showed his cowardice by living as a hermit and communicating his ideas anonymously. Furthermore, he only began to convey his theories to the public some fifteen years after he commenced his bombing campaign, making the entire exercise come off less as a crusade than a paranoid revenge fantasy. The manifesto is rambling and incoherent, and the letters the Unabomber sent to the press are riddled with inconsistencies. If Kaczynski truly abhors all technology, why is the photo taken in 1994 for his license to operate an automobile splashed across the pages of newspapers and magazines? If the goal is to preach the unspeakable evils of our mechanized age, why not walk from town to town and hand-deliver the bombs rather than relying upon the U.S. Postal Service (always a dicey proposition, whether one is sending instruments designed to purify society or just a Xeroxed family newsletter at Christmas) and its **automated mail-sorting machines** to do the hard work? Furthermore, if the Unabomber fears and loathes all things technical, why did he not maim and kill people with a **knife or a large rock** instead of bragging to the New York Times about his advances in deadly bomb-making technology? According to Newsweek, Kaczynski was a strange child — highly intelligent but emotionally stunted, socially awkward, and painfully shy. Reuters reports that the suspect also had a fascination with explosives as a youth, making rockets out of metal pipes and concocting fuel by mixing chemicals himself. Since most true Luddites don't drive around in cars and study high-tech demolition methods, one has to assume that Kaczynski's criminal activity has little to do with striking a glorious blow for the reformation of a corrupt society. Instead, he has been revealed as nothing more than a common serial killer who lashes out at a society that does not live up to his own twisted standards.

Kaczynski's brother David is apparently a much stronger advocate of the idea of a social contract. He has had to make the agonizing decision of turning evidence that may lead to his brother's execution over to the government, and, according to Reuters new stories, he did so because of his "very sincere desire to make sure that no further lives were lost if indeed his brother was involved." While David Kaczynski was in the process of cleaning out their widowed mother's house and moving her into his own home, he found a stash of letters written by Ted. Almost immediately, he noticed disturbing similarities between his brother's tortured prose and the published excerpts from the Unabomber manifesto. Although he strongly suspected that Ted might be the Unabomber, David was understandably reluctant to immediately surrender the letters to the authorities. Instead, he hired a private investigator to look into his brother's whereabouts at the time of Unabomber activity and he consulted with his family lawyer. When he could no longer have much doubt, he brought in the FBI and agreed to cooperate fully with their investigation in exchange for a promise of anonymity for himself and his family. He also attempted to bargain for assurances that the government would not seek capital punishment for his brother; not only was that request denied, but the FBI also broke its word and divulged the source of their leads to the press.

Nevertheless, David Kaczynski has continued to behave ethically — although he and his family refuse to speak to the press, he has sent condolences to the Unabomber's surviving victims and to the families of the dead through his lawyer. While the million-dollar-reward remains unclaimed, David Kaczynski is reportedly considering donating it to the victims of the bombing attacks and their survivors.

On a recent television morning show, the issue of the reward and the plans for it was raised and one guest snorted, "Well I should hope that he would give it to the victims — imagine the Unabomber's family profiting from his campaign of terror!" This is clearly a ridiculous position. David Kaczynski has behaved honorably throughout what must have been a horrible ordeal. He has put aside his own feelings for his brother and taken action that led directly to Ted's arrest. There was a clear moral obligation to stop the Unabomber from claiming more innocent lives, and Mr. Kaczynski acted upon it. Because he has upheld his end of the social contract, we all have an obligation to sympathize with his plight and cut the poor man and his family some slack. While it is admirable of the suspect's brother to consider turning the reward money over to victims and survivors whose physical and emotional pain may never entirely dissipate, we should all stop to consider that the Kaczynski family are victims of Ted's alleged actions as well. They have committed no crime, yet their public and private lives will almost certainly be disrupted indefinitely. David Kaczynski is a social worker with a modest income who is responsible for a family and for the care of his aging mother, and he has had to pay out-of-pocket for an investigation of his own brother. He and his family may have to move to avoid the glare of the media, or they may need therapy and counseling to deal with their feelings of remorse and guilt. Surely we should not be quick to judge if Mr. Kaczynski decided to keep some of the reward money for any of these reasons. Strictly speaking, he is entitled to all of it. He was, after all, the one who led authorities to the suspected bomber and the fact that he had to turn his own brother in only makes his actions all the more commendable.

If there is a moral question that should be asked of David Kaczynski, perhaps it is this: "Why did you not act sooner to investigate your brother's strange behavior?" I am not suggesting that David Kaczynski should necessarily have suspected his brother of criminal activity all along, but I am amazed that Ted's family didn't get him psychiatric help years ago. When a brilliant Harvard-educated mathematician drops out of society and lives like a filthy bum in a ten-foot by twelve-foot shack with no electricity or indoor plumbing for twenty-five years, it is a pretty obvious sign that something is terribly wrong with his mental condition. I strongly believe that we all have a moral obligation to show loyalty to our relatives, but that we also have a responsibility to take note of their aberrant or dysfunctional behavior and to take stern measures to correct it when it could potentially threaten innocent people — even if that means that they must be incarcerated or institutionalized. Perhaps if Ted Kaczynski's family had intervened sooner he could have received help from mental health professionals and found another way to deal with his anger and antisocial behavior. Or, perhaps he

would have been put in a rubber room where he couldn't harm himself or anyone else. We'll never know.

Early in this column, I noted that Hobbes' philosophy of a social contract is a mainstay of democracy. However, our justice system is more clearly based upon Kant's categorical imperatives — or upon the Old Testament “eye for an eye, tooth for a tooth” mentality; given that, it is inevitable that prosecutors will seek the death penalty and “revenge” for the victims of the Unabomber. One has to question the ethical validity of causing yet another death. Would it not benefit society more to study Ted Kaczynski in an attempt to learn how to diagnose his mental problems and possibly avoid future “copycat” bombing terrorist campaigns? The government has acted unethically by breaking their promise of confidentiality to David Kaczynski; perhaps by honoring his request to spare Ted's life they could more convincingly make a case for the idea of a social contract. If court ordered psychiatric analysis of the suspected Unabomber led to research that helped predict similar acts of violence in years to come, the government would truly be fulfilling their part of the bargain — protecting us by ensuring that there are less violators of the contract like Ted Kaczynski and more enforcers of it like his brother David.

The Ted K Archive

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