

Commentary: moral truisms, empirical evidence, and foreign policy

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Abstract. Many studies of world politics fail to take evidence seriously or consider basic moral truisms (for example, that the standards we apply to others we must apply to ourselves). This commentary illustrates these assessments in relation to two subjects which have attracted much interest in the West recently – terrorism and just war to combat terrorism. The evidence shows that the United States has engaged extensively in terrorism and that application of just war principles would entitle the victims of that terrorism to use force against the United States to defend themselves if the United States is accorded that right.

In a critical paper on my work, a philosopher friend once wrote, with a touch of frustration, that I do not seem to believe in any ‘isms’ beyond truism. He had a point. In his contribution, Mark Laffey also points out, correctly, that I think we should be ‘deadly serious about the use of evidence’. A good deal of work suffers from failure to take evidence seriously, or to consider basic moral truisms (the most obvious of which is that the standards we apply to others we must also apply to ourselves). I will try to illustrate these conclusions with two closely related topics of serious current concern that are suggested by these essays: the renewal of concern with terrorism, and the revival of considerations of just war in that context.

The ‘Age of Terror’

After 9/11 it was commonly alleged that we are entering an ‘Age of Terror’ – the title of a collection of academic essays published almost at once¹ – and that nothing would be the same as the US declares a ‘war on terror’, reorienting the course of history. It is also widely held that the term ‘terror’ is very difficult to define.

There are official US government definitions, which seem to fall within the range of clarity of others considered unproblematic and commonly used. An Army Manual defines ‘terrorism’ as ‘the calculated use of violence or threat of violence to attain

* I would like to thank the contributors to this special section for their thoughtful and instructive comments, criticisms, and investigations. And I am also grateful for the opportunity to add some thoughts of my own.

¹ Strobe Talbott and Nayan Chanda (eds.), *The Age of Terror* (New York: Basic Books, 2002), jointly with Yale University Center for the Study of Globalization.

goals that are political, religious, or ideological in nature. This is done through intimidation, coercion, or instilling fear.’ The US Code defined ‘act of terrorism’ to be ‘an activity that – (A) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; and (B) appears to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by assassination or kidnapping’.²

These are the definitions I have been using in writing about the topic since the Reagan administration came into office declaring that a ‘war on terror’ would be a focus of its foreign policy.³ They do not answer every question precisely – they do not, for example, draw a sharp boundary between international terrorism and aggression, or between terror and resistance.⁴ But they seem good enough for most practical purposes, and are particularly appropriate because of the source and the timing: the US government as it declared the first phase of the ‘war on terror’.

As for a sharp change in the course of history after 9/11, that seemed questionable.⁵ Much the same was true, I think, when the Cold War ended: new pretexts and rhetoric, tactics adapted to changed circumstances, but otherwise fundamental continuity in policies that are rooted in stable institutions (see Stokes for an important illustration).⁶

That was, I think, a reasonable conclusion after 9/11. However, one might argue that the Bush administration has changed quantity into quality by the ways it used the occasion of the atrocities to carry forward its domestic and international agenda. Within a year, it succeeded in turning overwhelming sympathy and support for the US into fear of Washington as the greatest danger to world peace, and to distaste, even loathing, for the political leadership.⁷ That is an achievement that should fulfil Osama bin Laden’s wildest dreams.

² *US Army Operational Concept for Terrorism Counteraction* TRADOC, Pamphlet no. 525–37, 1984. United States Code Congressional and Administrative News, 98th Congress, Second Session, 1984, 19 October, vol. 2; par. 3077, 98 STAT. 2707.

³ For review, see my ‘International Terrorism: Image and Reality’, in Alexander George (ed.), *Western State Terrorism* (Cambridge: Polity/Blackwell, 1991); reprinted in my *Pirates and Emperors Old and New* (London: Pluto, 2002, extended from 1986 edition).

⁴ On this matter, the US and Israel disagree with the rest of the world: they alone (Honduras abstaining) voted against the major UN condemnation of terror in all its forms, because it included a passage endorsing ‘the right to self-determination, freedom, and independence, as derived from the Charter of the United Nations, of people forcibly deprived of that right . . . , particularly peoples under colonial and racist regimes and foreign occupation’, understood to refer to South Africa and the Israeli-occupied territories; Res. 42/159, 7 December 1987.

⁵ See Kenneth Waltz, ‘The Continuity of International Politics’, in Ken Booth and Tim Dunne (eds.), *Worlds in Collision* (Basingstoke: Palgrave 2002). Also Colin Gray, ‘World Politics as Usual after September 11: Realism Vindicated’, same volume. While agreeing on the likely continuity, I think more attention should be given to the domestic structure of power, to what Waltz elsewhere calls the ‘internal dispositions’ of states (*Theory of International Politics* (New York: McGraw Hill, 1979), p. 71). See Herring and Robinson.

⁶ An early indication was provided by the first Bush administration’s plans immediately after the fall of the Berlin Wall. On the revealing National Security Strategy report submitted to Congress in early 1990, and related materials, see my *Deterring Democracy* (London: Verso, 1991; extended, New York: Hill & Wang, 1992), ch. 1.

⁷ Gallup Poll International, December 2002, reporting overwhelming opposition to the Bush-Blair war plans, with scarcely 10 per cent support anywhere for their announced intentions, since implemented: a ‘coalition of the willing’ (US-UK). World Economic Forum press release, ‘Declining Public Trust

In the international arena, the President and a reactionary circle of advisers pressed forward with plans that are novel at least in the brazen arrogance with which they are proclaimed: notably the doctrine of preventive war, which accords them the 'sovereign right to take military action' at will to control the world and destroy any challenge they perceive.⁸ The doctrine was enunciated in the National Security Strategy of September 2002, which aroused many shudders around the world and within the foreign policy elite at home.⁹ The declaration coincided with a drumbeat of propaganda for a war that would establish the doctrine as a new 'norm of international practice' and even law. The drive for war elicited popular and elite protest with no historical precedent that I can recall. If relentlessly pursued, the policies might constitute a watershed in world affairs. Nonetheless, it is important to recognise that there are precedents, both of doctrine and implementation.¹⁰

Even apart from the Bush administration initiatives, there is no doubt that something dramatically new and different did happen on 9/11: for the first time, an attack on the rich and powerful countries succeeded on a scale that is, regrettably, hardly unfamiliar in their traditional domains. It is not surprising that alongside the horror at the crimes against humanity (as many rightly called them) and sympathy for the victims, commentators outside the ranks of Western privilege often responded with a 'welcome to the club'. In a reaction that was not unusual, the editors of the research journal of the Jesuit University in Managua wrote that one might describe the 9/11 atrocities as 'Armageddon', but Nicaragua has 'lived its own Armageddon in excruciating slow motion' under US assault 'and is now submerged in its dismal aftermath',¹¹ while others fared far worse under the plague of violence and repression that swept through the continent from the early 1960s, much of it traceable to Washington, as Latin Americans know well.

One important stimulus was the decision of the Kennedy administration in 1962 to change the primary emphasis of the military assistance programme in Latin America from 'hemispheric defense' to 'internal security'.¹² Among knowledgeable observers, perceptions were similar in Washington and Latin America. Charles Maechling, who led counter-insurgency and internal defense planning from 1961 to

Foremost a Leadership Problem', 14 January 2003; Guy de Jonquières, 'US leaders score 27% in global trust poll', *Financial Times*, 15 January 2003, the lowest ranking among the categories tested. Pew Research Center, 'America's Image Further Erodes, Europeans Want Weaker Ties', 18 March 2003. Glenn Kessler and Mike Allen, 'The Greater Threat? Around the globe, people see Bush – not Hussein – as the real enemy', *Washington Post Weekly*, 3–9 March 2003, cover story. Fareed Zakaria, 'The Arrogant Empire', *Newsweek*, 24 March 2003, cover story.

⁸ Colin Powell, facing an extremely hostile audience at the annual conference of the World Economic Forum. Foreign Desk, 'Powell on Iraq: "We Reserve Our Sovereign Right to Take Military Action"', *New York Times*, 27 January 2003.

⁹ *The National Security Strategy of the United States of America*, released by the White House on 17 September 2002. For a sample of critical discussion, see John Ikenberry, 'America's Imperial Ambition', *Foreign Affairs*, 81:5 (September–October 2002); Carl Kaysen, Steven Miller, Martin Malin, William Nordhaus, and John Steinbruner, *War With Iraq* (Cambridge MA: Committee on International Security Studies, American Academy of Arts and Sciences, 2002), ch. 1.

¹⁰ For a sample of doctrine, see my *Rogue States* (Cambridge, MA and London: South End/Pluto, 2000). On implementation, literature abounds.

¹¹ *Envio*, October 2001.

¹² Lars Schoultz, *Human Rights and United States Policy toward Latin America* (Princeton, NJ: Princeton University Press, 1981), p. 219.

1966, described the 1962 decision as a shift from toleration ‘of the rapacity and cruelty of the Latin American military’ to ‘direct complicity’ in their crimes, to US support for ‘the methods of Heinrich Himmler’s extermination squads’.¹³ In Colombia, where a 1962 Kennedy Special Forces mission advised ‘paramilitary, sabotage and/or terrorist activities against known communist proponents’ (see Stokes), the respected president of the Colombian Permanent Committee for Human Rights, former Minister of Foreign Affairs Alfredo Vásquez Carrizosa, described the outcome in similar terms: the Kennedy administration, he wrote, ‘took great pains to transform our regular armies into counterinsurgency brigades, accepting the new strategy of the death squads’, ushering in ‘what is known in Latin America as the National Security Doctrine, . . . not defense against an external enemy, but a way to make the military establishment the masters of the game . . . [with] the right to combat the internal enemy, as set forth in the Brazilian doctrine, the Argentine doctrine, the Uruguayan doctrine, and the Colombian doctrine: it is the right to fight and to exterminate social workers, trade unionists, men and women who are not supportive of the establishment, and who are assumed to be communist extremists.’¹⁴

The goal of the new National Security States, Lars Schoultz writes, was ‘to destroy permanently a perceived threat to the existing structure of socioeconomic privilege by eliminating the political participation of the numerical majority . . .’, the ‘popular classes’.¹⁵ The dominoes began falling with a military coup in Brazil in 1964, with Kennedy initiatives and strongly supported by Washington as atrocities mounted.¹⁶ It was followed by a series of others in South America. The National Security Doctrine reached Central America in the 1980s, with grim consequences that are well-known. El Salvador became the leading recipient of US military aid by the mid-1980s. Sometimes Congress hampered direct military aid and training by imposing human rights conditions, as in Guatemala after huge atrocities. In such cases US clients served as a surrogate, including Argentina under military rule, Taiwan, and Israel.¹⁷

The facts are easily overlooked in the West, but the victims do not so quickly forget. Reactions to 9/11 of the kind cited from Jesuit intellectuals were by no means uncommon.

That something like 9/11 might happen was not unexpected. It had been recognised for some time that the industrial powers would probably lose their virtual monopoly of violence, retaining only an enormous preponderance. Well before 9/11, technical studies had concluded that ‘a well-planned operation to smuggle WMD into the United States would have at least a 90 per cent probability of success – much higher than ICBM delivery even in the absence of [National Missile Defense]’. That has become ‘America’s Achilles Heel’, a study with that title concluded several years ago. The dangers have been evident since the 1993 attempt to blow up the

¹³ ‘The Murderous Mind of the Latin American Military’, *Los Angeles Times*, 18 March 1982.

¹⁴ *Colombia Update* (Colombia Human Rights Committee), December 1989.

¹⁵ Schoultz, *Human Rights and US policy*, ch. 7.

¹⁶ Jan Knippers Black, *United States Penetration of Brazil* (Philadelphia, PA: Pennsylvania, 1977); Phyllis Parker, *Brazil and the Quiet Intervention, 1964* (Austin, TX: University of Texas Press, 1979); Ruth Leacock, *Requiem for Revolution* (Kent, OH: Kent State, 1990).

¹⁷ Richard Stahler-Sholk, ‘External Actors: Other States’, in Thomas Walker and Ariel Armony (eds.), *Repression, Resistance, and Democratic Transition in Central America* (Wilmington, DE: Scholarly Resources, 2000).

World Trade Center, which might have killed tens of thousands of people with better planning, the building engineers reported.¹⁸

The horrendous success of anticipated terrorist atrocities against the powerful does not seriously change risk assessments. And surely no one could doubt that it would have significant policy consequences. The target was not Cuba, or Nicaragua, or Lebanon, or Chechnya, or one of the other traditional victims of large-scale international terrorism (or worse),¹⁹ but a state with enormous power to shape the future. Nevertheless, I think Kenneth Waltz was right to predict that 9/11 is likely 'to further trends already in motion'. One consequence, he suggests, may be proliferation of WMD (and probably terror) by countries who 'know that the United States can be held at bay only by deterrence'.²⁰

As was also predicted at once, repressive states saw 9/11 as a window of opportunity to step up harsh and brutal practices under the guise of a war on terror and with at least tacit authorisation from the reigning superpower: Russia in Chechnya, China in its Western provinces, Israel in the occupied territories, and so on. Others, ranging from the harsh dictatorships of Central Asia to the more democratic societies, adopted measures to discipline their own populations and pursue unpopular programmes. In the US, 'literally before the dust had settled' over the World Trade Center ruins, economist Paul Krugman reported, influential Republicans signalled that they were 'determined to use terrorism as an excuse to pursue a radical right-wing agenda'.²¹ He and others have been documenting how they have pursued this agenda relentlessly since, often brandishing Saddam Hussein as the most frightening embodiment of the terrorist threat. The strategy proved effective for the 2002 congressional elections, and it is hard to doubt that the 2004 presidential campaign is a factor in the timing of the drive to war, in pursuit of long-standing goals for which 9/11 served as a useful pretext: among them, to regain control of Iraq's enormous energy resources, a central component of the Gulf resources that the State Department, in 1945, recognised to be a 'stupendous source of strategic power, and one of the greatest material prizes of world history'.²²

¹⁸ Cited by Charles Glaser and Steve Fetter, 'National Missile Defense and the Future of US Nuclear Weapons Policy', *International Security*, 26:1 (Summer 2001). Richard Falkenrath, Robert Newman, and Bradley Thayer, *America's Achilles Heel: Nuclear, Biological and Chemical Terrorism and Covert Attack* (Cambridge MA: MIT Press, 1998). See also Gary Hart and Warren Rudman, Co-Chairs, *America – Still Unprepared, Still in Danger* (New York: Council on Foreign Relations, 2002). Barton Gellman, 'Struggles Inside the Government Defined Campaign', *Washington Post*, 20 December 2001.

¹⁹ On the first three cases, see my article and others in George, *Western State Terrorism*; on Cuba, much more evidence has been released since, some cited below. On Russia in Chechnya, see regular reports of the major human rights organisations, among them: Human Rights Watch, *Memorandum to the United Nations Commission on Human Rights on the Human Rights Situation in Chechnya*, 18 March 2002; *Russia: Abuses in Chechnya Continue to Cause Human Suffering*, 29 January 2003.

²⁰ Waltz, 'Continuity of International Politics'.

²¹ Krugman, 'A No-Win Outcome', Op-ed, *New York Times*, 21 December 2001.

²² Draft memorandum to Truman. See Aaron David Miller, *Search for Security* (Chapel Hill, NC: University of North Carolina, 1980), p. 144. The specific reference is to Saudi Arabia, but the point is more general. Note that the US interest was not access, then or now, but control, a very different matter. The oil factor is rarely discussed, and when it is, is disparaged on grounds that it would not be an 'instant bonanza' (Serge Schmemmann, 'Controlling Iraq's Oil Wouldn't Be Simple,' *New York Times*, 3 November 2002). The observation is correct, but not very compelling. Thus, the same observation would hold – in fact, more strongly – for undeveloped oil reserves of the Middle East, Venezuela, and Texas 80 years ago, and every other case since. For some sharply conflicting views at the same time from the energy corporations, see Tobias Buck and Charles Clover, 'Big Oil Groups Wait to Pick Over Spoils of Iraqi Battlefield', *Financial Times*, 5 November; Evelyn Iritani and John Daniszewski, 'Iraqi Oil Lies Below Surface of UN Talks', *Los Angeles Times*, 5 November 2002.

Anatol Lieven observes that plans for the invasion of Iraq conform to ‘the classic modern strategy of an endangered right-wing oligarchy, which is to divert mass discontent into nationalism’, fanning fear of enemies about to destroy us.²³ That strategy is essential if the ‘radical nationalists’ setting policy in Washington hope to advance their announced plan for ‘unilateral world domination through absolute military superiority’,²⁴ while conducting a major assault against the interests of the large majority of the domestic population.²⁵ Lieven apparently speaks for many in the world when he describes the US as ‘a menace to itself and to mankind’, as long as policy proceeds on its present course.

As noted, the official government definitions of ‘terrorism’ seem fairly satisfactory. These definitions, however, were never used within mainstream discussion (and have since been officially revised²⁶). The reasons seem clear enough. The official definitions of ‘terror’ were similar to the definition of official US policy, called ‘counter-terror’ (Low Intensity Conflict, counterinsurgency) – not, of course, a US innovation; terror is commonly termed ‘counter-terror’ by more powerful agents.²⁷ More troublesome still, application of the official definition leads unequivocally to the conclusion that the US is a leading practitioner of international terrorism, and that in the prime areas where the ‘war on terror’ was declared (Central America and the Middle East/Mediterranean region), the Reagan-Bush administrations compiled a record of international terrorism far exceeding anything that could be charged to their enemies.²⁸

²³ ‘The Push for War’, *London Review of Books*, 3 October 2002.

²⁴ Referring to *The National Security Strategy*; see note 9.

²⁵ On the assault, see Krugman’s regular columns in the *New York Times*, and many other sources. On the strategy of suppressing socioeconomic issues in favour of security, with a massive propaganda campaign from September 2002 when the congressional campaign opened, see UPI Chief International Analyst Martin Sieff, ‘Militarism and the Midterm Elections: White House strategists timed the Iraq war debate to dominate the fall Congressional campaign’, *American Conservative*, 4 November 2002. On the (bare) success of the electoral strategy, see Donald Green and Eric Schickler, ‘Winning a Battle, Not a War’, *New York Times* Op-ed, 12 November 2002. The propaganda assault had a major impact on beliefs and attitudes. From September 2002, Iraq was transformed to an imminent threat to the US in the public mind, and the instigator of 9/11, planning further attacks; *Christian Science Monitor*, CSM-TIPP poll, 14 January 2003, and Linda Feldmann, ‘the impact of Bush linking 9/11 and Iraq’, *Christian Science Monitor*, 14 March 2003, also reporting the high correlation of the beliefs fabricated by propaganda and support for the planned war. Note that this closely follows the script of the Reagan-Bush years, when a highly unpopular domestic agenda was implemented while the population was regularly terrified by Libyan hit-men in Washington, an air base in Grenada, the Nicaraguan army two-days marching time from Harlingen Texas, crime and drugs, and other concocted threats, wielded with considerable success. Libya, see Chomsky, *Pirates and Emperors*, ch. 3; use of Grenada, *Necessary Illusions*, 176ff.; Nicaraguans on the march to Texas following the ‘old Communist slogan that . . . the road to victory leads through Mexico’ (Reagan), Stahler-Sholk, ‘Extend Actors: Other States’, and for detail and richer context, Eldon Kenworthy, ‘Selling the Policy’, in Thomas Walker (ed.), *Reagan versus the Sandinistas* (Boulder, CO and London: Westview, 1987); ‘drug war’, Chomsky, *Deterring Democracy*, ch. 4; crime-drugs exploitation, Michael Tonry, *Malign Neglect – Race, Crime, and Punishment in America* (Oxford: Oxford University Press, 1995), pp. 4ff.

²⁶ See Scott Atran, ‘Genesis of Suicide Terrorism,’ *Science*, 299 (7 March 2003), on how the definitions have been reformulated, and why. He notes that the revised definitions still make ‘no principled distinction between “terror” as defined by the US Congress and “counterinsurgency” as allowed in US armed forces manuals’, one of the perennial problems in defining ‘terror’ in a doctrinally suitable way.

²⁷ Including Nazi Germany. On the influence of this model for US counter-insurgency doctrine, see Michael McClintock, *Instruments of Statecraft* (New York: Pantheon, 1992), ch. 3.

²⁸ For review and sources on the first phase of the ‘war on terror’, in the 1980s, see George, *Western State Terrorism*. For more detail on US-backed or -implemented terrorist atrocities in the Mideast-

Such conclusions, however, are unacceptable. The extensive work on these topics by many authors is virtually unmentionable, and further US-UK support for state terror and atrocities through the 1990s, including some of the worst crimes of that grisly decade, has been effaced in the glow of self-praise about alleged ‘new norms of humanitarian intervention’ – which have been familiar for 150 years, and not very gloriously.²⁹

The practice of avoidance continued when the ‘war on terror’ was redeclared on 11 September 2001, with much the same rhetoric as before, and many of the same people in leading positions. Elementary rationality dictates that we undertake serious inquiry into the first phase of the ‘war on terror’ if we hope to gain some understanding of the renewal. But in the vast recent literature on the topic, the rational approach is subject to what anthropologists call ‘ritual avoidance’.³⁰ The occasional mentions in the scholarly literature commonly evade or distort even the most crucial and obvious facts.³¹ All of this is a most remarkable commentary on the general intellectual culture – not just the media, as Herring-Robinson rightly observe.

Hardly a day passes without examples. Thus, a front-page story in the national press warns that the threat of Al-Qaeda is increasing, as it is turning from targets that are ‘well protected . . . to so-called soft targets, like resorts’.³² Anyone who takes truism and fact seriously will instantly recognise the pattern. Take one striking and highly relevant case.

In June 1986, the ICJ condemned Washington for ‘the unlawful use of force’ in its attack on Nicaragua, ordering the US to terminate these acts of international

Mediterranean regions, see *Pirates and Emperors* and my *Fateful Triangle* (Cambridge, MA and London: South End/Pluto, 1983; extended edition 1999); also *Necessary Illusions* (Cambridge, MA and London: South End/Pluto, 1989). On the reaction in the national media to the success of US international terrorist atrocities in Central America – which were recognised, even detailed with some pride – see *Deterring Democracy*, ch. 10.

²⁹ On US (in some cases also UK) involvement in these crimes, see my *New Military Humanism* (Monroe, ME: Common Courage, 1999) and *A New Generation Draws the Line* (London: Verso, 2000); and Stokes’s paper. On the origins of ‘humanitarian intervention’, including the classic essay of John Stuart Mill, see also my ‘Peering into the Abyss of the Future’, Lakdawala Memorial Lecture, Institute of Social Sciences, New Delhi, Nov. 2001, published by the Institute, February 2002. Mill’s essay is highly revealing and should receive careful attention, because of its status as a classic, its source and timing, and its very clear contemporary relevance.

³⁰ A separate question is the mechanisms and sources of the avoidance. One classic study is Orwell’s unpublished introduction to *Animal Farm* on voluntary self-censorship in England, which he attributes in part to a good education, instilling the understanding that there are certain things ‘it wouldn’t do’ to say – or to think. For the media, Orwell also mentions ownership constraints. Another classic discussion is John Dewey’s thoughts on ‘how far genuine intellectual freedom and social responsibility are possible under the existing economic regime’. For some discussion of their views, see my *World Orders Old and New* (New York: Columbia University Press, 1994, extended edition 1996), ch. 2. On the long history of what Hans Morgenthau once called the ‘conformist subservience to those in power’ of intellectuals, see my 1977 Huizinga lecture ‘Intellectuals and the State’, reprinted in *Towards a New Cold War* (New York: Pantheon, 1982); *Deterring Democracy* (ch. 12); my ‘Secular Priesthood’, in Adriana Belletti, Luigi Rizzi, and N. Chomsky, *On Nature and Language* (Cambridge: Cambridge University Press, 2002).

³¹ See my ‘Terrorism and Just War’, in James Sterba (ed.), *Terrorism and International Justice* (Oxford: Oxford University Press, forthcoming), for review of some of the reinterpretations of the record by scholarship on terror. On the earlier record, see several essays in George, *Western State Terrorism*, and Edward Herman, *The Real Terror Network* (Boston, MA: South End, 1982).

³² Raymond Bonner, *New York Times*, 28 October 2002.

terrorism and pay substantial reparations.³³ Washington had already rejected ICJ jurisdiction on the grounds that most of the world ‘often opposes the United States on important international questions’ so that we must ‘reserve to ourselves the power to determine’ how we will act and which matters fall ‘essentially within the domestic jurisdiction of the United States, as determined by the United States’ – one of the many precedents for the preventive war doctrine of September 2002.³⁴ A Security Council resolution supporting the ICJ judgment and calling on all states to observe international law was vetoed by Washington (Britain abstaining). With bipartisan support, the Reagan administration reacted to the decisions of the highest international institutions by escalating the attack sharply, also issuing official orders to its contra forces to ‘[go] after soft targets . . . not [try] to duke it out with the Sandinistas directly.’³⁵ The contras were able to follow the orders thanks to US control of Nicaragua’s airspace and the advanced communication equipment provided to the proxy forces attacking from US bases in Honduras. The State Department confirmed the orders in words that ‘would do credit to George Orwell’s Ministry of Truth’, Americas Watch wrote bitterly, earning a reprimand from Michael Kinsley, a leading representative of ‘the left’ in national media.³⁶ He explained to the human rights organisations that a ‘sensible policy must meet the test of cost-benefit analysis’, comparing ‘the amount of blood and misery that will be poured in, and the likelihood that democracy will emerge at the other end’; the US government will be the arbiter of ‘democracy’, perhaps in recognition of its record in promoting democracy in the region over many years.³⁷

Whether attacking ‘soft targets’ is right or wrong, terrorism or a noble cause, depends on who is the agent, at least if moral truisms are deemed irrelevant, along with unwanted facts that have been ‘disappeared’.

³³ *Military and Paramilitary Activities in and against Nicaragua* (Nicaragua v. United States of America), International Court of Justice, 27 June 1986. Security Council S/18221, 11 July 1986. On the narrow legal strategy designed by Nicaragua’s team, headed by Harvard University Law Professor Abe Chayes, see Paul S. Reichler, ‘Holding America to its Best Standards: Abe Chayes and Nicaragua in the World Court’, *Harvard Law Review*. The Court, however, reached far broader conclusions. Reichler presents the Court victory as an important step towards ending the war. That is hard to sustain. It was dismissed and had little effect. For more general context, see Howard Meyer, *The World Court in Action* (Lanham, MD: Rowman and Littlefield, 2002). Reparations were estimated by an internationally-supervised commission at \$17–18 bn. See Nicaraguan Society of Doctors for Peace and the Defense of Life and International Physicians for the Prevention of Nuclear War (IPPNW), *The War in Nicaragua: The Effects of Low-Intensity Conflict on an Underdeveloped Country* (Managua and Cambridge MA: MEDIPAZ, 2003). For other estimates, see *Deterring Democracy*, ch. 10 and Meyers, *The World Court in Action*. After the US regained control the Nicaraguan government was compelled to drop the issue.

³⁴ State Department Legal Adviser Abram Sofaer, ‘The United States and the World Court’, US Dept. of State, Current Policy, no. 769, December 1985.

³⁵ General John Galvin, commander of the US Southern Command (SOUTHCOM), explaining strategy to Congress and the media; see Fred Kaplan, *Boston Globe*, 20 May, 1987. Also Julia Preston, *Washington Post Weekly*, 21 September 1987.

³⁶ Americas Watch (now Human Rights Watch), *Human Rights in Nicaragua, 1986*, February 1987, pp. 144f. Kinsley, *Wall St. Journal*, 26 March, 1987.

³⁷ For more detail on this affair, see my *Culture of Terrorism* (Boston, MA: South End, 1988), pp. 43f., 77f. For review of the impact of the US terrorist war on Nicaragua, see Thomas Walker, *Nicaragua: Living in the Shadow of the Eagle*, 4th edn. (Boulder, CO: Westview, 2003); also extensive reports of the main human rights organisations, and the dissident literature, including that cited above. The effects of Reaganite terrorist wars in El Salvador and Guatemala were, of course, much worse; see regular reports of Human Rights Watch and Amnesty International, among many other standard sources.

Kinsley was breaking no new ground. At the critical end of the spectrum of elite discussion, doves opposed terror because it was failing and urged Washington to adopt more efficient means to return Nicaragua to 'the Central American mode' and compel it to observe 'regional standards': the standards of Washington's terror states El Salvador and Guatemala, then engaged in large-scale slaughter, torture, and destruction.

All of this passed without comment within the mainstream. Is there even a remote possibility that it might be recalled as the 'war on terror' is redeclared, along with the virtual destruction of Nicaragua and much of the rest of Central America during the first phase? Could anyone even recall who the enemy was in Central America? To their credit, some do: the School of the Americas (since renamed), which trains Latin American officers, proudly proclaims that 'liberation theology' in Latin America 'was defeated with the assistance of the U.S. Army'.³⁸ The chilling reference will be understood at once by those who care about moral truism and fact.

Herring and Robinson quote Daniel Hallin's statement that there was 'a real political contest over the framing of the Central America story' in the media. As they observe, the crucial question is how the contest was framed. The matter has been studied.³⁹ There was a roughly even split between 'hawks' and 'doves', all agreeing that the 'Central American mode' must be supported and that Nicaragua must be compelled to adhere to it, but differing on the means. The doves I have just cited.

Nicaragua was of course not the first target of US terror aimed at 'regime change'. Another well-known and instructive example is Cuba. From the declassified record, we learn that plans for regime change were in the works within months after Castro took power in January 1959, and were formally adopted in secret in March 1960, with full awareness of the strong Cuban support for the targeted government and the virtual irrelevance, at the time, of meaningful Cold War issues.⁴⁰ By then, US terrorist operations were already underway. In May 1959, the CIA began arming anti-Castro guerrillas inside Cuba.⁴¹ 'During the Winter of 1959–1960, there was a significant increase in CIA-supervised bombing and incendiary raids piloted by exiled Cubans' based in the US.⁴²

Cuba provided extensive details of such attacks to the Security Council in July 1960, though no action was taken in the face of vigorous US denials – falsehoods, as the internal record now reveals.⁴³ The international terrorist programme was sharply escalated by Kennedy. After the Bay of Pigs invasion was beaten back, Kennedy 'asked his brother, Attorney-General Robert Kennedy, to lead the top-level interagency group that oversaw Operation Mongoose, a programme of paramilitary

³⁸ Talking points, 1999, cited by Adam Isaacson and Joy Olson, *Just the Facts* (Latin American Working Group and Center for International Policy, 1999).

³⁹ For a review of editorials and opinion pieces in the national press, see *Necessary Illusions*, ch. 3.

⁴⁰ For details, see Jules Benjamin, *The United States and Cuba* (Pittsburgh: Pittsburgh 1977); Michael Morley, *Imperial State and Revolution* (Cambridge: Cambridge University Press, 1987). The declassified record, though rich, remains 'heavily sanitized', particularly on covert operations (called 'terrorist' when carried out by others): Piero Gleijeses, *Conflicting Missions* (Chapel Hill, NC: North Carolina University Press, 2002), p. 403.

⁴¹ Steven Streeter, *Managing the Counterrevolution* (Athens, OH: Ohio University Centre for International Studies, 2000), p. 216.

⁴² Morley, *Imperial State*, p. 95.

⁴³ On the UN record, see Daniele Ganser, *Reckless Gamble* (New Orleans, LA: University Press of the South, 2000).

operations, economic warfare, and sabotage he launched in late 1961 to visit the “terrors of the earth” on Fidel Castro and, more prosaically, to topple him’.⁴⁴

The reasons are explained in the internal record. Washington planners warned in early 1964 that ‘the very existence of [Castro’s] regime . . . represents a successful defiance of the US, a negation of our whole hemispheric policy of almost a century and a half’ – based on subordination to US will.⁴⁵ Three years earlier the CIA had concluded that ‘The extensive influence of “Castroism” is not a function of Cuban power’; ‘Castro’s shadow looms large because social and economic conditions throughout Latin America invite opposition to ruling authority and encourage agitation for radical change.’⁴⁶ Shortly before, Kennedy adviser Arthur Schlesinger had transmitted to the incoming President the report of his Latin American Mission, which warned of ‘the spread of the Castro idea of taking matters into one’s own hands’. That is a grave danger, Schlesinger elaborated shortly after, when ‘The distribution of land and other forms of national wealth greatly favors the propertied classes . . . [and] The poor and underprivileged, stimulated by the example of the Cuban revolution, are now demanding opportunities for a decent living.’ Russia was mentioned: as a source of economic aid and a model of rapid industrialisation.⁴⁷

A similar pattern is commonly found when ‘public diplomacy’ is discounted and the internal planning record examined: Guatemala in 1954, to take an example then prominently in the minds of planners.

Kennedy’s terrorist programme was intensified in August–September 1962, including speedboat strafing attacks on a Cuban seaside hotel ‘where Soviet military technicians were known to congregate, killing a score of Russians and Cubans’; attacks on British and Cuban cargo ships; contaminating sugar shipments; and other atrocities and sabotage, mostly carried out by Cuban exile organisations permitted to operate freely in Florida with extensive CIA support, sometimes direct participation.⁴⁸ These actions were a significant, perhaps primary, factor leading to the missile crisis.⁴⁹ Kennedy resumed the international terrorist operations after the crisis ended; ten days before his assassination, he authorised new actions.⁵⁰ Terrorist operations peaked in the late 1970s, and continued from US soil into the late 1990s.⁵¹

⁴⁴ Gleijeses, *Conflicting Missions*, p. 15. The phrase ‘terrors of the earth’ is Arthur Schlesinger’s, referring to the goals of Robert Kennedy, who regarded the terrorist operations as ‘top priority’, the declassified record reveals. Schlesinger, *Robert Kennedy and His Times* (New York: Ballantine Books, 1978).

⁴⁵ Gleijeses, *Conflicting Missions*, p. 26, citing State Department Planning Council, February 1964.

⁴⁶ *Ibid.*, p. 22.

⁴⁷ Report to the President on Latin American mission, 2/12 – 3/3/61, *FRUS* 1961–63, XII, 13ff, 33.

⁴⁸ Raymond Garthoff, *Reflections on the Cuban Missile Crisis* (Washington, DC: Brookings Institution, 1987), pp. 16f.

⁴⁹ Thomas Paterson, ‘Cuba and the Missile Crisis’, in Dennis Merrill and Thomas Paterson (eds.), *Major Problems in American Foreign Relations*, vol. II: *Since 1914* (Boston, MA: Houghton Mifflin, 2000).

⁵⁰ Gleijeses, *Conflicting Missions*, p. 25.

⁵¹ See Garthoff, *Reflections*, on terrorist attacks through the missile crisis, some quite serious; and beyond. See further Morley, *Imperial State*; Bradley Ayers, *The War that Never Was: an Insider’s Account of CIA Covert Operations against Cuba* (Indianapolis, IN: Bobbs-Merrill, 1976); Warren Hinckle and William Turner, *The Fish is Red* (New York: Harper & Row, 1981); William Blum, *The CIA* (London: Zed, 1986); Lawrence Chang and Peter Kornbluh (eds.), *The Cuban Missile Crisis 1962: a National Security Archive Documents Reader* (New York: New Press, 1992); Jane Franklin, *Cuba and the United States* (Melbourne: Ocean Press, 1997); David Corn, *Blond Ghost* (New York: Simon & Schuster, 1994); Evan Thomas, *The Very Best Men* (New York: Simon & Schuster, 1995); Taylor Branch and George Crile, ‘The Kennedy Vendetta: Our Secret War on Cuba’, *Harper’s*, August 1975. By the 1980s, the terrorist attacks were apparently no longer US-sponsored, though still

Cuba's crimes became still more immense when it served as the instrument of the USSR's crusade to dominate the world in 1975, Washington proclaimed. 'If Soviet neocolonialism succeeds' in Angola, UN Ambassador Daniel Patrick Moynihan thundered, 'the world will not be the same in the aftermath. Europe's oil routes will be under Soviet control as will the strategic South Atlantic, with the next target on the Kremlin's list being Brazil.' Washington's fury was caused by another Cuban act of 'successful defiance'. When a US-backed South African invasion was coming close to conquering newly-independent Angola, Cuba sent troops on its own initiative, scarcely even notifying Russia, and beat back the invaders. In reaction, Piero Gleijeses observes, 'Kissinger did his best to smash the one movement that represented any hope for the future of Angola,' the MPLA. And though the MPLA 'bears a grave responsibility for its country's plight' in later years, it was 'the relentless hostility of the United States [that] forced it into an unhealthy dependence on the Soviet bloc and encouraged South Africa to launch devastating military raids in the 1980s', which reversed the gains in the early years of independence and drove the country to ruin, along with Mozambique, another remarkable illustration of international terrorism – if not worse – relying on the crucial support of those who are now waging the second phase of the 'war on terror'.⁵²

The terrorist attacks against Cuba have been devastating to a poor society in the shadow of the dominant superpower, particularly when combined with the effects of economic warfare – which became even harsher after the collapse of the Soviet pretext. All of this is another illustration of the continuity that Stokes discusses.⁵³

In October 2002, a summit meeting took place in Havana on the fortieth anniversary of the Cuban missile crisis, attended by key participants from Russia, the US, and Cuba. Startling information was revealed: the world was saved from possibly terminal nuclear war by a Russian submarine commander who countermanded an order to fire nuclear-armed missiles when the subs were under attack by US destroyers at the tensest moment of the missile crisis – 'the most dangerous moment in human history', Arthur Schlesinger observed, realistically. The current Iraq crisis 'was a recurrent theme at the meeting', the press reported, 'with many participants accusing Bush of ignoring history . . . [saying] they had come to make sure it does not happen again, and to offer lessons for today's crises, most notably President George W. Bush's deliberations about whether to strike Iraq.'⁵⁴

taking place from US territory. Terrorist commanders received presidential pardons over the objections of the Justice Department, which regarded them as a threat to US security. See Juan Tamayo, 'Exiles directed blasts that rocked island's tourism, investigation reveals', *Miami Herald*, 16 November 1997; Tamayo, *MH*, 28 September 1997. Ann Louise Bardach and Larry Rohter, 'Key Cuba Foe Claims Exiles Backing', *New York Times*, 12 July; 'Life in the Shadows, Trying to Bring Down Castro', *New York Times*, 13 July 1998. Anya Landau and Wayne Smith, 'Cuba on the terrorist list: In defense of the nation or domestic political calculation', *International Policy Report*, Center for International Policy, November 2002. For review in the broader context of international terrorism see George, *Western State Terrorism*.

⁵² Gleijeses, *Conflicting Missions*, pp. 332ff. The estimated toll in Angola and Mozambique is 1.5 m dead and over \$60 bn in damage during the Reagan years alone, while the Reagan-Bush administration successfully evaded congressional sanctions so as to support its South African ally; at home as well, in its operations against Mandela's ANC, 'one of the more notorious terrorist groups' according to official Washington in 1988. See n. 4. For sources, see 'Terrorism and Just War'.

⁵³ On the aftermath, see Morris Morley and Chris McGillion, *Unfinished Business* (Cambridge: Cambridge University Press, 2002).

⁵⁴ Marion Lloyd, 'Soviets close to using A-bomb in 1962 crisis, forum is told' *Boston Globe*, 13 October; Kevin Sullivan, 'Nuclear War, One Word Away', *Washington Post*, 14 October 2002.

The ‘age of terror’, ‘international terrorism’, and ‘regime change’ were the leading themes of the day as the summit took place. The shocking revelations were scarcely reported; the background entirely ignored.

Similarly, the record of those currently at the helm in Washington – mostly recycled from the Reagan-Bush administrations – is regularly ignored. That is remarkable: whatever one’s attitude towards the ‘age of terror,’ elementary sanity would seem to dictate that the record of those leading the ‘war on terror’ during its first phase should be a prominent concern. Occasional allusions to the record are either ignored or lead to interesting reactions, among them, attribution of idiotic claims either to an anonymous ‘left’ or to enemies chosen in the manner that Herring and Robinson describe.

The practice is so routine that illustrations can be selected virtually at random. To take one illustration from a serious source at the liberal-left extreme, Benjamin Barber writes that ‘unless we are willing to join the America-bashing zanies who see no difference between the United States and Iraq, who insist America, too, is a “terrorist” state, we must acknowledge the president’s preemptive unilateralism as our own.’⁵⁵ Perhaps there is someone in the world who sees no difference between the US and Iraq. Those who recognise that America is a terrorist state (not a ‘terrorist’ state) are simply repeating well-established truths that do not vanish because they are doctrinally inadmissible⁵⁶; the familiar cases just noted, for example.

Consider the idea that ‘we must acknowledge the president’s preemptive unilateralism as our own’; more accurately, *preventive* unilateralism, since no credible threat is considered necessary under the proclaimed doctrine. Must others do so for themselves as well? If so, what happens to the world? If not, why not? If raised, the question receives a simple answer: what we do is right and just, a refrain not unfamiliar in history.

Just War theory

Let us turn to just war theory, recently revived in the context of international terrorism. Consider the strongest case that is put forth: the bombing of Afghanistan, a paradigm example of just war according to the Western consensus. The respected moral-political philosopher Jean Bethke Elshtain summarises received opinion fairly accurately when she writes that ‘Nearly everyone, with the exception of absolute pacifists and those who seem to think we should let ourselves be slaughtered with impunity because so many people out there “hate” us, agrees’ that the war was clearly just.⁵⁷

⁵⁵ ‘Neither Consent nor Dissent’, *American Prospect*, 4 November 2002.

⁵⁶ They are not always ignored in mainstream literature. See the two opening essays (Achin Vanaik, Mahmood Mamdani) in Eric Hershberg and Kevin Moore, *Critical Views of September 11* (New York: Social Science Research Council and New Press, 2002). Vanaik objects to the locution ‘terrorist state’, but on narrow grounds irrelevant here.

⁵⁷ ‘A Just War?’ (referring to Iraq), *Ideas, Boston Globe*, 6 October 2002; ‘How to Fight a Just War’, in Booth and Dunne, *Worlds in Collision*. Americans, she informs us, are ‘nothing if not self-critical, often to the point of self-flagellation’. Much of the world, particularly in the backyard, will also be interested in the discovery that the US has never engaged in the practice of ‘unleashing terrorists’ or otherwise threatening or harming civilians. One can see why scrupulous avoidance of evidence is highly valued.

Note again the technique of concocting ridiculous opponents. There are, however, real people who opposed the resort to military force, who escape notice. That apparently includes the large majority of world opinion (overwhelmingly so in Latin America, which has by far the most intimate experience of US intervention), and also leading Afghan opponents of the Taliban. Some of the most respected of them bitterly condemned the US bombing, which, they charged, was undermining their efforts to overthrow the hated Taliban regime from within and was undertaken only because the US wanted to 'show its muscle, score a victory and scare everyone in the world'.⁵⁸

There were a great many more, also pretty hard to miss. Among them were the major aid and relief agencies, including those of the United Nations and charitable and development organisations, who pleaded for termination of bombing because of their concern over the likely effect on the population, millions of whom were on the brink of starvation even before 9/11. Their concerns were understandable when Washington demanded a few days after 9/11 that Pakistan eliminate 'truck convoys that provide much of the food and other supplies to Afghanistan's civilian population', a report that elicited no noticeable reaction within mainstream commentary. Their strenuous protests mounted as the threat of bombing caused the withdrawal of aid workers and a severe reduction in food supplies, followed by bombing with still more severe effects, leaving 'millions of Afghans...at grave risk of starvation', Harvard University's leading specialist on Afghanistan reported.⁵⁹ After a few weeks of bombing, estimated numbers of those at risk rose 50 per cent, from 5 to 7.5 million.⁶⁰

In brief, there were real critics of the 'just war', but they remained largely invisible, along with highly relevant current history.

A separate matter is the extent to which the fears were realised. About that, we know little. As predicted at once, the matter has not been seriously investigated. Crimes of enemies are subjected to laser-like scrutiny, but it is conventional to evade one's own. Even in the case of massive atrocities such as the US invasion of South Vietnam, then all of Indochina, estimates of deaths are casual, with a range of several million, and such matters as the long-term effects of US chemical herbicidal warfare in South Vietnam, though known to be severe, are scarcely discussed (apart from the effect on US soldiers, serious but of course minor in context).⁶¹

⁵⁸ Abdul Haq, mid-October interview with Anatol Lieven, *Guardian*, 2 November 2002. Highly regarded in Washington, Abdul Haq received special praise during the Loya Jirga in Afghanistan, his memory bringing tears to the eyes of President Karzai. Elizabeth Rubin, *New Republic*, 8 July 2002. For this and other important examples of ignored Afghan opinion, see 'Terrorism and Just War'. On world opinion, see the international Gallup poll of late September 2001; <<http://www.gallup.international.com/terrorism-poll-figures.html>> (data from 14–17 September 2001). The poll was virtually ignored in the US, though not among the victims. See *Envio*, October 2001.

⁵⁹ John Burns, *New York Times*, 16 September 2001; Samina Ahmed, 'The United States and Terrorism in Southwest Asia: September 11 and Beyond', *International Security*, 26:3 (Winter 2001–2).

⁶⁰ Elisabeth Bumiller and Elizabeth Becker, *NYT*, 17 October 2001. On information publicly available at the time, see my *9–11* (New York: Seven Stories, 2001) and 'Peering into the Abyss of the Future'. Also Rahul Mahajan, *The New Crusade* (New York: Monthly Review, 2002).

⁶¹ J.B. Nielsens, G.H. Orians, W.W. Pfeiffer, Alje Vennema, Arthur Westing, *Harvest of Death: Chemical Warfare in Vietnam and Cambodia* (New York: Free Press, 1972); Arthur Westing (ed.), *Herbicides in War* (London: SIPRI, Taylor & Francis, 1984). For detailed analysis of consequences in one region, see Hatfield Consultants (Vancouver), *Development of Impact Mitigation Strategies Related to the Use of Agent Orange Herbicide in the Alou Valley, Vietnam*, vol. 1, April 2000.

More striking than the usual evasion in the present case is the abandonment of elementary moral principles. It is the merest truism that acts are evaluated in terms of possible consequences. Even if the ‘grave risk of starvation of millions of people’ reported in *International Security* was fortunately not realised, that would in no way affect the assessment of the acts taken in the face of that danger. We apply this truism to others without hesitation. On the 40th anniversary of the missile crisis, we recall vividly, and correctly, the criminal lunacy of Khrushchev’s decision to place nuclear-armed missiles in Cuba, which might have led to destruction of much of the world. It did not happen. A nuclear war was barely avoided, and an anticipated invasion of Cuba did not take place, only continued US terrorism and economic warfare. But we do not sing praises to Khrushchev; we condemn him harshly for taking the risk. For ourselves, however, such considerations appear to be incomprehensible.

Let us turn now to the most elementary principles of just war theory. One fundamental principle, so obvious that it is rarely even mentioned, is universality: we are subject to the standards we apply to others. Those who cannot accept this truism should have the decency to keep silent about matters of right and wrong, or just war.

If we can accept this principle, some obvious questions arise: for example, have Cuba and Nicaragua been entitled to set off bombs in Washington, New York, and Miami in self-defence against ongoing terrorist attack? Particularly so when the perpetrators are well-known and act with complete impunity, often in brazen defiance of the highest international authorities? If not, why not? Certainly one cannot appeal to scale of crimes to justify such a stand; the merest look at the factual record bars that move, matters well understood outside privileged Western circles. If the questions are not answered, we know that the ‘just war’ pronouncements cannot be taken seriously; still more so if the questions are not even raised. I have yet to discover a case where the question is even raised in the contemporary revival. The conclusions may not be attractive, but they merit serious attention, self-examination, and concern.

To bring in some additional relevant facts, when Abdul Haq and other leading Afghan opponents of the Taliban were condemning the US bombing, along with the major aid and relief agencies and others, its official motive was to force the Taliban to hand over people that the US suspected of involvement in the crimes of 9/11; removing the Taliban regime was an afterthought, added several weeks later.⁶² The Taliban made some tentative moves towards extradition, requesting evidence. We do not know whether the moves were serious, since the US rejected them with contempt, and presumably would have done so even if it had had credible evidence. Apparently Washington had only (highly plausible) suspicions. That remained true even eight months later, as quietly conceded. FBI director Robert Mueller testified before Congress that ‘investigators *believe* the idea of the Sept. 11 attacks on the

⁶² Admiral Sir Michael Boyce informed Afghans that ‘the squeeze will carry on until the people of the country themselves recognize that this is going to go on until they get the leadership changed’; Michael Gordon, ‘The Strategy; Allies Preparing for a Long Fight as Taliban Dig In’, *New York Times*, 28 October 2001. Previously President Bush had informed the Taliban leadership that he would ‘reconsider’ the bombing if they handed over people the US accused of terrorism; Patrick Tyler and Elisabeth Bumiller, ‘Bush Offers Taliban “2nd Chance” to Yield’, *New York Times*, 12 October 2001.

World Trade Center and Pentagon came from al Qaeda leaders in Afghanistan, the actual plotting was done in Germany, and the financing came through the United Arab Emirates from sources in Afghanistan'.⁶³

At the time when Taliban reluctance to hand over suspects without evidence was the lead story of the day, arousing much fury, Haiti *renewed* its request for extradition of Emmanuel Constant, leader of the paramilitary forces that had primary responsibility for the brutal murder of thousands of Haitians during the early 1990s, when the military junta was supported, not so tacitly, by the first Bush and Clinton administrations.⁶⁴ The request apparently did not even merit a response, or more than the barest report. Constant has been sentenced *in absentia* in Haiti; it is widely assumed that the US is concerned that if he testifies, he may reveal contacts between the state terrorists and Washington.⁶⁵ Does Haiti therefore have the right to set off bombs in Washington? Or to try to kidnap or kill Constant in New York, where he lives, one of the many murderous state terrorists who enjoy safe haven in the US? If not, why not? And why is the question considered too absurd even to raise?

One way to evade the issues is to dismiss moral truisms as absurdities. That is the stance adopted by Michael Glennon in highly-regarded work.⁶⁶ A respected figure in the field of international law, his views merit serious attention, particularly because they are offered to establish a conclusion that is coming to be official policy: the framework of international law and treaties that has laboriously been constructed over many bitter years should be abandoned in favour of the new doctrine that the self-declared 'enlightened states' may resort to force as they see fit – always for the most benign reasons, apparently by definition, since no argument is given, either historical or conceptual. It is hardly a new doctrine; rather, a venerable one, with a rich history that should need no review,⁶⁷ but appears to be irrelevant, for unexplained reasons.

To establish his thesis, Glennon dismisses 'objectivist philosophies' because they do not have firm foundations. That is correct: another truism is that there are no firm foundations for elementary moral principles. That includes the moral truism that arouses his ire (quoting me): that 'people are primarily responsible for the likely consequences of their own action, or inaction', and that responsibilities mount with greater opportunity and more clearly anticipated effects. Rejecting this truism, Glennon argues that the 'objectivist argument' that NATO shares responsibility for the atrocities that followed its bombing of Serbia, exactly as it anticipated (the case in question) – 'is easily turned on its head' to yield 'a conclusion opposite the one' that he falsely attributes to me: that NATO bears sole responsibility. His counter-

⁶³ Walter Pincus, 'Mueller Outlines Origin, Funding of Sept. 11 Plot', *Washington Post*, 6 June 2002. Italics mine.

⁶⁴ See 9–11. Paul Farmer, *The Uses of Haiti*, 2nd expanded edn. (Monroe, ME: Common Courage, 2003); *New Military Humanism*, pp. 70f.

⁶⁵ See Daniel Grann, 'Giving "The Devil" His Due', *Atlantic Monthly*, June 2001.

⁶⁶ Glennon, *Limits of Law, Prerogatives of Power: Interventionism after Kosovo* (Basingstoke: Palgrave Press, 2001), pp. 171f.

⁶⁷ For a classic case, see n. 29. It is not easy to find an example of military intervention that is not accompanied by lofty rhetoric. See, for example, Sean Murphy, *Humanitarian Intervention: The United Nations in the Evolving World Order* (Philadelphia, PA: University of Pennsylvania Press, 1996). He cites three examples of alleged 'humanitarian intervention' between the Kellogg-Briand Pact and the UN Charter: Japan's invasion of Manchuria, Mussolini's invasion of Abyssinia, and Hitler's takeover of the Sudetenland, all carried out with professions of noble intent.

argument is that by the same moral principle, we can conclude 'It was the Serbs who are responsible'. His conclusion follows only if we adopt his tacit assumption that responsibility cannot be shared. The reader can discover that the other arguments quickly collapse when such reasoning is discarded.

Conclusion

This is a tiny sample of what we discover if we pay some attention to moral truism and elementary fact. I would like to end with a strong endorsement of the final words of Herring and Robinson's essay. Their injunction follows directly, I think, if we agree to enter the moral arena: to apply to ourselves the standards we impose on others, and to recognise the obligation to help suffering people as best we can, a responsibility that naturally accrues to privilege. It is not pleasant to speculate about the likely consequences if concentrated power continues on its present course, protected from proper scrutiny in the manner described in the essays gathered here.