THE IMPACT OF 9/11 ON RELIGION AND PHILOSOPHY

THE DAY THAT CHANGED EVERYTHING?

EDITED BY MATTHEW J. MORGAN

WITH FOREWORDS BY JOHN L. ESPOSITO AND JEAN BETHKE ELSHTAIN

The Impact of 9/11 on Religion and Philosophy

Also by Matthew J. Morgan

A Democracy Is Born

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The Impact of 9/11 on Religion and Philosophy

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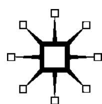

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For Edie and Lou, Denise and John, and all people of faith

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Foreword

John L. Esposito

As we approached the twenty-first century, many looked to the new millennium with great hopes and expectations for better times ahead. I often spoke of the twenty-first century as the century for Islam and Muslims. An exercise by an Italian-American in Mediterranean hyperbole? Well perhaps a bit, but I believed that the West was in a period of transition. For most Westerners who had had little interest or knowledge of Islam and Muslims and thus post-Iran viewed them through the lens of revolutionary Iran, the tide was turning. Americans and Europeans, policy-makers, journalists, the media, and the public had now been exposed to information about Islam and the Muslim world for two decades through books, magazine articles, school curricula, the media, and Internet. Moreover, American Muslims (indigenous and immigrant or descendants of immigrants) were increasingly far more visible in the public square.

And then 9/11 occurred; a staff member of our Center called me and asked me whether I had my television on. I did not. Why were we all, nonexperts and experts, the White House and the Congress, the State Department, and the CIA caught off guard, blindsided? Muslim extremism and terrorism were on the screens of many but few believed that terrorists such as Osama Bin Laden would and could mount an attack on the Pentagon and the World Trade Center Towers. A member of the Center's Academic Advisory Council at our annual meeting said that the Center had achieved exponentially more than had ever been expected but then added, "Regrettably, 9/11 may have set us back 20 years."

In the aftermath of September 11, President George Walker Bush emphasized that America was waging a war against global terrorism, not against Islam. However, the continued acts of a terrorist minority, coupled with statements by preachers of hate (Muslim and Christian) as well as anti-Muslim talk show hosts and political commentators have obscured our understanding of the second largest of the world's religions and of the mainstream Muslim majority. The result is reflected in a recent *USA Today*/Gallup Poll, which found that substantial minorities of Americans admitted to negative feelings or prejudice against Muslims and favor heightened security measures with Muslims to help prevent terrorism. Forty-four percent said Muslims

are too extreme in their religious beliefs. Nearly one-quarter of Americans, 22 percent, said they would not want a Muslim as a neighbor; fewer than half believe U.S. Muslims are loyal to the United States.

If many Americans saw a war against global terrorism, many in the Muslim world saw a war against Islam and Muslims. Policy-makers and the public have been caught in the midst of a battle of experts and pseudo-experts with diametrically opposed positions. Most analyses had a missing piece, asking questions such as: How do Muslims from Morocco to Indonesia view the West? Is there a blind hatred of our way of life? While plenty of experts were willing to tell us what "they" think, fear, hope, and desire, absent was hard data on the voices of the silent Muslim majority of mainstream Muslims.

Fortunately polling in recent years by PEW, Zogby, Gallup, and others has helped to address these issues. Data from the most comprehensive and systematic poll, Gallup's World Poll, which covered more than 35 countries with some 50,000 one-on-one interviews, representing the voices of 1 billion Muslims counters much of the conventional wisdom. Many Muslims, from North Africa to Southeast Asia, while having significant grievances, also said that what they most admired about America, after technology and scientific advancement, were its value system, hard work, liberty, freedom of choice, rule of law, fair political systems, and gender equality. Overwhelming majorities in every Muslim country polled support freedom of speech and majorities in virtually every country also felt women should have the same legal rights as men.[1]

The response to the impact of global terrorism has raised profound political, philosophical, theological, and legal questions. What is the relationship of religion to terrorism? Do the realities of the twenty-first century render traditional doctrines of Just War theory, standards of international law, what constitutes war crimes regarding civil liberties, and the use of torture in interrogations now obsolete in an age of global terrorism and asymmetric warfare? Critics charged that George W. Bush's administration had ushered in a period of "moral exceptionalism" side-stepping the prohibition of torture in interrogations (Abu Ghraib, Haditha, Guantanamo, renditioning of prisoners for interrogation to nations whose standards are "more flexible") and circumscribing civil liberties in its use and misuse of antiterrorism legislation and policies.

The net result is a world in which accepted norms in moral philosophy, theology, law, and international relations have been challenged if not turned on their heads. This volume plays an important role, raising and addressing many of the questions and issues that are critical to an assessment of what went wrong as well as what went right and to reflect the diversity of opinions that exists within disciplines and among scholars.

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[1] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (Washington, DC: Gallup Press, 2008).

Foreword

Jean Bethke Elshtain

That 9/11 has entered the lexicon of American life as a date from which we recoil yet remember in detail is unsurprising. September 11 will ongoingly bear or carry the meaning for living Americans that Pearl Harbor did for my parents' generation. It will linger in memory. But how do we remember; indeed, how are we remembering and explaining now?

In my book, *Just War against Terror*, I describe my own experience attending church the first Sunday after 9/11. On the most generous interpretation, the minister was too stunned and shocked to come to grips with what had happened. A less generous and likely more accurate interpretation is that contemporary Christians are frequently enough denuded of the appropriate categories with which to come to grips with horrific events *if* those events are perpetrated by human beings. Theologically, the language of "evil" and even "sin" has receded, supplanted by syndromes, or making mistakes, or falling short, or being misled. This is one aspect of the impact of 9/11 on religion or, more accurately, this is a dimension of contemporary American religion, in its mainstream Protestant varieties and, to a great extent within Catholicism, too, that came to light in the harsh glare of the mass murder of nearly 3,000 of our fellow citizens.

What happened is this: the minister began by saying words along these lines: "I know this has been a terrible week." A long pause. Then these words: "But that is no reason for us to give up on our own individual dreams and possibilities." Part of me thought, "This cannot be happening. The ruins of the World Trade Center still smoldering, the burned and broken and corroded bodies of the dead mingling with jet fuel, toxins, ash, the jagged ruins of airplanes, offices, and lives. And he [the minister] has no way to talk about this?" We were all hungry for some way to put things into perspective, to express our horror and our anger, but to think of a "Christian" way to respond—if, indeed, one believed there was such a thing as a distinctively Christian way where such matters are concerned.

Yet another feature of the present moment emerged in scholarly and polemical explanations for 9/11. There was the "we had it coming" polemic, as if anybody has a violent death of that sort "coming." ("Chickens coming home to roost" is a variant on this theme). Some expressed a kind of

preemptive condemnation of the American response, whatever it might turn out to be. Given the overheated rhetoric and ideology of our time, this should likely not surprise us.

Perhaps more surprising was the paucity of keen scholarly and even journalistic analysis from many quarters. For decades, those of us trained in the "human sciences"—in my own case, political science—had been told either that religion was on its way out as the forces of modernization took over or that religion might remain because it had a utilitarian functional purpose. On these functionalist accounts, religion was a prop for social stability and might reasonably be encouraged thereby: it served a particular function. Yet a third possibility was to see "religion" as a superstructural feature layered on top of the "real thing," the substructure of economics (for Marxists) or political power games or some other "real" thing by contrast to the ephemera of religion. Religion was "window dressing," a way to dress up events such as 9/11 as something other than what they really were deep down. Such "explanations" sent many social scientists into the "why 9/11" ambience with rusty explanatory swords. (With apologies to Dietrich Bonhoeffer.)

Religion, for them, always meant "something else"—it gestured, it did not explain.[1] So there existed a vacuum, an emptiness, at the heart of much commentary. Where were the Reinhold Niebuhrs or Paul Tillichs when we needed them so desperately? Niebuhr certainly had no problem characterizing the nature of the evil of Nazism. One of his best-known essays from the World War II era aimed at preventing the triumph of an "intolerable tyranny." Tillich, who broadcast 100 sermons into National Socialist Germany (in German) over Radio Free Europe, spoke of evil, the anti-Christ, wickedness, sin—all the powerful, strong words that alone seemed appropriate. Today, however, we are frequently enjoined not to draw upon these potent terms; they are too judgmental by far. Despite the fact that America confronted a foe offering a religious justification for the intentional, direct killing of innocents (those in no position to defend themselves); expressing contempt for women as unclean (Mohammed Atta, one of the 9/11 killers, indicated in his "last will and testament" that no "woman" or other "unclean person" should be permitted to visit his grave); denouncing America because of tolerance of homosexuality; labeling all Christians and Jews "infidels" to be joined by Muslims who disagreed with their murderous ideology, we are told not to speak of political evil. Why not? To name things accurately does not, whether directly or indirectly, mean one assumes one's own purity or sinlessness. That is one major issue in contention, surely.

At least as important is taking the radical jihadists at their word. If they offer a religious justification for what they are doing and how they are doing it, should we not take them seriously rather than to believe that we are so

[1] Caught in the coils of the major categories of moral philosophy—either deontology or utilitarianism—moral philosophers, too, had a hard time coming to grips; 9/11 did not fit into the grid of either modality.

clever we can discern what their "real" purposes and motives are. This "window dressing" view will die hard, to the extent it expires at all. Why does it enjoy such currency? In order to understand one would need to examine critically the "terms of modernity," so to speak, the tacit "deal" that liberal constitutional societies struck many years ago now. That "deal," roughly, holds that public life is properly denuded of religion, if not altogether at least in its dominant features and aspects. Religion forms a part of our "private" lives and we are urged not to allow the private to leak into the public. If we do, we will have violated modernity's operative terms.

Religion and politics are on separate tracks that may, from time to time, intersect. *Most* of the time this is for ill. Once in a while, good is served. (Here the most common case in point is Martin Luther King's Southern Christian Leadership Conference as the spearhead of the American civil rights revolution of the 1960s). It follows perforce that we are ill-equipped to see "religion" in public events as the "real thing" rather than a gesture toward, or a mask hiding, something else. If we have learned anything from the harsh lesson of 9/11 it should surely be that.

Let us assume one has accepted Osama bin Laden's "reasons" and those of other radical jihadists: they are religious. Whether radical Islamists are reflecting aspects of Islam faithfully or in a highly distorted manner is another debate. For now, we will just assume that, yes, religious motives drove the murderers. It does not follow that the country attacked should or must, in turn, offer religious reasons for its response, a kind of theological tit for tat. It has been official Christian doctrine for centuries, whatever the denomination or orientation, that coerced conversion is wrong and unacceptable—faith must be free, not forced; that committing mass murder as part of a strategy to kill as many of the infidels as possible means one is a mass murderer, not a bearer of any authentic Christian message; that in a legitimate war, every effort must be made to distinguish combatants from noncombatants, for noncombatants cannot be the direct, intended target of attack knowing, as we do, that in time of war noncombatants will inevitably fall into harm's way at some point along the line. In other words, Christianity built up prophylactics to what had been its own excesses in practice if not in doctrine and theology.

Along the way, many there were who thundered about the "feminization" of men Christianity trailed in its wake, undermining the warrior traditions of antiquity. Also, monumental developments in the West moved away from the insistence or assumption that there must be an established faith in the realm and other faiths or denominations might, perhaps, be tolerated but only that. St. Thomas Aquinas in the twelfth century was already arguing against a strong notion of "Christendom," even as St. Augustine in the fifth century had resisted the allure of a "Christian empire," after having first been somewhat attracted by the idea. This meant that rule over Christians by a non-Christian could be a legitimate form of rule. The test of a ruler's legitimacy was not whether he was Christian but whether he was a tyrant—for tyranny lacked legitimacy.

September 11 invited reflection on one's own heritage and backdrop, on the excesses of one's tradition over time and on strong theological arguments countering those excesses as illegitimate and not authentically Christian at all. The Christian backdrop of "the two swords" doctrine, already in place by the fifth century, held that one should not fuse spiritual and temporal authority into a single monistic structure; rather, these forms of authority and governance (if you will) were distinct and separate, albeit touching on one another and intersecting in a variety of ways. There was "two," not just "one" when it came to human ordering of societies. The upshot was that no legitimate "Christian" reason for attacking another country or people or nation existed as such. Instead, one repaired to the so-called just or justified war doctrine that applied without distinction to all: if there is to be conflict, it must be under right authority, be a response to aggression or the imminent threat of such, and so on. And, in fighting, there were constraints that must be observed; the most important being noncombatant immunity. If there was, if there is, a distinctive "Christian" way of thinking about 9/11, it would need to encompass the elements I have sketched. All require a remembering of one's own tradition. Because so many contemporary Christians know very little about their own tradition, 9/11 was an extraordinary "teaching" moment—teaching and learning. That so many were ill-equipped to either teach or learn is a tragedy.

It is only through perspicuous contrasts that we come to know other traditions in relation to our own. In many ways, it is rather easier for Christians to deal with certain questions than it is for Muslims, given that official Christian understanding for centuries insisted on tearing apart the temporal and the spiritual. Islam has a different starting point. Further, the Prophet himself was a political founder and a war leader who fought in battles, personally beheaded people as punishment, and so on. My impression is that large numbers of Americans were hungry to learn more about Islam. For months after the attack, I saw people at airports—as I spend so much time in them myself—carrying copies of the Koran, histories of Islam, commentaries on Islam, first-person accounts written by Muslims about their faith, both positive and negative.

I found this terribly important, especially in light of the growing Muslim migrations into America and Western Europe and the necessity to distinguish between ordinary faithful Muslim and the radical Islamists. If there was, or is, any "positive" outcome of the hideous events of that September day, it is that non-Muslims have become more aware of Islam and have tried, for the most part, to understand and to assess it fairly minus an excess of wrath or zeal.

To be sure, there are pockets of ignorance and fear and loathing. But the survey data available to us suggests that the majority of American citizens are perfectly well equipped to distinguish Islam *tout court* from Islamism. This is a good starting point for serious cross-cultural, cross-religious encounters. In the meantime, we will no doubt just have to live with uncomprehending or inadequate explanatory models for years to come. A substantial number

in the ranks of both theologians, ironically enough, and philosophers cannot bring themselves to take or to accept religion as a *casus belli*. But accept it we had better. Freud liked to quip that theory is a very good thing but it does not stop things "from existing." Our theories may put religion at arms length. The reality is that religion as justification for terrorism has appeared in our midst in the full light of day. Hannah Arendt, one of the twentieth century's most important political theorists, insisted that once something has emerged from the depths, so to speak, and appeared among us, it can always reappear and likely will. (This was apropos totalitarianism and its hideous panoply of gulags and death camps.). Religious justification for mass murder has appeared and it will not go away anytime soon. It behooves us to guard against any temptation to counter with our own religious justifications, first, and, second, to come to grips by naming things accurately rather than veering off the harsh realities staring us in the face and, finally, by elaborating explanations that take seriously the reasons proffered even by terrorists as to why they are doing what they are doing.

Acknowledgments

September 11, 2001 was an event that for most Americans will be remembered for a lifetime as a pivotal moment in history. Like the Kennedy assassination a generation before on November 22, 1963, Americans share a collective memory and trauma of the event, often asking each other and reminiscing about what one was doing during that fateful moment. Now, with several years passed since 9/11, this series reflects on that event by bringing together from a broad spectrum of disciplines the leading thinkers of our time.

In order to undertake such an ambitious project as this, appreciation must go to a wide-range of people. First and foremost are the distinguished and skillful writers who have contributed to the series. Their willingness to share their talents and follow through with their commitment to this effort made all the difference. I cannot thank them enough for the sacrifices they have made to contribute their work to this series.

As I thank the many authors from such diverse backgrounds, perspectives, and even countries, I should caution readers that opinions expressed in this series reflect the views of each contributing author of each chapter and should not be contrived to represent views of the contributing authors generally or even my own views. The series has self-consciously attempted to include a "big tent" of different perspectives, some highly critical of policy decisions, others supportive of government actions in difficult times, some dubious of the significance of 9/11, others finding it a disruptive event that "changed everything." I have tried to reserve my own views in order to allow this series to collect these perspectives.

I would like to thank several people who have made special contributions to this process. First, two friends have proven themselves adept at finding my errors and improving my work, which is an invaluable skill for an author to find in a trusted colleague. These two distinguished professionals—Jennifer Walton of JPI Capital and Linda Nguyen of Deloitte Consulting—have taken time out of their busy schedules to review these manuscripts, and I am eternally grateful. Second, many of our authors are extremely busy top leaders at the pinnacles of their careers. In these cases, their professional assistants and staff have been incredibly helpful in managing correspondence and facilitating the timely completion of these contributions. Among these helpful professionals are Flip Brophy of Sterling Lord Literistic, Minna Cowper-Coles, Chip Burpee, Sarah Neely, Toni Getze, Nancy Bonomo, Elizabeth Ong

Baoxuan, Brooke Sweet, Anna Porter, and Janet Conary. I also owe gratitude to institutions with colleagues very supportive of my writing during my time with them: Bentley College of Waltham, Massachusetts, and McKinsey & Company.

Finally, I owe a debt of gratitude to several members of the publishing community to bring this massive effort to fruition. First, Hilary Claggett of Potomac Books, my editor at Greenwood/Praeger for my first book (*A Democracy Is Born*, 2007), envisioned an interdisciplinary series reflecting on the national tragedy that was 9/11. This concept was initially to be four volumes, but due to the enthusiastic response from the scholarly and writing communities, the series expanded to six—allowing for a full treatment of each major area we have undertaken. Next, Toby Wahl of Westview Press, and former political science editor at Palgrave-Macmillan, supported me with my publication of *The American Military after 9/11: Society, State, and Empire* at Palgrave (2008) and provided energy and commitment in the initial stages of the development of *The Day That Changed Everything?*. After his departure, Farideh Koohi-Kamali, editorial director at Palgrave, assumed Toby's responsibilities and provided excellent advice and support, taking the series through its last stages in the summer of 2008. Lastly, Editorial Assistant Asa Johnson deserves heartfelt appreciation for his efforts to bring the book to publication in its final form, exceeding all expectations.

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Introduction

Matthew J. Morgan

This book is the final volume of the six-volume series *The Day That Changed Everything?* With some time having passed since the attacks of September 11, 2001, it is possible to reflect upon the attacks and assess their impact. The series brings together from a broad spectrum of disciplines the leading thinkers of our time to reflect on one of the most significant events of our time. This volume is devoted to changes after 9/11 in the areas of religion and philosophy.

At its heart, 9/11 was a religious event. This assertion applies to both the causes and the consequences of the attacks. The central cause for the attacks was a serious increase in religiously motivated violence throughout the previous decade. The attacks have had effects that have reverberated across many dimensions of human life, which this series has documented in earlier volumes on politics and war, economics, the law, the media and the arts, and psychology and education. When evaluating the human impact, our spiritual responses and coping methods are the most immediate and fundamental of these various areas.

The 9/11 event was the capstone of a decade-long expansion of religiously motivated terrorism, with Islamist extremism leading the trend. Experts in the field had repeatedly observed the growing threat of nontraditional terrorism in the pre–9/11 age.[1] My own *The American Military after 9/11* assesses the cultural reasons for these changes.[2]

Rather than focusing on conventional goals of political or religious movements, more and more terrorists are using the purity of religious motives to adopt eschatological goals: they often seek destruction and chaos as ends in themselves. *The Quranic Concept of War* explains this concept:

> Terror struck into the hearts of the enemies is not only a means, it is in the end in itself. Once a condition of terror into the opponent's heart is obtained, hardly anything is left to be achieved. It is the point where the means and the ends meet and merge. Terror is not a means of imposing decision upon the enemy; it is the decision we wish to impose upon him.[3]

A recurring theme in Peter Bergen's seminal *The Osama bin Laden I Know*, which provides an exhaustive documentation of bin Laden and other al Qaeda senior leadership, is a sincere belief in the religious impetus for their terrorist actions.[4] Rather than cynically using religious principles to advance their cause, the cause of these leaders must be considered identical to their religious principles. Their sincerity is corroborated by numerous pieces of evidence: the harsh and puritanical rule of al Qaeda's chosen host government, the Taliban; the austere conditions in which bin Laden and his organization consciously chose to live; the consistent glut of volunteers for so-called martyrdom operations, or suicide bombings.

Of course, Islam is not the only religion with extremist adherents who have assumed disturbing preference for catastrophic, mass-casualty forms of violence. Among radical cults Aum Shinrikyo provided the counterpart to al Qaeda as the leading movement of its genre, with its 1994 sarin gas attack in the Tokyo subway—the first ever use of biological weapons in a terrorist attack. And while there is certainly no cooperation between foreign Islamist and domestic right-wing Christian radicals, there is a disquieting solidarity in their views. August Kreis of the paramilitary group, Posse Comitatus, responded to the collapse of the World Trade Center Towers with this disconcerting rant: "Hallelu-Yahweh! May the WAR be started! DEATH to His enemies, may the World Trade Center BURN TO THE GROUND!"[5]

I have begun this introduction with a discussion of the religious underpinnings of catastrophic terrorism to establish the fundamental relevance of religion and philosophy to any inquiry on 9/11. Our focus in this volume is the consequences rather than the causes of the attacks, and religion is central here as well. The trauma of the attacks has represented a major challenge for the healing resources of religious institutions for their members. Perhaps an even greater challenge is to build bonds of trust and ecumenical unity amid the religiously charged violence of 9/11 and other such national calamities in cities such as London, Madrid, Riyadh, Istanbul, and Mumbai.

Other anthologies such as this exist, including beliefnet.com's film series *Voices of Meaning* and the volume *Strike Terror No More*—a lengthy compilation that came out in March 2002 and shared an immediate response of religious leaders and scholars to the attacks. *Philosophy 9/11* (2005) is one of several collections from a philosophical, if not religious, perspective. More recently, Arvind Sharma, a contributor to this volume, edited a four-volume series, *The World's Religions after September 11*, published in September 2008. I would recommend all of these works to readers. To my knowledge, however, this volume is the only such anthology of serious religious perspectives that has been produced as part of a greater interdisciplinary effort.

Following this introduction, Philip Yancey's overview chapter, "Aftershocks," sets the stage for the proceeding contributions. One of the most successful religious authors of our time, Mr. Yancey has 15 million books in print and is the editor at large for *Christianity Today*. After his retrospective on 9/11, two sections of religious perspectives follow.

Part I looks at Islam, starting with two chapters on the faith itself. Chapter 2 reveals the results of an intensive study on American government attitudes toward Islam. Asma Afsaruddin of Notre Dame begins with an insightful look at how Islam in the public sphere has changed after September 11. M. Zuhdi Jasser, a frequent commentator on CNN and other programs, and Sid Shahid of the American Islamic Forum for Democracy follow with their look at the battle between "Spiritual Islam" and "Political Islam" for the soul of the faith in chapter 3. Finally, Liora Danan and Alice E. Hunt, former research associates at two prominent Washington, DC, think-tanks conclude Part I with their study of U.S. government attitudes in chapter 4.

Part II looks at a variety of religious perspectives. Andrew Murphy of Valparaiso University begins chapter 5 with a look at American exceptionalism. The prominent British Christian theologian John Milbank follows with the connection between the political and the religious in his chapter "Geopolitical Theology." Laurie Johnston's discussion of the Catholic conversation since 9/11 in chapter 7 could have easily fallen under part IV of this volume on just war theory, but I chose to include it among the religious perspectives because it captures the essence of the theological discussion of that faith. Rabbi Jack Moline provides a Jewish perspective on dealing with the tragedy of calamitous violence in chapter 8, and the prominent Hindu scholar Arvind Sharma contributes chapter 9 on how his religion has made meaning of these attacks. With both the Jewish and Indian people in special opposition to Islamic militancy because of political conflicts of national interests in the Middle East and South Asia respectively, these religious traditions are well suited to describe the impact of terror. Finally, two ecumenical chapters close part II, first with James Spiegel and Ryan Pflum exploring dialogue and disagreement after 9/11 from the Christian scholar's perspective in chapter 10 and then with the prominent theologian John B. Cobb, Jr., presenting his skeptical view of the attacks narrative in chapter 11.

Part III considers philosophy and ethics in light of 9/11. Ada Maria Isasi-Diaz of Drew University begins with a look at justice in chapter 12. Liam Harte of Westfield State College looks at current philosophy's relevance to the challenge with chapter 13, the title of which is a clever play on former Defense Secretary Donald Rumsfeld's famous quotation: "Known Unknowns." Jorge Secada and Talbot Brewer, each from the University of Virginia, and Martin L. Cook, the prominent military ethicist from the Air Force Academy, each follow with chapters 14, 15 and 16, respectively, that examine different dimensions of the use of power after 9/11.

The considerations of power at the end of the philosophy section provide a natural segue for part IV to examine just war theory after 9/11. Michael McKenna of Florida State University and Mark Douglas of Columbia Theological Seminary each present discussions of how the just war has responded and should respond to today's terrorism in chapters 17 and 18, respectively. Andrew Fiala of Fresno State addresses how pacifists have responded to these new challenges to their perspective in light of 9/11 in chapter 19, and part IV concludes with Pauline Kaurin of Pacific Lutheran

University raising the "elephant in the room" in chapter 20—the jus in bello consideration, torture, which has actively entered public political discourse in Western societies.

The contributing authors of this volume—and the entire series—have been deliberately assembled to reflect divergent perspectives on 9/11 and its aftermath. Some are highly critical of Western reactions to the attacks; others view the response as justified in accordance with traditional ethics on the use of force. Others are skeptical about the prevailing 9/11 narrative itself. This series attempts to bring together leading minds from a variety of perspectives. Without any particular "ax to grind," I believe this approach to reflect on the impact of the attacks is best to explore the question of whether September 11, 2001, was the day that changed everything.

Notes

1. Brad Roberts, ed., *Terrorism with Chemical and Biological Weapons: Calibrating Risks and Responses* (Alexandria, VA: Chemical and Biological Arms Control Institute, 1997); Walter Laqueur, "Terror's New Face," *Harvard International Review* 20, no. 4 (Fall 1998): 48–51; Richard A. Falkenrath, Robert D. Newman, and Bradley A. Thayer, *America's Achilles' Heel: Nuclear, Biological, and Chemical Terrorism and Covert Attack* (Cambridge, MA: MIT Press, 1998); Philip B. Heymann, *Terrorism and America: A Commonsense Strategy for a Democratic Society* (Cambridge, MA: MIT Press, 1998); Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998); Ashton Carter, John Deutch, and Philip Zelikow, "Catastrophic Terrorism," *Foreign Affairs* 77, no. 6 (November/December 1998): 80–94; Jessica Stern, *The Ultimate Terrorists* (Cambridge, MA: Harvard University Press, 1999).
2. Matthew J. Morgan, *The American Military after 9/11: Society, State, and Empire* (New York: Palgrave Macmillan, 2008), see Ch. 2.
3. S. K. Malik, *The Quranic Concept of War* (Lahore, Pakistan: Wajidalis, 1979).
4. Peter Bergen, *The Osama bin Laden I Know: An Oral History of al Qaeda's Leader* (New York: The Free Press, 2006).
5. Daniel Levitas, *The Terrorist Next Door: The Militia Movement and the Radical Right* (New York: Thomas Dunne, 2002).

1

Aftershocks

*Philip Yancey**

I learned of the attacks on the World Trade Center when my brother called me on the morning of an ordinary work day. "Turn on your television," he said. "We're under attack."

Like almost everyone, I stopped what I was doing and sat glued to the television as the surreal events unfolded. All the commentators' speculation ended when the second plane hit and it became clear this disaster was intentional, not an accident. Three planes were missing, no four—no, maybe six. And then something no one could imagine took place live on network television. Two of the mightiest man-made monuments in the world simply vanished in a cloud of darkness before our eyes.

I have never been especially patriotic. I have traveled too much overseas, I suppose, and have seen from afar the arrogance and insensitivity of the United States. Sometimes I envy my friends who travel with a Canadian, rather than American, passport. Our military, our Olympic athletes, even our tourists walk with a swagger. I remember being in the Philippines at the time of the Sydney Olympics and asking my host whether his country had ever won a medal. He hung his head, "We almost did once. And we have a chance for a bronze in boxing at this one." A nation of 90 million people had never won a gold medal. Meanwhile, the Americans were furious if they did not take home at least half the golds in swimming and track-and-field, and our winners strutted irreverently on the platform as an Australian band played our national anthem.

September 11 changed my attitude. I choked up when the Congress sang "God Bless America"; and when the Buckingham Palace guard played the "Star-Spangled Banner"; and when firemen told corny stories about their fallen comrades; and when a solitary bag-piper played "Amazing Grace" in

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Union Square; and when hundreds of New Yorkers walked around dazed with photos of their missing loved ones, sheltering candle flames in their cupped hands; and when Dan Rather broke down during an interview and had to be comforted by David Letterman of all people. I felt a sudden surge of loyalty and unity with my country that was new to me. Scott Simon put words to it in a National Public Radio editorial after the WTC attacks. Patriotism is not based on a blind belief that the United States has no need to change, he said. God knows we need to change in many ways. Rather, our love for America rests on the belief that the changes needed are more likely to occur here than anywhere else in the world.

I think of my own life. I grew up in a cloistered, fundamentalist environment in a South of legislated Jim Crow racism. Now I live 1,500 miles away in Colorado, a place of exquisite beauty, and can make a living reflecting in words on what matters most to me, rewarded and not punished for honesty and growth. Few countries in the world would allow for that kind of progression and mobility. For all its faults, the United States remains the land of promise and potential.

The phones started ringing at our house on the day of the attack. I got calls from England, Holland, and Australia, as well as from the U.S. media. "You've written about the problem of pain. What do you have to say about the tragedy?" In truth, I had nothing to say. The facts were so overpowering, so incomprehensible, that I was stunned into silence. Anything I could think of saying—"Horrible. Don't blame God. The face of evil."—sounded like a jejune cliche. In every case, I declined to respond. Like most Americans, I felt unbearably helpless, and wounded, and deeply sad.

On September 12, the day after the attacks, it dawned on me that I had already written much of what I believe about the problem of pain. I wrote *Where Is God When It Hurts* in 1977, as a 28-year-old who had no right to tackle questions of theodicy—and also no ability to resist, for there is no more urgent question facing those of us who identify ourselves as Christian. In 1990 I revised the book, adding about 100 pages and the perspective of middle age.

That night I e-mailed a proposal to my publisher, Zondervan, suggesting that we find a way to get that book out as cheaply as possible to as many people as possible. I could forego all royalties, and they could forego all profits as our contribution to a grieving nation. They jumped on the idea with amazing speed. Already they had been discussing "instant books" and other publishing responses. Instead, they decided to put their full resources into getting *Where Is God* into as many hands as possible. They called the next morning, just two days after the tragedy, to say they were mobilizing for a special edition.

By the end of that day Zondervan had sold 300,000 copies of a one-time-only edition with all proceeds directed to the American Red Cross. By the end of the next day, Friday, they had sold 750,000 copies. In short, they sold more copies in 24 hours than they had sold in 24 years. WalMart ordered 125,000; airport bookstores ordered scores of thousands. It seems that retailers, too,

felt helpless, and grasped at a chance to offer a book that might give perspective on questions their customers were consumed with.

The flurry of activity, occurring at such speed with almost instantaneous results, made me feel considerably less helpless. Within two weeks I had received my first response from a reader of the special edition. Her choir director had driven from Florida to North Carolina to be by the side of a family member undergoing surgery. He had planned to fly, but airplane cancelations forced him to drive. He never made it; an auto accident killed him. Standing in a bookstore, weeping, this woman had noticed my book on pain and bought it—one of many who suffered "collateral damage" from the terrorist acts.

My wife and I had originally planned to spend the week of September 17 on vacation, on a houseboat on Lake Powell with three couples from Illinois. When their flights got canceled, those plans changed. Instead, we took a three-day trip to Telluride, Colorado. We had already climbed seven "14ers" (14,000-foot mountains) this summer, and we attempted an eighth the week after WTC. Wilson Peak is rated most difficult, and in the end we had to turn back because of a September snowstorm. Yet the interlude pulled us away from nonstop television and gave an important reminder of the goodness and grace that exists in this world alongside the ugliness and evil. I have never seen the aspen trees so beautiful. They shone as gold, cascading down the sides of dark evergreen mountains like rivers of amber light. We took walks among them, stepping on a carpet of gold and listening to their papery rattle in the breeze. Fresh snow coated the mountain ranges, the pure white snow of early fall. And when we pulled into our driveway three days later, a bull elk was herding his harem of twenty cows across our property. He bugled warnings and they jostled into formation as I ran around snapping pictures.

I returned home to find an extraordinary journal emailed from Gordon MacDonald, a pastor and author who is also a friend. Gordon, who had once served as pastor to a church in Manhattan, cleared his schedule when he first heard about the bombings and volunteered as a chaplain with the Salvation Army. Each night, after a grueling day near Ground Zero, he recorded the sights and sounds and, yes, the smells, he and his wife Gail had encountered that day.

I called Gordon to tell him how deeply his journal had affected me, and when he learned I would soon spend a day in New York City, he insisted that I visit Ground Zero for myself. Five minutes later he called back to say he had made the arrangements with top officials at the Salvation Army.

I was traveling to Washington, D.C., New York, and Chicago under the sponsorship of another publisher, Doubleday, which had just released my new book *Soul Survivor: How My Faith Survived the Church*. An agency had worked very hard to set up a media tour, only to find the publicity and travel worlds in complete chaos in the wake of the terrorism. Many television and radio programs had temporarily gone off the air, and those still broadcasting wanted to talk about one thing only, regardless of a book's content. Moreover, the person in charge of publicity for my books had lost her best childhood

friend and former roommate in the buildings. For a week she and her friend's fiancé walked around with pictures of the missing young woman until finally they realized all hope was lost. The fiancé had watched out a window as the plane hit, and was still watching when the building containing his future wife collapsed.

Not until the day before I left did we have any assurance that the media appointments would happen at all. Some did, some did not. As it turned out, the special edition of *Where Is God When It Hurts* gave immediate entree for the interviewers, who found it difficult to talk about anything other than the bombings. Although I had only one appointment in New York, an interview with Gustav Niebuhr of *The Times*, the publisher felt a stop there would be worthwhile.

I showed up at airports at least two hours in advance, as requested, for the laborious searches by security personnel. The tension carried over from airports to the planes themselves. On one flight, in a calm, nonchalant voice the pilot informed us that if we noticed a passenger acting suspiciously, we should use pillows and blankets and try to overpower him. We glanced furtively in all directions, sizing up those around us. The flight from Washington to New York was one of the first to be routed directly above Manhattan (airspace had been restricted for fear of more attacks) and as I looked down I could see the gaping hole in lower Manhattan. Clouds of smoke plumed from the site, and tiny yellow bulldozers moved jerkily along the edges.

A driver named Eddie met me at LaGuardia in New York. Mayor Giuliani had ordered checkpoints at every tunnel, and vehicle searches were causing huge traffic backups, he told me. Eddie knew a back route through Queens, and drove us through neighborhoods unaccustomed to limousines driving by. I told him my destination, the Salvation Army center near Ground Zero, and he said he knew it well. Eddie, a young Puerto Rican with a clean-shaved head, was impeccably dressed in a starched white shirt and tie, wearing gold bracelets and a diamond-studded ring. He had a perfect Brooklyn accent.

"Where were you on September 11?" I asked Eddie, making conversation. "Were you working?" He paused at least 10 seconds before answering, no doubt weighing whether he wanted to tell the story again, to a stranger.

"Actually, Mr. Yancey, I was parked just across from the World Trade Center."

"No! Tell me about it."

"I had picked up a ride at the airport, Mr. Firestone, and dropped him at the Millennium Hotel. I remember his name because I asked him if he owned the tire company, but he laughed and said no. He had a meeting scheduled at the WTC, and I planned to stay with the car and wait for him. I was sitting in this car, reading the paper, when I heard a roar like the sound jet engines make when the planes warm up. I live near LaGuardia, so I hear that roar every morning. Then the ground shook, the car shook, and I heard the explosion. What in the world? I jumped outside of the car and saw people running everywhere."

"I was standing by my car when the second plane hit a few minutes later. My God, I've never seen a fireball like that. I knew I should get in the car and leave, but something glued me there. It's like when you see an accident, and you know you should drive past without looking, but you can't."

"You wouldn't believe the noise. Car horns were going off all over the place. Police, ambulance, and fire truck sirens were coming closer. I quick called my wife in Brooklyn and told her, 'Honey, something big has happened down here. Turn on the news. I'm right in front of the twin towers, but I'm OK.' "

"And then the people started streaming out. Thousands of people. Some screaming, some holding handkerchiefs over their faces, some covered with blood. I stood by the car as they ran past. I looked in the air and, oh my God, I saw little specks—people jumping. A man in a white shirt. A woman with her skirt flying up. A couple holding hands. A man trying to use his sports coat as a parachute. People would look up, try to figure where they'd land, and dodge the bodies as they hit the sidewalk. I'll never forget that sight as long as I live."

"There was paper and debris and stuff flying everywhere, like a blizzard. I saw a boy, maybe 14, on the sidewalk doubled up, coughing, and when I went over to him he pointed to his pocket. He couldn't speak. I reached in and pulled out an asthma pump, and he sprayed it and got his breath back."

"I was there forty-five minutes, I guess—I couldn't tell how long, but that's what they say now, when the first tower collapsed. A woman had fallen down on the sidewalk, an elderly woman. Everybody was running past her, not stepping on her or anything, but running right past her. I waited for a break in the people and went to her. 'Are you all right, ma'am?' I asked. 'I have some water in my car. Can I get you some?' She said she'd made it down something like 58 floors, and I told her she was safe now."

"I could tell she was upset, so I asked if I could say a prayer for her. I'm Catholic, you know. It just seemed the thing to do. She looked relieved, and while I was kneeling there on the sidewalk holding her hand, I heard a noise louder than I thought possible. The entire giant building just collapsed, all 110 stories. And I swear to God, Mr. Yancey, while I'm kneeling there holding that woman's hand, something falls from the sky—a piece of a computer or something—and hits that woman and she slumps over dead. Imagine—escaping from 58 stories and then getting killed like that."

"I look behind me and see a cloud dark as night rushing right towards me. I let go her hand and take off running. It's like a cops-and-robbers cartoon. The faster I run, the closer the cloud gets. I realize I got no chance. I duck into a little space between two buildings to wait it out. When the cloud hits, it's darker than I knew dark could be. At night, even a cloudy night, at least you got space around you, air to breathe. This cloud was, like, solid. You couldn't see anything. You couldn't breathe. You were surrounded by dark you could feel."

Eventually, Eddie told me, he found his way back to his car. Police had already sealed off the area, but he wanted to get his limo out. It was covered

with dust like volcanic ash, and he took off his white shirt and wiped the windshield until he could see out. He opened the doors and yelled, "Anybody want a ride outta here?" Eight people, strangers, piled in. He headed for the nearest bridge off Manhattan, crossing over just before the mayor ordered all bridges and tunnels closed.

When he finally got home, four hours after the attack, he found his wife hysterical, his two children huddled in a corner watching Mommy sob. After his phone call she had stood at her window in Brooklyn and watched the World Trade Center disintegrate, certain that her husband had been killed in the explosion and fire. Phone service was down, and she had not heard from him in four hours.

Eddie was so shaken that the next day he accepted a job to drive someone to Detroit. Airplanes were grounded, people were desperate to get home, and he wanted to get as far away from New York as he could. He drove straight through, took a two-hour nap in the car, and drove fourteen hours back to Brooklyn.

"Everything's different now, Mr. Yancey," Eddie said. "I go to my brother's house every night. We sit around, watch TV, play with the kids, play games. Stuff I never used to do. Family stuff. And I haven't missed Mass yet. I'll never be the same."

Salvation Army (SA) personnel, bless their hearts, are not the most publicity-savvy people in the world. Gordon MacDonald told me that certain other groups always made sure media interviews were conducted with a van and prominent logo in the background, for the TV cameras. Such a thought would never occur to an organization with a name such as "Salvation Army." Wearing uniforms that have not changed much in a century they roll up their sleeves and serve at the most basic human level, the first line of defense at every emergency. On a very tight time schedule, I had arranged to take a tour of Ground Zero with the Salvation Army's commissioner of Australia, but we sat around for two hours before SA personnel figured out the logistics and the paperwork required to get us through security checkpoints.

While sitting around sipping coffee, I met Major Carl Ruthberg, a Salvationist normally stationed at Times Square. Since the tragedy he has worked mainly at the Medical Examiner's Office, the place where they bring bodies and body parts to be identified. The morgue is equipped with high-tech refrigerator trucks lined with steel shelving, and body bags stacked by the thousands. More than two weeks after the event, only 5 percent of the bodies had been found. One group was found intact, holding hands, but they were a rarity. The rest lay buried under tons of rubble, or they simply vaporized in the heat.

The Jewish rabbi assigned to the morgue said his tradition had not prepared him for the task. Jews have a practice of staying with a body from death to burial, which is why they arrange funerals within 24 hours. At Ground Zero, there were few bodies to stay with. And when I visited, not only 24 hours but 2 weeks had passed with thousands of bodies still missing.

Major Ruthberg told me of the rescue dogs who got so discouraged that their handlers had to play games with them, hiding under blankets to be

found. The dogs searched all day and found maybe a piece of clothing or an elbow or scrap of skin. They cut their paws on the sharp edges of steel, and whined in frustration because, like the human rescuers, they had so little to show for their efforts.

He also told of what happened when evidence of a fireman or policeman was found—maybe a badge, or patch of clothing, or piece of a boot. All machinery was turned off, Ground Zero fell silent, and all firemen on the scene formed two lines and stood at attention. The rescuers retrieved the clothing or body part and walked in silence between the lines of saluting firemen to the morgue. Then they wrapped the body bag in an American flag and placed it in an ambulance, which would drive through another line of saluting firemen, accompanied by a motorcycle escort, lights flashing but still in silence.

"I work side by side with heroes," the major said. "And I tell you, they love God. They may be hard-nosed New York detectives, or FBI officers, but at the morgue the softness comes out. I feel privileged to be there, and offer just a calming word, a touch. We have so few survival stories down here, but we tell them over and over. I keep reminding the guys of all the thousands of people who escaped, partly through their efforts, after the blasts. We lost several thousand, but it could have been ten times that number. We've got to have that balance, a reminder that some did survive."

Gordon MacDonald tells of visiting a former cocktail lounge near Ground Zero, all its windows broken so that you could see the bar inside, and behind it all the liquor bottles and the drinking glasses as they had been lined up the day of the explosion. Tables and chairs were overturned, and thick dust and pulverized concrete covered every surface. On the mirror above the bar someone had written the name and number of his fire brigade and then added the words, "Others run out; we run in!"

Outside the Salvation Army Center a tractor-trailer truck was parked. It came packed with supplies—blankets, food, clothing—from the state of Washington, clear across the continent from New York. When Salvationists opened the truck to unload it, they found inside a 40-foot banner, which they unfurled and tacked to the side of the truck. It was covered with thousands of messages handwritten in grease pencil or permanent marker, and I stood and read them for probably ten minutes. Most were one sentence long. "You're in our hearts." "We're alongside you." "We love you." "You're our heroes." "You're our brothers and sisters." Some of the writers had drawn hearts, or angels, or other signs of companionship and hope. Third-graders had sent along homemade cookies in hand-decorated bags.

When we finally did get the clearance to drive through the checkpoints, the street was lined with New Yorkers—New Yorkers!—who cheered and waved banners with similar messages. *We love you. You're our heroes. God bless you. Thank you.* In the early days crowds of people ten deep lined these streets at midnight, cheering every rescue vehicle that came by. The workers ran on that support as their vehicles ran on fuel. They had so little good news. Daily they faced a mountainously depressing task of removing tons and tons

of twisted steel, compacted dirt, smashed equipment, broken glass. Yet every time they drove past the barricades, they faced a line of fans cheering them on, like the tunnel of cheerleaders football players run through, reminding them that an entire nation appreciates their service. In a Salvation Army van with lights flashing, we attracted some of the loudest cheers of all.

Moises, the Salvation Army officer leading us, was Incident Director for the city. He had been on the job barely a month when the planes hit. He worked 36 straight hours and slept four, 40 hours and slept six, 40 more hours and slept six. Then he took a day off. His assistant had an emotional breakdown early on, in the same van I was riding in, and may never recover.

After a few days the Salvation Army made a policy of accepting nothing but cash. They had nowhere to put the donations of food, clothing, and equipment brought to them by thousands of New Yorkers and others from out of state. Lines of people stretched around the block all day long, volunteers who wanted to help. The writer Chris DeVinck tells of a couple in his town who drove to Home Depot, bought $700 worth of shovels, and hand-delivered them to New York. Gordon MacDonald tells of fire fighters in Chicago who jumped in a car, headed east, and got picked up going 108 mph in Indiana. When they explained to the state trooper, he said, “Well, let’s try to keep it under 90,” and gave them a flashing-light escort to the border.

Many of the Salvationists I met hailed from Florida, the hurricane crews who keep fully stocked canteens and trucks full of basic supplies to send to cities and towns devastated by hurricanes. When the Manhattan buildings fell, they mobilized all those trucks and drove them to New York. The crew director told me, “To tell you the truth, I came up here expecting to deal with Yankees, if you know what I mean. Instead, it’s all smiles and ‘Thank you.’ ”

The Salvation Army has learned to meet needs at the most basic human level. They will certainly talk with you and pray with you if you want, and the Salvationists in the shiny red “Chaplain” jackets were in high demand. Mainly, though, they were there to wash out eyes stinging from smoke, and provide Blistex for parched lips, and foot inserts for boots walking across hot metal. They operated hydration stations, and snack canteens. They offered a place to rest, and freshly cooked chicken courtesy of Tyson’s. The day I arrived, they distributed 1,500 phone cards for the workers to use in calling home. Every day they served 7,500 meals. They offered an oasis of compassion in a wilderness of rubble.

We passed through five checkpoints, the last one, known as the Red Zone, manned by soldiers in Army fatigues. “Things have tightened up here,” our Salvationist guide shouted over the roar of machinery and generators. “New York’s finest take training in public relations. The U.S. Army doesn’t.” As we approached Ground Zero, we traded in the van for an open golf-cart-like vehicle. Soldiers wearing gas masks sprayed water and disinfectant on the tires: water to combat asbestos, disinfectant to fight the germs that flourish around a scene of death. They scrutinized each person’s ID and waved us through.

America’s ability to respond to a crisis is amazing. Two weeks after the tragedy, a rescue city had sprung up. Portable kitchens and toilets, tents,

pallets full of plywood, cranes 25 stories high, refrigeration trucks, generators, bulldozers—they lined the streets approaching Ground Zero.

I had studied the maps in the news magazines, but no two-dimensional representation could capture the scale of destruction. For about eight square blocks, buildings were deserted, their windows broken, jagged pieces of steel jutting out from floors high above the street. Thousands of offices equipped with faxes, phones, and computers, sat vacant, coated in debris. On September 11, people were sitting there punching keys, making phone calls, grabbing a cup of coffee to start the day, and suddenly it must have seemed like the world was coming to an end.

Part of the shock, I think, was that Americans were going about their daily routines, following baseball, watching the stock market, telling jokes about politics, and then innocent airplanes, the kind we ride on for trips to Disney World, morphed into agents of monstrous evil. No one had declared war, or given any warning. Afterward, nothing will be ordinary in quite the same way again.

It was a sunny day, and as we got to Ground Zero everything about the landscape changed. Sun was filtering down all the way to the sidewalks, no longer blocked by the towering buildings. At a plaza just across from the rubble, mourners had placed teddy bears, hundreds of teddy bears, maybe thousands, with flowers now dried and coated with dust. Occasionally I passed a wall plastered with photos of the missing, and poignant notes. "Please, Marcia, call your sister. I love you!" "We haven't given up hope, Sean. You'll always live in our hearts."

The chaplains had warned me about the stench of death, but I mainly smelled the acrid aroma of rubble that had already been burning for two weeks. The air was clear. I was surprised that the streets and sidewalks were clean, not coated with dust. The constant spraying, aided by a couple of rainstorms, had had an effect.

Just that morning the mayor had changed the mission away from rescue, in effect giving up hope that survivors would be found. No more bucket brigades, with meticulous removal of debris by hand. The big machines were moving in. Measured by the buildings around it, the pile of rubble stood between 10 and 12 stories tall. In the Rockies, I have seen how avalanches sweep whole mountainsides of snow and compress it into a pile as hard as concrete at the bottom of the slope. Still, I could not imagine that all the mass of 220 combined floors had compressed into this pile. Bulldozers crawled across the ugly mountain. Sparks shot up where welders worked to cut apart the girders.

Looking at Ground Zero, I thought of the garbage mountains outside Cairo and Manila, where armies of the poor make a living by combing through filth in search of neglected treasure—a plastic bag, a pencil, a piece of a telephone. Here in the most technologically sophisticated city in the world, a different kind of army was using the very best equipment to comb through rubble in search of treasure, in this case evidence of human beings: hair, flesh, body parts. Searchers sifted through the rubble before loading it on a dump truck,

forensic specialists checked it on the truck, and others checked it again when it arrived in the Bronx.

I studied the faces of the workers, uniformly grim. I did not see a single smile at Ground Zero. How could you smile in such a place? It had nothing to offer but death and destruction, a monument to the worst that human beings can do to each other.

I saw three booths set up in a vacant building across from the WTC site: Police Officers for Christ, Firemen for Christ, and Sanitation Workers for Christ. (That last one is a charity I'd like to support!) Salvation Army chaplains had told me that the police and fire personnel had asked for two prayer services a day, conducted on the site.

In Washington and Chicago, as I talked about the special edition of *Where Is God When It Hurts*, inevitably the interviewer would turn the question back on me. "Well, where is God at a time like this?" Sometimes I countered some of the harmful things other Christian spokesmen had said, bringing guilt and judgment to a time that begged for comfort and grace. I talked of Jesus' response to tragedies, when he rebuked those who responded with judgment and not compassion. And then I told of a man who came up to me one time with a question.

I had been signing books when he appeared at my elbow and said, "Sorry, I don't have time to read your book. Can you just answer that question for me in a sentence or two?" I thought for a moment and said, "I guess the answer to that question is another question. Where is the *church* when it hurts? If the church is doing its job—binding wounds, comforting the grieving, offering food to the hungry—I don't think people will wonder so much where God is when it hurts. They'll know where God is: in the presence of his people on earth."

Gordon MacDonald had written this in his journal:

> And more than once I asked myself—as everyone asks—is God here? And I decided that He is closer to this place than any other place I've ever visited. The strange irony is that, amidst this absolute catastrophe of unspeakable proportions, there is a beauty in the way human beings are acting that defines the imagination. Everyone—underscore, *everyone*—is everyone else's brother or sister. There are no strangers among the thousands at the work site. Everyone talks; everyone cooperates; everyone does the next thing that has to be done. No job is too small, too humble, or, on the other hand, too large. Tears ran freely, affection was exchanged openly, exhaustion was defied. We all stopped caring about ourselves. The words "it's not about me" were never more true.
>
> No church service; no church sanctuary; no religiously inspiring service has spoken so deeply into my soul and witnessed to the presence of God as those hours last night at the crash site.
>
> In all my years of Christian ministry, I never felt more alive than I felt last night. The only other time I can remember a similar feeling was the week that Gail & I worked on a Habitat for Humanity project in Hungary.

> As much as I love preaching the Bible and all the other things that I have been privileged to do over the years, being on that street, giving cold water to workmen, praying and weeping with them, listening to their stories was the closest I have ever felt to God. Even though it sounds melo-dramatic, I kept finding myself saying, "This is the place where Jesus most wants to be."

Two weeks on, New York was a different place than it was on September 10. To anyone who has spent time there, I need only mention one observation to mark that change: in a full day in Manhattan, I heard one car horn. "I don't know how to drive anymore," my driver Eddie said. "I'm used to people honking at me, cutting me off, flipping me the bird. Now, they're so polite, I don't know how to act."

A massive shift in perspective happened to our country on September 11. As Eddie put it, "Everything's different now." For a time, at least, it made us look at our land, our society, and ourselves in a new way. Professional sports canceled all contests; comedies went off the air. We no longer saw ourselves as the lucky few on top of the world, but as a people vulnerable to hate and terror. That 3,000 people could go to work as part of their daily routine and never come home made us all aware of our fragile mortality. Over the next months, *The New York Times* ran an obituary on every single person who died. Like most people in history, but not most Americans, we began to live in conscious awareness of death.

I wonder how long it will last—for New York, for the nation, for me. One day we faced what most of us spend a lifetime ignoring: that all of us will die, and that many of us fill our lives with trivialities in apparent defiance of that fact. We learned, like Eddie, that playing games with kids may be more important than working late for overtime pay. We learned that even in a city known for its crusty cynicism, heroes can emerge. We learned that a Jay Leno comedy routine and major league sports, entertaining as they may be, are sometimes obscenely out of place. We learned that love for country and even for strangers can surge up with no warning. We learned that our nation, for all its flaws, has much worth preserving, and worth defending. And we learned that at a time of crisis, we turn to our spiritual roots: the president quoting Psalm 23, the bagpiper piping "Amazing Grace," the sanitation workers stopping by their makeshift chapel, the Salvation Army chaplains dispensing grace, the chaplains comforting the grieving loved ones. Thanks to them, we know where God is when it hurts.

Eddie drove me to *The New York Times*, and we got caught in that most eerie situation: a silent Manhattan traffic jam. It was two o'clock in the afternoon, I was late for perhaps the most important professional appointment in my life, and my churning stomach was reminding me that I had not eaten a thing all day. At 2:07, I jumped out of the car to greet Eric Major, my Doubleday publisher, who was pacing outside. "Bad news, I'm afraid," he said. "Gus Niebuhr got called away on an emergency. The appointment is canceled." I had not needed to stop in New York after all.

Part I

Islam and 9/11

2

An Altered Terrain: Engaging Islam in Post–9/11 Academia and the Public Sphere

*Asma Afsaruddin**

For those of us who were already aware of the challenges and tensions of teaching Islam on American campuses, the post–September 11 environment would heighten even more some of these tensions. In this essay, I begin by talking about my classroom experiences in the immediate aftermath of September 11 and proceed to discuss the ongoing challenges that remain eight years after the tragic event. I conclude by dwelling on the opportunities that have opened up to bring more sophisticated and informed discussions of Islam and Muslims via American campuses into the larger public sphere and therefore into the American mainstream.

In September 2001, I was teaching a course titled "Canon & Literature of Islam," at the University of Notre Dame, a liberal arts Catholic University in the small Midwestern city of South Bend in Indiana. It was a small class of 10 students; my classes on Islam before September 11 typically had an enrollment of between 10 and 20 students (these numbers have risen dramatically since then). There is a lot of interaction with the students in this course, because by its very nature it is very discussion oriented. Almost the entire first half of this class is devoted to a close reading and discussion of selected Koranic passages, followed by a discussion of the *hadith* (sayings of the Prophet Muhammad) literature. It goes almost without saying that the class is self-selecting. Students who tend to take a class on Islam in this predominantly Roman Catholic institution tend to be far more intellectually curious

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than the run-of-the-mill student and more willing to be challenged in terms of the content of the course. A few more details concerning what it is like to teach at an avowedly religious, private institution with a specific denominational cast to it like Notre Dame are in order here. About 90 percent of the students at Notre Dame are Roman Catholic; mostly of Irish Catholic background. They tend to be generally rather conservative (certainly by the usual American campus standards) on many social and political issues. Many of them come from staunchly pro-Republican families and have absorbed their parents' political preferences. Many of them are observant Catholics and take part in Mass and try to observe other religious requirements. Notre Dame in fact has been described as the most intensely Catholic university in the United States, more so than say Georgetown or Catholic University in Washington D.C. It is a description that the university takes pride in and the administration is concerned with maintaining, if not enhancing, its Catholic character.

The question may then arise spontaneously: how does a Muslim educator fare in such an atmosphere? How is she received in the class by these conservative, potentially close-minded students who are convinced of the eternal verity of their faith and perhaps feel no need to understand any other? As one might suspect, the more open-minded and intellectually adventurous tend to venture into my classes, willing to engage with a different (although as they realize soon enough a related) religious tradition. In fact their often fervent religious upbringing works to the advantage of the class. As a colleague of mine teaching at a secular university commented, it is easier teaching religion (any religion) to religiously observant students, because they tend to take religious issues seriously, and when a different faith tradition seems related enough to their own, there is often even empathy for it. Thus on the whole I have had a largely favorable experience expounding Islam and the Islamic way of life to my largely Christian students in the Notre Dame environment. A number of students have commented in their teaching evaluations or in private emails to me that being exposed to Islamic thought and sources has actually deepened their faith in their own religious tradition and made them grow as a person. Some have expressed their pleasant surprise at discovering common religious parameters and idiom for Islam and Christianity: for example, the concepts of monotheism, fasting, charity, social reform and justice ring very familiar to my students. Most, but not all, are amazed when encountering the familiar names of biblical prophets in a Koranic context. Many marvel, perhaps in spite of themselves, at the ecumenical nature of Islam and how Muslims at their best have been accepting of the other Abrahamic faiths. This is not surprising since many of these students do actually come into my class expecting Islam to be perhaps a more rigid form of historic Catholicism, with Arabic names and terms suitably substituted for presumed Christian equivalents. Therefore, they expect to hear that Islam denies spiritual salvation to adherents of Judaism and Christianity, and that the Prophet Muhammad was a kind of messianic, perhaps even semidivine or divine redemptive figure, sent to the Arabs, and so forth. They are thus often taken aback to realize that Islam stresses instead its organic connection with

Judaism and Christianity and asserts a spiritual, ethical, and historic kinship with these Peoples of the Book.

To return to the aftermath of September 11—the students returned to my "Canon & Literature" class on September 12, all understandably somber and somewhat shaken. Needless to say, we digressed somewhat that day from the readings assigned in the syllabus. I had more than a foreshadowing that our classroom discussion would inevitably turn to complex and difficult questions about war and peace in Islam, about violence and the taking of innocent lives, about all the ramifications of the word jihad—how could it not after that terrible day? I therefore came prepared with a few relevant articles dealing with the ethics of war and peace in Islam, which in a manner highly accessible to the undergraduate, lays out the basic Koranic and legal positions on this issue. In the quite animated discussion that followed, it became quite clear to my students that there is indeed a huge chasm between the Koranic and classical juridical views of jihad and al Qaeda's perspectives on it, in spite of the Islamic rhetoric employed by the latter. The question then was posed: how could the perpetrators of such atrocities justify their actions based on the fact that Islam categorically denounces terrorism?[1] Such a baffled question, not only from students but also from the media, makes it plainly evident that although an individual may be fully aware of the diversity of thought and opinions within one's own tradition, the outsider often tends to see that same tradition in stark black-and-white terms. Unless taught or reminded to do so, we do not instinctively nuance the other person's beliefs that are regarded as alien to ours. Therefore the best way to tackle this question is to appeal to what the student already knows about his or her own faith tradition or culture and the contested views and perspectives that exist within it. When prodded to acknowledge the internal diversity of their own traditions, they are encouraged to extend the same courtesy to other ways of thinking or beliefs. Sometimes it is hard for students coming from within the Catholic tradition, as at Notre Dame, to relate to the diffuseness of religious authority within Islam—so accustomed are they to the centralized authority of the Catholic Church and the finality of its edicts. The noisy profusion of voices within Islam throughout history comes as a shock to some and a delight to others. Emphasis on the richness and diversity of this tradition, I find, is the most effective counterweight to the vulgar stereotypes of Muslims afloat in many levels of American society today as well as to the intolerant positions of extremist groups. Ultimately, pointing out that these fringe groups speak with no "ecclesiastic authority," as my students might have put it, was the most effective way to undermine and delegitimize their position.

One question that came up in our classroom conversation on the day following the attacks was the plaintive question that one heard and continues to hear from certain quarters to this day: "Why do they hate us?" Some of the students clearly saw it as an attack on Christianity, a perspective that was after all not unusual in the Notre Dame context. Others predictably saw it as an attack on Western civilization and all it stands for. It was relatively easy to debunk these arguments, primarily on the basis that if the

Christian-Western civilization as an entity were the target, then practically any country in the Western hemisphere could have been targeted. Why not pick Italy or Germany then? A more, shall we say, cosmopolitan minority of students subsequently brought up references to the problems associated with globalization and certain misguided U.S. foreign policies that have generated resentment not only among Muslims but non-Muslims as well, particularly in what used to be called the Third World. It was an important opportunity for us to reflect on how religious rhetoric can be used to give legitimacy to rank political claims or opportunist bids for power. I should point out that in that highly charged atmosphere right after September 11, there were very few venues outside of the classroom in this country where we could have had such a passionate yet civil conversation about religion, politics, and violence.

For a number of weeks after that, as we proceeded with reading selections from the Koran and continued on with *tafsir* (Koran exegesis) and *hadith*, there were many occasions when we would segue into discussions of current events and the role of religion in them. This is probably the first time I had taught my course on Islamic Literature and found it to be directly relevant to contemporary events and the students engaged in the texts to the extent that we were. It was as much of an educational experience for me as it was for them.[2]

Perhaps the greatest challenge was and remains the very strong, and largely negative, influence of the media. I found myself (and continue to find myself) frequently and energetically refuting many half-baked, ill-informed, and occasionally virulently malignant assertions about Islam and Muslims as an undifferentiated whole that often cropped up in the print and broadcast media. I remember that there was a brief honeymoon period immediately after September 11, helped along by President Bush's assertions that America was not at war with Islam but with terrorism. CNN, for example, scheduled frequent snapshot interviews with relatively well-informed people, and often with prominent Muslim speakers, about Islam and the Middle East. But that honeymoon period began to dissipate as the more hawkish and pugnacious elements of the government and the media began to gain ascendancy and started their drumbeat of alarmist predictions for the future, a tendency that has not abated and, in some quarters, has actually intensified. The classroom and other public fora at Notre Dame (e.g., a conference on Islamic peace-building that took place in spring 2002) offered valuable opportunities for thoughtfully and proactively engaging a range of discourses that had emerged on Islam, Islamic activism, religiously sanctioned violence and related issues.

In this charged atmosphere, being a Muslim educator carries its own special set of "burdens" and responsibilities as well as issues of "image" and "balance." At Notre Dame, I felt that I was perceived in one of two ways, or possibly both simultaneously, by my students. First, being a Muslim afforded me the "insider" advantage as someone who has experiential knowledge of Islam in addition to the intellectual or "bookish" knowledge expected of an educator, and who can therefore speak with even greater authority than the

non-Muslim educator. In the confessional Christian atmosphere at Notre Dame, I tended to be perceived as "a witness" for my faith; and this was largely a positive perception, implying that living one's religious faith offers an individual more insights into that faith's tradition that can be more meaningfully conveyed to outsiders. The second possibility is that I may be seen as a partisan advocate for Islam, possibly even an apologist, anxious to distance myself for self-serving reasons from those who distort Islamic teachings. For this group, anything I might say that belied, for example, popular media representations of Islam and Muslims, might smack of white-washing. A significant cross-section of the American populace is so used to continuous barrages of simplistic, and ultimately, reductionist information about Islam, that more nuanced and historically balanced accounts invite suspicion. When a Muslim scholar dispenses this kind of balanced information, there may be a tendency to regard it as opportunistically concocted for propaganda purposes.

One should not disregard such perceptions; they have helped shaped the approach I have adopted toward my courses in a number of ways. For example, I have to judiciously pick the assigned readings for my classes, being on the alert for possible slant on the part of the author. At a place such as Notre Dame, one feels a terrible sense of responsibility knowing that my class may be the only one in which some of the students will be exposed to Islam. Since my classes did not assume any prior knowledge of Islam or Arabic on the part of my students, the readings assigned were all in English. The majority of my readings and textbooks are by both Muslim and non-Muslim authors who are recognized scholars in their field with no (at least obvious) ideological axes to grind. In academia that should be the ultimate criterion: religious affiliation takes a backseat to the scholarly credentials of the individual author in question. A minority of such assigned works are by individuals who are more public intellectuals and thinkers than academics, whose views today shape public opinion to a considerable extent. The combination of these reading assignments and the occasional speakers I brought to campus over the years were designed to expose the students to a variety of perspectives on a number of critical issues and to drive home the point that there are hardly simple or simplistic answers to the complex issues and contested interpretations that we deal with in the field of Islamic Studies. Once completely immersed in the history and intellectual milieux of the various realms and historical periods of Islam, the students are usually well on the way to considerably questioning and revising many of the undifferentiated views they came into the class with and to begin to appreciate the internal pluralism of the Islamic tradition.

The years since 2001 have been demanding, frustrating, enriching, exciting, and above all full of often unexpected challenges and opportunities for specialists in Islam and the Islamic world.[3] It is a cliche to state that the world is not the same anymore after September 11, 2001. Certainly for those of us who teach and engage Islam publicly, the world has changed dramatically and irrevocably. Frequently called upon to explain Islam (using Islam mentonymically here to refer to a host of diverse Muslim societies, cultures, and

praxis) and even perform it (as a Muslim you are often *the* living embodiment of the internally pluralist Islamic tradition) before multiple audiences, those of us who had felt safe and insulated before in our academic cocoons were forced to venture out of our comfort zones. No one was actually holding a gun to our heads (at least not literally) but many of us felt a strong moral and ethical obligation to put our scholarship and expertise at the service of a much broader audience. A considerable number of us felt that if we abdicated this public responsibility there were those hastily self-educated commentators and "experts" of various kinds, skilled at best in superficial punditry and in totalizing descriptions of Muslims, who would be happy to fill the vacuum. As it was and remains, many of us entering the fray were poorly equipped to speak in powerful, short sound-bytes, preferring, as in our usual classroom-lecture styles, longer excurses that attempted to carefully delineate historical contexts and contested perspectives on a given issue. The general audience had little patience for such long-winded and cerebral explanations. We had to learn "on the fly" to package our information in much more palatable and easily digestible morsels, capable of instantly satisfying public curiosity yet (hopefully) whetting their appetite for more holistic depictions.

Many of us were also completely unprepared for the unremitting hostility, fueled mostly by ignorance and prejudice, that we occasionally encountered during and after our public speaking engagements, and sometimes on account of our published writings and comments. Belligerent watchdog groups (Campus Watch, etc.) and antagonistic bloggers have attacked a number of us, often viciously and relentlessly. At the same time, many of us were also pleasantly surprised by the open minds that many members of our audiences often brought with them and the desire to seek out different, more reliable sources of information.

How then, as educators in particular, do we best adapt to these changed circumstances? Certainly, the present circumstances offer both challenges and opportunities for us. Below I briefly enumerate firstly what these challenges are and then, on a more positive note, delineate the opportunities that exist for promoting especially intercultural and interfaith understanding in our current milieu.

Challenges in the Post–September 11 Classroom

The biggest challenge is posed by the tangible although diffuse undercurrent of heightened wariness, if not outright hostility, toward Muslims and Islam in present-day America. Our students are just as much affected by this undercurrent as anyone else. They bring this baggage with them, which they have acquired through general cultural osmosis, into the classroom. How does one negotiate this situation in a dispassionately scholarly yet sensitive manner? Are there emerging best practices for academicians in such contexts? Above all, the answer is that we should continue to do what we do best and do more of it: teach, write, and speak on relevant matters. There is nothing like the

reiteration of historical facts and their responsible and non-prejudicial interpretations to dispel some of the more basic myths and half-truths about Islam and Muslims. For example, in my religion and civilization courses, I emphasize the strong links from the medieval to the modern period between the Islamic and Christian European civilizations. The extent to which premodern Western learning is derived from Muslim sources is a point that needs to be made, perhaps over and over again, to show how these two civilizations to this day are intertwined. A better understanding of these historical links is a must.

To help establish these links, there are a number of good scholarly works now available in the market. One of my favorites is *The Case for Islamo-Christian Civilization* by Richard Bulliet,[4] a book that is the product of a long career of scholarly reflection and research. The book brilliantly sketches how much of the history of the Muslim and Christian worlds have been intertwined in the premodern period and proceeded in lockstep with one another in matters relating to scholarly interests and products, development of institutions such as universities, libraries, and public endowments, and in cultural tastes and practices. Another favorite of mine is Khaled Abou el-Fadl's book titled *The Great Theft: Wrestling Islam away from the Extremists*,[5] which provides in a very accessible manner a detailed comparison and contrast between the views of those he calls moderate Muslims versus the extremists. The desire to now write in a more accessible manner for a larger, general audience has led to the publication of my recent book *The First Muslims: History and Memory*,[6] which discusses competing interpretations of the early Islamic period by hard-line Islamists and Muslim modernists today, with important ramifications for current events.

To all this I would add that one should try to put as much of a human face on Islam as possible. If you are a Muslim educator yourself, whether one likes it or not, you are part of the package of information the students absorb about Islam. Your comportment and demeanor speak volumes to students. A speaker series through the academic year on issues related to classroom topics add immeasurable depth and variety. Speakers who can speak knowledgeably about Islam, whether they are so-called insiders or outsiders, enhance the human, living dimension of Islam that the students have not been exposed to previously. Visits to a local mosque can also work wonders. If your local mosque has a healthy outreach program, like ours in South Bend, staffed by dedicated and personable people, then such contacts are invaluable in helping to dispel the unfortunate impression, conveyed in part by the media, that all Islamic centers in the United States are cesspools of violent conspiracies. Acquaintance with gentle, bearded men and well-spoken women in headscarves can counter deadly, absolutist stereotypes.

Opportunities in the Post–September 11 Classroom

A wise person once remarked, "When life hands you a lemon, make lemonade." One of course wishes September 11 had never happened, and one

wishes even more fervently that it had not taken a tragedy of this sort to bring Islam to the forefront in a manner that is probably unprecedented in recent history. But here we are, and we should indeed make that lemonade.

For educators, the most immediate visible indication of an altered terrain after September 11 was to be found in our classrooms. The current situation certainly provides rich opportunities to educate our own students at various university campuses about Islam and Muslims. Burgeoning enrollments in our classes prove there is a genuine hunger for information about Islam. In spring 2002, the beginning Arabic class at Notre Dame had about 65 students and our 2 Islam-related courses had about 60 students each. This is all the more remarkable because, unlike other campuses, we have very few "heritage" students at Notre Dame—that is very few students of Arab or Muslim backgrounds. Most of our students are of Irish Catholic background; fewer Polish or German Catholics, a sprinkling of Hispanics, Asian and African-Americans add diversity. Not your typical campus. But even in this relatively homogeneous environment, courses in Arabic language, on Islam, and the Middle East are often oversubscribed. My colleagues from other universities, private and public, have reported similar and greater exponential increases in enrollments. This has become a nationwide trend, a trend one imagines that will endure for the foreseeable future. As a consequence, more and more universities are adding to their faculties professors with expertise in the Arab and Muslim world. Even small liberal arts colleges with resources stretched to the limit are hiring at least one professor in Islam or Islam-related field, something they probably would not have dreamed of doing before September 11.

In addition to catering to the needs of our students, our responsibility to educate the American public and counter irresponsible and rash views remains even more urgent than ever. As educators, we should take advantage of the various public fora often made available to us: for example, scholarly and more popular conferences and symposia on Islam, the Middle East, and U.S.-Muslim world relations. Those of us who are comfortable with the idea should grant media interviews, and write op-ed pieces whenever we can to put our points of view across, especially as a corrective to many of the unnuanced and corrosive perspectives that inundate the public sphere.

Furthermore, I believe that many of us who are willing and able have a distinct responsibility these days to share our expertise with government officials, policy-makers, think-tanks, and nongovernmental organizations when called upon to do so. If we think that many of the policies emanating from Washington are short-sighted and downright counterproductive, then we should not turn down invitations to consult with members of the State Department, for example, and provide them with informed, alternate views. They may not make palpable differences immediately or in the short run but one likes to think that in the longer run it may and does. Many academics, including myself, often give presentations to State Department and other governmental agencies. My presentations usually have to do with political Islam and jihad, a topic I am currently doing research on, as well as with gender and interfaith issues. In the past, I was struck by the fact that

many, particularly middle-ranking, officials would privately tell me at these gatherings how much they disagreed with some of the Bush administration's foreign policy measures and that they often made policy recommendations based on expert testimony provided by trained historians and political analysts who were invited as consultants. These recommendations, which ran counter to some of the policies already in place, often fell on deaf ears. This was the fate of the Iraq Study Group report, for example: the pointed, rational advice regarding certain diplomatic and political measures that were suggested to President Bush and his administration by various experts to contain the spiraling violence in Iraq were basically ignored. And yet one cannot but think that if government officials of various ranks continue to have access to the kind of expertise and perspective that academic scholars can provide, there is always the possibility that it will influence decision-making higher up and that it will have real consequences in the lives of real people. Again, I think it would be rather morally irresponsible not to attempt to do so. As many of us are constantly reminded, the stakes are very high and it is our "collective moral obligation"—in the words of Muslim jurists, our *fard kifaya*—to counsel our elected officials and policy-makers whenever given the opportunity to do so.

This has not been an easy transition for many of us to make. Most of us like and jealously guard our ivory towers, which buffer us from the rude, fractious world outside. But step up to the plate we must or an historic opportunity for making a true difference in the quality of our lives and education will be irrevocably lost. Certainly under current President Barack Obama's conscious outreach to the Muslim world and his own reiteration of the historic common ground between both worlds, we may be cautiously optimistic that our collective efforts to foster better understanding of Islam and Muslims among Americans will bear fruit.

Finally, bountiful opportunities exist in the kind of research and writing we can now do and be taken seriously for. College professors writing for the broader public—whether we are talking about the general reading public, the print media, or policy-makers—, was not something that was looked upon favorably and hardly encouraged by the academic establishment until quite recently. Now there is a much more favorable attitude toward writing for more popular magazines and newspapers; for Internet blogs and online journals of all kinds.

Our serious academic research has also been greatly influenced by this larger environment in which we live today. Many of us are choosing to engage in research topics that may not have been a priority for us eight years ago and/or broadening our horizons and retooling ourselves to more effectively incorporate the pressing concerns of the day into our academic scholarship. Grant-making organizations are more and more willing to make funds generously available to this end. Recently private American foundations such as the Carnegie Corporation have launched major educational initiatives in this regard and have been steadily funding for the last several years state-of-the-art research proposals on some of the most critical issues facing contemporary

Islam. My own current research in jihad and martyrdom has received funding by the Carnegie Corporation, encouraging a research trajectory that I probably would not have contemplated eight years ago.

Conclusion

Those of us who are in the field of Islamic Studies realize that our field has become quite transformed after September 11, especially in the way it has become politicized. Many of us are quite aware that often what we publish and lecture about publicly comes under intensive scrutiny by certain watchdog groups, for example. Such groups have attempted to create a climate of fear and intimidation in the academy in an attempt to dissuade courageous, critical research.[7] Such an environment should only stiffen our resolve to continue doing what we do even more effectively by finding more outlets to disseminate our work, our ideas, our recommendations. Like many of my colleagues, I now talk to community groups, such as the Rotary Club, to churches and mosques, newspaper reporters, television and radio stations. Eight years ago we could not have imagined ourselves doing so. What is particularly exhilarating about these transformations is that suddenly what we do in our jobs is highly relevant to current events and potentially world transforming. In other words, our expertise is “in,” it is *au courant*. We are taken seriously for our training and scholarship, even as we continue to confront hostility in certain circles for offering nuanced alternatives to simplistic and Manichaean notions of Islam and Muslims. What we have to offer is valuable and meaningful both inside and outside academia. As students of Islam (regardless of our religious background) we have a special responsibility to engage both the opportunities and challenges that have emerged in the changed public terrain in the aftermath of September 11.

Notes

1. See “Campus Culture Wars Flare Anew,” *New York Times*, October 2, 2002, which discusses how many faculty members responded ad hoc to the aftermath of September 11 in their classes.
2. Apart from Islamic theology, Middle East politics has become another fraught discipline; see this discussion by Amir Hussain, “An Accidental Theologian: Thoughts on Islam in Public and Private Religious Universities,” *Cross Currents* 56, no. 2 (2006): 160–169.
3. For one particularly informative account of dramatic changes occurring in American classrooms after September 11, see Yücel Demirer, “Shifts in the Classroom Environment after September 11: Notes from Islam Classes of the Mainland Security United States,” *Radical History Review* 99 (2007): 227–241.
4. Richard Bulliet, *The Case for Islamo-Christian Civilization* (New York: Columbia University Press, 2004).

5. Khaled Abou el-Fadl, *The Great Theft: Wrestling Islam away from the Extremists* (San Francisco, CA: HarperSanFrancisco, 2005).
6. Asma Afsaruddin, *The First Muslims: History and Memory* (Oxford: Oneworld Publications, 2008).
7. For a brief and useful assessment of the situation see Lee C. Bollinger, “The Value and Responsibilities of Academic Freedom,” *The Chronicle of Higher Education* 51, no. 31 (2005): B20.

3

A Struggle for the Soul of a Faith: Spiritual Islam versus Political Islam

*M. Zuhdi Jasser and Sid Shahid**

The tragedy of 9/11 has changed the consciousness of Muslims in America forever. Many immigrant Muslims who once thought that the challenges posed by America to their "Muslim" ideas would take generations to sort themselves out, now find themselves scrambling to come to terms with modernity. Make no mistake. Some may try to blame economic squalor in the east or the policies of the United States and its allies. But in the wake of 9/11, the world can no longer delay a concerted effort to address what lies at the essence of this conflict.

Contrary to the poorly named War on Terror, this conflict is not about the act of terror. Terror is simply a means to an end for radical Islamists. It is about two very different visions for society—*Western secular liberal democracy* versus *the "Islamic state" (political Islam)*. This conflict is rapidly advancing as a global "*contest of ideas.*" At the center of this contest lies an epoch struggle for the soul of our chosen faith of Islam. Admittedly, the resolution may be generations in the making. A conflict that took centuries to develop can only take generations to resolve.

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Currently, it seems that the Islamist model and ideology is winning while the secularists still struggle to find a common voice. Muslim-majority nations are experiencing a surge in the ideas of political Islam (Islamism).[1] This is not a surprise since the autocrats, monarchs, and dictators of the so-called Muslim world have done everything in their power to all but extinguish every other ideological movement on their soil save the Islamists. The diffuse loosely connected international power structure of political Islam that has evolved in the twenty-first century did not arise out of thin air. Political Islam was a direct result of the 1400 year history of the "Muslim world." Current day Islamism arose out of the ideas of *shar'ia* law (Islamic jurisprudence) of the Islamic empire of the Middle Ages, followed by the intellectual stagnation of Ottoman control, the estrangement of colonialism, and the competing influences of the cold war—to name but a few contributing evolutions. But yet, far and the away, the single greatest instrument of political Islam is the mixture of state and mosque specifically within the clerical legal mindset—vis-à-vis the implementation of *shar'ia* law.

It was clear that al Qaeda's motivation to commit the horrors of 9/11 was simply the militant manifestation of a much larger loosely connected movement of Islamism. In fact reviewing recent defections from even the higher ups at Al Qaeda such as Sayyid Imam al-Sharif aka Dr. Fadl reveals a profound controversy within Islamists as to the means of achieving the ends they all seek.[2] This movement was long in development. Terror attacks upon America by Islamists date back to the 1979 Iranian hostage crisis, the 1982 Beirut bombings, the Achille Lauro incident of 1985, the first World Trade Center bombing of 1993, the U.S. Embassy bombings in Dar es Salaam and Nairobi in 1998, and the *U.S.S. Cole* bombing of 2000 to name a few. And now eight years after 9/11, the threat has not dissipated. We have been fortunate that some thirty plus terror attacks have been thwarted against our homeland.[3] We have witnessed convictions of the Fort Dix Six and the Holy Land Foundation Trial. We have seen revelations of the JFK airport plot of 2007, the London airliner plot into the United States of 2006, and the Miami plot to name a few. While the United States remained unscathed since 9/11, the recent November 2008 massacre in Mumbai, India, reminded us that when and where they can, they will strike. Again, Americans and orthodox Jews were among the victims of choice for Islamist terrorists. These and so many more underscore how real the problem of Islamist radicalism remains. The simple fact remains that all of these radicals derive their fuel from some form of political Islam. Until we in the Muslim community wake up and address the challenges of modernity from within our faith and its incompatibility with political Islam, these incidents will continue to regenerate like a recurrent cancer from an untreated primary tumor.

It is from the ashes and tears of these tragedies that the need for a response from "American Muslims" is born. In fact, with the worsening situation in Europe, it is appearing more and more that a Western Islam, specifically, an American Islam, may contain the principles necessary to defeat the ideologies of political Islam (Islamism)—the root cause of Islamist-inspired terror.

This American Islam can hold on to its foundational principles of faith, morality, and values while rejecting the underpinnings of the political

ideology that drives Islamism and the public imposition of *shar'ia*. If Muslims addressing the problem shed the denial of the problems with *shar'ia*, this "American Islam" can be an *enlightened* and *modern* Islam. With the right stimuli such a "postmodern" Islam can come out of an internal struggle from within the faith. This internal struggle and perhaps even a "civil war" against the theocrats can only occur if that much spoken about but seldom witnessed "*contest of ideas*" between the clerics and the anti-Islamist actually happens.[4] In the balance of this internal Muslim struggle lies first American national security and second a liberated Islamic faith. The two are intimately related.

The Gathering Threat

While the fall of the Berlin Wall in 1989 marked the end of the cold war, it was only the beginning of a realization by the free world that our obsessions of the twentieth century were oblivious to the growing threat of radical Islam. Our distractions from the last century left the Muslim world ripe for the spread and infiltration of political Islam (Islamism)—a theo-political transnational ideology that seeks the spread of Islamic states throughout the world. As the Kingdom of Saudi Arabia began to reap the wealth of its seemingly infinite oil resources, it facilitated an empowerment of the previously insignificant radical Wahhabi sect within its borders. The House of Saud, the corrupt and hypocritical monarchy in charge, ultimately survived by making deals giving the Wahhabi leadership more and more control in the Kingdom of Saudi Arabia.[5]

In 1979, the Grand Mosque of Mecca was besieged by Wahhabi terrorists. Among the many demands of the Wahhabi fundamentalists was that the monarchy sever interaction with the West and put an end to Westernization in the Kingdom. They also demanded control of the legal system of Saudi Arabia with influence upon the interpretation and implementation of *shar'ia* law in Saudi. Within days of the incident, the American Embassy was burned down in Islamabad in a chain-reaction of anti-American sentiment over much of the Muslim world. Eventually, with their billions, the Saudis bought a solution that was to appease the extremists and give them many of their demands short of complete control of the kingdom.

As long as they left the House of Saud alone, they were free to export the extremist Wahhabi ideology out of Saudi Arabia to other countries. Fueled by billions in petrodollars this soon turned the obscure teachings of Muhammed Ibn Abd-al-Wahhab of the eighteenth century into one of the predominant ideologies of Islam found in mosques around the world. Claiming to be a reformer, Abd-al-Wahhab was a reactionary whose "Wahhabism" was an extreme manifestation of the more common *salafist* movement. The Salafists were also reactionary and wanted to return everything to exactly the way it was at the time of the Prophet Muhammed in the 7th Century. Fifteen of the nineteen hijackers of 9/11 were Saudi nationals of Wahhabi ideology. This ideology is intimately related to al Qaeda and most of its offshoots. For example, the export of Wahhabism into Egypt and Syria most likely heavily influenced if not gave

rise to the political Islam of Hassan al-Banna the oldest major transnational Islamist movement of the Muslim Brotherhood in Egypt. Wahhabism's export to the Indo-Pakistani region gave rise to Deobandism. Radical Deobandis gave rise to Jamaat e-Islamiya, a large political party and terror group in Pakistan among hundreds of other political Islamist movements.

South Asia is also fast becoming a hotbed of a movement toward fundamentalism. Prominent Islamists such as A'bul Ala Maudoodi and his Saudi-funded Jamaat-e-Islamiya in Pakistan became a major political and a social services organization in Pakistan.[6] Jamaat-e-Islamiya had now begun to sprout other jihadi offshoots. As the movements of Salifism and Deobandism flourished, they exploited an emotional vacuum of identity within many Muslims and drove them to yearn for a return to the fundamentals of Islam such as the one the Wahhabis had championed in Saudi. The many offshoots of Wahhabi and Islamist organizations including the Taliban, Lashkar-e-Taiba, and Jaish-e-Muhammad were looking to take back what they described as the lost glory of Islam from the "days of the Caliphate." They indoctrinated the concept of jihad into a large population of susceptible youth and did so using one of the core constructs of terrorism—that the ends justify the means.

Many authoritarian governments actually ended up empowering and supporting these radical Islamist terror networks all the while they publicly claimed to be at war with them. For example, the Pakistani government empowered Jihadi splinter groups with a mandate to attack non-Muslim forces in neighboring countries for political and strategic purposes particularly in Afghanistan and Kashmir. This sounds very similar to the modus operandi of the House of Saud with al Qaeda. With the burgeoning dominance of Western economy, culture, and military power, radical Islamists were now in a frenzy and had directed all their energies and hate toward the one source of power that represented abundance, free thinking, and modernity and hence threatened them the most—America and the West.

Very soon, American attention would finally be pressed by the very real threat of terrorism. America was still struggling to contextualize the Iranian hostage crisis of 1979, when the attacks continued with the Marine barracks bombing in Lebanon of 1983, the Achile Lauro hijacking of 1985, the Pan AM bombing of 1988 over Lockerbie, and the first World Trade Center bombing of 1993 to name few. It was then when a seemingly insignificant Osama bin Laden publicly declared war on the United States in 1998 and yet evaded the attention of the Clinton administration and the West. This developed, in retrospect, to a crescendo toward what for all intents and purposes is the most significant global conflict of the twenty-first century—that of the free world against radical Islamism.

Islamism (Political Islam) versus the West

September 11, 2001, indeed changed everything. Al Qaeda's war against the United States became a barbaric reality with thousands of American civilians

dead at the hands of 19 radical Islamist members of al Qaeda, 15 of whom were of Saudi origin. It became clear that this incident was not an isolated occurrence but rather a sentinel event. The 9/11 tragedy became the final wake-up call to all that the ideological conflict was real and was not going away any time soon. America was not just hated by a few individuals but rather by an ideology—militant Islamism—that was seeking to remove America from its sphere of influence. Some tried to blame American foreign policy by intimating that somehow our global behavior brought this upon ourselves. The reality was that the last century had shown clearly that political Islam could not live comfortably with Western liberal democracies. There were core humanitarian ideals of equality for all citizens, which separated the two in a way that could only be fought for within the "house of Islam." If American Muslims could show the world's Muslim population that they lived comfortably, freely, and piously as Americans, perhaps they could ultimately win the debate with their Islamist brethren who insist that Muslims should aspire to form an "Islamic state?" If they lose this debate and Islamists are further able to dehumanize non-Islamists (as living in "Godless" societies), the conflict and violence will only increase.

The writings of Hassan-al-Banna, the founder of the Muslim Brotherhood (MB), are foundational in understanding the goals of twentieth-century political Islam.[7] One needs to read al-Banna's works and the works of fellow contemporary MB ideologue Sayyid Qutb (i.e. *Milestones*) to truly understand the all-encompassing transnational goals of Islamism.[8] The objective of Islamism is to form theocratic Islamic states and to sound the call to jihad. Islamists see the state as the primary vehicle of fulfilling their obligations toward God by working toward bringing their interpretation of "God's religion"- "Islam"- to every corner of the world. A corollary to this ideology for Islamists is that all Islamic lands (lands with Muslim majority populations) must be free of foreign control and all steps must be taken to collectivize and unify the Muslim "ummah" (community) until a global Islamic caliphate can be established and maintained.

Al-Banna and Qutb taught that the Islamic state must operate under the strict code of *shar'ia*, Islamic jurisprudence, under which only Muslim theologians can make laws. Such a system is—pure and simply—theocracy. The Islamic state has no separation between religion and state. As such, the Koran becomes the "only" source of law rather than "a" source of law. Access to writing law and hence governance is restricted to Muslim theocrats thereby ensuring supremacy of Islam over other religions. Although other faiths may be "tolerated" in varying capacities within an Islamic state, they can never be equal; and therefore regardless of various Islamist apologetics, pluralism and true liberty simply would not exist in an Islamic state. While many pious Muslims may and certainly do diverge with this line of thinking or dogma, there is no escaping the fact that in the twenty-first century the majority of theological texts which teach or discuss Islam written by clerics do not even entertain the separation of government and religion. This has significant resemblance to the struggle within Europe in the seventeenth- and eighteenth centuries against the Church of England for example. Ultimately,

the best weapon against theocrats is to refuse them dominion over the faith. Choices of faith and adherence to God's laws are no longer choices when they are coerced through government and state law. In fact, Islam in our view is no longer Islam (a choice of free will) if *shar'ia* is invoked by government mandate. Enabling this thought process will involve multiple levels of reform which will take possibly generations to disentangle from established Islamic jurisprudence. The first step is to get the theocrats out of government.

In the context of this political ideology, all of a sudden, the senselessness of 9/11 begins to have an explanation. Islamism is very different from the Western ideals of liberty, freedom, pluralism, and the separation of religion from the state, which is so intrinsic to the freedoms enjoyed in the West. But again, Islamism did not arise out of thin air. There are a number of generational and multidimensional conflicts that underpin the divergence of the so-called Muslim world from the West. As a foundation, it is first instructive to look at what conflicts a liberty-minded Muslim in America, for example, may note when they compare the culture, mindset, and ideas of Americanism to that of Islamism. These conflicts can be best summarized in the following table (table 3.1).

Table 3.1 Conflicts between the West and Islamism

West	*vs.*	*Islamism*
Individualism	vs.	Tribalism
Individual Ideas	vs.	Collectivist Thinking
Pluralism	vs.	Tolerance
Minority Rights	vs.	Majority Rights
Liberty	vs.	Democracy
Secularism and the "Republic"	vs.	Theocracy
Democracy	vs.	Autocracy
Rule of law	vs.	Martial law
Government as protector of the individual	vs.	Government as protector of morality and God
Nationalism	vs.	Theocratic (Islamist) states
Reverence for Religion	vs.	Reverence for past glory of religion and the desire to revive this glory
Truth	vs.	Corruption
Sanctity of life and humanitarianism	vs.	Dehumanization of life
Gender and racial equality	vs.	Misogyny and Racism
Freedom of Speech	vs.	Blasphemy laws
Freedom of Choice	vs.	Apostasy laws
Cognitive Reactions	vs.	Visceral Reactions
Faith (relationship with God)	vs.	Religion (relationship as a community with God)
Constitutional Law (derived from natural law)	vs.	*Shar'ia* law (derived solely from particular interpretations of the Qur'an and God's law)

Each of these conflicts could constitute enough material for a course on both their historical and philosophical ramifications; however, what matters most for 2009 and onward is how we begin to resolve these conflicts.

What matters most is the realization that terrorism for hundreds of radical groups is only a tactic—a means to an end. Now, over eight years since 9/11, the world has continued to witness this tactic in what seems to be an unending series of similarly barbaric bombings in Istanbul, Bali, Madrid, London, Riyadh, and Glasgow, and now Mumbai to name a few. The only thing that ties these groups together is their ideological progenitor- Islamism. They ends they seek can be found enmeshed in the details of the afore-noted ideologies and its underpinnings.

Understanding Islamism in America

Islamists are theocrats. They believe in "God's religion of Islam" being the "only" source of law and hence governance. Their autocratic methods can range from the oppressively autocratic (i.e., the Taliban) to believing in elections and "Islamic democracy" (i.e., recent Turkey). Islamists may and often believe in "democracy" defined in an oversimplified fashion as elections and the ballot box. But when Muslims are a majority, this often becomes mobocracy. Their vision of society is one dominated by the rules and laws of one faith—Islamic *shar'ia* and the interpretations of one group—Islamic clerics. While the "democratic" Islamists may claim an open society and political system based in the electoral process, the central legal framework and source of law is primarily Muslim and thus a far cry from one based in universal freedom for all citizens whether Muslim, Jewish, Christian, or atheist. This is not to mention that argumentation of law in an Islamist state is based in scriptural exegesis rather than in reason as we value in the United States.

As we navigate the Muslim world in the twenty-first century, it is essential that one understand both the obvious and the nuanced of the Islamist model versus the Western secular model. One need look no further than the Muslim Brotherhood to observe the varied repackaging that Islamists are undergoing in order to marshal their efforts toward a new tactic—that of stealth jihad—one that is latent, nonviolent, and not as graphic as the tactic of terror that is appealing less and less to peaceful Muslims across the world and particularly to American Muslims.

Yusuf-al-Qaradawi, the spiritual father of the current MB, speaks often of "justice," "a middle ground" (*wasatiya*), democratic principles (voting and parliaments), and of women's rights, among other palatable principles; however, the Koran is not "a" source of the law to the MB but rather "the" source of law.[9] This is extraordinarily deceptive. The fact remains that no matter how "moderate" or "democratic" Islamists purport their processes to be, they still remain under the mandate and intellectual purview of Islamic scholars of *shar'ia* law who are also known as the *ulemaa*.[10] Ulemaa are Islamic jurists or scholars endorsed as 'knowledgeable' by the community leaders.

The concept of ulemaa has been the primary tool of empowering an oligarchy in political Islam. The fact also remains that women and non-Muslims especially have far less access to Islamist systems than men and those in charge of the oligarchy as the only ones able to write law without an understanding and proficiency in *shar'ia* (Islamic law).

Although, the vast majority of Muslims in the West or the East are not terrorists, millions of them are being bombarded daily by Qaradawi's message on worldwide satellite television (i.e., *Al Jazeera*), and even right here in America. What is even more concerning is that Al-Qaradawi himself is no moderate. He has duplicitously and dangerously defended the barbarity of female circumcision, wife-beating, and terrorism in Israel and Iraq.[11] Most significantly, in the summer of 2008 he ran a series of columns on his Arabic website proclaiming the need for the establishment of *shar'ia*-based governments and the Islamic state over the, as he would say, Western "God-less" secular state.

One does not have to look far to see latent Islamism hard at work. In fact, nowhere is the threat of Islamism more important to understand than right here at home in the heart of liberty-minded America. This is not alarmist. It is a realistic appraisal of the challenges in truly realizing the "contest of ideas."

Examples abound of American Islamist institutions and organizations that use blind Muslim collectivism as if Muslims are monolithic politically and religiously. Many Islamist institutions frequently appeal to a strong residual foreign nationalism, which immigrants hold on to for their nations of origin. They also appeal to the predicament of the Muslim "ummah" (in Arabic the community or nation) abroad by exploiting victimology, exaggerating claims of so-called "Islamophobia", and planting the seeds of divisiveness.

The recent Holy land Foundation (HLF) trial has been also quite instructive in the analysis of Islamism in America. The court concluded that in the name of a supposedly benign charity, millions were secretly funneled to HAMAS—a designated terrorist organization. Thus, the HLF, which did most of its fund-raising through mosques and Islamist organizations, utilized the political ideology of Islamism and the emotional power of faith to exploit religious donors. This is modus operandi of political Islam.

One of the most significant facts entered in the case was the list of organizations and leaders of the American MB network. This list was entered as uncontested evidence and the organizations became "unindicted co-conspirators" that included the Council on American-Islamic Relations (CAIR), the Islamic Society of North America (ISNA), and the North American Islamic Trust (NAIT) to name a few. Additionally, the document discussing the grand strategy of the MB in America and the West was admitted as evidence at the HLF Trial, and to this day save empty denials remains virtually unanswered by American Islamist organizations.[12] Many of the same Islamist organizations have more significantly failed to publicly name and denounce terrorist organizations such as HAMAS or Hezbullah. Their simple condemnations of the tactic of terror rings hollow when they are unable to condemn HAMAS by name as a "terrorist organization." One

cannot help but quickly conclude that American Islamist organizations are not going to condemn their Islamist "brothers" by name since they share their end game but will only condemn their tactics. Americans are slowly connecting the dots here, but there are many more dots to connect. Many non-Islamist or anti-Islamist Muslims who believed that struggles against the MB and Wahhabi ideologies in the West would dissipate with generations as assimilation occurred are quickly learning that anti-Islamists are poorly equipped to intellectually counter these transnational ideas and organizations. This disadvantage comes from centuries of control of Islamic theological modernization and development generally by Wahhabi interests (based in Saudi Arabia and Egypt) which were then catapulted into global domination by petrodollars in the past fifty years.

The west's dependence on oil has facilitated this domination both domestically and in Muslim majority lands. In the west, for example, accommodation for special requests by Islamists has become a standard method for the advancement of the Islamist agenda. Laced with victimology and minority politics Islamists seek to change the American societal landscape to a new landscape, which provides special privileges to Muslims in the name of religious freedom while actually facilitating a cultural separatism. Take, for example, the installation of footbaths for Muslims at a number of universities, some with public money. After a female student slipped and fell while washing her feet in a sink at Minneapolis Community and Technical College (MCTC) the school determined that it is legal to install footbaths despite the uproar.[13] In Dearborn, building footbaths has been lauded at the University of Michigan as a health and safety measure and not a religious decision, and it is asserted that the footbaths are available for others to wash their feet as well. However, according to Hal Downs, president of the Michigan chapter of Americans United for Separation of Church and State: "The university claims it's available for Western students as well, but, traditionally, Western students don't wash their feet five times a day."[14] The issue here really does not speak to health and safety which could have been remedied in other ways without using public money for the benefit of one faith. This issue does speak to accommodating the religious needs of a single religious minority at the expense of the separation of 'church and state' or in this case mosque and state.

The accommodation card has also been played in the area of the workplace. In a landmark settlement that could change the way Muslims are treated in the workplace, Gold'n Plump Inc., a Minnesota-based meat-packing company, settled a class-action lawsuit brought by nine Somali immigrants in October 2006, agreeing to allow all Muslim workers short prayer breaks and to refuse handling pork at its meat-packing facilities. The federally mediated agreement is among the first in America, requiring employers to accommodate the Islamic prayer schedule and the belief that the Koran prohibits the touching and eating of pork products.[15] Incidentally, while there is clear agreement among Muslims regarding the prohibition of eating pork, the prohibition of touching pork products is an extremist Wahhabi-type mindset.

Many conservative, orthodox, Muslim researchers use the parts of pigs in medical research for example.

In Greeley, Colorado, on September 5, 2008, about 220 Somali Muslim workers at the Swift Meatpacking plant walked off the job during the evening shift, according to Swift, and complained that the company would not allow their breaks to coincide with the sunset so that they could pray. Some 101 of these workers were fired for not heeding the company's warning to return to work by the following Wednesday. The local union became involved in this case and planned to file grievances on behalf of some of the workers. Particularly instructive, however, is the role of CAIR, an Islamist organization which quickly exploited this issue. Despite Swift's attempts at accommodating the Muslim workers by shifting their lunch break from 9:00 P.M. to 8:00 P.M., CAIR's Ibrahim Hooper stated that CAIR attorneys in Chicago are involved as mediators and may pursue legal action if religious accommodations are denied. Yet, at the same time, he stated that you "really don't need attorneys in these cases . . . you just need a spirit of good will and cooperation."[16] Incidentally, in the previously mentioned Minnesota case, the class-action suit by lawyers netted the Muslim Somali workers an undisclosed sum of money for some employees and others may receive new offers of employment at Gold'n Plump. Needless to say, this is a far cry from what they would have gotten in their native Somalia under *shar'ia* law for not adhering to work rules—a discrepancy that American Islamists never discuss all the while they propagate these archaic unAmerican Islamist ideas.

This platform from a manufactured need for special accommodation for Muslims under the guise civil rights is simply a method of propagating the collectivization of Muslims in a political movement. Many of us grew up in the United States as devout Muslims, praying five times a day, fasting, and going to mosque without asking for accommodations which no other faith requested. More than eight years after 9/11, it sadly remains that most attempts to address this issue, particularly in the negative, results in false allegations of Islamophobia and the assertion of the denial of basic civil rights.

Even in instances where the court returns a guilty verdict against accused Islamists in favor of national security as was the case with the HLF trial, the Islamist organizational response is most telling. After the initial HLF mistrial, an October 2007 CAIR press release called the result a "stunning defeat for the prosecutors and a victory for America's legal system" and went on to state that "the American Muslim community will continue to fight for justice and for the right to help those who are in need, whether in this nation or overseas."[17] CAIR's mood was much more melancholy when the HLF members were convicted on November 28, 2008 on all counts.[18] A November 2008 CAIR press release responding to the guilty verdict stated: "We believe this case was based more on fear-mongering than on the facts. We expect the defendants to appeal this verdict and believe that it will eventually be overturned."[19]

While the vast majority of Muslims are not terrorists and believe in peaceful change, the significant plurality if not a majority of Muslims believe in

some form of the Islamic state or some of its benefits. This common element between the violent terrorists and so many other Muslims translates into apologetics for terrorism and this is the precise nerve that the Islamists aspire to hit. While only a small number of Islamists are terrorists, all of the radical Islamists come from the pool of Islamists. Until we address the inner workings of the ideology of political Islam, radical Islamism will not dissipate.

The Challenges of Today

September 11 proved that a rogue, evil, pseudo-theologian such as Osama bin Laden could engage 19 thugs in a methodical plan of terror. He spent only $500,000 and cost his enemy—the free world—over $1 trillion and counting. This asymmetric warfare was executed by a hidden enemy which exploits the freedoms of our free world that they seek to destroy.

These repeated "low budget" attacks of al Qaeda and other similar organizations have trumped the post–cold war vision of a global peace among nations. We have become rather appropriately consumed by a fear of terror for some time to come—that is until Muslims can wake up to counter political Islam. As recent history has proven, these attacks become more and more innovative and continue throughout the world not because of a policing problem but rather because of an ideological problem that is rooted in political Islam—Islamism.

As we finish the first decade of the twenty-first century, true American leadership requires a response not only to the short-term natural fears of citizens against terrorism but rather a reassurance to those who believe in the long-term dreams of free society. Ultimately this war will be won when we can exchange the dreams of Muslims who believe in the Islamic state with the dreams of Muslims who believe in the secular liberal democratic state. We need leaders who will reaffirm without waver the principles of our U.S. Constitution, Bill of Rights, and the principles of the Universal Declaration of Human Rights (UDHR). We should be pushing a public debate for Muslim leaders all over the world to reaffirm the UDHR and set aside the Cairo Declaration on Human Rights (CDHR) which was signed by the Islamic states of the OIC. The CDHR, for example, sanctions blasphemy laws and many aspects of *shar'ia* incompatible with modernity, freedom, and real pluralism.

President Barack Obama's June 4, 2009 speech from Cairo University made some valuable statements that so many Muslims wanted and needed to hear about the need for minority rights, womens' rights, and respect for diversity in the so-called Muslim world. He was right to begin to rebuild the relationship with Muslims, but it was wrong to avoid mentioning by name the dissidents and the real ideological obstacles to reform in states like Egypt so heavily influenced and oppressively controlled by the secular fascists and the radical Islamists like the Muslim Brotherhood. To be fair, much of his message on democratic reforms was not that different from his predecessor's, President

George W. Bush. Real change will take much more than a few words. And American foreign policy must also not only advocate for free markets and improved education in the Muslim world. But we must also specifically openly address the areas where political Islam and the current autocracies and theocracies in power are incompatible with Western ideas. If we do not help the advocates for real freedom, we risk becoming hypocrites of our own ideals and tools of the powers that be in the Middle East. While complementing Islam as President Obama and President Bush before him did is always helpful, but we must also be realistic about the inhumanities done in the name of Islam and bolstered by existing *shar'ia* law. We had no problem in addressing these differences with the conflict against communism. Education in the Muslim world must not inculcate the youth with anti-West sentiments maligning Jews, Christians, non-Muslims, and dissident Muslims, but must rather teach pluralism and equality of religions and people.

One need look no further than the textbooks emanating from one of our closest allies, Saudi Arabia. Irrespective of what is being taught in Saudi Arabia itself, the controversy that hit the Islamic Saudi Academy (ISA), a Saudi government school in Northern Virginia, brought to light that right here in America Islamist school textbooks are preaching hatred and violence against Jews and Christians. The United States Commission on International Religious Freedom (USCIRF) cited significant reservations about the material in high school–level textbooks, stating that the most problematic text contained the Saudi government's own radical interpretation of Koranic and other Islamic texts—which specifically exhorted the young readers to commit acts of violence. They are exhorted to kill an apostate (a convert from Islam) or take the life or property of polytheists which the text notes includes Shia, Sufi, Christians, Jews, Hindus, and Buddhists.[20]

The problem, however, goes much deeper than education in Saudi Arabia. As the so-called center of Islam, the problem is one of basic freedom within. While the Saudi king promoted a false veneer of respect and common ground in the much heralded 2008 interfaith talks in Spain and New York, Saudi Arabia is still lacking a single church or a single synagogue in its territory.[21] While Saudi Arabia is exporting its radical Wahhabi brand of Islam throughout the world to the tune of $80 billion and counting, there remains no interchange of the ideas of other faiths with travelers unable to bring in Bibles or non-Muslim faith scripture. The law of the land in the Kingdom, which is *shar'ia*, openly separates Muslims and non-Muslims as a matter of doctrine. Women's rights are an abomination within the kingdom. Simple everyday tasks such as driving or dressing in a Western way is considered contrary to the principles of the Saudi brand of Islam. Other groups such as gays have no rights or even the right to exist in Saudi Arabia. If discovered their punishment is death, simply for choosing an alternative lifestyle. This is inhuman and un-Islamic to most Muslims. To take away individual freedom for any human being is to take away the very Islamic, God-given right to choose between right and wrong. We need to advocate for freedom and liberty in the "Muslim" world.

This means that aside from launching an intellectual front against Islamism, American leadership needs to also launch a political front where we expose the kings, dictators, and despots in the so-called Muslim world so that they can be held accountable to their people for the state of the human rights in their nations. Freedom and liberty are anathema to Islamism. Hence the advocacy of liberty is the best counter to the ideology of Islamist subjugation, which can only thrive in an environment free of open expression.

Just as challenges exist for the American leadership abroad, even more significant challenges exist at home. The prevention of the radicalization of Muslim youth and the associated threat of homegrown terrorism is now quickly climbing to the top of the agenda of most homeland security apparatuses in America and Europe. For example, the London 7/7 bombings and the Glasgow bombings hold many lessons for us. Many recent plots prevented demonstrate the underestimated threat of homegrown terror. While various Western policies and associated “Muslim” grievances can certainly provide psychological tools for the brainwashing of susceptible youth and fertile soil for propaganda, these grievances are simply a distraction from the realities that separate the Islamists from Western liberal society. The real fuel of Islamism and its radicalization is theocratic, separatist ideology of political Islam.

In 2007, the New York Police Department (NYPD) published a study entitled *Radicalization in the West: The Homegrown Threat*. The NYPD Report expertly described the stages of Muslim radicalization in the West, using actual cases from the past to define the process of radicalization on American soil.[22] Although an extremely important and timely analysis heralded by many, the response by Islamist organizations was quite predictable. The Muslim Public Affairs Council (MPAC) issued grave concerns about this report citing what they spun as lack of factual evidence, inconsistencies, and mixed messages about profiling among other concerns.[23] Their typical concerns of victimology were also echoed in the statements of CAIR, ISNA, and the Muslim American Society (MAS). Similarly a proposed project by the Los Angeles Police Department (LAPD), for mapping the Muslim community in Southern California, met with similar resistance and criticism by Islamist groups. However, there are some government responses which Islamist groups will go out of their way to support. When the U.S. Department of Homeland Security (DHS) issued a memo discouraging the use of words like “Islamist,” “Jihadist,” “salafist” or Wahhabi by government employees to describe the threat that America faces. MPAC praised the action.[24] Similarly, CAIR jumped on the bandwagon and welcomed the camouflaging of the threat by avoiding the only appropriate terms. In fact such a restriction of the lexicon turned our government into Muslim clerics. They were to determine who was and who was not a “good Muslim” rather than call the radicals what they call themselves.[25]

What is evident here is a pattern. This is one always employed by Islamists organizations such as CAIR (Council on American Islamic Relations), ISNA (Islamic Society of North America), MPAC (Muslim Public Affairs Council),

and MAS (Muslim American Society) in marginalizing and discrediting any substantive criticism of Islamist ideology and actions. The Islamist indoctrination progressed to the point of even rejecting a lexicon that clearly denotes the Islamist grand agenda. Some of these Islamist organizations are officially designated "unindicted coconspirators" and they still influenced the public lexicon.

As we have said before, the majority of Muslims are peace loving and value America and its ideals. Not all Muslims and Muslim organizations believe in ignoring the problem, particularly in order to detract attention from it. The American Islamic Forum for Democracy (AIFD), for example, has been very vocal in countering Islamist ideas in America. Pious Muslims are the most effective vehicle to reject Islamist ideals from within the faith of Islam. By separating spiritual Islam from the political, they can truly advocate for American ideals. AIFD believes in the complete compatibility of spiritual Islam with American liberty, nationalism, and pluralism. Other organizations such as LibforAll, the American Islamic Congress, and the Islamic Supreme Council of America offer similar alternatives to name a few.

Hence, the challenge for American leadership is to recognize the domestic threat, to clearly identify its sources, and to partner with the right Muslim organizations and especially the majority of non-Islamist American Muslims who are peace loving and want to separate mosque and state.

Securing America for Tomorrow

Terror is but a tactic. It is the ideology of Islamism behind terror that constitutes a clear and present danger to America. Islamism is violent and it is also peaceful. It thrives globally and also thrives in America. Consequently, any response to Islamism must be on a global level as well as on a national level.

Globally, the Ideology of Islamism must be countered by an ideology that is its antithesis—a freedom movement within the Muslim consciousness, one that champions the primacy of liberty, not simply democracy, over the supremacism of Islamism. The AIFD has termed this the Muslim Liberty Project**.** It is in the interests of America and in the interests of Muslims everywhere that we help provide the necessary intellectual stimuli for the beginnings of an indigenous liberty movement within Muslim populations. Exposure to the language and ideas of liberty will hopefully enable Muslims to realize their own humanitarian preference for liberal democracies under secular nation-states versus the profound limitations of the Islamic state and *shar'ia* law. Movements led by Muslims, which tap into the principles, for example, of the U.N. Declaration of Human Rights, can succeed if we give it the same attention that Islamists give the spread of Islamism in those same nations. Just as the ubiquitous tapes and DVDs of Yusuf Al-Qaradawi, Ayatollah Khomeini, and Tariq Ramadan have so influenced a generation, so too can America facilitate Muslims in the U.S. to begin shipping tapes back to Muslim populations across the world preaching non-Islamist values of "Islamic humanism," of

freedom, and of liberty. What would happen if the works of Thomas Jefferson, James Madison, or John Locke were translated into Arabic and shipped into the Muslim world along with the works of reformist Muslim scholars such as Mohammed Al-Ashmawy, Abdullah An-Na'im, and other reformers. Without ideas of liberty we can never expect the Muslim world to realize the fruits of modernity and how congruent it can be with the principles of spiritual Islam.

Ayatollah Khomeini was able to generate a successful movement for Islamist change in Iran while he sat in Paris. Similarly, if the United States harnesses its resources to stimulate the Muslim Liberty Project, we can influence the ideology of Muslims away from political Islam and toward liberty. Just as the Ayatollah Khomeini sent tapes into Tehran, just as the Muslim Brotherhood continues to send tapes, books, and DVDs into Muslim populations in the West on the heels of personalities like Tariq Ramadan, so too can America assist Jeffersonian Muslims reciprocally and send anti-Islamist Muslim ideology into those same populations to counter the influence of the Islamists.

Has anyone pondered the impact of translating Bastiat's *the Law* into Arabic and shipping thousands upon thousands into Arabic lands? How about shipping an Arabic translation of Frederic Hayek's *The Road to Serfdom*, into Arabic populations? Or financing the spread of the writings of true anti-Islamist reformers? This would only be one arm of a Muslim Liberty Project. Other arms would include the development of a new intellectual product that is uniquely Muslim but not in conflict with humanitarian principles. This would need to include white papers, brochures, magazines, tapes, DVDs, books, and software, which take away from Islamism the mantle of Islam while teaching basic concepts of liberty.

We need to provide a competitive political alternative for young, impressionable, or undecided Muslims away from political Islam toward a love for "Jeffersonian" systems of government. This can only be done internally and through Islamic modernization, which promotes a spiritual, pluralistic, and humanitarian Islam that can counter exclusivist and supremacist Islamism. With this change, the motivation for terrorism will basically disappear since the West will no longer represent a threat but rather an idea of liberty to which Muslims also aspire.

This will also be an equal and opposite reaction to 'The Project" of the MB of Sayyid Al-Qutb and his disciples and will require all the resources that the United States has to bear. For this "Counter-Project" (The Muslim Liberty Project) to be effective it will need to have a front that comes from deep within the Muslim consciousness if it is to have any chance at being effective against the MB's promotion of its political agenda as the only "Islamic way of life."

America needs to empower and establish a tight-knit group or network of Muslims who believe in Jeffersonian principles and are anti-Islamist. These Muslims need to believe in the mission and principles of organizations such as AIFD which openly counter Islamism and stand against the ascendancy of political Islam but maintain a strong Islamic identity. There must be a plurality if not a majority of Muslims who have remained relatively silent thus

far. They need to be awakened in order to join liberty-minded organizations and coalitions of Muslims against Islamists and offer a Muslim narrative at variance to the Islamists.

This Muslim narrative will celebrate individual freedom for all. It will also celebrate the ability of individual Muslims being able to choose whether and how to practice their faith as being central to life. Thus to be Muslim is not to advocate for Islamism (a narrow societal construct) but rather to be personally pious and devotional while living in a land that is a laboratory of freedom and equality for all, whether Muslim or not. If Muslims can articulate how Islamic we can be while living in a society guided by a Constitution that has an Establishment Clause and protects the equality of every minority, the sexes, and all faiths, we will be able to spread freedom faster than they spread Islamism and faster than they spread conspiracy theories.

This transformation cannot happen unless Muslims and non-Muslims are engaged in revealing the intellectual handicaps of political Islam when compared to liberty-based societies. Universities, media outlets, and governmental leaders need to be involved in the various fronts of this Jefferson Project into the Muslim world domestically and internationally. Rather than accept the typical Islamist mantra of Muslim victimization and blaming perceived Western dominance on the ills of the Muslim community, it is time to inject a healthy dose of realism and responsibility into the Muslim world. This responsibility will only be realized when Muslim leaders shed the denial and are held accountable for the values that we often take for granted in the West.

It is time for America to push Muslim leadership to be answerable to how their organizations, communities, and nations address women's rights, free speech (i.e. blasphemy laws), freedom of religion (i.e. apostasy laws), and the plethora of values in conflict between the West and Islamist governance. This will mean for American leadership the exertion of personal and political global influence in monitoring the dictatorships and the despots closely to see how they accommodate these ideas and how they seek to end Islamist persecution of reasoned and peaceful dissent. Also, attention must be given to the funding of Islamism from abroad and to the exporting of Islamist ideology from foreign lands. No longer can the price of oil silence us and any effective public repudiation of the radical Wahhabism spewing out of Saudi Arabia under the Kingdom's purview. Only with a resounding American effort through a Muslim Liberty Project can an end be put to the ideology that is truly the root cause of terror.

Just as the Muslim Liberty Project would revitalize the Muslim world abroad, so too a revitalization is necessary among Muslims in America. This must come with the same realization that terror is but a tactic and it is the ideology of Islamism that is the root cause. The focus of this revitalization would be to use spiritual Islam and Jeffersonian Muslims as the antidote to political Islam and to Islamist Muslims and their organizations.

Islamists and their organizations must be first recognized by names such as CAIR, ISNA, MPAC, and MAS and, through their record and their intents,

must be challenged by other Muslims. This effort of discrediting Islamists religiously and intellectually must come from spiritual anti-Islamist Muslims and through their organizations that must be empowered. A reliable track record of these organizations must be established and their ideas must be debated in a "contest of ideas," which would bring to the limelight political Islam and the ideology of Islamism versus spiritual Islam.

So too should institutional leaders in the public and private sectors and in media and academia be educated as to what Islamism is attempting to do and where civil rights stop and Islamist accommodation begins. As anti-Islamist think-tank organizations grow, so too will specific programs and modules designed for this type of instruction and education for specific sectors of American society.

What is also needed is to empower the Muslim youth with basic ideas of American nationalism, Constitutional knowledge of American freedom and liberty and the Establishment Clause, and the inspiring idea that the American liberty is compatible with the spiritual practice of Islam. These are the efforts that America must make to bring about a generational change within the American Muslim community.

So the question remains—what principles should American Muslim organizations be held to in order to facilitate reform. The following are ten principles:

1. An Islamic narrative should not constrain universal human principles.
2. Mosques should support the separation of church (mosque) and state, even as they take stands on social or political issues.
3. The affirmation of an egalitarian approach to faith beyond the constraints of simple tolerance; tolerance implies superiority while pluralism implies equality.
4. Recognition that if government enacts the literal laws of God rather than natural or human law, then government becomes "God" and abrogates religion and the personal nature of the relationship with God.
5. Separation of mosque and state to include the abrogation of all blasphemy and apostasy laws among other archaic Islamist concepts.
6. Empowerment of women's liberation and advocacy for equality as is currently absent in many Muslim-majority, misogynistic cultures.
7. *Ijtihad*—a reformist interpretation of Islam which acknowledges the need for Muslims active in politics today to avoid bringing their theology or scriptural exegesis into the political debate while only using reason. Nowhere in the Koran does God tell Muslims to mix politics and religion or instruct by what document governments should be guided.
8. Creation of movements and organizations that are specifically opposed to such radical or terrorism-supporting groups as al Qaeda, Hamas, Hezbollah, Hizb ut-Tahrir, Jamaat al-Islamiya, and Al-Muhajiroun, to name a few, rather than simply being against undefined, generic notions of terrorism.

9. Public identification, without apologetics, of leaders and governments of Muslim-majority countries who are dictators and despots and are, as such, anti-liberty and anti-pluralism. Muslims enjoying freedom in the West have yet to create mass movements to liberate their motherlands from dictatorship and theocracy and to move them toward secular democracies founded in individual liberties for all and based in natural law.
10. Establishment of classical liberal Muslim institutions and think-tanks to articulate, disseminate, and educate concerning the aforementioned principles. The idea that individual liberty and freedom need not be mutually exclusive with Muslim theology must be taught to Muslim youth.

Conclusion

In 1964, Sayyid Qutb, the Egyptian Muslim Brotherhood's leading theoretician, published *Ma'alim fi al-Tariq* (*Milestones*) in which he laid out steps to achieve an Islamic state and defeat the West. He described a generational process to ensure the victory of Islamism over Western liberal society, which is America. This was Islamism envisioned. America together with liberal and traditional Muslims have yet to wage an effective counter-jihad against this Islamist ideology. There does not yet even exist a liberal Muslim intellectual work or manifesto equivalent to *Milestones* to lay the groundwork to defeat Islamism and ensure the creation of liberty, freedom, and basic human rights through integrationist, modern American Muslim institutions in the Muslim world.

Countering Islamism and combating Islamist terrorism must be an American responsibility globally and nationally. Also, it must be a greater responsibility for the organized American Muslim community locally than the obsession with civil rights and victimization in which current Islamist organizations deliberately engage. Americans, Muslim and non-Muslim, living in fear for their security are looking to the American leadership and to moderate, spiritual Muslims to lead this fight. The credibility of the Muslim community at large suffers because groups such as CAIR, ISNA, MPAC wholly deny the interplay between Islamism and terrorism.

It is high time for American leadership and for the American Muslim community to accept that the only way to defeat terror is to recognize its source globally and nationally, which is the ideology of Islamism. We must defeat it and its agents by using the synergy of spiritual Islam and American liberty.

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4

How Did the U.S. Government Look at Islam after 9/11?

*Liora Danan and Alice E. Hunt**

On February 23, 1998, Osama bin Laden and other leaders of the World Islamic Front issued a statement calling on "every Muslim who believes in Allah and wishes to be rewarded to comply with Allah's order to kill the Americans."[1] Drawing on *shari'a* authorities and Koranic verses throughout this statement, bin Laden presented Islam as the foundation for the violent attacks to be carried out three years later on American soil.

Among the many questions the U.S. government faced after September 11, 2001, officials had to react to the claim that such attacks were justified by a religion with 1.3 billion followers worldwide, or one in every five global inhabitants.

The government's varied responses reflected the difficulty of the task. Six days after the attacks, on a visit to the Islamic Center in Washington, DC, then-President George W. Bush asserted that, "Islam is peace."[2] Shortly after, the National Intelligence Council produced a National Intelligence Estimate focusing on ways political Islam may lead to violence.[3] In the years following the attacks, the White House pursued a "Muslim World Outreach" plan that sought to bolster "moderate" forces in what the administration increasingly saw as a war within Islam.

Prior to September 11, many government approaches could be characterized by their inattention to religious dynamics.[4] However, reinvigorated

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government efforts to conceptualize religion were shaped by post–9/11 attempts to understand Islam in relation to American and Western values, and in the context of Americans' post-crisis need for both healing and justice. As one former career intelligence analyst put it, "At least after 9/11 we could start saying the words 'Islam' and 'religion' out loud. The problem now, of course, is that most people are looking through the 9/11 lens."[5]

While this lens undoubtedly shaped government views of Islamic belief and practice in recent years, its effects were not consistent across government. State Department officials' understanding of Islam in a given society, and thus how it should be approached, often differs significantly from the way Pentagon officials see the same set of issues. Career civil servants frequently have different frameworks than do political appointees. Many offices and initiatives touching on Islam in some way are led by officials with quite distinct understandings of their objectives. Because approaches have varied over time, by agency, and with differing leadership, it is not possible to describe a singular, coherent U.S. government attitude toward Islam. Even as this chapter outlines the principal ways in which the government perceived and approached Islam after 9/11, it will touch upon the many divergent visions within Washington bureaucracies.

Overall, however, official U.S. policies and rhetoric after September 11 misunderstood and alienated many Muslims worldwide, and attempts over the next seven years to bridge that gap had little success.[6] As the U.S. government contemplates and reacts to the legacy of the Bush administration, an analysis of past efforts is critical for identifying opportunities for an improved approach.

Shaping the U.S. Government Frameworks

Of course, U.S. government conceptualization of Islam is not only a product of recent years. U.S. government frameworks cannot be fully understood without accounting for the influence of past, Western European thought about Islam on the assumptions or stereotypes held by Western scholars, the American public, and the U.S. government today.

A long literature argues that the relationship between Islam and the West was early characterized by a sense of threat.[7] As one scholar explains, "Islam, ever since its founding and expansion in the seventh century, has constituted a challenge and a threat to the Christian West, at least until the 18th century when the West could lay its fears of Islam to rest," and, "it was as this powerful enemy that Islam helped define Western contours and Western sense of self."[8] Even as Europeans grew increasingly confident of their civilizational superiority, demonization of "Mohammedanism" persisted.[9] Historian Tomoko Masuzawa explains how Europeans at the end of the nineteenth century hoped to emphasize their Aryan heritage by "hellenizing" Christianity and emphasizing the universal nature of the religion. They found it simultaneously necessary to "semitize" Islam and associate it with the Arabs,

despite knowing that most Muslims were not Arab. As Masuzawa explains, "Notwithstanding the long-established internationality and multiculturality of this religion, then, Islam came to stand as the epitome of the racially and ethnically determined, nonuniversal religions."[10]

In some ways, American attitudes toward Islam have inherited elements of the nineteenth-century European prejudices. While Europe and the United States have certainly had very different histories of encounter with Islam, Edward Said argued that "the absence in America either of a colonial past or of a longstanding cultural attention to Islam makes the current obsession all the more peculiar, more abstract, more second-hand."[11] Said claimed that American responses to the 1979 Iranian Revolution—one contemporary event after which American attention did turn to Islam—were shaped by longstanding attitudes toward the religion. Five years after that event, one scholar noted that confusion over the term "Islamic Resurgence" had been "compounded by ethnocentricity [and] prejudice," and that, "developments tended to be construed in Western rather than Islamic terms, often with resultant conceptual skewing."[12]

Nineteenth-century Europeans' speculations about the similarities and differences between Christianity and Islam allowed them to construct and understand how religion fit into their own identity. Islam has at times also been used as a foil in the refining or reasserting of the American religious and political identity. Like the nineteenth-century Europeans, the U.S. government has sometimes emphasized aspects of Islam—whether theological or cultural—that demonstrate how it is compatible with or similar to the beliefs with which most Americans self-identify.[13] This tendency aligns with the "family resemblance" approach to understanding religion, which presupposes that "a series of traits must be present, each to varying degrees, among the members of a group."[14] This approach requires some prototype of religion against which others can be judged. As religious studies scholar Russell T. McCutcheon explains, the confusion between prototype and ideal "has sometimes led European and North American scholars to use certain types of Christianity or Islam as the authoritative standard by which they measure the quality and legitimacy of other social movements also known as Christian or Muslim."[15] Religion Professor Wilfred Cantwell Smith has made the more pointed claim that "the term 'religious' designates those matters in Western history that have generally been called religious there—specifically, Christian and Jewish tradition and faith—plus anything else on earth that is significantly similar."[16]

The U.S. government's prototype for religion, similar to that developed by Western scholars, could be understood to be a combination of the dominant American religious tradition—Christianity—and American secular values. It may seem counterintuitive to propose secularism as part of the prototype for judging religion, since the two are often defined in opposition. However, many scholars have begun to challenge this construction. Professor of Theology William Cavanaugh notes that in academic arguments about religion and violence "what does or does not count as religion is based on

subjective and indefensible assumptions. As a result . . . certain belief systems, like Islam, are condemned, while certain others, like nationalism, are arbitrarily ignored."[17]

If government officials have sometimes inadvertently employed this religious prototype in establishing categories and frameworks for understanding Islam, their bias is further complicated by the fact that their typologies are often largely determined by whatever agenda a particular agency or office has for approaching Islam in the first place. Self-fulfilling categories unsurprisingly encounter the processes—whether violence or democratization—that they set out to identify.[18]

Post–9/11 Approaches

As academics and intelligence professionals have long understood, analysts interpret the unfamiliar in relation to their own experiences and positions. "Mirror-imaging" occurs when people presume that those they seek to understand or reach are fundamentally "like" or "unlike" themselves.[19] Through this lens, government officials after 9/11 understood Islam in the context of American political and cultural categories, casting it as a belief system or ideology either in conflict or convergence with the United States and, more broadly, the West. Efforts to analyze sources of violence or anti-Americanism within Islam were pursued as ardently as attempts to establish common ground between American society and Muslims overseas.

In the years after 9/11, mirror-imaging led U.S. government officials to think of Islam in three, often contradictory ways. First, policy-makers and analysts viewed Islam as something "like" the United States and Western culture. At the same time, elements of Islam were perceived as being foreign to American values. Faced with these competing views, politicians and agencies thirdly understood Islam to be a religion undergoing a global transformation, one in which the U.S. government could and should play a role.

While a religion, as commonly defined, can clearly play both the positive and negative roles that the U.S. government variously highlighted in Islam, a lens of comparison limited and biased what officials considered, ultimately leading to an incomplete understanding of Islam. And, in this case, it led the U.S. government down a slippery slope toward viewing itself at the center of a "war within Islam" in which it could define, and then take, sides.

In discussing the broad ways in which the U.S. government viewed and responded to Islam and Muslims from September 11, 2001, until the end of the Bush administration, it is important to note that there has been significant variation in the ways and degrees to which the identified perspectives have been translated into policies and programs. While official public diplomacy tends to seek potential points of consensus, and security analysis naturally considers sources of division or conflict, agencies across government have variously viewed Islam as something either familiar or unfamiliar.

In general, U.S. officials' primary public reaction to Islam in the wake of 9/11 was to emphasize the similarities and shared values between "the Muslim world" and the United States. As then-Deputy Secretary of Defense Gordon England told a prominent Muslim-American group, "there is no contradiction between the peaceful religion of Islam and America's values and principles."[20]

Official public diplomacy efforts sought to emphasize issues of commonality, as exemplified by the "Shared Values" campaign led by Under Secretary of State for Public Diplomacy and Public Affairs Charlotte Beers. Beers, who began the position in 2001, oversaw an advertising campaign depicting religious tolerance and moderate Muslims in the United States.[21] Other major initiatives targeting Muslim audiences included Partnerships for Learning, a focused exchange program to help young Muslim students experience American culture and education, and, *Hi*, an Arabic-language magazine targeting Muslim youth.[22] These programs sought common ground between American society and Muslim audiences overseas and avoided topics on which these communities might differ, including substantive exchanges.[23] One commentator said the magazine demonstrated that the United States "has no substantive reply to sincere questions about U.S. policy, or even to adult questions about U.S. society and culture."[24] From 2003 to 2007 the new Under Secretary Karen Hughes continued the search for common ground, including promoting the compatibility of democracy with Islam.[25]

Despite dominant rhetoric about commonalities, U.S. officials sometimes positioned Islam's unfamiliar aspects—beliefs or behaviors that did not seem to align with an American worldview—as the "other." At times, this tendency simply reflected the ignorance of many Americans about Islam, but the U.S. government was also persistently besieged by accusations that it was "at war" with Islam. Such assertions were based on, for example, U.S. military acts at prisons such as Abu Ghraib and the Guantanamo Bay detention center. As one scholar writes, a clear pattern emerged at these prisons in which U.S. personnel "desecrated what most Muslims consider God's presence on earth (the Koran), drowned out the call to prayer with the American anthem and rock songs, used grotesque sexual assaults to undermine piety, mocked religious holidays, and engaged in freelance proselytism."[26]

In the context of charges that they were battling Islam, government officials claimed that those who wielded violence in the name of Islam were inherently un-Islamic. This rhetoric came from the highest levels of the administration. On September 20, 2001, President Bush said, "The terrorists practice a fringe form of Islamic extremism . . . that perverts the peaceful teachings of Islam. . . . The terrorists are traitors to their own faith." These sentiments were strongly reinforced by former Secretary of State Colin Powell's remarks the following month, "They believe in no faith. They have adherence to no religion. . . . The message I have for Osama bin Laden is that he can not hide behind a faith in which he does not believe."[27] In his 2006 State of the Union address, Bush continued to refer to radical interpretations of Islam as "the perversion by a few of a noble faith."[28] That same year the

National Strategy for Combating Terrorism stated that terrorists "exploit" and "distort" Islam, while "peaceful Muslims" and "responsible Islamic leaders" represent its truest forms.[29]

In this way, the United States continued its efforts to identify with Muslims worldwide and reject the notion that it was at war with Islam, even in the context of ongoing conflict with those who claimed to be fighting the United States in the name of Islam. In this case "real Islam" was nonviolent, so analysts often saw violence that was claimed in the name of Islam as instead part of an ideology without true religious motivations. One terrorism expert developed the "Ziggurat of Zealotry," which "arrays Islamists into a pyramid . . . with each ascending level representing a leap in radicalization."[30] The pyramid depicts growing dedication to violent extremist goals and methods, which could be ascribed to terrorist groups with any ideology—religious or secular. One analyst involved with the CIA's political Islam analytic unit commented that, much like with the "Ziggurat of Zealotry" model, his unit was "not as focused on religion as on the process of radicalization."[31] This analyst said that the office did not see religion as a key driver of radicalization or recruitment for terrorist groups, at least initially, and that they have found that people will often feign religious beliefs in order to gain access to a group's privileges and benefits. Religious indoctrination, he said, often happens after absorption into the organization.

In other instances, however, officials sought links between Islam and anti-American thought and violence. Analysts across all agencies, seeking to understand what motivated some in the Islamic world to take violent action against the United States and what drove low public opinion about the United States within Muslim-majority countries, centered their understanding of Islam around themselves. Security officials in particular were often not as concerned with understanding Islam in general as they were with the anti-American goals of its extremist strains, and how those extremists used Islam to justify such anti-Americanism. The National Intelligence Council, in its 2004 "Mapping the Global Future" report, focused on the ways in which "the revival of Muslim identity" could generate more anti-American terrorism, and posited a future where "a global movement fueled by radical religious identity politics could constitute a challenge to Western norms and values."[32] Courses offered to soldiers and Marines to bridge the knowledge gap on Islam often focused on similarities and differences in beliefs, practices, and behaviors between dominant Western religious traditions and Islam.[33] While it is logical for officials to focus on how the subjects of their analysis relate to America, an America-centric analysis may have led them to misunderstand their subjects.

A 2007 Department of Homeland Security (DHS) report explained, "Muslim culture, and in particular the Islamic faith, are not widely understood within the Western world. This lack of understanding, coupled with fear of extremist adversaries, taints our ability to relate with the larger and overwhelmingly peaceful and moderate Muslim population, reinforcing misconceptions of and dividing us from those susceptible to radicalization."[34]

Whether fearing the unfamiliar or insisting on the familiar, U.S. government views obscured a great deal of complexity. The government's inclination to draw sharp distinctions between "authentic" and "inauthentic" Islamic expressions and to focus on the pro- and anti-Western aspects of those expressions limited the U.S. government to a simplistic understanding of Islam. As former Assistant Secretary for Near Eastern Affairs Robert Pelletreau acknowledged, "U.S. policy sees Islam in terms of two ends of a spectrum," and that "[r]ather than attempt to differentiate between numerous 'islams,' U.S. policymakers seem content to make a much simpler (and contrived) distinction between the Islamic religion and Islamist violence."[35]

The "War within Islam"

In light of these often contradictory representations of Islam, the U.S. government—encouraged by many American commentators and scholars—concluded that Islam was a religion in crisis, enmeshed in a war with itself. Faced with a continued, al Qaeda–inspired threat and confident of the universality of American ideals, government officials more often than not saw themselves as having a role to play in this war. While the U.S. government's understanding of 9/11 as a violation of Islam may not itself have been inappropriate, consequent government attempts to define what makes a "good Muslim" were problematic. The South Asia policy adviser to the Senate Foreign Relations Committee remarked that the government needed to stop defining "good" Muslims as those who supported all of U.S. foreign policy and espoused Unitarian-leaning theology.[36]

Attempts to influence Islam's development through "empowering moderates" were first codified in the so-called Muslim World Outreach strategy, a classified portion of the larger National Strategy for Combating Terrorism. This "outreach" plan aimed to bolster moderate Muslims and restrain fundamentalist expressions of Islam. The volume of U.S. government programming pertaining to Islam suggests that the government assumed that it had a role in the battle for Muslim hearts and minds, even if only through empowering certain voices. One journalistic investigation found that a variety of agencies in Washington were "plowing tens of millions of dollars into a campaign to influence not only Muslim societies but Islam itself."[37] The Government Accountability Office (GAO) reviewed a variety of U.S. government efforts "to identify, monitor, and counter support and funding for the global propagation of Islamic extremism."[38] Particular efforts were made with regard to democracy promotion and religious freedom. U.S. officials urged Iraqi leaders to limit the reach of Islamic law in the new Iraqi constitution.[39] The 2008 edition of the annual "International Religious Freedom Report" highlighted U.S. government support of efforts in Saudi Arabia to combat extremism "within Islam," including encouraging the government to "halt the dissemination of intolerant literature and extremist ideology within the country and around the world."[40]

Officials varied on the degree to which they believed the United States could influence Islam, with many officials asserting that only Muslims could conclusively influence the development of their religion and the thinking of their coreligionists. The National Strategy for Public Diplomacy and Strategic Communication provided as a general communication guideline that officials should "[s]eek to empower/highlight Muslim voices that speak out against terror and violence," suggesting use of the terms "mainstream" or "majority" rather than "moderate."[41] The State Department and U.S. Agency for International Development's "Fiscal Years 2007–2012 Strategic Plan" calls for working through religious leaders to marginalize extremists.[42] And in July of 2008 the new Under Secretary for Public Diplomacy and Public Affairs James K. Glassman asserted his position on the "war within Islam" saying,

> [T]he battle within the Muslim world for power affects the United States directly and was responsible for the deaths of 3,000 people seven years ago. It is the fact that the battle is going on within Muslim society that makes our role so complicated and that requires that we ourselves not do much of the fighting. The most credible voices in this war of ideas are Muslim.[43]

However, this conceptualization still put terrorism and al Qaeda—symbols of anti-Americanism—at the center of its understanding of Muslim societies. Middle East expert Fawaz Gerges has said, "The Bush administration still sees Al Qaeda and radical Islam as the defining challenges in the Arab and Muslim worlds, whereas the people there do not see these as the major threats to their societies. . . . It's a clash of perceptions and a clash of narratives."[44]

U.S. government promotion of moderate interpretations of Islam or Islamic law could also be understood as advancing a particular theological position, in spite of legal rulings that government may not advance nor inhibit religious practices and expression. One of the only relevant cases found that "the operation of the Establishment Clause strongly indicates that its restrictions should apply extraterritorially."[45] While the court suggested that exceptions might be made for "some compelling reason," one position in the case cites an academic stating, "If the government chose to support the teaching of a moderate version of Islam . . . [there would be an] offense to the religion clauses posed by such a governmental endorsement of the doctrines of a particular religion."[46] Troublingly, some within the U.S. government seemed to have designated themselves as legitimate judges of trends in Islamic theology and practice.

Mirror-imaging lends itself to a narrative in which differences are interpreted as problems and the solution lies in similarities—a dangerously simple construction that can actually reinforce extremist narratives. American Muslims have communicated to U.S. officials the danger of reinforcing al Qaeda's assertions, arguing that "al Qaeda wants all Muslims to line up under its banner" and that grouping all Muslims together into broad generalizations "feeds the narrative that al Qaeda represents Muslims worldwide."[47]

Toward a New Lens

After September 11, the U.S. government prioritized a number of sometimes related, sometimes conflicting objectives, including combating violent extremism and improving global public opinion about the United States. While an improved approach to Islam will not, in and of itself, achieve these goals, it will likely increase the odds of success for both, as well as aid the United States in other foreign policy activities to which a proper conceptualization of Islam might be relevant.

Improper conceptualization of Islam can be partially attributed to insufficient institutional capacity, as a lack of training and expertise limits government's ability to understand and approach Islam. For example, while the duty descriptions of the military Chaplain Corps recently changed to include more religion-related knowledge and diplomacy during operations, systematic training to support these activities was not simultaneously developed. Within the intelligence community, the former director of State Department's Bureau of Intelligence and Research said that the current level of personnel "who have a deep understanding and knowledge of particular religions that are foreign policy-relevant" is "probably not anywhere approximating what we need."[48]

But while resources sometimes limit training and expertise, developing proper expertise also requires a thorough understanding of what personnel need to know and how they should apply that knowledge. So inappropriate frameworks for understanding Islam can hinder efforts to build the right kind of government capacity. While resources should clearly be devoted to training policy-makers and practitioners and hiring experts, it will be even more important for the U.S. government to adopt new frameworks for understanding Islam. It is now for scholars, policy-makers, and practitioners to work together to fully analyze how to adjust the government's approach. What are the implicit assumptions contained in Christian, secular, or other categories the U.S. government might employ? How might U.S. government motives affect its use of certain categories? What might be missed or misunderstood about Islam? This type of analysis must be conducted to assess what frameworks must be changed or discarded.

Even before this analysis is conducted, however, it is clear that U.S. government thinking must move beyond threat-based or otherwise simplistic interpretations of Islam, and instead be reshaped in light of the frameworks used by those the United States seeks to understand. This will require an unprecedented level of U.S. government commitment to listening to those whom the government hopes to understand or influence. Listening will have to be part of a new cultural shift across all government agencies, but its institutional home should be in the State Department's Office of Public Diplomacy and Public Affairs. Learning from this office should then impact government-wide policies and programming. While public diplomacy is an enabling tool for, rather than the centerpiece of, U.S. foreign policy, it can contribute to or detract from other goals. Centrally, if U.S. government goals do not shape its public diplomacy, its public diplomacy may impede these goals.

American public diplomacy has traditionally had four distinct components, including explaining U.S. foreign policy abroad, presenting foreign audiences with a picture of American society and culture, promoting mutual understanding with these publics, and advising U.S. policy-makers on attitudes abroad.[49] The "third mandate," as the directive to engage in mutual exchange is known, was sidelined in the frantic, post–September 11 efforts to convince Muslims abroad of shared American values. Propaganda-like efforts to convince these audiences of similarities were misguided. As Ben Cherrington, the first chief of the State Department's Division of Cultural Relations during World War II, insisted, the "cultural relations activities of our country [should] be reciprocal, there must be no imposition of one people's culture upon another."[50] Instead, engagement efforts should involve a reciprocal flow of information.[51]

Lack of governmental listening in post–September 11 efforts was reflected in the government's tendency to separate the nebulous concept of "Islam" from any people in particular, best demonstrated by the difficulty agencies have had in pinpointing exactly who are the "Muslim audiences" they intend to reach or the "moderate Muslims" they hope to support. As one journalist noted, "As the war on terror enters its sixth year, its longest battle—over how to define the enemy—rages on. That there is a large difference between Muslims wearing veils and those wearing suicide belts may be obvious, but a clear understanding of that difference remains elusive."[52]

Listening is shorthand for a range of engagement policies that will help Americans and government officials move toward more sophisticated understanding. Longer-term "educational and cultural" programs are especially likely to lead to this type of listening and mutual exchange,[53] but stringent U.S. visa restrictions, especially against citizens of Muslim-majority countries, have been a central impediment to such exchange efforts. Mutual exchange has sometimes also been prevented because the U.S. government is structured to prioritize official state actors and has not reached out to important Muslim leaders or networks. There are many groups with whom U.S. government officials have been afraid to work or with whom they have not known how to work. Engaging effectively is also difficult in the field because of high turnover in the embassies and the regular loss of institutional knowledge[54]—especially since many tours in Muslim-majority countries last only one year[55]—and efforts should be made to correct these structural problems. Language training must receive highest priority, as officials lacking the necessary language competencies can hardly hope to achieve "mutual understanding."[56]

Brookings scholars have argued that "there can be no 'one-size-fits-all' agenda or mass media push that targets the entire Islamic world as if it were a unitary actor. . . . Whether one is talking about democratization, support for peace initiatives, or public diplomacy, programs should be strategically developed, but tactically deployed on a regional or country basis."[57] While it is important not to fall in the trap of seeing Islam as bound by local contingencies, as compared to more "universal" values promoted by the U.S.

government, it is also critical to acknowledge the geographic diversity of Islam. Coordinating policy and rhetoric is particularly important to counteract tactics employed in the past that suggest a simplistic understanding of a monolithic "Muslim entity."

For the U.S. government to have the opportunity to listen, it will need sufficient credibility for foreign audiences to be willing to engage. Building credibility will require both an honest reflection of America's own diversity and more comprehensive engagement with diversity abroad. To achieve this, the U.S. government will have to begin a major effort to reverse a history of crude conceptualizations and a dangerous legacy of mirror-imaging.

Notes

1. As quoted in John Kelsay, "Interpreting Islamic Tradition: Bin Laden's Reasons," *Christian Century*, February 27, 2002, 29.
2. Remarks by President George W. Bush at Islamic Center of Washington, DC, September 17, 2001. http://www.whitehouse.gov/news/releases/2001/09/20010917-11.html.
3. Ambassador Robert Hutchings, interview, 2006.
4. In one of many examples of evidence for this claim, the director of the Defense Intelligence Agency from 1991 to 1995 said that he could not recall any discussions about religion at the senior level. Lieutenant General James Clapper, U.S. Army (ret.), interview, February 2007.
5. Anonymous interview with former U.S. intelligence analyst, Fall 2006.
6. For example, the 2007 Pew Global Attitudes Survey found that "the U.S. image remains abysmal in most Muslim countries in the Middle East and Asia." "Global Unease with Major World Powers," Pew Research Center, Washington, DC, June 27, 2007.
7. See, e.g., the list captured in Ismail Ibrahim Nawwab, "Muslims and the West in History," in *Muslims and the West: Encounter and Dialogue*, ed. Zafar Ishaq Ansari and John L. Esposito (Islamabad: Islamic Research Institute, International Islamic University; Washington, DC: Center for Muslim-Christian Understanding, Georgetown University, 2001), 6.
8. David C. Gordon, *Images of the West: Third World Perspectives* (Totowa, NJ: Rowman & Littlefield Publishers, 1989), 19.
9. Edward W. Said, *Covering Islam: How the Media and the Experts Determine How We See the Rest of the World* (New York: Pantheon Books, 1981), 5.
10. Tomoko Masuzawa, *The Invention of World Religions: Or, How European Universalism Was Preserved in the Language of Pluralism* (Chicago: The University of Chicago Press, 2005), xiii.
11. Said, *Covering Islam*, 12.
12. Hermann Frederick Eilts, Foreword to John L. Esposito, *Islam and Politics*, Third Edition (Syracuse, NY: Syracuse University Press, 1984), ix.
13. In 2008, 76 percent of Americans said they identified as Christians. That same year, 15 percent identified as agnostic, atheist, or having no stated

religious preference. Non-Christian religions were reported by 4.4 percent of Americans, and of that, 0.6 identified with Islam. Barry A. Kosman and Ariela Keysar, *American Religious Identification Survey [ARIS 2008]: Summary Report* (Harford, CT: Trinity College, 2009).

14. This conceptualization is credited to early twentieth-century philosopher Ludwig Wittgenstein. Russell T. McCutcheon, *Studying Religion: An Introduction* (London: Equinox Publishing, Ltd., 2007), 60.
15. Ibid., 61.
16. Wilfred Cantwell Smith, "Philosophia, as One of the Religious Traditions of Humankind: The Greek Legacy in Western Civilization, Viewed by a Comparativist," in *Differences, valeurs, hierarchie: texts offerts a Louis Dumont*, ed. Jean-Claude Galey (Paris: Editions de l'Ecole des Hautes Etudes en Sciences Sociales, 1984), 257; as cited in Benson Saler, *Conceptualizing Religion: Immanent Anthropologists, Transcendent Natives, and Unbounded Categories* (New York: Berghahn Books, 1993), 215.
17. William T. Cavanaugh, "Does Religion Cause Violence?: Behind the Common Question Lies a Morass of Unclear Thinking," *Harvard Divinity Bulletin* 35 (2007).
18. Ellen Lust-Okar, Professor of Political Science, Seminar Remarks, "Comparative Perspectives on Middle East Politics," Yale University, October 2008.
19. For a discussion of mirror-imaging, see Richards J. Heuer, Jr., *Psychology of Intelligence Analysis*, Center for the Study of Intelligence, 1999. This simplified, twofold understanding corresponds with Saler's concept of "digitizing," or the coding of information in numerical digit form. Saler asserts that the Western tendency to digitize has contributed to the "analytical disposition to conceptualize reality digitally [and] has undoubtedly supported . . . various cultural propensities to cast thematic relevancies in dualistic form." Saler, *Conceptualizing Religion*, 12–13.
20. Remarks by Deputy Secretary of Defense Gordon R. England, Islamic Society of North America, September 1, 2006.
21. Charlotte L. Beers, Undersecretary of State for Public Diplomacy and Public Affairs, U.S. Department of State, Statement before the Senate Foreign Affairs Committee on "American Public Diplomacy and Islam," February 27, 2003. Available at http://foreign.senate.gov/testimony/2003/BeersTestimony030227.pdf.
22. "In December 2005, State suspended publication of *Hi* magazine pending the results of an internal evaluation, which was prompted by concerns over the magazine's cost, reach, and impact, according to State officials." GAO, Report to the Chairman, *U.S. Public Diplomacy: State Department Efforts to Engage Muslim Audiences*, 12.
23. Elliott Colla and Chris Toensing, "Never Too Soon to Say Goodbye," *Middle East Report Online*, September 2003.
24. Ibid.
25. "Human Rights and Democratization Initiatives in Countries with Significant Muslim Populations," Bureau of Democracy, Human Rights, and Labor. http://www.state.gov/g/drl/42056.htm.

26. Michael Peppard, "The Secret Weapon: Religious Abuse in the 'War on Terror,'" *Commonwealth*, December 5, 2008. http://www.commonwealmagazine.org/print_format.php?id_article=2390.
27. Richard Jackson, *Writing the War on Terrorism: Language, Politics and Counter-Terrorism* (Manchester: Manchester University Press, 2005). In 2005, President Bush explained the distinction in particularly Manichean terms, "Some call this evil *Islamic radicalism*; others, *militant jihadism*; still others, *Islamofascism*. Whatever it's called, this ideology is very different from the religion of Islam." George W. Bush remarks, National Endowment for Democracy, October 6, 2005. http://www.whitehouse.gov/news/releases/2005/10/20051006-3.html.
28. George W. Bush, State of the Union Address, January 31, 2006. http://www.whitehouse.gov/stateoftheunion/2006/.
29. The National Strategy for Combating Terrorism, September 2006. http://www.whitehouse.gov/nsc/nsct/2006/nsct2006.pdf.
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31. Anonymous interview with intelligence official, Fall 2006.
32. National Intelligence Council, *Mapping the Global Future: Report of the National Intelligence Council's 20/20 Project* (Washington, DC: Government Printing Office, December 2004).
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36. Jonah Blank (policy adviser on South Asia, U.S. Senate Foreign Relations Committee), interview, Washington, DC, July 2006.
37. David E. Kaplan, "Hearts, Minds, and Dollars," *U.S. News and World Report*, April 17, 2005.
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39. Preeta D. Bansal and Nina Shea, "Iraq Must Avoid a Rollback of Rights," *The Washington Post*, August 4, 2005.
40. U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, "2008 Report on International Religious Freedom." http://www.state.gov/g/drl/rls/irf/2008/index.htm. The report is mandated by the 1998 International Religious Freedom Act, which established the Office of International Religious Freedom at the State Department and required all embassies to contribute to country-level evaluations of religious freedom.

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42. FY 2007–2012 Department of State and USAID Strategic Plan, Bureau of Resource Management, Department of State, May 2007. Available at http://www.state.gov/s/d/rm/rls/dosstrat/2007/html/.
43. Under Secretary for Public Diplomacy and Public Affairs James K. Glassman, "U.S. Public Diplomacy and the War of Ideas," Foreign Press Center Briefing, Washington, DC, July 15, 2008. http://fpc.state.gov/107034.htm.
44. Quoted in Howard Lafranchi, "U.S. Shifts 'Hearts and Minds' Fight," *Christian Science Monitor*, August 7, 2008.
45. *Lamont v. Woods*, 948 F.2d 825, 842 n.20 (2d Cir. 1991).
46. Ibid.
47. U.S. Department of Homeland Security, Office of Civil Rights and Civil Liberties, "Terminology to Define the Terrorists: Recommendations from American Muslims," January 2008.
48. Ambassador Stapleton Roy, interview, 2006.
49. William A. Rugh, *American Encounters with Arabs: The "Soft Power" of U.S. Public Diplomacy in the Middle East* (Westport, CT: Greenwood Publishing Group, Inc., 2006), pp. 2–23.
50. Henry J. Kellermann, "Cultural Relations as an Instrument of U.S. Foreign Policy: The Educational Exchange Program between the United States and Germany, 1945–1954," Department of State Publication 8931 (Washington, DC: U.S. Government Printing Office, 1978), 5.
51. Ibid., 5.
52. Shainin, "The Ziggurat of Zealotry."
53. Richard L. Armitage and Joseph S. Nye, Jr., "Stop Getting Mad America, Get Smart," *The Washington Post*, December 9, 2007, B03.
54. Ambassador David Shinn, interview, July 2006.
55. GAO, *U.S. Public Diplomacy*.
56. Hans N. Tuch, *Communicating with the World: U.S. Public Diplomacy Overseas* (New York: St. Martin's Press, 1990), 121.
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Part II

Other Religious Perspectives

5

Prodigal Nation: September 11 and the American Jeremiad

*Andrew R. Murphy**

September 11 transformed many aspects of the American political and religious landscape. Yet in one aspect of American political rhetoric, the attacks and their aftermath illustrated the power and persistence of a deeply rooted way of understanding traumatic events throughout the nation's history. Appearing on Pat Robertson's television program *The 700 Club* just days after the September 11 attacks, Jerry Falwell argued that

> what we saw on [September 11], as terrible as it is, could be miniscule if, in fact—if, in fact—God continues to lift the curtain and allow the enemies of America to give us probably what we deserve.... The abortionists have got to bear some burden for this because God will not be mocked... [along with] the pagans... and the feminists, and the gays and the lesbians who are actively trying to make that an alternative lifestyle, the ACLU, People for the American Way...

All of the aforementioned groups have been complicit, Falwell argued, "with the help of the federal court system... [in] throwing God out of the public square, out of the schools."[1] Although he did not elaborate, Falwell and other Christian conservatives generally point to a series of Supreme Court

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decisions and social developments since the 1960s, all of which add up to a cultural transformation that imperils the nation's moral foundation.[2]

But lest we think that the rhetoric and imagery of divine punishment for social and political misdeeds is the exclusive property of white fundamentalists, consider New Orleans Mayor Ray Nagin's interpretation of the devastation wrought by Hurricane Katrina:

> And as we think about rebuilding New Orleans, surely God is mad at America, he's sending hurricane after hurricane after hurricane and it's destroying and putting stress on this country. Surely he's not approving of us being in Iraq under false pretense. But surely he's upset at black America, also. We're not taking care of ourselves. We're not taking care of our women. And we're not taking care of our children when you have a community where 70 percent of its children are being born to one parent.[3]

Other commentators saw Katrina as God's punishment on the American nation for sins as varied as its Middle East policy, the invasion of Iraq, its tolerance of abortion, or an overreaching federal government.[4]

Each of these episodes occasioned a great deal of controversy. But I argue in this chapter that the notion that God punishes Americans for their misdeeds is hardly new in the American tradition; it was a common part of American political rhetoric during the colonial, Revolutionary, Civil War, and cold-war eras. The notion of divine punishment for national "sins" represents the other side of the coin, so to speak, of the widespread understanding of America—later, the United States—as in covenant with, or "chosen" by, God in the unfolding of God's intentions in human history.

This chapter probes the cultural significance of the jeremiad—a narrative that views society as having turned away from its moral foundations, risking divine punishment if it does not repent and reform its ways, and suffering calamities and misfortunes as evidence of God's wrath—to American political life.[5] How, if Falwell and Robertson's interpretation of September 11 (or Nagin's racialized understanding of God's purposes for afflicting New Orleans) are problematic in political or theological terms, are we then to come to grips with Abraham Lincoln's Second Inaugural, with its speculation about divine justice for American national sins? I argue that despite the broad structural parallels between various types of jeremiads (identification of contemporary crisis, valorization of founders or preceding generations, and call to reform and renewal), important differences exist between the ways in which various American Jeremiahs conceptualize the American past and its relation to the present and future. The chapter advances a distinction between what I call *traditionalist* jeremiads, which construe the American past's value in concrete institutional or social forms, and *progressive* ones, which view the past as a repository of fundamental, emancipatory principles. An exploration of the ways in which political narrative in America shapes, reflects, and gives meaning to political reality promises to raise compelling questions about American politico-religious rhetoric in the post–September 11 world.[6]

The American Jeremiad as Political Narrative

Technically speaking, the "jeremiad" is a type of Puritan sermon that commented on a text, applied its lessons to contemporary misfortunes, lamented the community's turning away from its traditional religious values, and called it back to those values. In this chapter, I use the term in a related, yet slightly more expansive, sense. This more general understanding of the jeremiad refers to works of social and political criticism that (1) identify contemporary problems; (2) contrast contemporary degeneracy with past virtue; and (3) warn of dire consequences if behavior is not reformed. Jeremiads thus contain an historical and a narratological dimension, seeking to reappropriate past virtues in the service of addressing present social pathologies and crafting powerful political stories to communicate their deep concern over society's moral, political, and spiritual well-being. This was precisely the sort of story that Falwell told in the wake of September 11: the story of a nation that had forsaken its godly roots, and was suffering the consequences of God's disapproval.

First, jeremiads claim that contemporary society has gone badly wrong, and offer vivid examples or statistics to back up this claim. New England clergy, for example, who raised the jeremiad to a distinctive literary genre, produced litanies of their population's sins: impiety, drunkenness, avarice, factionalism, and sexual immorality, to name just a few. Twentieth-century religious conservatives lament rising crime rates and drug use, sexual permissiveness, media violence, and an increasing hostility to religion in the public sphere as evidence of a deeper American moral or spiritual crisis. And contemporary critics from divergent political perspectives offer vivid statistical and graphical evidence of civic decline.[7]

Second, jeremiads bring an historical dimension to the attempt to explain social crises, proposing a specific time period in the past that did *not* suffer these pathologies: identifying the problem in contemporary social life is only the beginning. Early New England jeremiads often explicitly contrasted the behavior of their audiences with that of their more "godly" parents. Critics of increasingly individualistic American society almost always refer, explicitly or implicitly, to a time period when communal or collective values held more sway over people's lives.

So the jeremiad presents a stark contrast between the virtues of past historical actors and the degeneracy of present ones. In other words, American Jeremiahs narrate the offending practices of contemporary society as departures from formerly obtaining practices instituted and maintained by founders. Be they second- and third-generation New England Puritans who valorized John Winthrop, John Cotton, or their fellow colonial planters; nineteenth-century figures who apotheosized George Washington, Thomas Jefferson, or John Adams; or contemporary cultural conservatives who look to those same founders, or Abraham Lincoln, or to the "greatest generation" that defeated the Axis in World War II, founders and virtuous ancestors play a key role in bolstering the rhetorical power of the jeremiad. Yet I shall argue

as this chapter proceeds that the particular *aspect* of the past on which various Jeremiahs focus tells a great deal about their visions for the future and that at least two distinct types of jeremiads can be identified based on founding *ideals* versus founding *practices*.

Third, jeremiads issue a call to renewal and reform, always connected to a political agenda. All jeremiads conclude with a call for renewal: to restrict the spread of slavery; to recapture the public piety of the founders; to accommodate religion in the public square; to pass a constitutional amendment barring same-sex marriage; to abolish American slavery. Discussions of past virtue and present degeneracy are never presented simply as a series of empirical statements about the American past; always implicit or explicit is a call to reverse the errors of the present and to reappropriate founding virtues. From early New England to 9/11 the story of American decline and the threat of divine punishment have provided a powerful political backdrop for a host of political campaigns and social movements, beginning with the migration to America itself. This call to action and reform is a crucial part of the jeremiad's rhetorical power, as it allows a backward-looking form of rhetoric to speak to future hopes and dreams.

Surrounding these political-historical claims—those that focus on founders and their wayward progeny—we find a theological, even a cosmological, dimension that gives the American jeremiad added poignancy and power. Since the earliest days of American colonization, America as "chosen" or set apart somehow, with a special relationship to the Creator, has constituted one of the nation's most enduring self-images.[8] This theological dimension, though often left implicit, is important to an understanding of the American jeremiad. The jeremiad presumes a God who attends to human history, and acts in history through the distribution of rewards and punishments, victories and setbacks. Such a view had its American origins in John Winthrop's evocation of the "city on a hill" in 1630, and the more general Puritan tendency to draw parallels between themselves and the ancient Israelites. Such presuppositions were deepened and strengthened by events of the 1770s and 1780s, in which the notion of an American Israel throwing off oppression in order to take up its national mission settled ever more deeply in American public rhetoric. The link between national virtue and national prosperity was only strengthened by the great evangelical revivals of the nineteenth century and the nation's first movements westward. Attending to chosenness as a national trope can account for both the origins and promise of the American experience *and* the bitter trials through which it was currently passing.[9] The jeremiad, with its twin emphasis on promise and decline, represents a uniquely powerful way of conceptualizing the American past, present, and future.

Let us look now at two American jeremiads, each of which played a significant political role in the history of American political rhetoric, and which continue to resonate in the post–September 11 context. Doing so will help us better understand the ways in which September 11 represents a moment of important change as well as broad continuity in the American political experience.

Two American Jeremiads

Traditionalist Jeremiads: The Christian Right and the Past as Model

The basic elements of the Christian Right jeremiad are familiar to anyone who has observed American politics since the 1970s. On this account, the nation's abandonment of the moral and spiritual moorings that had cemented politics and Christian piety since its earliest days betrays a moral and spiritual decline that threatens the very continuation of the American experiment in self-government. Such a view has long been common among segments of the American evangelical and fundamentalist communities, and the reemergence of the "Christian Right" as a force in American politics since the late 1970s—a process in which Jerry Falwell played an enormously important role—has been well documented.[10] Despite reports of its demise, and the increasingly fractious nature of the Republican Party's coalition after the electoral defeats of 2008, the Christian Right clearly survives intact, if not strengthened, and exercises considerable influence both within the party and in national politics more generally.[11]

The jeremiad is first and foremost an account of crisis, and begins with a litany of social pathologies or national "sins." Summing up the "forces of secularism" in American culture that threatened traditional "Judeo-Christian" values, Jerry Falwell's longtime collaborator, Ed Dobson, provided an exhaustive list, including *Roe v Wade*, the removal of God from the nation's public schools, the breakdown of the traditional family, a pornography epidemic, the gay rights movement, the proposed Equal Rights Amendment, and the federal government's encroachment into church affairs. All of these developments, he argued, "generated a perception among fundamentalists that a new religion of secularism was evolving and that it threatened the extinction of the Judeo-Christian values."[12] The strident protests of the American Left during the late 1960s only strengthened the sense among evangelicals that something was seriously amiss in American society.[13]

Christian Right critics roundly decried their nation's departure from traditional standards of sexual behavior. The increasingly organized movement for gay rights attracted attention as a highly visible and public way in which an aggressive and countercultural minority threatened traditional sexual values. In his landmark 1980 book *Listen, America!*, Jerry Falwell lamented that what was once widely understood as "the zenith of human indecency" had become an acceptable alternative lifestyle. In addition to the growing tolerance of homosexuality, Christian Right leaders pointed to rising divorce rates, the overturning of traditional gender roles, and the growing acceptance of cohabitation by unmarried couples and/or children born to unmarried parents.[14] Of all these sexuality-related issues, however, it is difficult to overstate the importance of abortion in the Christian Right's narrative of American moral decline. Pat Robertson claimed that the "abortion movement . . . may

prove to be the greatest holocaust in history."[15] "If we expect God to honor and bless our nation, we must take a stand against abortion," wrote Falwell, who included abortion at the top of his list of the nation's five major political sins.[16] A series of related concerns animated support for voluntary school prayer, opposition to activist courts, and denunciations of media violence and the epidemic of drug use in American society. Ralph Reed noted that the nation had seen a 560 percent rise in violent crime since 1960, along with overcrowded prisons, declining SAT scores, a rise in divorce, and so on; in other words, "a correlation between a decline in the role of religion in our society and the rise of social pathologies of every kind."[17]

But the jeremiad is more than simply a litany of communal sins; it is crucial, rhetorically speaking, that there was a time of national moral and political health *prior to* the onset of these national sins. Christian Right jeremiads hearken back to the nation's founding era, and to the colonial past, for examples of a time in which liberty, religion, and authority coexisted in a proper balance. Many such accounts trace the religious impulse in American history back to the origins of colonial settlement: Falwell highlighted the Jamestown settlement, the Mayflower Compact, William Penn's dedication to religious liberty, and the role of churches in the formation of the colonial universities, as elements of the American nation's Christian character.[18] In Falwell's view, "God has blessed this nation because in its early days she sought to honor God and the Bible, the inerrant Word of the living God.... [The founders] developed a nation predicated on Holy Writ. The religious foundations of America find their roots in the Bible."[19]

If things were once properly ordered at some point in the past, when did they begin to go wrong? The Christian Right jeremiad generally points to the tumultuous moral-social-political changes of the 1960s as the pivotal time frame for the onset of our most recent decline. Although official disestablishment was the law of the land under the First Amendment, a general (Protestant) culture of religiosity, and a publicly influential role for churches and church leaders, characterized the nation's public life well into the twentieth century.[20] But in post-1960s America, significant segments of the American elite (judges, journalists, academics) no longer endorsed the close accommodation between church and state so common to previous eras in American history. The removal of religious imagery and practices from the school systems represents just the leading edge of a much broader post-1960s social transformation, founded on a fundamental misunderstanding of the intentions of the founders. "The Founders never intended for the First Amendment to restrain government, in its legitimate role of fulfilling a secular purpose, from accommodating religious faith," wrote Ralph Reed. "Sadly, American legal culture has shifted from neutrality to hostility towards religion, something the founders never intended."[21] Falwell emphasized the drug use, violence, callousness, titillation, skepticism, narcissism, and disbelief that seemed widespread during the 1970s, a series of crises that liberal theology only made worse.[22] Pat Robertson decried the "free-love, anti-war, psychedelic 1960s... [that] proclaimed not only the right of dissent

but the right to protest against and defame the most sacred institutions of the nation."[23]

Finally, the Christian Right jeremiad has always been closely aligned with a particular vision of the American future, drawing heavily on perceptions of Christian hegemony, and a particular political agenda designed to advance that vision.[24] The main features of that agenda follow rather directly from the particularly religious character of the Christian Right narrative, rooted in the history of American evangelicalism and fundamentalism:[25] the outlawing of abortion, opposition to gay marriage and, indeed, any notion of rights for homosexuals as homosexuals, and the return of voluntary prayer to the nation's public schools. Support for school choice programs and homeschooling seeks further to enhance the ability of born-again Christians to live lives free from the bureaucratic reach of secular public education system.[26]

Yet within the American jeremiad, a sacred story always surrounds, enfolds, and gives meaning to tales of decline from virtuous founders and the hope for national renewal. In the context of the Christian Right jeremiad, such a story interprets the American experience as part of God's unfolding plan for human history. "God promoted America to a greatness no other nation has ever enjoyed because her heritage is one of a republic governed by laws predicated on the Bible. . . ."[27] In Robertson's view, the fact that the United States leads the world in military might, wealth, science, technology, and economic output is no accident: "It happened because those men and women who founded this land made a solemn covenant that they would be the people of God and that this would be a Christian nation."[28] The founding of the nation in both Revolutionary action and the drafting of foundational documents, according to Paul Johnson, illustrates "the centrality of the religious spirit in giving birth to America."[29]

The Christian Right jeremiad is a coherent and compelling political narrative employing characters, plot, and setting, and represented a bid for political and cultural power by a group that felt alienated and displaced from mainstream centers of power in American society. Such an understanding of the nation's history—in which traditional social forms and religious practices are under steady assault by the forces of secularism, modernity, and humanism—has always shaped the Christian Right's interpretation of American public life. I call this sort of political narrative a *traditionalist jeremiad*. In such a narrative, the critic constructs a past that serves as a limiting or constraining condition, a sort of empirical checklist to be held up to the present in order to assess the propriety of certain features of contemporary life: family structure, gender roles, sexual behavior, and religious piety. The political goal of such narratives is largely to retain as much similarity between past and present practices as is possible. We can see such an approach to the past in the early New England jeremiads, with their contrast between the piety and godly behavior of the founders and their children and grandchildren, their hostility to alternative religious experiences, and their obsessive objections to commercial growth and mobility. Such an understanding of the role and relevance of the past for the present and future suggests a constant

emphasis on *constraint*, the minimization of variation, and thus a problematic relationship to the kinds of political, religious, and cultural diversity that characterize American society at the dawn of the twenty-first century.

Progressive Jeremiads: Lincoln, Douglass, and the Past as Promise

To illustrate an alternate way of understanding the relationship of past to present, and thus an alternate vision of the American future, I turn next to a family of nineteenth-century jeremiads. Although important differences existed between Abraham Lincoln and Frederick Douglass for much of their careers Lincoln came gradually to share Douglass's position on the importance of securing the political liberties of freed slaves, while Douglass, after deep disappointments during the sixteenth president's first term, came increasingly to admire Lincoln and offered one of the few positive reviews of his Second Inaugural at the time.[30]

Lincoln and Douglass each linked the crisis of their time, in one way or another, with American slavery, be it the *Dred Scott* decision, the ongoing sectional strife that surrounded debates over the expansion of slavery, or the eventual outbreak of hostilities in 1861. Each saw slavery as implicated in the growing disunity, rancor, and sectional divisiveness of the 1840s and 1850s, and behind the eventual outbreak of armed conflict. As the 1850s progressed and a series of political compromises seemed to further entrench the slave interest at the highest levels of the American government, Lincoln repeatedly argued, most visibly in his "House Divided" speech, that slavery lay at the heart of the nation's many problems and would demand a national settlement.[31]

In addition, Lincoln and Douglass each looked to the ideas of the nation's founders for solutions to the nation's difficulties. Each man saw the problems of the 1850s as stemming from a failure to implement the founders' vision for the nation. But Lincoln and Douglass valorized the past not because of its concrete practices but because of the radical potential of the *ideas* inherent in the American founding experience. Douglass located the moral significance of the American founding in its radical *principles* and not the mundane (slaveholding) *realities* of its time. In his famous July 4, 1852 speech, Douglass told his audience that "[t]he principles contained in [the Declaration of Independence] are saving principles. Stand by those principles, be true to them on all occasions, in all places, against all foes, and at whatever cost."[32] The government's refusal to use African-American troops during much of the Civil War, in Douglass's view, "shows the deep degeneracy of our times—the height from which we have fallen—that, while Washington, in 1776, and Jackson, in 1814, could fight side by side with Negroes, now, not even the best of our generals are willing so to fight."[33]

Lincoln, too, valorized the nation's founders for their commitment to the ideals of liberty, although he made no claims that they had fully realized those ideals in their own day. Rather, Lincoln argued that the founders understood

the incongruity of slavery in a nation dedicated to liberty, and had placed limitations on it and had expected that the slave system would gradually but inexorably vanish. In his debates with Stephen Douglas, Lincoln described his own position as putting slavery where the founders had placed it, "in the course of ultimate extinction."[34] In his Cooper Union speech Lincoln covered the history of the federal government's involvement with slavery in painstaking detail, rejecting the claim that the spread of slavery was consistent with the founders' views of the matter and urging his audience to view slavery as "an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence among us makes that toleration and protection a necessity."[35] When Lincoln did praise the founders in more particular ways, it was always as propounders of an ideal and articulators of the principles of liberty and equality.[36]

Finally, the jeremiad calls for action, for reform of the offending practices in contemporary society, and recommitment to the values of the founders. For Douglass, the call was fairly straightforward: abolish slavery and secure the civil rights of former slaves. "Slavery is the disease, and its abolition in every part of the land is essential to the future quiet and security of the country."[37] At various points in this struggle, however, more particular goals occupied his attention: for example, in the wake of the Kansas-Nebraska Bill, Douglass stressed the need for a new national political party opposing slavery.[38] Initially, Lincoln sought to preserve the Union above all else. As his presidency, and the war, continued, he became increasingly aware of the centrality of abolishing slavery, concluding the war with a general amnesty, and envisioning a plan for reconciliation between the warring sections.[39] The realization of the founders' principles, in Lincoln's view, would require the eradication of a concrete social practice central to those founders' world.

Like the Christian Right jeremiad, Lincoln and Douglass's jeremiads also presumed a theological understanding of the American nation's status as part of God's plan for human history. Echoing the American jeremiad's fundamental theological assertion that God tracks injustice, Douglass asked his audience—and his country—"Do you really think to circumvent God? Do you suppose that you can go on in your present career of injustice and political profligacy undisturbed? Has the law of righteous retribution been repealed from the statutes of the Almighty?"[40] Lincoln's theology was far more mysterious, almost mystical, and Mark Noll calls him a "holdout" from the most simplistic sorts of providentialism that characterized so much nineteenth-century public rhetoric, famously called the Americans "an almost-chosen people," a puzzling construction that seems to grant a kind of special status ("chosen") with one hand while taking it away with the other ("almost")—and endorsed a mystical understanding of Providence, if tentatively, in his Second Inaugural Address.[41]

Like the Christian Right jeremiad, Lincoln's and Douglass's antislavery jeremiads sought to narrate a crisis and to call people to action, employing plot and characters in the service of returning to foundational values (Union and liberty). The idea of a slave power—with its cast of characters including

slaveholders, slave traders, and captive politicians and judges—hijacking the radical potential of the founding moment provided not only a rhetorically powerful plot but also a rousing call to political action. Yet Lincoln and Douglass called the nation to reform, not to a set of specific social structures or institutions but to a set of founding principles, a national founding promise embodied in the Declaration of Independence. I term this sort of political narrative a *progressive jeremiad*. Both Lincoln and Douglass understood that the task of their contemporaries, although structured and bounded by the towering historical figures of the nation's founders, was essentially about moving their ideals forward and not holding on to specific institutional manifestations from a bygone age. Given the radical potential present in the U.S. founding, the ground of political identity, for Lincoln and Douglass, lay in the nation's promise and not in the replication of concrete aspects of a reconstructed past. Indeed, the fulfillment of foundational American promises would require movement beyond the founders' achievements and into a new American racial reality.

The Jeremiad as Political Narrative

Each of these two types of jeremiads highlight the ways in which stories of the American experience—its fundamental meaning, its virtuous founding past, its imperiled present—constitute political identity and undergird national purposes. Both types of jeremiads construct their critiques of the present on an understanding of the value of the past and the imagery of decline from virtuous foundations. With such a different view of the importance of the past, however, the two jeremiads present radically different visions for the future, with the traditionalist narrative emphasizing restorationism (a rolling-back of recent developments), and the progressive looking for new ways to embody founding values and ideals.

When attempting to assess the importance of September 11 on American political rhetoric, it is important to reiterate that jeremiads are *political* narratives, and are thus about the use of power to effect social change. In Falwell's remarks about September 11, such power-seeking is fairly easily observed: calls for overturning Supreme Court decisions striking down religious symbols and rhetoric in public life, recriminalization of abortion, antigay rights initiatives, and so on. So too did Lincoln and Douglass seek to bring state power to bear on political disputes. Their jeremiad self-consciously sought to decenter certain key constellations of power in the American political system in its day, namely the slave system and its monopoly over the federal government and Supreme Court. Like the Christian Right narrative Lincoln-Douglass's jeremiad sought to call the nation to action, in service of a vision of America based on values present in some way at the nation's founding.

In this chapter I have used the Christian Right on the one hand, and Lincoln and Douglass on the other, to stand in for larger families of political narratives across American history. But the traditionalist jeremiad is hardly limited to the Christian Right, nor is it, in contemporary times, strictly the property of

conservative Republicans. Since the 1990s, for example, a revived American communitarian movement, which draws adherents from a variety of political perspectives, has lamented the decay of traditional forms of community involvement and civic engagement.[42] In such accounts of the American experience (although communitarians do not share the explicit theological canopy often employed by the Christian Right), we find the past as model for the present and future, and a failure to entertain the possibility that the present represents, not a *loss* of what was most important about the future, but a *development* of sorts. An exclusive focus on such concrete forms can easily blind us to the reality of new forms of engagement that drew on technological advances and differing modes of engagement among a younger generation.[43]

Neither is the progressive jeremiad limited to these two nineteenth-century thinkers; it has a twentieth-century face as well. Consider Franklin Roosevelt's articulation of an "Economic Bill of Rights" in his 1944 State of the Union Address. As he looked forward to the end of war, Roosevelt laid out his story of American nationhood—"This Republic had its beginning, and grew to its present strength, under the protection of certain inalienable political rights"—and went on to note that "[a]s our nation has grown in size and stature . . . as our industrial economy expanded . . . these political rights proved inadequate to assure us equality in the pursuit of happiness." Roosevelt linked his vision for the future with "a second Bill of Rights," and pledged that the continuing struggle to achieve the ideals of 1776 would involve a commitment to economic opportunity and a campaign against those economic royalists who had always sought to deny the radical implications of the Declaration's promise.[44]

Or consider Martin Luther King's celebrated "I Have a Dream" speech. King narrated the story of America as based most fundamentally on a founding promise: the "check" written to all Americans by the nation's founders, "a promissory note to which every American was to fall heir." By pointing out the nation's default, that the check had been returned unpaid, King identified the crisis of his day. Yet his imagery of African-Americans coming to Washington to re-present the check reached deep into the American tradition—as he put it, his dream was "deeply rooted in the American dream"—not to recapture a set of past practices, but to reclaim a promise, to fulfil the radical potential of those founding *principles*. Like Lincoln, King embraced a capacious understanding of the symbolic, and not merely the literal, meaning of the nation's founding moment and foundational documents: "This note was a promise that all men—yes, black men as well as white men—would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness, a check that declared that all men were created equal."

King viewed this promise, this check written at the founding, as the birthright of all Americans, and such terminology returns us to questions of narrative since a birthright is itself a deeply historical phenomenon. As Sheldon Wolin has observed:

> A birthright is defined by the historical moments when collective identity is collectively established or reconstituted. . . . Birthrights are transmitted,

> and because of their meaning will have to be reconsidered amid different circumstances. We inherit from our fathers, but we are not our fathers. . . . We cannot, for example, experience the past directly. We can, however, share in the symbols that embody the experience of the past. This calls for a citizen who can become an interpreting being, one who can interpret the present experience of the collectivity, reconnect it to past symbols, and carry it forward.[45]

Certainly such questions of interpretation are at the heart of the jeremiads that have been at play in the American political arena in the years since September 11. And the two jeremiads, traditionalist and progressive, interpret similar phenomena in radically different ways. For example, the growth of cults and Eastern religions during the 1960s and 1970s is not, for traditionalists, primarily about the flowering of religious liberty, a basic American ideal, but rather marks a decline in the degree to which contemporary religious landscape mirrored that of earlier generations.[46] Similarly with the rise of homosexuality: the Christian Right jeremiad sees not the flowering of American dedication to individual liberty and civil rights, but a deviation from the traditional hegemony of heterosexual monogamy.[47]

Yet the distinction that I have been making, between two types of jeremiads, should not be understood as a set of rigid boxes within which to "file" competing political movements. Indeed, any *particular* jeremiad (and certainly any particular political movement) will likely include elements of each approach. But somewhere in the distinction between these two ways of valorizing the past—between emphasizing the principles and promise versus empirical realities—lie two quite different ways of envisioning the American future.

Each type of jeremiads builds their visions of the future on understandings of the value of the past and the crises of the present. The traditionalist jeremiad has long functioned to give voice to popular skepticism of elites, to remind its audience of the importance of preserving the community's cultural and religious heritage, and to insist that the values present in the wider culture be reflected in the policy and politics of the nation at any given point in time.[48] The progressive jeremiad looks to the past as well, but in a less linear and less professedly empirical way, attempting to remain less captive to the particularities of bygone eras. The language of the progressive jeremiad has appeared in times of crisis—antislavery, civil rights—as public figures have sought to call Americans to new understandings of their most basic commitments, and to new understandings of the relationship between their past, present, and future. But as we have seen with Falwell, the traditionalist jeremiad too seeks to make meaning in the midst of calamity, and to lay such disasters at the feet of Americans who have departed from the ways of virtuous founders and ancestors. Both of these visions of America—and, more importantly, the productive political struggles *between* the two—have brought Americans into the twenty-first century, a nation radically transformed from its earlier self yet

shaped in fundamental ways by the legacy of evangelical Protestantism, its Puritan past, and its sense of national mission. Incorporating new groups and perspectives into this national culture is a process that is always ongoing and continually contested. It continues, however, in the wake of the September 11 attacks, framed and propelled by the narrative power of the American jeremiad.[49]

Notes

1. *The 700 Club*, September 13, 2001.
2. For just a few such accounts, by several of its more prominent articulators, see Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (Grand Rapids, MI: Eerdmans, 1984); Jerry Falwell, *Listen, America!* (Garden City, NY: Doubleday and Company, Inc., 1980); Ralph Reed, *Politically Incorrect: The Emerging Faith Factor in American Politics* (Dallas, TX: Word Publishing, 1994).
3. Transcript of Nagin's remarks in *The Times-Picayune* (New Orleans), Tuesday, January 17, 2006.
4. See the summary of these interpretations, and references for each, at www.religioustolerance.org/tsunami04h.htm.
5. The two classic treatments of the jeremiad's deep roots in the American tradition are Sacvan Bercovitch, *The American Jeremiad* (Madison, WI: University of Wisconsin Press, 1978); and Perry Miller, *The New England Mind: From Colony to Province* (Cambridge, MA and London: Belknap Press of Harvard University Press, 1953).
6. What follows is an abbreviated treatment of the fuller account of the distinction between traditionalist and progressive jeremiads, and their role in the history of American political rhetoric, that can be found in my *Prodigal Nation: Moral Decline and Divine Punishment from New England to 9/11* (New York: Oxford University Press, 2008).
7. William Bennett, *The Index of Leading Cultural Indicators: American Society at the End of the 20th Century*, Revised and Expanded Edition (New York: Waterbrook Press, 2000); Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000); and Robert N. Bellah, Richard Madsen, William M. Sullivan, and Ann Swidler, *Habits of the Heart: Individualism and Commitment in American Life* (New York: Simon and Schuster, 1985).
8. The classic account is Ernest Tuveson, *Redeemer Nation: The Idea of America's Millennial Role* (Chicago and London: University of Chicago Press, 1968); see also Robert T. Hughes, *Myths America Lives By* (Urbana, IL: University of Illinois Press, 2002); and Nathan O. Hatch, *The Sacred Cause of Liberty: Republican Thought and the Millennium in Revolutionary New England* (New Haven, CT: Yale University Press, 1977).
9. David W. Blight sees the rhetoric of chosenness as "a central unifying myth of nineteenth-century America" (*Frederick Douglass' Civil War: Keeping Faith in*

Jubilee [Baton Rouge, LA and London: Louisiana State University Press, 1989], 104).

10. For just a sampling of a voluminous literature, see James Davison Hunter, *Culture Wars: The Struggle to Define America* (New York: Basic, 1991); and John Green, Mark Rozell, and Clyde Wilcox, *The Religious Right in American Politics: Marching toward the Millennium* (Washington, DC: Georgetown University Press, 2003). An intriguing ethnographic lens on Jerry Falwell's emergence as a bridge between American evangelicalism and fundamentalism is found in Susan Friend Harding, *The Book of Jerry Falwell: Fundamentalist Language and Politics* (Princeton, NJ: Princeton University Press, 2000).
11. For just one of these premature reports of demise, see Michael D'Antonio, *Fall from Grace: The Failed Crusade of the Christian Right* (New Brunswick, NJ: Rutgers University Press, 1992). A more nuanced understanding of the appeal of the Christian Right is presented by Ronald E. Hopson and Donald R. Smith, "Changing Fortunes: An Analysis of Christian Right Ascendance within American Political Discourse," *Journal for the Scientific Study of Religion* 38, no 1 (March 1999): 1–13.
12. Edward Dobson, "The Bible, Politics, and Democracy," in *The Bible, Politics, and Democracy*, ed. Richard John Neuhaus (Grand Rapids, MI: Eerdmans, 1987), 3.
13. See Rick Perlstein, *Nixonland: The Rise of a Candidate and the Fracturing of America* (New York: Scribner, 2008).
14. Jerry Falwell, *America Can Be Saved!* (Murfreesboro, TN: Sword of the Lord Publishers, 1979), 118; Falwell, *Listen, America!*, 123.
15. Pat Robertson, *The Turning Tide: The Fall of Liberalism and the Rise of Common Sense* (Dallas, TX: Word Publishing, 1993), 113.
16. Falwell, *Listen, America!*, 179, 253–254. See also *The Fundamentalist Phenomenon: The Resurgence of Conservative Christianity*, ed. Jerry Falwell, with Ed Dobson and Ed Hinson (Garden City, NY: Doubleday, 1981), 188.
17. Ralph Reed, "What Do Religious Conservatives Really Want?" in *Disciples and Democracy: Religious Conservatives and the Future of American Politics*, ed. Michael Cromartie (Washington, DC/Grand Rapids, MI: Ethics and Public Policy Center/Eerdmans, 1994), 6; also Reed, *Politically Incorrect*, Ch. 3.
18. Falwell, *America Can Be Saved!*, 21–22; Falwell, *Listen, America!*, 30–34. See also Pat Robertson, *America's Dates with Destiny* (Nashville, TN: Thomas Nelson Publishers, 1986), Chs. 1–3; and Robertson, *The Ten Offenses* (Nashville, TN: Integrity Publishers), 2–7.
19. Falwell, *Listen, America!*, 29.
20. See Philip Hamburger, *Separation of Church and State* (Cambridge, MA and London: Harvard University Press, 2002).
21. Reed, *Politically Incorrect*, 77, 78.
22. Falwell, *Listen, America!*, 58–60; *The Fundamentalist Phenomenon*, 187; see also Robertson, *The Turning Tide*, 112–113.
23. Robertson, *The Turning Tide*, 112–113.

24. See Michael Lienesch, *Redeeming America: Piety and Politics in the New Christian Right* (Chapel Hill, NC and London: University of North Carolina Press, 1993); and Justin Watson, *The Christian Coalition: Dreams of Restoration, Demands for Recognition* (New York: St. Martin's, 1997); but cf. also Christian Smith, *Christian America? What Evangelicals Really Want* (Berkeley, CA: University of California Press, 2000).
25. Joel A. Carpenter, *Revive Us Again: The Reawakening of American Fundamentalism* (New York and Oxford: Oxford University Press, 1997); *The Fundamentalist Phenomenon*, Chs. 4, 5.
26. Reed, *Politically Incorrect*, 33–34.
27. Falwell, *Listen, America!*, 16.
28. Robertson, *The Turning Tide*, 294.
29. Paul Johnson, "The Almost-Chosen People: Why America Is Different," in *Unsecular America*, ed. Richard John Neuhaus (Grand Rapids, MI: Eerdmans, 1986), 6, also 9–12. See also Johnson, "God and the Americans," *Commentary*, January 1995, 31.
30. Contrast Douglass's reaction to Lincoln's first inaugural ("How sadly have the times changed, not only since the days of Madison—the days of the Constitution—but since the days even of Daniel Webster. Cold and dead as that great bad man was to the claims of humanity, he was not sufficiently removed from the better days of the Republic to claim, as Mr. Lincoln does, that the surrender of fugitive slaves is a plain requirement of the Constitution") with his enthusiasm for the Second, which he called "a sacred effort." See Douglass, "The Inaugural Address" [April 1861], in *The Life and Writings of Frederick Douglass*, ed. Philip S. Foner (New York: International Publishers, 1950), III: 77–78; and his remarks on the Second Inaugural as reported in *Reminisces of Abraham Lincoln by Distinguished Men of His Time*, ed. Allen Thorndike Rice (New York: North American Review, 1888), 192–193.
31. "'A House Divided': Speech at Springfield, Illinois" [June 16, 1858], in *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), II: 461–469.
32. "The Fourth of July and the Negro" [Rochester, July 4, 1852], *Life and Writings*, II: 185.
33. "The Present and Future of the Colored Race in America" [speech at Church of the Puritans, NYC, May 1863], *Life and Writings*, III: 205; "The Future of the Negro People of the Slave States" [Emancipation League, Tremont Temple, Boston, February 12, 1862], *Life and Writings*, III: 213.
34. "First Debate with Stephen A. Douglas at Ottawa, Illinois" [August 21, 1858], *Collected Works*, III: 18. Douglass also argued that the founders expected the "speedy downfall of slavery": see "The Present and Future of the Colored Race in America" [Church of the Puritans, NYC, May 1863], *Life and Writings*, III: 354.
35. "Address at Cooper Institute, New York City" [February 27, 1860], *Collected Works*, III: 535; see also "Speech at Springfield, Illinois" [June 26, 1857], *Collected Works*, II: 405–406; and Harold Holzer, *Lincoln at Cooper Union: The Speech That Made Lincoln President* (New York: Simon and Schuster, 2004).

36. “To Henry L. Pierce and Others” [April 6, 1859], *Collected Works*, III: 376.
37. “The Union and How to Save It” [February 1861], *Life and Writings*, III: 64.
38. “The End of All Compromises with Slavery—Now and Forever” [*Frederick Douglass’ Paper*, May 26, 1854], *Life and Writings*, II: 283. For the evolution of Douglass’s political agendas at various points in his life, see Blight, *Frederick Douglass’ Civil War*, passim.
39. “To James S. Wadsworth” [January 1864?], *Collected Works*, VII: 102; “Reply to Committee Notifying Lincoln of His Renomination” [June 9, 1864], *Collected Works*, VII: 380; “Last Public Address” [April 11, 1865], *Collected Works*, VIII: 399–405.
40. “The Blood of the Slave on the Skirts of the Northern People,” *Life and Writings*, I: 347; see also idem., “Lecture on Slavery, No. 2” [Rochester, December 8, 1850], *Life and Writings*, I: 141.
41. “Valedictory” [August 16, 1863; *Douglass’ Monthly*], *Life and Writings*, III: 376. On Lincoln, see Andrew R. Murphy, “Religion and the Presidency of Abraham Lincoln,” in *Religion and the American Presidency*, ed. Gaston Espinosa (New York: Columbia University).
42. Bellah et al., *Habits of the Heart*; Putnam, *Bowling Alone*; Amitai Etzioni, *The Spirit of Community* (New York: Touchstone, 1994).
43. For a similar argument directed particularly at Bellah and communitarians, see Bernard Yack, “Liberalism and Its Communitarian Critics: Does Liberal Practice ‘Live Down’ to Liberal Theory?” in *Community in America: The Challenge of Habits of the Heart*, ed. C. H. Reynolds and R. V. Norman (Berkeley, CA: University of California Press, 1988), 147–169.
44. Franklin D. Roosevelt, “State of the Union Address,” in *The Public Papers & Addresses of Franklin D. Roosevelt*, ed. Samuel Rosenman (New York: Harper and Brothers, 1950). Here Roosevelt beckoned to themes laid out as early as his 1936 nomination acceptance speech:

    > Political tyranny was wiped out at Philadelphia on July 4, 1776.... Since that struggle, however, man’s inventive genius released new forces in our land which reordered the lives of our people.... The age of machinery, of railroads; of steam and electricity; the telegraph and the radio; mass production, mass distribution... combined to bring forward a new civilization and with it a new problem for those who sought to remain free. For out of this modern civilization economic royalists carved new dynasties.... (See Roosevelt, “Acceptance Speech for the Renomination for the Presidency, 1936. http://www.presidency.ucsb.edu/ws/print.php?pid=15314).

    For a recent assessment of the Economic Bill of Rights and its importance to contemporary American politics, see Cass R. Sunstein, *The Second Bill of Rights: FDR’s Unfinished Revolution and Why We Need It More than Ever* (New York: Basic, 2004).
45. Sheldon Wolin, “Contract and Birthright,” *Political Theory* 14 (1986): 183.
46. Contrast, e.g., with the account of the American experience one finds in Eck, *A New Religious America*. For a comparable account, which would take issue with monolithic claims about Christian hegemony in the American past, see

Leigh Eric Schmidt, *Restless Souls: The Making of American Spirituality* (San Francisco: Harper San Francisco, 2005).

47. Contrast, e.g., Richard D. Mohr, *The Long Arc of Justice: Lesbian and Gay Marriage, Equality, and Rights* (New York: Columbia University Press, 2005); and David A. J. Richards, *The Case for Gay Rights: From Bowers to Lawrence and Beyond* (Lawrence, KS: University Press of Kansas, 2005).
48. See Christopher Lasch, *The True and Only Heaven: Progress and Its Critics* (New York: Norton, 1991).
49. See the essays in A Nation of Religions: The Politics of Pluralism in Multireligious America, ed. Stephen Prothero (Chapel Hill, NC: University of North Carolina Press, 2006); and Immigrant Faiths: Transforming Religious Life in America, ed. Karen I. Leonard, Alex Stepick, Manuel A. Vasquez, and Jennifer Holdaway (New York: AltaMira/Rowman & Littlefield, 2005).

6

Geopolitical Theology: Economy, Religion, and Empire after 9/11

*John Milbank**

Thus came enclosure—ruin was her guide
But freedoms clapping hands enjoyed the sight
Tho comforts cottage soon was thrust aside
And workhouse prisons raised upon the scite
Een natures dwelling far away from men
The common heath became the spoilers prey
The rabbit had not where to make his den
And labours only cow was drove away
No matter—wrong was right and right was wrong
And freedoms brawl was sanction to the song

From To a Fallen Elm *by John Clare (ca. 1812–1831)*

In this chapter I shall first of all argue that there is much to be learnt from the thesis of neo-Marxists concerning the always partially economic character of international relations. However, I shall contend in the second place that this needs to be qualified by an equal insistence on the religious character of these relations. In the third place I shall attempt to build a "geo-political theology" on the basis of these reflections.

Conspiracy and Process

Contemporary international affairs are dominated by

1. Globalization.
2. An increasingly anarchic capitalism.

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3. An increasingly authoritarian state.
4. The rise of neo-imperialism.
5. The apparent return of religion to public and political significance.

Only the first of these items was anticipated in the 1960s. Quibbling debates here are of little interest: globalization means such an intensely heightened degree of speed of travel and communication that one can circle the globe in a day; communicate with any point upon it in an instance by voice or writing; within a few days take delivery of a commodity in one place from any other place. In consequence there is a global market, a global media, and a complex array of politico-economic nongovernmental institutions.

What is genuinely debatable is the unexpected emergence of the other four items and their conjuncture, whether logical or contingent. The reason that this is debatable is that with the possible exception of the deregulated economy these items run counter to the expectations of Enlightenment, which should properly be defined by the centrality of the discourse of political economy: an attempt to bracket revealed religion and promote an increased this-worldly human flourishing through and despite the avaricious or even murderous bent of human nature or else fallen human nature (in the wake of Pierre Bayle).[1] This discourse anticipated the arrival, beyond Hobbesian anarchic "realism" concerning interstate rivalry, of something like Kant's "perpetual peace": bellicosity sublimated into economic competition; a balancing out of territorial and mercantile interstate rivalries that would naturally engender international norms sufficient always to allow the global community to discriminate between a just and an unjust enemy.[2] International constitutionalism without a single empowered enforcer was supposed to follow upon national constitutionalisms that were themselves less the result of planning or imposition than of an "economic" balancing out of wills and aspirations. Without the alien intervention of revealed religions (whose proper concern, if any, should be the private destiny of souls) nature could be allowed to correct herself, even if this process itself manifested a providential plan in the face of our self-interested animality or lapsed-back-into-the-bestial humanity.

One could say that by the 1960s such optimism had begun cautiously to reassert itself: the horrors of global warfare unleashed by the first half of the twentieth century could be attributed to the contingent irruption of atavistic and quasi-religious totalitarianisms. Now universal history was safely back on course. Even neoliberalism sustained or perhaps boosted this optimism: deregulation would ensure global wealth and global sublimation of interstate rivalry into the benign form of economic *agon*, with the exponentially increased potential for productivity opened up by new technologies rendering redundant any renewed ventures of imperialistic acquisition. The marks of the "neoconservative" era—new empire, the return of religion, neo-authoritarian government—were rarely anticipated by the supporters of Reagan or Thatcher.

So it is these phenomena that require explanation or at least explication. To what degree does their arrival call into question the validity of enlightened expectations—whether in their Keynesian or neoliberal forms?

If we take both these forms to be modes of "liberalism," then one can say that the liberal answer (even if this can lead to virtually opposite positions in terms of current politics) strives to remain with the diagnosis made earlier in the face of totalitarianism: the perpetual peace of the liberal "end of history" has only been postponed, not shown up as illusion by the re-irruption of an evil so radical, or a sin so original, that it escapes any hope of a Baylean or Mandevillean ("politically economic") self-correction.

Diversely but accordingly, the diagnoses run as follows: a mode of "Islamic fascism" is fighting a rearguard action against modernity, which it is bound eventually to lose; in the face of this recidivism, the corruption of Third World political regimes and the continued backwardness of postcolonial countries, a revamping of empire in various modes and degrees becomes an unfortunate temporary necessity. (Neoconservatives and a political middle present different versions of this understanding.) Or else (on the more socially democratic Left) renewed empire is itself ascribed to a renewed atavism, driven by a Protestant fundamentalism which mirrors that of Islam, and colludes with a revived nationalism everywhere apparent, that in the name of nostalgic identity either resists globalization or seeks to capture and control this process in an inappropriate and alien neo-romantic and culturally domineering idiom. What we are seeing here, according to this outlook, is less the global extension of liberal democracy than its subversion by a conspiracy of the rich. A new hierarchy of pure wealth has subverted the true program of Enlightenment, which has at its heart an augmentation of sympathy, general utility, and the rights of the individual to health, happiness, and genuine freedom of choice based upon equality of opportunity.

We can call this liberal-modernist diagnosis of the post–9/11 situation the "do not panic, it's really business-as-usual despite appearances" position. It cannot for the moment be dismissed, but immediately one can note two possible problems with it. First of all, it does not explain why a natural development from real religious recidivism to quasi-religious secular atavisim (of nation and class identity) has been apparently reversed. Just why should an *actually* religious mode of neo-fascism now have emerged?

Secondly, it may ascribe neoliberalism and neoconservatism too much to a kind of long-term moral conspiracy (this often seems to be the position of David Harvey)[3] in a way that seems perhaps not consonant with the persistency of these tendencies, which rather argue for some sort of deep structural or cyclical mode of accounting. This point has some bearing upon our reading of the Bush regime: did this represent the takeover of America democracy by an alien Straussian ideology (of European origin), such that once again we are talking about a hopefully temporary blip in the long-term democratic proceedings? Such a view would also possibly encourage the notion that 9/11 itself was a conspiracy or partial conspiracy by the American government or a faction within it, which wished to deploy mass terror in order to sustain

the suspending of democratic procedure and liberal right that it had already commenced with the gerrymandering of a presidential election.

On the other hand this connection does not necessarily hold. Frequently, those who suggest that there may have been a government conspiracy appeal to a *tradition* of conspiracy entered into by the U.S. government in order to drum up home support for a foreign military endeavor: the murky commencements of past wars against Spain are appealed to, besides the events at Pearl Harbor. But if we are talking about a tradition, then we can scarcely be talking about a blip. Instead, we have rather to face the Chomskian apparent paradox of long-term liberal democratic imperialism—a paradox that he exhibits with ever-increasing evidence to our dismay, but never really accounts for.[4]

If such conspiracy is an esoteric mode of government tradition, then this suggests not merely that the unliberal truth of modern sovereignty is manifested in an emergency (as Carl Schmitt taught)[5] but also that the government positively seeks out such emergencies, especially in the case of 9/11. At a minimum it places reasons of state before the democratic will of the people, which is haughtily dismissed as founded on ignorance; but more than this it appears to turn emergency (whether contrived or fortuitously arriving) to advantages of domestic control. This was explicitly envisaged in the pre–9/11 speculations about the uses of such emergency as recorded within the Wolfowitz circle. It is also confirmed in the longer term by habitual appeals to political or social "scares" (the British, the Spanish, the Native Americans, the Blacks, the U.S. Southerners, the Irish, Catholics, Communists, Hispanic Americans, the Japanese, alcohol, drugs, Islam, etc.), which are nothing other than longer-term perceived and often contrived emergencies—generally threatening the absolute private property or isolated (nonerotic, non-ecstatic) sobriety of white Anglo-Saxon Protestants. As Hannah Arendt argued, the lack of a thick binding culture and the consequently ever-rumbling undertow of anarchy in the United States require that new mass threats be ceaselessly re-invoked in order to revive the one uniting ideology of negative liberty and channel it in a direction that does not threaten internal state policing.[6]

However, this is not to say that one is necessarily talking about pure illusion. In nearly all these cases there was, or is, in some sense a degree of threat to American cultural hegemony and its specific modes of economic power. One needs to be able to allow that an emergency can be *both* genuinely a threat and in some sense a welcome threat. After all, if sovereign power is first established and then reestablished through the instance of the exception, then this exception cannot first of all have been an imaginary one and it is unlikely that any officially induced panic can be long sustained if it has no foundation whatsoever in reality. Necessarily, the invocation of danger by sovereign power is a calculated risk: here indeed lies the ultimate *economy* of the political as such.

And in point of fact, this risk and ambivalence still holds, even *in* the sphere of the imaginary. Supposing it to be the case that 9/11 was a U.S. government conspiracy, then it was still an inordinate risk to run, even were

we to allow (as seems to some degree to be the case) that the idea of a single organized unified network of Islamic terrorists called "al Qaida" was an official American projection. Even to conjure up such a genie could be to invite catastrophe, because, as the authors of the uneven *Afflicted Powers* rightly argued, 9/11 was a massive visual victory against capitalism: here one of the most spectacular images of capitalist power was shown to be vulnerable to a crudely physical assault, when blended with suicidal blood-sacrifice.[7] The will to die was shown to be capable of defeating the will to accumulate for the sake of accumulation.

As the same authors went on to argue, one aspect (not the only one they were at pains to stress) of the Western "response" to 9/11 (of which there is still no end in sight) was the instinctual attempt to blot out the image of the crumbling towers with a counterimage of Western victory and restored normality. The logic here is rather like that of a secular version of evangelical atonement theology: for an unspeakable sin, not just a redressing of the balance will do—rather one must overcompensate for an assault upon "Western freedom" with a new and glorious punitive extension of this freedom into the very lands from which the outrage was (vaguely) deemed to have emanated. But once more *Afflicted Powers* had it right: the most powerful images produced by the "response" were rather of the mistreatment of prisoners in Kabul and at Guantanamo Bay. Thus the Western Spectacle of a power guaranteeing and realizing "freedom of choice" has by no means been restored, but rather has been forced to deny itself from within, having first been ravaged from without. So far 9/11 has worked, quite perfectly.

Yet the necessity of risk that necessarily attends the logic of emergency means that we still cannot tell whether this "working" does not also favor the neoconservatives. In the global game of ultimate stakes, the whole point is that you have to gamble heavily on initial losses: a further inflamed Islam and a further destabilized Capitalism may yet ensure that the American population can be galvanized in the face of multiple threats to American supremacy and even to the model of extreme, unqualified capitalism. These threats are the possible emergence of a Eurasian power block; the apparent escaping (after the ascension to power of Chavez, Lula, and Morales) of Latin America from both the imposed grip of monetarism and the practical sway of the Monroe doctrine; the degree of American indebtedness that would appear to require a perpetual American economic dominance, which perhaps its population is not large enough to sustain without the support of a global military empire; the failure, despite neoliberalism, to reverse a long-term fall in the rate of profit—which threatens China and Europe as well as the United States.[8]

In the face of these huge dangers and in thrall to a refusal to contemplate the end of American hegemony, one can understand a willingness to take huge risks: to rig a democratic American election; shamelessly to exploit (if not partially to contrive) the mere large-scale terrorist attack that was 9/11; to destabilize the entire Middle East in order in part to sustain the complex guns and oil global economy (whereby the sellers of oil are also those who

can afford to buy your guns, as *Afflicted Powers* points out) in the face of an oppositional cartel of oil producers led by Hugo Chavez of Venezuela; in order also, and more decisively, to establish a bridgehead (secure military bases, not political colonies, in the long term, and in indifference to the nature of the local regime).[9]

With such a game, the verdict as to whether the United States has won or lost must lie a considerable way off: although historical precedents such as that of the British might suggest that it must lose this gamble in the end, its near monopoly of big military resources and its economic power far exceeds any historical parallels. (Nor is it clear, even after the credit crunch, that huge debt and vast reliance on finance capital, while unprecedented, is unsustainable or is leading to any relative American decline in productivity, research capacity, or *per capita* wealth.)[10] Of course one suspects that the cabal round Bush is so far disappointed; but perhaps not as much as we would like to think. And most certainly their vision looks far beyond the next American election and any temporary reemergence of isolationism.

Hence given the scale of the perceived dangers to the United States and to Capital, there may be some *prima facie* case for suspicion of conspiracy in the sequence of events leading up to 9/11 and in the unfolding of consequences since that fateful day. Indeed we *know* to some degree that a small cabal has contrived to impose its own agenda upon the American nation. As to the precise causes of 9/11 I remain entirely agnostic. It certainly appears that while certain strange circumstances surrounding that event have been satisfactorily explained, certain others have not been accounted for in any unequivocally emphatic way (and in particular the tardiness of response to the planes' initial capture). Quite definitely we can say that on the part of *someone* a terroristic conspiracy was fomented and that who that someone really was is not as yet entirely apparent. It may well be the case that no one group of persons in this plot was fully aware of all the parties responsible for it; that some of the deceiving were also deceived and even that this could have occurred reciprocally. Likewise if there were any U.S. or Israeli government involvement it might well be that we are talking about a small faction and that even that faction had no fully clear sense of what was actually going to transpire.

I must stress, however, that there is as yet absolutely no clear evidence for such a supposition and indeed that there is every reason for skepticism in the face of it. But on the other hand, there remains a case to answer and the refusal of nearly all public organs to press this point remains striking. One should of course view the tendency to suspect deliberate conspiracy everywhere with profound suspicion. On the other hand an out of hand dismissal of this possibility in every instance is equally a mode of dogmatism and naivety: it would be to imagine that we live in a human world in which such an event as the St. Bartholomew's Day Massacre could never really occur. And it is important to remember that short-term conspiracy on the part of a powerful few lies within the realm of reality in a way that long-term perennial conspiracy by a secret hidden Rosicrucian elite does not.

So for just this reason the presence (in whatever degree) of short-term conspiracy on the part of a cabal counts *against* the idea that the four new phenomena listed in my opening paragraph are mere "blips" in the continuing history of Enlightenment and liberation—contrary, one suspects to what at least *some* of those who ascribe to a 9/11 conspiracy theory may imagine. Likewise, the fact that the "Right Straussians" (for we must allow that there is here also a Centre and even a Left) have managed to start to implement their agenda cannot be seen as the mere irruption of contingency, but is rather the outcome of the fact that their agenda came to be seen as persuasive for a large section of the American establishment (arguably already under Clinton) in the face of those long-term structural threats to American power that I have already delineated. For this reason, we are seeing under the Democrats that this agenda is being modified rather than be entirely abandoned.

Globalization and Judaism

Today, globalization seems to entail the return to prominence of four international religious phenomena. First of all, there is a considerable segment of international Jewry that supports the state of Israel in alliance with evangelical Christianity, in a manner that appears to subvert the geopolitical imperative of U.S. foreign policy—which otherwise might prefer to back less ambiguously Arab client states and secure peace in the Middle East. Secondly, there is a reinvented, largely politically conservative evangelical and charismatic Christianity. Thirdly, there now exists a newly militant and internationally organized Islam in various modes. Fourthly, there is the unexpected phenomenon of a renewed papacy, and an intellectually and culturally (if not as yet numerically) revived Catholicism, following its role in the collapse of state socialism.

To take these phenomena in order: a large segment of Judaism (rightly regarded as deviant by the authentic interpreters of Jewish tradition) has redefined it through an alliance with the American Calvinist legacy that has tended to regard God's election of Israel as valid entirely in its own terms and not (as for Catholicism) wholly as an educative preparation for the new universal covenant. This has always encouraged an analogous sense of a divine election of the white races as containing the main number of those predestined to be redeemed within the new covenant itself. The same Calvinistic current fusing with other Baptist elements has generally held that no human social progress can herald Christ's second coming and the 1,000-year reign of the saints on earth, and today this version of eschatology is overwhelmingly dominant amongst conservative evangelicals. A sinful world is rather subject to the providential law of free-market governance, but on the other hand the return of the still originally elect nation to their promised land is truly a sign of the end times. Hence religious political activism is directed away from social improvement (which was an overwhelming priority for an earlier

generation of liberal or else neoorthodox American Protestants) toward geopolitical military strategy.

A large segment of American Judaism (including many who should know better), besides the majority in the State of Israel itself, has come to collude with this perspective. This is because the holocaust industry has been a prime new vehicle for promoting the myth of the United States as the land of escape from European horror and misery. Meanwhile it has proved possible (and this applies also to some extent to postwar France; thinking of the shared phenomenon of "Levinasianism") for Judaism in the United States to ally a liberal version of its own teachings to the norms of a politico-religious culture that in classically Christian terms is perverse, because it tends to play down the centrality of the Trinity and of the Incarnation. A consequence of the playing down of the latter is the unimportance of sacred space and time within the American version of Christendom and a sectarianism that fails to see the visible unity of the Church as central to the work of salvation. Religion is here confined to the private realm and even then often further reduced to a technique of personal therapy. Apparently orthodoxly evangelical doctrines of the atonement are in fact subverted (remotely following Grotius) to suggest that Christ's passion was necessary for the restoration of a cosmic political and economic justice, which is the foundation of a liberal polity and free market.[11] Collective religious life is equally functionalized and deployed both to compensate for a general lack of public space and to ensure that its quasi-public space is completely politicized and moralized: overwhelmingly, American churches tend to inculcate a civil religion and a trite and sentimental bourgeois moralism. When combined with the fact of the leaching of religious space and time from American public life (much more emphatic than in the case of France, where religious festivals and cathedrals are still far more publicly prominent) and the decline of other "sacred" practices such as commensality (which survives more in Europe), this should severely qualify any notion that the United States is free from "secularization." (And in general the notion that secularization has not been a dominant modern reality is just as misguided as the notion that religion ever went away, or that it cannot return to public significance.)

The non-Trinitarian and non-incarnational nature of American public space and time (no real sacred centers, no spacing of the year by Advent, Incarnation, Lent, Resurrection, and Pentecost in keeping with the rhythm of the seasons, as still much more effects even non-churchgoing Europeans) cannot honestly be seen as the consequence of the separation of church from state. In reality, the latter is entirely legitimized by a deistic, freemasonic, liberal Anglican, and above all Arian mode of monotheism. Such a monotheism is also alien to the thicker versions of Judaic tradition (for which a sacramental religious permeation of all aspects of life and a semi-gnostic mysticism was absolutely central) but nevertheless its ethos can be adopted or even coopted by both the more liberal and the more woodenly legalistic conservative Jewry. This is why many Jews tend to feel "more at home" in America than in Europe, and not because they find the United States to be a more genuinely

"neutral" religious arena. Religion tends to be reduced by these "thinner" variants of Judaism to the ethical command, itself reduced to a nonrelational and therefore vacuous "respect for the other."[12] The ethical is then seen as enshrined in the liberal bias of American law and the U.S. constitution, both covertly assimilated to *torah*. In this way the United States can then be seen as the staging-post back to Israel for more conservative American Jews, just as inversely Israel (which they may hope will become more progressive and secular) can be seen as an outpost of American freedom for more liberal ones.

One therefore has to recognize that there is a revived project of "Jewish universalism" in our times, which has dubious claims to Jewish authenticity insofar as it tends to suppress the mystical, sacramental, and legally interpretative rather than legally formal dimensions that were central for pre-Enlightenment Judaism.

Globalization, Capitalism, and Protestantism

The second new global religious phenomenon is conservative evangelical Protestantism. Here, as with the pro-Israel segment of Judaism but still more so, one has an example of a religious movement largely allied with the forces of Capital. Yet I have already suggested that capitalization and secularization are virtually one and the same reality. How then does this make sense? There is no space here fully to account for this "Weberian" situation. But clearly it has always been the case that the quasi-religion of capitalism has been overlaid with a Calvinistic variant of Protestantism. The new, more rigorous, post-Brenner insistence that capitalism was born specifically in England surely requires us (as Brenner does not consider) to revisit Weber's famous thesis. Indeed it is even the case that Weber, because he had too broad a definition of capitalism and located its origins too early, slightly too much ascribed to a "Christianity and capitalism" thesis rather than a "Protestantism and capitalism" thesis. So it is not so much that we now need to consider a "neo-Weberian" position, as rather a "neo-Tawneyesque" position, since Tawney's narrower, more English story turns out to be more the real beginning of the later universal one.[13]

On the other hand, there is an element of exaggeration in Brenner and Teshke's understanding. Teshke especially seems to regard the "absolutist mode of production" as still lying more on the premodern than the modern side of the divide. But surely the Baroque to Classical era was, strictly speaking, transitional. If, indeed, capitalism proper waited upon the deployment of the extraction of surplus value, it nonetheless assumes that abstract finance capital, absolute private property, the lifting of many restrictions on usury, the idea of a "self-balancing" rather than a moral market, and so the loss of a sense of equitable prices and wages, are already in place. And the absolutist era already contained these elements; although property was not as yet so absolute in practice in France as in England, the political theories of late French scholastics (following Ockham), and then of Jean Bodin, had

already moved in that direction. Indeed *both* absolute monarchy *and* absolute property right were derived (as one can still see in Hobbes) from the same theological paradigm whereby *de facto* human power of *dominium* confers an absolute subjective *ius* of rule/ownership that is conferred by the wilful decree of a God whose *potentia absoluta* itself allows him an unlimited right to exercise his will by *potentia ordinata* over his whole domain, which is the creation as such.[14]

Why, if commodities are a fetish and the spectacle is an "icon," does one need a high level of "actual religion" within capitalism? Or rather, why only sometimes? Were it the case that this alliance of Protestantism and capitalism were only a thing of the past, then perhaps one could imagine an economic determinism that rendered the initial religious legitimation but a passing phase. But the return of this alliance in our own day suggests otherwise. One can suggest, briefly (and perhaps inadequately), three reasons.

First of all, capitalism was initially shocking, and the more extreme capitalism of today is again shocking. It appears both cruel and anarchic. Its secular advocates tend to suggest that it is but the best we can do and not at all a moral reality. Protestant political economy, however (in the tradition of the early nineteenth-century Scottish theologian Thomas Chalmers), truly sees the hidden hand as the hand of providence and as generally rewarding the provident.[15]

Secondly, extreme capitalism tends to invade the family sphere and to favor sexual and cultural individualism, which can appear to encourage the tipping over of capitalist freedom into nihilistic amorality and even systematic criminality. Hence the (incoherent) "neoconservative" combination of domestic and cultural authoritarianism with market liberal freedom. It is indeed a creed of total pathos because the latter is so much more powerful than the former: whatever you fondly imagine, it is bound to sweep away all the small-town values and practices to which you are attached.[16]

Thirdly, one notices how the practice of evangelical religion has itself become more capitalized: the salvation of souls can now literally mean the making of profit, and indeed the two are becoming equated within "market theologies." So here it is not just that religion has returned as an ideological support for capital, it is also that capital has further invaded "religion" in the proper and not quasi sense. But why should it bother? That remains the question. And the answer may be that if a soul can be produced and traded, then evangelical capitalism likewise thereby allows the human subject to occupy the position of free-trading agent and of commodified subject all at once. Normally, the capitalist subject may fall (usually in the case of different persons and classes) on one side of the material/abstract divide or the other. In this case he can straddle both sides of the divide at once. Hence the subject comes more perfectly to embody as subject the mutual reference and yet independence of the material and the abstract.

And so at this point one would have confirmation that the sundering of the symbolic is not simply an instance within a general phenomenology of the religious. To the contrary it is a specific event within the history of

Christianity, brought about and ultimately most extremely and coherently sustained by a perverse Christian logic. If capitalism is a quasi-religion, it also remains a Christian heresy (and in no merely metaphorical sense). If this is correct, then perhaps one can much better understand why "neo-mission" is a fundamental aspect of "neo-empire." Almost everywhere, from Europe to South America to China, the spread of evangelical Christianity accompanies the spread of capitalism. Indeed where it has not, as with Japan, one is also confronted with a drastically more corporatist, less individualistic and qualified mode of capitalist economy.

Globalization, Capitalism, and Islam

The third contemporary international religious phenomenon is resurgent Islam. But the phenomenon is not single: on the one hand one has attempts, in Iran and elsewhere, to resist the depredations of capitalism. This is undertaken in the name of an ideology that is a fusion of traditional Islam with much that is eclectically drawn from European Marxism and the traditions of conservative romanticism as with the crucially influential thought of Sayyid Qutb.[17] But to imagine that this mix is an anomaly in the face of the failure of both the capitalist market and Left alternatives in certain areas, or even that one has here a mode of "Islamic fascism" (the phrase is too unspecific to be meaningful) is to overlook the way that the Iranian Revolution correctly diagnosed that capitalism can *only* be resisted as a refusal of the enclosure of the sacred—"in some sense" (such an unsatisfactory qualification is all the same crucial). Nor, from the traditional angle is the eclectic mix a sign of inauthenticity. For *shar'ia* law really only concerns the civil realm, and is itself largely a matter of "this-worldly" interpretation of precepts rooted in the Koran. It is mostly not as "religious" as people imagine. And as to the ultimate political level, this is left voluntaristically indeterminate. The *shi'a* tradition favors practical and apocalyptic traditions concerning the office of the *imam*; the *sunni* tradition parallel ones concerning the more "political" office of the caliphate. The mystical and philosophical traditions permit more secular accounts of the ruler's role for negative or for positive reasons. But in all these cases, what government does is left radically undetermined—a point that is underscored either by the voluntarism of orthodox *kalam* (the ruler's will like the divine will determining the rightfulness of law) or else by the Platonic tradition (far more alive in Islam than in the West) of the philosopher-ruler. Thus in no sense is there a *political shar'ia* law waiting to be applied: this is a fiction promoted by certain Wahhabite factions seeking to supply the tradition with a thicker political content than it actually possessed in the face of an alien culture.

In point of fact, there really seem to be *few problems in principle* about the blending of civil *shar'ia* law (whose more stringent traditions, the tradition itself certainly allows to be reinterpreted) with a modern Western-inspired constitutional regime. That this has rarely come about is much more to do

with contingent struggles and circumstances, which have often involved the sense of threat from an alien civilization. In all cases this has to do with Islamic horror at the Western Spectacle, which is not surprisingly seen as the very *acme* of idolatry. For a culture that is wary of all representational *mimesis* as such, the West offers the abyss of seductive doubling and dilution of the venerated invisible original—the utter betrayal of its ineffable singularity.

But only in some cases does this mean, coherently, a refusal or at least an inhibition of capitalism. In these instances (amongst some interpreters of Qutb, e.g., in Iran) one tends to find, interestingly, a radically modern approach to the hermeneutics of the Koran, as well as a certain amount of openness to Sufism and to philosophy.[18] In the case of much of the Wahhabi tradition by contrast, one has something like a parallel to Protestantism: textual literalism, a refusal of all sacramental mediation, a this-worldly austerity and consequently an attempt to embrace the modern market but also to refuse the modern spectacle—in this sense it remains far more puritanical than its modern Protestant equivalent.

In both cases, however, one is talking essentially about something defensive rather than something necessarily expansionist. Islam may seek to convert pagans in Africa or even Trinitarian Christians (who are seen as not true monotheists), but in principle its global ambitions are less than those of Christianity, and like Judaism it is prepared to allow that there may be other peoples living within valid law codes under the rule of Allah. Indeed, as the Enlightenment recognized, Islam appears in one aspect to be far more rational a universalism than Christianity: it represents a universalism of ethical law not of mystical image; its faith can recognize faithful equivalents (as Christo-centrism cannot); while its philosophy (though usually abjected by the tradition itself) generally interprets religious idioms as merely economies for the masses that are their equivalents of rational access to God. Either faith refuses philosophy here or philosophy surpasses faith—the only exception is Sufism, which not accidentally embraces far more Christian content. For the *real* peculiarity of Europe is *not* the triumph of reason, but rather the idea that one should proceed through reason toward a faith whose intellectual scope is even greater; in this way it is "catholicity" not Enlightenment that defines the West and catholicity not Enlightenment that is incommunicable to other religious civilizations.

Likewise, Islam possesses no church: there are simply sacred sites, pilgrimages to them (generally without the Christian mediating stress on "way stations" and the journey itself), and assemblies of individual believers who pray all at once but do not offer a liturgy nor engage in a theurgic mystery as do Catholic Christians. The *imam* occupies a social and legal role within a single community, but not a priest-like office within a sacred polity that has to be distinguished from a secular one within which it is located. Islam does not provide such a trans-political universal human society. And this fact is linked to its mode of ruling. Allah is impersonal; for the most orthodox Islamic theology he enjoys no beatitude (unlike the Christian God), much less suffers pain. And he certainly does not express himself internally in an

image like the Christian *Logos*. Hence rule here on earth cannot reflect *Allah*, but only repeat as identically as possible the One: this is why Islamic palaces make you mesmerically swoon in the face of wrap-around stone wallpaper repeating the same motive again and again and again; even the strict geometric patterning of Olive trees (compare southern Italy) in modern Andalusia conserves the Islamic imposition of rule through repetitive design. In the wider culture also it is a matter of the ensuring of the most regular patterns of customary behavior, in the fashion of a somewhat rigid reading of Plato's *Laws*. The Oneness of Allah is in fact conveyed within Islam in three crucial instances: the identical repetition of custom; the wilful singularity of the ruler, and finally the sometimes explicitly *antinomian* singularity of the prophet.[19] No doubt the idea of the suicidal terrorist was not today born within Islam and makes sense in terms of a gesture of resistance to capitalism, but nonetheless the logic of a single suicidal resistance to spectacle as a prophetic sign against it makes sense in terms of this religion's darker traditions.

Globalization and Catholicism

Fourthly and finally, there is the question of a resurgent papacy and the future of Catholicism. As Regis Debray has pointed out, Victor Hugo in *Notre Dame de Paris* argued that the power of Catholicism waned after the invention of printing. Catholicity had existed in image and stone and living theater, which, in the gothic as opposed to the Romanesque age, permitted a measure of democratic participation wherein precisely the basest and the most grotesque exhibited the transformation of humanity by grace, as Hugo's novel so astonishingly depicts. Debray argues that, conversely, in an era of image and spectacle the power of the pope can somewhat return.[20]

And indeed in the case of Debord's "mutation of the commodity into the spectacle" we have the question of a more "catholic" aspect to capitalism. In reality however, the spectacle is but the quasi-sacramentality of conjoined materialization and abstraction and genealogically has little to do with the Catholic. Nevertheless, ever since the accession of John-Paul II, the temptation has existed for Catholicism to claim its own share of the spectacle, to claim likewise its own share of the cultural market in education, welfare, and even the arts, and otherwise to embrace the free market—calling a Tocquevillian halt to its entire 100-year legacy of anticapitalist critique (in varying degrees). This would amount to a drastic (and I would argue perverse) accommodation to capitalism which, as we have seen, is in some fashion a Protestant heresy.

But now, in conclusion to these reflections, we come to the most crucial issue of all. If capital and empire and so our current mode of globalization itself are the upshots of a deviant mode of Christianity, then to what degree are they nevertheless mutations of a religion that from the outset had a uniquely universalizing mission? In answering this question I wish to offer a final further qualification of the conclusions of the neo-Marxists. They have

disclosed to us that international relations have always been to do with economic modes of production. But what needs to be added is that they have always also been to do with religion as one dimension of general economy. Or rather they have most of all been to do with religion, because we must now further refine things: religion is not just to do with the "imaginary" element; it is rather the point at which imagination and practice link, since religion is buildings, journeys, liturgies, agricultural cycles, organizations of trades and charities as much as it is ideas and symbols. Religion taken in the broadest sense to mean "binding together" *is* in fact general economy and general economy is religion.

Today, one wonders whether we any longer know what Christianity is at all. It is clear that it is not "a religion," and that there is a ready interchange between Christian practice and attitude on the one hand and the collective reality of Christians on the other. Both "Christianity" and "Christendom" in fact indicate the Church, and the note of *dominium* in the latter term donates a ruled body, the act of conferring divine rule or universal priesthood in baptism or Chrism, and finally indeed also the terrain that Christians occupy.

This leads to three primary conclusions. First of all "Christendom" is *not* the realm of Christian political or cultural influence. It is rather the body of Christians as such, the *ecclesia*. Secondly, the notion of the body of Christ was not, even up till the seventeenth century and beyond, seen as separable from decisively political notions of *dominium* and even notions of occupied territory. And this has relatively little to do with a post-antique medieval conception, but simply perpetuates the most original notion taken over both from the Hebrews and the Greeks—that a body of people exists on the material surface of the earth: hence St. Paul already saw the various local Christians in terms of their attachment to civic places and the Church soon organized itself around places and sacred sites.

In the third place, one can emphatically conclude that there can be no Christianity without Christendom and that the debate on either side was misconceived. But this is more than a banal point of language: for the suggestion is that historically and even beyond the Reformation and Counter-Reformation, the catholicity of Christianity was taken to imply in some sense a rightful *dominium* over the whole earth in the sense of a potential dwelling in its entirety and the exercise of a suasive spiritual *auctoritas* over it that was nonetheless supposed to influence, if not (at least for the earlier tradition) to coerce, the sphere of temporal "secular" affairs.

In other words, Christianity is also Christendom precisely because it is the religion of the Incarnation. Were its universalizing tendency only a spiritualizing one, as is ultimately more the case for Judaism and Islam, then it would conceive of salvation more simply as our raising ourselves above the local and specific in response to the call of God. (One might suggest here that whereas "the return to the sacred land" seems a debatable development of Judaism, the Christo-centric sacralization of the entire surface of the earth appears always to have been implied by Catholicism.) It would generously be able to imagine modes of this raising being able to be conveyed in other images and other

words: it would be able to be "multicultural." But because it is founded on the scandalous and dangerous idea that the infinite was in some sense born from a finite womb, in fulfilment of a particular local tradition, it is committed to the idea that the only way to the spiritually universal is through the gradual conjoining of all times and all spaces in an open-ended continuum of meaning. The project of individual salvation is then inseparable from the project of the pacification of the earth announced by the angels to the shepherds in Luke, which Paul tried to set in motion by establishing a kind of new polity, the *ecclesia*, that was also an international gift-exchange network.

In a manner therefore those who are suspicious that Christianity is "inherently imperialist" are right, and one can well understand their concerns. At the very least one has to admit that Christian terrestrial universalism is dangerous. But the idea that there might be a Christianity apart from this tendency is surely an illusion. For unlike Judaism and Islam, the Catholic faith was established upon equitable exception to the law under the governance of a divine king who fulfilled the law through unexpected interpretation of the law. In consequence, this faith's only *identity* consists in its universal accomplishment through all eternity, time, and space. For a system of universal law can define itself by law and can admit that there might be other such universal systems, but a community committed to an achievement of harmonious peace and reconciliation beyond legal justice can only be defined by its location; and this location must be both specific and potentially everywhere, since it is the serial occurrence of true human relating as such. If one claims that in the incarnate *Logos* one glimpses in realized example the absolute manifestation in one instance of true human relating and therefore the pattern of all true human relating, the Christian project has to be the continuous linking of all reality here and beyond to Christ through the nonidentical repetition of his saving instance.

It therefore seems inauthentic for radical Christians to claim that real Christianity can be innocent of any sort of exercised dominion. That would be to renounce the incarnational route to the universal that lies through *fyndinge* alone. It is rather the case that globalization, universal government or "empire," and a shared global economy are indeed the outcomes of the Christian legacy. The radical Christian, if she wishes to remain a Catholic Christian, would have rather to argue that what we have at present is a perverse, heretical version of catholicity.

Let us try now briefly to trace out those more Catholic religious dimensions of the route to globalization that have not so far been considered.

First of all, it is clear that Christianity can never be separated from the legacy of the Roman Empire. The New Testament itself and the Fathers regarded the empire as part of the providential working of God toward universal peace. Although, indeed, Augustine rejected Eusebius of Caesarea's view that the empire contributed to real salvific peace, he still subscribed to the view that the achievement of a "secular" peace of mere enforced suspension of hostilities was of some importance and helped the spread of the gospel. And while, indeed, Paul already "secularized" the imperial authority, linking it simply

to the securing of justice amongst the things of the *saeculum*, destined to pass away, there was never, before the sixteenth century (at the very earliest), any glimmering of the modern sense of "secular government" as a rule indifferent to philosophic and religious points of view.[21] For Paul and later Christians, "secular" government still had to conform to natural law under God, and the ultimate measure of this law (as still for Aquinas) was not just its consistency with, but also its leading toward, the law of the gospel under grace—never before the late Middle Ages at the earliest did anyone entertain the notion of a "double end' for humanity: natural (including the political) and supernatural.[22] If, indeed, prior to the time of Gregory the Great and the later Carolingian era, the secular government remained still somewhat "outside" the church, then this exteriority did not as yet (this awaited certain readings of Aquinas) betoken the integrity of secular autonomy (and the very vocabulary is post-Kantian) but rather the *alien relative sinfulness* of the use of coercive power as compared with the suasive power of the Church and its need for voluntary submission in order to realize the complete justice of reconciliation through penance and absolution. Secular ruling only fell inside the Church for Augustine to the degree that it itself approximated to a pastoral concern with the totality of human well-being and collective solidarity.[23] This tension is preserved in Pope Gelasius's formulation concerning the "two powers," ecclesial *auctoritas* and secular *dominium* that rule "this world" with the former having ultimate sway over the latter in all and every issue—since nothing concerning our "passing through this world" is irrelevant to our attaining "the things eternal" as the Prayer Book has it.[24] It was only lost in a later period in which, for example, the Carolingian theologian Jonas of Orleans could see the two powers as ruling *the Church*, so effectively baptizing coercive power, just as the Carolingian law-code came to be more radically linked to biblical law than the more secular Justinian one.[25]

Christians may all the same feel dismayed that their fortunes have been so linked to an imperial project. However, the route to abolition of local tyranny and prejudice has always lain through imperialism, for the whole duration of global history. This was why even Karl Marx gave capitalist imperialism his qualified support. Certainly this was too whiggish of him, given the contingent and bourgeois character of *this* mode of imperialism. Yet by contrast, while the Roman Empire indeed engaged in acts of primary accumulation of slave power and military personnel this rapine did not really extend to local land and economy; and indeed the empire rather tended to ensure a good circulation of foodstuffs and high-quality ceramic goods, while Roman justice permitted new mediations to take place between local tribal groupings.

At the same time Christianity carried out a critique of empire. One can be appalled at Constantine's recasting of the supposed nails from Christ's cross into a military horse's spur, yet the gesture surely implies that even the spur must now be remotely qualified by the *ethos* of loving self-sacrifice.[26] From the conversion of Constantine onward, all ruling became infused with a new "pastoral" dimension that showed a new concern with all aspects of subjects' lives and involved the support for the foundation of institutions unknown

to pagan antiquity: the hospice, the orphanage, the almshouse, the places of sanctuary and refuge, diaconates for the systematic distribution of alms.

More drastically, Augustine pointed out that the Roman establishment of worldly peace was really based upon a lust for conquest and proposed a reform of empire that would entail a decentralized relational linking of many dispersed local centers. To some extent this was what then came about in the West, though admittedly in large part through force of circumstance. Nonetheless, the increasingly compelled reliance upon ecclesial rule and ecclesial law in the barbarian territories meant that a local "face-to-face" rule based upon the centrality of an official charismatic figure "imaging" a remote central power in Rome became normative and was echoed by secular kings.

And even in more centralized Byzantium, where a now secularized learned pagan culture survived, the rule of the emperor through iconic images—of himself and of Christ and his mother—was linked, as Marie-José Mondzain has shown (albeit with critical hostility), to a radically new notion of "economic" authority that was inseparable from the emergence of "pastoral" ruling already mentioned.[27] Within the "general economy" of antiquity, the "economic" in the narrower, special sense was confined to the area of household management or its more large-scale equivalent, such as the provisioning of troops. The "economic" existed ultimately to sustain the possibility of a more elevated "political life" of negotiated friendship in debated agreement amongst adult males. But as Mondzain points out, Christian theology now spoke of a "divine economy" that was at the very heart of "divine government" and no subordinate aspect. This "economy" was at once a proportionate distribution of being to the finite creation in various modes and degrees, and at the same time an "exceptional" extralegal kenotic and dispensatory adaptation of the "theological" inner-divine Trinitarian life to the creation and especially the human creation through processes of "provision" that included the "economy of salvation."

This salvific economy worked through the subsumption of Christ's human flesh and nature within the personal life of the second person of the Trinity. Such a complete "condescension" then entailed that the church as the perpetuated body of Christ could directly participate in the divine economic ruling. Thus the Greek fathers spoke of pastoral practice also as an economy, as a new complete mode of government concerned with every last particular of distribution, of welfare, and of the bringing about of true harmonious relationships. And imperial rule was understood to be also an aspect of this exercise of an economy. In the case of both episcopal and imperial economy, there was also a mediation of the divine "adaptation" to the needs of fleshly understanding and this had to do especially with the deployment of *icones*, not "icons" alone but icons as images in every sense. The frontal painting of the mother and child in particular itself illustrated the divine economy, because it purported to delineate the full presence of the infinite in the finite and was itself the prime vehicle for the operation of the ecclesial-imperial economy of ruling—being depicted indeed on the reverse face of coins bearing the portrait of the emperor on the other side.

In this way, as Mondzain implies, it is *Christianity*, and not some inexorable materialist destiny, which has brought about not only the dominance of "the economic" in Europe, but also the dominance of the spectacle, before which Islam has always recoiled in understandable horror. We have honestly to recognize here that there is nothing about this rift that can be readily mediated by "conversation"—that liberal alibi for the refusal to take the responsibility to decide. But here one must distinguish between three different meanings of the economic. There is first of all the sense of "general economy," which is a term of art for the cultural code that blends the ideal with the practical and is more or less synonymous with "religion." Secondly there is the narrower sense of "the economic domain," which has only come into being with capitalism. But thirdly there is the Greek sense of *oikonomia* mentioned earlier, which has mainly to do with the governing of the *oikos* (the household). Already Plato and then late Hellenistic political thought tended to make "political" categories also "economic" ones, or to see the city also as a great household for whose entire life one should be concerned, including the place of women, old people, and children within it. But Christianity took this much further: now the prime model for cosmic governance was an economic one and the administration of economy here below exploded the bounds of the city and started to make *cosmopolis* a practical reality in a way that the stoics had not been able to encompass.

Economic rule then is intrinsically "imperialist" in a certain sense. As Mondzain argues, iconic logic implies a containment of what cannot be contained and therefore at once tends to consecrate a specific site and to demand the infinite expansion of that site. Yet at the same time she overstates the apparent dangers of this logic and fails to see that it has a radical and liberating potential also, which opens out a much more populist globalism. This *is* recognized, from a Marxist point of view by Hardt and Negri in an extended aside in their book *Multitudes*.[28]

For as Hardt and Negri point out, the iconophile theologian John Damascene (and we can add, also Nicephorus), in defending the veneration of icons, was also insisting that the tendency to terrestrial universality (to "globalization" we might even say) is not primarily an imperial affair but rather one of ecclesial oral tradition, linked with the primacy of image over word, or of the person of Christ over the written testimonies concerning him. Christ is himself the supreme king only because he is, as the divine Son, the infinite image of the Father. This means that, if the Father only exercises his omnipotence through a sharing of himself in the image, that monarchic authority is here redefined. This had much earlier been indicated by Gregory Nazianzus, as Eric Peterson pointed out against his erstwhile friend Carl Schmitt.[29] The Trinity is a "monarchy," Gregory averred, but only in the sense of a supreme unified *arche* whose principle of order already exists as a set of reciprocal relations or *scheses*.[30] The divinely economic "rule by image" is therefore not a deceiving bedazzlement by a reserved and manipulating paternal will, but rather the always-already begun emergence of paternity *only* in filial expression, which is then open to interpretative and loving reception by the Holy Spirit, the third person of the Trinity.

Such a theological model of monarchy, as Peterson argued, contrasts with that of Arianism or of semi-Arianism or indeed (one might add) with that of Islam.[31] Imperial ideologies, as with Eusebius, often tended to be built upon a semi-Arian conception which elevated the original paternal will above the imaging that is the Son, so reducing the latter to an economic function of mediation *even within the immanent Trinity*, and ensuring that human rule is thought of mainly in terms of the administration of laws following a willing command, and that an economy is essentially for the ensuring of order and a condescending adaptation to people's limited horizons. Hence the iconoclastic emperor Constantine V tried to confine the church more to an invisible experience of Eucharistic union with the divine, thereby "depoliticizing" it, while he sought also to monopolize the divine sanction for ruling, but interpreted this more in terms of pure hierarchical delegation. The rule through images was now confined to the spread throughout the body of the empire of images of the emperor himself, as mere reminders of his power and majesty, mediating to us on earth the power of a Christological *thumos*, rather than a Paternal *nous*, which was now seen as prior to imaging. Accordingly images—of living holy men and priests as well as of icons—had now to be much more supplemented by regulation and the delegation of powers to legislate and make contracts. Hence Constantine V commenced a subcontracting "feudalization" of the empire at its borders.

One can argue, as Hardt and Negri imply, that the iconoclastic model of appropriating, minimizing, and regularizing the influence of images, in conjunction with the increased deployment of formal rule and contract, remained an important example for later European history and was in new ways resorted to by Spanish and French Baroque monarchs, as well as Russian czars and German kaisers. By contrast, the reserved, emergency-waiting authority of the holy Roman emperor could only be effective, as recent research has shown, by his constant linking of himself to complex liturgical cycles in time and liturgical circulations of space.[32]

It was therefore iconoclasm, like the Islamic caliphate, which proved more nakedly imperialist in the political sense of tending both to absolutism and to economic contractualism. One could say here that iconophilism, by comparison, is "less imperialist but more globalizing," although it did in this way point more toward a universal economy. For the point which Mondzain misses is that because the divine economy mediates the divine "theology" (the inner-Trinitarian life), the economic deployment of images is in reality always in excess of any mere condescension and adaptation. Icons are indeed "enigmas" (following St. Paul) that we only need for now, and yet they are no mere temporary instruments of the divine will. These enigmas reflect "as in a mirror" the divine infinite image that is no mere economic adaptation but an absolutely original and essential dispersal which ensures that God is in himself love as reciprocal relationship. Thus Nikephorus saw even the icon as caught up in this reciprocity by grace: the icon shows forth God only because God has brought human flesh within the bounds of the return of the Son to the Father: "the relatives, these very same things, depend on things other

than themselves and change their relationships reciprocally. . . . It is because the icon is one of the relatives that it is glorified jointly with the glorified model. . . ."[33]

For this reason, "rule by image" on the human level here implies not the manipulating reserve of will behind spectacle, but rather the communication of rule as such, since it only exists *through* the image, through the distribution of the purposes of justice. In this way "adaptation to human needs" is only possible in so far as the passage of adaptation itself reflects an intrinsic, eternal, and not merely instrumental order. Hence the icocnophile theologians were contending for the primacy of an ecclesial rule that surpasses the mere imposition of law and the upholding of regulation, but rather reaches economically to people's detailed needs and the endeavor to reconcile all creatures to all other ones, while permitting the people themselves to participate in this economizing transmission. This is not, as Mondzain implies, an ideological sanctification of a rule that the iconoclasts were trying to secularize, but just the opposite: an attempt, equivalent to that of Augustine in the West, relatively to secularize the imperial power and to insist on the primacy of trans-political social purposes.

Here also, the insistence of the iconophile theologians that the drawn line of the icon does not circumscribe the divine is crucial: if the uncontainable is here contained, then this is only because it blows apart all containing, such that if, in the icon, we see the invisible, we also no longer see the visible, or only now see it invisibly. Unless one realizes that apophaticity also applies to Christ's humanity and its imaging, the icon is indeed politically dangerous and totalizing; but if one does realize this, it allows us the freeing of terrain from merely legal and wilful dominion. Even what we appear to have dominion over is now something that always exceeds us, always a gift that precedes us and resonates beyond our control. The icon turns the surface "inside out." So while indeed it seems to demand that it be shown across the entire surface of the globe, in such a way that this surface become coterminous with its own surface that already exceeds every finite surface in extent, yet since it depicts the infinite, it also renders the entire surface of the globe newly "ungovernable" by human beings at all. To "rule by image" is really to mediate an imaging that is always already begun and which one by no means commands. Hence the icon was a peculiar and novel *mimesis* of the invisible, whose artifice now exceeded nature by grace, rendering it already, as Mondzain says, "abstract art" which only shows itself as an epiphany of the beyond, which itself is an infinite showing of the image only "as itself"—since the Son mysteriously copies the Father who is invisible and therefore only "is" in showing himself in this copy. (As many have pointed out, Trinitarian thought is highly "postmodern" at this point.) Such an imitation of the invisible could only arrive "miraculously," without adequate forethought, and unfolds according to the nonidentical repetition of an oral tradition, not according to the control of visual propaganda.[34]

Following the *Libri Carolini*, the Christian West theoretically embraced in a qualified fashion aspects of "economic rule through the sacral image" and

clearly did so even more in practice. These books also emphatically refused any following of the cult of the image of the ruler himself. The later route to the debasement of this into propagandistic spectacle and the manipulation of desire for the sake of profit arguably lay through the appropriation of the sacral image by absolutist state rulers in the seventeenth century.[35]

Yet despite my insistence earlier that territorial expansion was regarded as primarily the prerogative of the Church, which sought to make the whole surface of the globe show forth again the divine glory in the light of redemption, it remains the case that "Catholicity," however strangely this may sound to Christians today, was also concerned with international government of the *saeculum*, precisely because it insisted that the road to eternal peace had to encompass also the attempt at the *fyndinge* of terrestrial peace. Otherwise, to put it quite simply, the love of God would not have been inseparable from the love of neighbor—the two having been absolutely identified (without reduction of the one to the other in either direction) for the first time in the gospels.

Hence the concern in both East and West for the fate of the empire and for the borders of Christendom—a concern that was the *sine qua non* of the extension of mission. For there scarcely ever has been any mission without some sort of military protection or ultimate guarantee, and where this has been the case, as for example with the first evangelization of Ireland, then mission itself entailed the establishment of some sort of new pan-tribal legality. Altogether to lament this situation is both to fail to be honest and also too extremely to abandon *fyndinge* to mere patience, by forgetting the degree to which human local injustice may distort people's chances of attaining a redemptive transformation of their lives. It is in effect to deny incarnation, by underestimating the importance of the material dimension to our ultimate human destiny. (But of course Bush and Blair's action in Iran had nothing to do with evangelical hopes of a new mission field; nor can a "war for belief" be justified, only in some circumstances wars against injustice or defensive wars to protect an entire legitimate way of life can be justified.)

We have already seen how the emperor in the Christian West acted as a kind of ultimate guarantor of order. He likewise acted, like later kings, as a guarantor of the property of the free peasantry, since they constituted for him something of an independent base for taxation and support, without the mediation of the aristocracy. The collapse of the Carolingian empire in the West, partly under external pressure, led to the anarchic rise of the castellans, the enchaining of the peasantry by serfdom, and the wandering of local warlords seeking new sources of wealth (partly in the face of the rise of single inheritance by elder sons) across the face of Europe into Britain, Sicily, and Germany.[36] The "matters" of France, Britain, and Rome (Charlemagne, Arthur, Aeneas/Augustus) therefore conserved the memory of a real achievement that was epochally lost. In addition, the power of the emperor permitted the Church to confine herself more to an eminent spiritual *auctoritas*, even if coercive ruling had come (partly following Byzantine theocratic models that the West nonetheless increasingly qualified in both a Germanic and an Old

Testament constitutional fashion) too much to be seen as an ecclesial office. Even the great lay involvement in clerical appointments during this era can perhaps only be considered as pure "abuse" from a later perspective, which too much identified spiritual authority with clerical power.

We have already seen how the early history of international relations in the Christian West had theological as well as material dimensions. First of all, the very emergence of the notion of the "economic" as basic (initially through an extension of the "household" sense) turns out counterintuitively to be a theological rather than itself an economic matter. Secondly, the peculiar role of the emperor was sustained in part through a theological imaginary.

By contrast, it would seem that the circumstances which led to the emergence of the feudal order were brutally material in character. This is by and large the case, and yet a reign of anarchy for a considerable period was itself the witness to the indeterminate negativity of that circumstance. By contrast, the more feudalism became for a long while a new established order, as lordship assumed increasingly the "banal" qualities of ruling, then the more a theological imaginary again played a considerable part. First of all, with the lapse of the role of the emperor, the papacy had perforce, albeit not often reluctantly, to try to become the new guarantor of international order both through a strengthening of the organization of clerical pastoral rule from his sacrally territorial base, and through an attempt to control the various local kings. Eventually, the perfectly theologically sound papal claim to a *plenitudo potestatis*, an ultimate rule of *auctoritas* even over *dominium*, got corrupted into a claim to exercise coercive *dominium* directly, though this took some time to develop fully. But prior to this development, the papacy to some degree encouraged the submission of knightly anarchy to a code of Christian honor, with the reworking of Indo-European tripartition in terms of a threefold sacred caste division into those who pray, those who fight, and those who labor. The knights themselves began to pay a melancholic tribute to what they had displaced by tracing their lineage from Charlemagne and Arthur, even to the extent of developing a full-fledged lay priesthood involving a kind of ordination rite that communicated a lineage at least as honorable as that of St. Peter, since it traced itself back to Joseph of Arimathea. (Recent research has shown just how seriously all this was taken.)[37]

The feudal order therefore to some degree relied upon a theological code and upon the enhanced power of the papacy. In addition one can say here that our understanding of "feudalism," as many historians have now shown, remains distorted by both the whig and the Marxist legacy. It was hierarchical yes, but fluidly so, and incorporated certain egalitarian moments. These were most manifest in the guild and fraternity organizations in the towns, although the urban economies were admittedly entirely upheld by the rural feudal economy. Yet in the latter case, as Susan Reynolds has demonstrated, the idea of a nakedly contractual exchange of land for service appears to be something that only emerged from Roman law–influenced judicial writings at the end of the Middle Ages. What this shows is that the model of "feudalism" bequeathed to us is itself constructed in the mirror of emerging notions

of formal contractualism.[38] As a consequence later writers, right down to Marx, tended to describe feudalism *both* as a contrast to capitalism and *yet* in terms of a distorted approximation to capitalism—perhaps an approximation that was bound not to work in the end.

Thus it was not exactly the case that a lord owned property in return for military service. Rather, this service was "owing" as a kind of tributary gift to the king, which expressed the lord's entire position within society. Certainly his land was in some sense a kind of gracious grant from the king, but again this had far more overtones of "gift" than was later allowed. Likewise the offices of justice and administration that went with the land to a degree mediated the king's power, but they also simply "went with the land," and were inseparable from the very notion of "landedness."

The same applies to the case of serfdom. Here Reynolds suggests that there was great fluidity of category and that very many peasants still owned some subsistence land and yet were also obliged to provide some bound services.[39] The latter were not so nakedly offered in return for military protection as has been supposed. For while they were (sometimes forcibly) offered to the Lord, they were also offered to the Lord insofar as he represented the community in general—to the more general aspects of its upkeep, to its legal administration, to its glory, as well as to its defense. Of course this situation overwhelmingly involved oppression and often in horrific degrees, yet Marxism is nevertheless technically inaccurate even within its own terms in speaking simply of an inevitably coercive "exaction" or "appropriation" here. Capitalist extraction of profits is indeed wholly coercive, since there is no continuity between the immediate purposes sought by the worker and those sought in the goalless and socially indifferent piling up of abstract wealth—even if the worker may partially consent to the process because he is seduced by wealth's spectacle. But in the case of feudalism there *is* a continuity between the peasant's labor and the purposes of the Lord, since both uphold a "liturgical" rhythm of social practice and meaning to which both assent. The Lord could only build up prestige in terms of manifestations of glory and bestowals of gifts that fall into socially recognized categories: he cannot do so by pursuing a "pure wealth" that may become equivalent to anything whatsoever. But surely it is just this latter quality that permits one to speak of pure alienating "appropriation"? This of course is not to deny that in the course of the Middle Ages most serfs came to think that serfdom as such was not essential to the processes of reproduction of social meaning nor to the flow of social reciprocities.

In consequence, we can add to the conclusions about knighthood and the papacy that feudal relations had an aspect of "sacralized gift-exchange" to them, which did not obey a purely "economic" logic in the materialist sense. Such a sense had itself as yet to be socially produced.

Conclusions about the religious and theological dimensions to the emergence of capitalism have already been drawn. These concern mainly the Protestant refusal of the sacramental and destruction of the realm of charity as sacral gift-exchange through the lay fraternities—a realm indeed

commemorated as a lost "Merry England" in the Robin Hood stories of an exceptional legislating king of the greenwood in charge of a forest fraternity devoted to Our Lady (as recent research has clarified).[40]

However, one should add here that the particularly English emergence of a "purely political" royal power did not occur only because central sovereignty and merely bureaucratic rule were in the interests of the market. Again, there was also a constitutive imaginary dimension. Ernst Kantorowicz pointed out how the notion of *corpus mysticum* got gradually transferred from a Eucharistic and ecclesial meaning to the state itself, understood as, in some sense, the body of the king. But in the case of England, as he also pointed out, the tradition of Christological kingship was particularly extreme.[41] The "Norman Anonymous" had said that while the papacy represents Christ's humanity, the king represents his divinity. Not only is this hierarchy surprising, but the very notion of separate earthly reflections of the two Christic natures suggests a kind of Nestorianism, and also an elevation of an invisible reflection of divine power above the priestly and iconic reflection of Christ's human power, in a fashion somewhat akin to (but clearly also different from) iconoclastic imperial ideology.[42]

Pope Gelasius, by contrast, had distinguished the separate reflection of Christ's priesthood (Pope) from his kingship (Emperor) in fulfillment of the type of Melchizedek. Here the imitation is in either case of his divinely imbued humanity, reflecting the economic *commercium.* But the Nestorian separation of the two natures to such a degree that one has something like "two persons" and a *homo assumptus* seems to be repeated in the English tendency so as to abstract the "body politic" of the king in such a way that it became both utterly cut-off from his physical body and increasingly abstracted from the actual physical body of the realm. This meant that in England an "abstract sovereignty" could increasingly be envisaged apart from the monarch's physical presence. Hence whereas in France, when the king died one required the temporary modeling of an effigy in order to fill this gap, in England, in a much more real sense, the king never died at all.[43] Thus, as Kantorowicz pointed out, the English eventually executed the king on the orders of "the crown" and having done so were shortly afterward able to restore the monarchy, since it had never really ended. In France by contrast, once the king had been executed that was literally the end of the line—the restored monarchy there was a much more contrived affair.[44]

In this way, the most practically extreme instance of purely political sovereign power, enabling the emergence of capitalism, was partly the product of a "Nestorian" political theology (perhaps encouraged by currents in English scholasticism, especially Scotist ones). In the English version of sacral kingship it was a relatively de-sacramentalized affair, providing a Christological route for the invention of abstract sovereignty as a deathless power.

Conclusions

From the instances just traced and from the other historical scenarios briefly rehearsed in this essay, it can be seen that, while in a sense "social property relations" have been determinative in the history of the West, in a deeper

sense what is determinative is the general economy, the total distribution of practice intertwined with the symbolic-imaginary. This distribution is itself the religious or the quasi-religious.

Therefore, since capitalism as a general economy is the imaginary production of the sheer material as well as the purely abstract, its emergence cannot be "explained" in terms of any "historical materialism." On the contrary, it can only be traced by following the contours of shifts in general economies, which are also shifts in religious arrangements.

Capitalism can then be best understood as an intra- and post-Christian outcome. The drive to unify the surface of the earth remains a "catholic" drive. The urge to unify the whole body of humanity in love and reciprocal giving remains the desire of "the body of Christ." The emergence of purely political absolute sovereignty is a permutation upon an heretical Arian or Nestorian model of human ruling, which at once appropriates the iconic to the merely terrestrial and at the same time abstractedly withdraws from this spectacular instrument of manipulation. The arrival of a predominantly economic era is a reductive transformation of the Christian sense of a mediation of the divine economy here on earth. And finally age of the spectacle is the futile attempt still to locate the infinite in the finite image, once the sacramental mediation of a transcendent infinite has been denied.

The conclusions to be drawn from this essay are therefore the following:

1. The Christian project because it is a "catholic" project—a globalizing, "imaging," and "economizing" one.
2. The mode that globalization now takes is the upshot of the triumph of a perverse mode of Christianity which has engendered capitalism.
3. It is likely that (whether this is good or bad) Christianity, because of its inner "catholic" logic, will prove to be the only truly "world religion," the only one that will encompass the globe. Perhaps the pathos of current Islam is that its inner logic as well as global positioning will not really allow it to match these ambitions.
4. A truly orthodox Catholic position would demand radical resistance to the American empire, capitalism, and conservative evangelicalism.
5. Yet the only hope for the future substantive peace of global interrelated harmonious consensus lies in reinventing in some fashion a Catholic mode of terrestrial occupation, both sacramental and political, since, as Alain Badiou has argued, the Christian event *was* the birth of the notion of a universal truth project as such and therefore remains the site of a meta-truth project, binding all truth-projects together (though he would not draw this conclusion).[45] Secular authorities should remain independently occupied with the things of time, but the ultimate measure of justice here is the degree to which this occupation opens already the way to human deification under grace. To sustain this measure, the Church should now encourage the social growth of a far more egalitarian mode of economic gift-exchange, beyond anything so far known in Christendom, yet in consistency with its as yet still unenclosed sacral commonalities.

Notes

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7

The Catholic Conversation since 9/11: A Moral Challenge

*Laurie Johnston**

The years 2001–2002 brought not just one but two major blows to American Catholics. A few short months after the trauma of September 11, the sexual abuse scandal exploded, beginning in Boston, and spread quickly throughout the country. While these events may seem unrelated on the surface, there was in fact a curious connection: the Catholic bishop who, as head of the Committee on International Justice and Peace of the U.S. Conference of Catholic bishops, was charged with formulating a response to September 11 and the prospect of war in Afghanistan was none other than the infamous Cardinal Bernard Law of Boston.

One conspiracy theory circulating in Rome during the run-up to the war in Iraq suggested this: the Bush family, trying to build support for a war in Iraq, had used their supposedly deep connections to the *Boston Globe* to convince that newspaper to play up the coverage of the sexual abuse scandal dramatically. This was, the theory went, a calculated effort to distract Americans from the preparations for the war in Iraq and to discredit the moral voice of the pope and the U.S. Catholic bishops, who were issuing clear statements opposing the war in Iraq. While this theory is patently ridiculous, there is certainly a great deal of truth in the fact that the sexual abuse crisis, which erupted in Boston in January of 2002, hit the American Catholic church at a key moment historically. In a certain way, the pedophile priests and their protectors are to blame not only for their actions against their young parishioners, but also bear some responsibility for the Church being unable to more effectively oppose the disastrous war in Iraq.

Part of what that conspiracy theory reveals, however (apart, perhaps, from Italians' love for conspiracy theories), is the incredulity felt by many Italian

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Catholics about American Catholics' apparent ignorance of the dramatic and repeated statements that Pope John Paul II was making about the proposed war in Iraq. Italian newspaper headlines quoted the pope daily: "War Is Not Inevitable," "War Is Always a Defeat for Humanity." And while the U.S. Catholic bishops had given conditional approval to the war in Afghanistan, they, too, wrote in November 2002 that "we continue to find it difficult to justify the resort to war against Iraq, lacking clear and adequate evidence of an imminent attack of a grave nature. With the Holy See and bishops from the Middle East and around the world, we fear that resort to war, under present circumstances and in light of current public information, would not meet the strict conditions in Catholic teaching for overriding the strong presumption against the use of military force."[1] With some notable exceptions, Catholic intellectuals seemed to be in agreement with the bishops on this. Yet Catholics in the pews, like the majority of other Americans, were more convinced by President Bush's argument for the necessity of the war in Iraq. Still, there is at least some evidence that the Bush administration felt the impact of the papal protests and attempted to respond to them. At the invitation of the U.S. ambassador to the Vatican, Michael Novak, one of the so-called theocons, was dispatched to Rome to essentially lobby the pope; his stated mission was to "clarify the just nature of U.S. policy in Iraq."[2] The Holy Father saw no such clarity, and responded by sending his own special envoy of sorts, Cardinal Pio Laghi, to attempt some "clarifying" for Mr. Bush.

It is nothing new for U.S. Catholics to ignore the advice of their bishops, as their practice of birth control makes clear, for example. But the disconnect between the hierarchs and the people seemed particularly striking in the case of the war in Iraq. No doubt the sexual abuse crisis was a major contributing factor. Still, one must also ask whether there was something about the content of the bishops' teaching that was no longer convincing after the attacks of September 11. Is just war theory, as taught by the bishops, no longer a viable tradition in the age of the war on terror? Here I examine both the history and the current context of the American Catholic conversation about what constitutes a "just war" as an attempt to answer this query.

The American Catholic community is a diverse group, ideologically speaking, and has a complex relationship to political authority. Some critics have argued, though, that American Catholics overall tend to be very willing—even too willing—to trust their government authorities absolutely. Since, for generations, American Catholics and their leaders have been worried about proving that they were fully American, rather than Irish, Italian, or a papist third column, Catholics in the United States have become so focused on assimilation as to have lost any critical edge. (As some of my own students have said, "Yes, I'm a Catholic—but I'm an American first.") From this perspective, September 11 only solidified the average Catholic's kneejerk patriotism. Yet such a portrayal overlooks the occasions on which the American Catholics have, in fact, supported their bishops' attempts to challenge some aspects of conventional wisdom or political policy. *The Challenge of Peace*, a pastoral letter issued by the U.S. bishops in 1983, was certainly one of the occasions

when the bishops' perspective gained traction with their own communities as well as in the broader public debate; the influence of that letter continues to be evident in the current prevalence of just war terminology in public conversation.[3] Politicians today refer to the concept of a "just war" and the just conduct of war far more readily and specifically than just a few generations ago. Catholic ethicists have been partly responsible for the shift, since World War II, to a strong emphasis on avoiding bombing of civilians—essentially a nonissue during the carpet-bombings in Germany and Japan, much less the atomic bombings. The Jesuit John C. Ford put the issue on the radar screen, so to speak, with his article entitled, "The Morality of Obliteration Bombing."[4]

If Catholic just war theory has been influential at some moments in the past, perhaps it is less so today because divisions among just war theorists in the Catholic community have undermined the theory itself. What then are these divisions? To some degree, the debate over whether the war in Iraq could be understood to be a just war mirrored a debate that has been going on for some time among Catholic theorists, particularly since the publication of *The Challenge of Peace*. In that document, the bishops adopted—with some modifications—an approach to just war theory developed by James Childress and Ralph Potter (both Protestants, interestingly). This theory, which has roots extending back to Augustine of Hippo, holds that a just war must meet the following requirements: it must be based on a just cause, be fought with a right intention, be fought by a competent authority, be a last resort, have a reasonable hope of success, and be a proportionate response to the wrongs to be redressed and the good expected to be attained. Once war has broken out, a just war is one that uses proportionate means and tactics and maintains noncombatant immunity. While these criteria are not widely disputed, there is a prior question that has been much debated: Is just war theory primarily meant to restrain war, or to promote justice? Is it a way for Christians to maintain a Christlike commitment to nonviolence in most situations while allowing for exceptions, or is it meant to mandate a forceful response to injustice in certain circumstances? These issues came to the fore in critiques of *The Challenge of Peace* by George Weigel and James Turner Johnson (both Catholics). They dispute the claim made in the document that "Catholic teaching begins in every case with a presumption against war and for peaceful settlement of disputes. In exceptional cases, determined by the moral principles of the just-war tradition, some uses of force are permitted." Weigel and Johnson argue that the theory does not begin from a "presumption against war" and that this is a serious misreading of the tradition. It begins, instead, from a presumption against *injustice*, and force may at times, under certain conditions, be a necessary means of establishing justice.[5] From their perspective, starting from a presumption against war results in a functional pacifism that encourages neglect of Christians' responsibility to restrain evil in the world and promote a just world order. As Weigel puts it,

> To suggest that the just war tradition begins with a "presumption against violence" inverts the structure of moral analysis in ways that inevitably

> lead to dubious moral judgments and distorted perceptions of political reality. The classic tradition, as I have indicated, begins with the presumption—better, the moral judgment—that rightly constituted public authority is under a strict moral obligation to defend the security of those for whom it has assumed responsibility, even if this puts the magistrate's own life in jeopardy.[6]

While Weigel's is indeed a fairly accurate reading of the classic tradition, his perspective seems to neglect the fact that the nature of warfare is quite different now from what it was in Aquinas's day, and therefore requires more stringent limitation. Furthermore, the Catholic tradition does evolve, and the Church's teaching in the twentieth century has responded to the increasing violence of modern war by consistently moving toward a stronger and stronger *presumption against war*, without ever ruling it out in principle. But, argues J. Bryan Hehir, this does not necessarily lead to a functional pacifism. Hehir, the Harvard-educated political scientist and Catholic priest who has long served as an advisor to the bishops and was the primary author of the *Challenge of Peace*, points out that even some thinkers who begin from a presumption against war have, in recent years, found cases in which they thought that presumption *should* be overridden—for example, in Bosnia, Rwanda, and Afghanistan.[7] Still, it comes as no surprise that those who begin from a presumption against war are somewhat less likely to view any given war as justifiable, and this was the case in the Iraq war. Weigel, Johnson, and others lined up to support George W. Bush's quest for democracy and justice, while the majority of the U.S. bishops did not see the specifics of the case as sufficient to justify war.

Though this question of the presumption against war is a longstanding issue, in the twentieth century it was not generally the focus of the debate about just war theory. Rather than being concerned about when it is right to go to war—the question of *jus ad bellum*—many theorists such as Methodist theologian Paul Ramsey were concerned almost exclusively with the conduct of war—the *jus in bello*.[8] However, the recent conversation has turned primarily to the conversation about *jus ad bellum* because of two new aspects of global reality: the problems of humanitarian intervention and of terrorism. In these cases, the burning question is *whether* humanitarian intervention or a military response to terrorism are appropriate—not *how* they are to be carried out. Are genocides or terrorist attacks sufficient cause to override the presumption against warfare? The debate over Iraq eventually focused on the question of who has the moral and political *authority* to interpret the just war tradition accurately and determine what constitutes a just cause for war.

First, the question of political authority. According to traditional just war theory, a just war must be authorized by a legitimate political authority such as a king or a nation-state. Yet today, some argue, the bar for this criterion must be set higher: a just war requires the authorization of the United Nations, or some other evidence of a broad consensus in the international community. This is particularly important when one is seeking authorization for a war

that goes beyond the narrow confines of self-defense against an active aggression. If humanitarian intervention or the punishment of terrorists qualify as "just causes" (another key criterion for a just war), their application must be carefully limited to prevent the proliferation of conflicts.

Hehir goes farther and argues that it is *particularly* important to have authorization from a multinational authority when one is contemplating a military response to terrorism, precisely because terrorism poses a "systemic threat to the international system." Such authorization is of major strategic importance:

> [T]he role of multilateral authorization should in principle be seen as an essential element of a successful strategy [to combat terrorism]. Precisely because transnational actors [e.g., terrorists] are engaged, and because international order is threatened, the development of a consensus among states supporting force and other measures is a long-term necessity for success. The ideal type counter-case is Iraq. Devoid of international authorization, there was no help when we needed it.[9]

Apart from this conversation about what constitutes the kind of legitimate political authority that the just war theory requires, there is a prior and deeper question about just war theory and *moral* authority: who is in the best position to apply just war theory to the world today and determine which wars meet its criteria? In a provocative article entitled "Moral Clarity in a Time of War" George Weigel argued that this moral authority to apply just war theory lies not with bishops, but with politicians. He was not making this argument because he felt that the bishops' moral authority had been undermined by the sexual abuse scandal. (To the contrary, Weigel tends to ally himself closely with church authorities on most questions, and wrote a fairly hagiographic biography of John Paul II, the very pope who was speaking so articulately against the Iraq war.) Rather, Weigel argued that the bishops do not have the primary moral authority to apply just war theory because they are not politicians themselves and do not possess the "charism of political discernment that is unique to the vocation of public service." Instead,

> the proper role of religious leaders and public intellectuals is to do everything possible to clarify the moral issues at stake in a time of war, while recognizing that what we might call the "charism of responsibility" lies elsewhere—with duly constituted public authorities, who are more fully informed about the relevant facts and who must bear the weight of responsible decision-making and governance.[10]

For Weigel, then, just war theory must be seen primarily as a tool of statecraft that helps politicians make their decisions about war. His perspective, not surprisingly, raised the hackles of some "religious leaders and public intellectuals" who believed that they, too, were entitled to judge whether the

proposed war in Iraq could be a just one. While they acknowledged that they did not have access to the same information that the politicians did, they maintained, nevertheless, that moral authority does not depend upon information alone. Applying the just war theory does indeed depend upon making judgments about certain kinds of information; for instance, one cannot judge whether a particular humanitarian intervention is a "just cause" without some degree of information about the degree of the humanitarian crisis and the prospects for addressing it. But, as William Cavanaugh points out, "information is secondary to moral formation in the making of moral judgments."[11] Cavanaugh goes on to explain,

> Moral judgment in the Christian tradition is primarily a matter not of information, but of being formed in the virtues proper to a disciple of Christ. There is no reason to assume that the leaders of a secular nation-state are so formed, nor that the principles guiding the Christian moral life are at the heart of American foreign policy. War planners are always going to think their wars are justified. There is also no guarantee, to put it mildly, that moral considerations will trump those of narrowly defined national interest and corporate profit when the foreign-policy establishment creates its agenda.[12]

For Cavanaugh and others, then, it may be precisely their lack of political authority that helps the bishops and others to speak with greater moral authority. Just war theory is not just a tool for political decision-making, but a tool for Christians trying to understand how their morals should apply to political life, and "an aid to moral judgment in the most serious of moral matters: the taking of human life."[13]

In the end, the issue is who is more likely to be able to achieve "moral clarity in a time of war," to use Weigel's phrase. For Weigel, it is generally politicians. But the editors of the Catholic weekly *Commonweal* have argued that subsequent events in Iraq have shown that greater clarity was on the side of the bishops, in this case, rather than the leaders of the U.S. government:

> In *First Things*, George Weigel…memorably lectured religious leaders on the "charism of political discernment" enjoyed by those in the White House. It was a charism, Weigel pointedly wrote, "not shared by bishops."…It is true that the moral responsibility of statesmen is different from that of bishops and ordinary Christians. Still, looking back at the many nuanced statements issued by the USCCB regarding the war in Iraq, it is hard not to conclude that the bishops' charism, rather than the president's, has better served the nation.[14]

What did the bishops' "charism" inspire them to say? They wrote,

> We are concerned…that war against Iraq could have unpredictable consequences not only for Iraq but for peace and stability elsewhere in the

> Middle East. The use of force might provoke the very kind of attacks that it is intended to prevent, could impose terrible new burdens on an already long-suffering civilian population, and could lead to wider conflict and instability in the region. War against Iraq could also detract from the responsibility to help build a just and stable order in Afghanistan and could undermine broader efforts to stop terrorism.[15]

It is obvious as of this writing that many of these concerns were well founded indeed. Yet such clarity on the part of the bishops in this part is, of course, no guarantee of moral clarity in general. As explained earlier, this clarity was seriously obscured by the bishops' decades-long lack of moral vision in dealing with sexual abuse by priests.

Regardless of who is interpreting and applying it, there is no doubt that just war theory is more difficult to follow since 9/11. This is not, however, a fault of the theory itself. Though there has been great debate over the content of the just war theory and who has the moral authority to interpret it most reliably, it seems unlikely that even such divisive debate is a sign that theory has outlived its usefulness. On the contrary, it is more likely that such vigorous discussion is a sign of the just war theory's ongoing relevance and viability, rather than its demise. Nor is the theory inadequate to address the challenges of the contemporary world. In response to suggestions that the theory is no longer helpful or applicable in the age of the war on terror, Maryann Cusimano Love has pointed out that when one takes the long view of the just war tradition the new global realities are not really so new:

> Augustine and Aquinas grappled with the problem of the use of force by armed bands not authorized by public authorities. Vitoria and Suarez discussed the clash of civilizations, and what norms of warfare should apply when conflict occurred between governments and non-government groups from different continents and cultures. Hugo Grotius examined how international law and international community should factor into decisions over the use of force. And contemporary just war theorists have written extensively about just war theory's applicability to both weapons of mass destruction and low intensity, asymmetrical conflicts. Those who argue everything is different post-9–11 would seem to bear the burden of proof. Why would just war theory not apply to the very types of problems it has addressed over the centuries?[16]

No, what makes the just war theory more difficult to use after 9/11 is not the problems it is meant to address, but rather the context in which we must use it. As David Gushee has written, "The gravest flaw of recent discussions of just war theory has been their ahistorical and acontextual quality. When we Americans talk about war and its justice, we're not Swedes or Malaysians, we're Americans. . . ."[17] What does it mean, then, to speak about just war theory after 9/11 as an *American*? The task requires careful attention to the American context. On the one hand, the context has made the use of just war theory all the

more important. The events of September 11 made many Americans ask "why do they hate us?" At least for a time, this led to a greater consciousness of the need to cultivate a positive reputation abroad by practicing the types of moral values that we preach. Though President Bush hired marketing whiz Charlotte Beers to attempt to improve the country's public diplomacy, it quickly became clear that no amount of Madison Avenue glitz could help America's reputation if there were not substantial policy changes as well. In describing the sorts of morally grounded policies that could help in the fight against terrorism, Cusimano Love has pointed particularly to just war norms as indispensable:

> Our moral codes are not a hindrance, but a help in fighting the war on terror. Upholding our moral values while combating those who do not helps to build and retain legitimacy and credibility for our cause at home and abroad; helps build and maintain alliances; gives access to strategic resources we would not have without international cooperation and alliances; helps deny the terrorists recruits, credibility, legitimacy, and support and discredits terrorists; assuages negative public opinion of the United States in the Arab and Muslim world; prevents the self-defeating overreactions that terrorists seek to create; retains military ethos and professionalism; and constructs a global prohibitionary norm against terrorism.[18]

Yet the context of the post-9/11 world makes such moral codes seem more challenging than ever to uphold. Particularly when facing an enemy who flouts these norms with such enthusiasm, many Americans see such restrictions as merely a hindrance to effective action. As Cavanaugh has indicated, just war theory depends upon our capacity to make moral judgments. And since 9/11, a variety of factors have made moral judgments about war more difficult. The event has presented the opportunity for politicians to use their power in new ways, buoyed by an upswell of both fear and patriotism. There is also a serious temptation for Americans to see themselves primarily as victims and to allow their moral vision to be clouded by self-interest. The debate over torture is certainly evidence of this. Both the Catholic tradition and the American constitutional tradition include firm condemnations of torture as contrary to human dignity and as a form of cruel and unusual punishment, and yet there has been far too much willingness both among government officials and the general public to accept questionable interrogation tactics as "necessary" for the war on terror.[19]

Thus, it seems evident that the unwillingness or inability of much of the American Catholic public and some Catholic intellectuals to accept their bishops' application of just war theory to the war in Iraq is not due to a failure of the theory, nor solely due to the bishops' loss of credibility because of the sexual abuse crisis, but simply due to the increased difficulty of acting morally in a time of fear and crisis. The bishops saw what Weigel and other proponents of the war in Iraq did not: that their key task was to help Americans resist the temptation to give in to their government's fearmongering rhetoric. It was in part their more cautious interpretation of just war theory as beginning from a presumption

against violence that helped the bishops in this context. Just war theory is, as Cusimano Love has reminded us, a useful tool in combating terrorism precisely because its criteria remind us that war is not the best way to respond to all situations of violence. While it has been and will continue to be clear that the threat of terrorism requires a careful and substantial response that may include military force, Michael Howard has argued trenchantly against seeing terrorism as primarily a military problem against which "war" must be declared.[20]

Ultimately the discussion about which form of just war theory is most authoritative and who is best suited to interpret it rests on presuppositions about the role of America in the world. As Gushee has summarized it:

> The American Christian debate about just war theory is in a sense nothing other than a debate about America's role in the world.... What is America, after all? Are we the leading international force for "human dignity, the rule of law, limits on the power of the state... private property, free speech, equal justice, and religious tolerance," as the president said at West Point? Or are we instead the global hegemon—the Rome of the modern world—throwing our military weight around, pursuing economic excess while parsimonious in our generosity, demonstrating indifference to how our actions negatively affect other nations and consuming far more of the world's resources than we should?
>
> The U.S. is, in fact, both. And the split in just war theory partly reflects the tension between our cherished ideals and our power-distorted selfishness, both of which reflect who we are as a nation.[21]

The bishops' choice of the more cautious form of just war theory shows, then, that they are clearly aware of the temptations that come with being the world's most powerful nation.

As the conflict in Iraq grinds on, the temptations have shifted, however. The American public seems more and more tempted to "cut and run" from Iraq, but the U.S. bishops have clearly argued that despite their original opposition to the Iraq war, they do not support an abrupt withdrawal but rather a "responsible transition." And the conversation about just war theory has moved on to a discussion of the new concept of *jus post bellum*—justice after war.[22] The theorists who are attempting to describe a just termination of war point out that the justice of a war does not depend solely on why it is initiated or how it was fought, but also whether it is ended with a fair peace settlement, redresses wrongs that were committed before and during the war, and restores a measure of political stability to the affected countries. Advocates of *jus post bellum* have a unique opportunity to overcome some of the past dichotomies in the just war theory because they bring together the perspectives discussed earlier. Like Weigel they see just war theory as a tool for establishing justice in the world, and that includes ensuring a just peace. Yet like Hehir, they work out of a framework that clearly perceives the potentially dreadful consequences of modern warfare and works to address them. In the aftermath of the Iraq war, theorists of *jus post bellum* clearly have their work cut out for them.

The moral challenge continues then. Now, however, the greatest challenge is for America to fulfill its continuing moral obligation to the Iraqi people. Whether there is a quick or slow withdrawal of American forces, the criterion for the decision must not be American security or self-interest. As Gerard Powers, a longtime policy advisor to the U.S. Catholic bishops, has eloquently argued:

> The legitimate desire to end U.S. military engagement in a costly war with no end in sight has led many antiwar advocates to embrace a type of moral reasoning that is all too similar to that which they rejected when it was used by the Bush administration to justify the war. The Bush administration discarded traditional just war norms and launched a preventive war on the grounds that it was necessary to protect U.S. interests. Opponents of continued U.S. involvement must be careful not to discard norms governing U.S. responsibilities to the Iraqi people on the grounds that U.S. withdrawal is necessary to protect U.S. interests.
>
> The strongest argument against the Iraq intervention was that preventive wars are wars of aggression, which often become wars of occupation. And wars of occupation often degenerate into wars of repression, as the occupier resorts to indiscriminate and disproportionate force, emergency measures (even torture) and other heavy-handed tactics to pacify a resistant population. Wars of occupation, moreover, invariably involve a sustained, extremely difficult, long-term commitment to nation building that is at odds with U.S. political culture. Holding the Bush administration to this high standard of moral responsibility—rather than suggesting that responsibilities to Iraqis can easily be overridden by U.S. interests and by calculations of necessity and efficacy—would help hold the line on preventive war in the future.
>
> Given the fears generated by terrorism and the spread of weapons of mass destruction, such preventive wars will remain all too tempting and all too easy for the United States, if it is not required to bear the burden of what it has wrought.[23]

September 11 has presented Americans with strategic and policy challenges, with economic challenges, with public relations challenges, as well as many other dilemmas. But the most important challenge that Americans have faced—and to a degree, failed to meet—is a moral challenge. That is the challenge to uphold our moral ideals in the face of great temptation to compromise them. The temptations will not go away any more than the strategic challenges will; one hopes, however, that voices of true moral clarity will be found and will be heard.

Notes

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12. Ibid., 12–13.
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17. David Gushee, "Just War Divide: One Tradition, Two Views," *The Christian Century*, August 14–27, 2002, 26–28 at 28.
18. Love, "Global Terrorism and the Just War Tradition."
19. The use and justification of torture by the Bush administration has been documented extensively by Jane Mayer in *The Dark Side: The Inside Story of How the War on Terror Turned into a War on American Ideals* (New York: Doubleday, 2008).
20. See Michael Howard, "What's in a Name? How to Fight Terrorism," *Foreign Affairs* 81, no. 1 (January/February 2002): 8–13.
21. Gushee, "Just War Divide," 28.
22. For some efforts to develop a theory of *jut post bellum*, see Mark J. Allman and Tobias L. Winright, "*Jus Post Bellum*: Extending the Just

War Theory," in *Faith in Public Life*, College Theology Society Annual Volume 53 (Maryknoll, NY: Orbis Books, 2008), 241–264; and also Brian Orend, "Justice after War," *Ethics & International Affairs* 16, no. 1 (Spring 2002).

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8

September 11 and the Jewish Vocabulary of Tragedy

*Rabbi Jack Moline**

The day after the airplane crashed into the Pentagon, my neighborhood, not quite three miles away, smelled of smoke. I imagined the residents of Lublin, Poland, on the days the prevailing winds blew into town from the crematoria at Majdanek. Days later, when the road alongside the building was reopened, I joined a slow procession of locals who gaped in shock and incomprehension at this breach of the symbol of American invincibility.

Weeks later, I visited New York City and made pilgrimage to the site of the Twin Towers. Blinking back tears, I was aware of a rush of conflicting emotions. I was angry. I was bereaved. I was afraid. I was disoriented. I was disbelieving. And as I looked into the ruins, I was reminded of a familiar *midrash* (interpretive teaching) almost two millennia old. Some time shortly after the destruction in the year 70 of the second Temple in Jerusalem, a group of prominent rabbis made their own pilgrimage to the ruins. Their reaction is recorded in a commentary on this biblical verse: *Because of the mountain of Zion which is desolate* (Lamentation 5: 18). It is worth reading slowly.

> Once Rabban Gamliel, Rabbi Joshua, Rabbi Elazar, Rabbi Azariah, and Rabbi Akiba came up to Jerusalem. When they reached Mount Scopus, they tore their clothes.

The approach to Jerusalem allows a view of the city from the top of Mount Scopus, site of the contemporary Hebrew University. The sight they witnessed

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must have been devastating. Modern archaeological excavations have uncovered streets surrounding the Temple that are strewn with charred blocks of stone, toppled from the heights of the massive wall that surrounded the holy precincts. When the entourage beheld the destruction, they performed the traditional ritual upon witnessing a corpse. They continued into the city proper:

> When they reached the Temple Mount, they spied a fox coming out of the Holy of Holies. They began to weep, yet Rabbi Akiba laughed. Rabban Gamliel said to him, "Akiba, you thoroughly astonish us. Here we weep and you laugh!" He replied, "Why are you weeping?"

The fox represents not only the ruined structure and its feral nature. The fox is a symbol of the Roman oppressors in *midrash*. The four rabbis sob at the double insult—the loss of the sacred site and the symbolic free access of the enemy to it. The reaction of Akiba, arguably the greatest rabbi among them, seems entirely out of place and inappropriate. Yet, when challenged by his colleagues, he asks the question that challenges their instincts and ours.

> Rabban Gamliel said to the others, "Look what Akiba asks us! A fox emerges from the place about which it is written, *Anyone unauthorized who intrudes upon it shall be put to death (Numbers 1:51);* so should we not weep? It is precisely through our circumstance that the verse is fulfilled: *Because of this our hearts are sick, . . . Because of Mount Zion, which lies desolate, with foxes prowling over it*."(Lamentations 5: 17–18)

Filled with anger and grief, Gamliel erupts at Akiba who would dare a show of joy or levity in the moment that a compromise of security and self-determination overwhelms the pilgrims. Yet Akiba has an insight that rescues the group from the throes of despair:

> Replied Akiba, "For that very reason I rejoice. It is written: *I shall call reliable witnesses, Uriah the priest and Zechariah son of Jeberechiah*." (Isaiah 8: 2)

Akiba reaches into the biblical past and quotes a verse seemingly out of context. Uriah was a priest and prophet in Solomon's Temple, which had been destroyed more than 600 years earlier. The prophet Zechariah lived during the days of the rebuilt Temple, whose ruins lay before them.

> "Now what connection has Uriah with Zechariah? Uriah was from the first Temple and Zechariah was from the second Temple! Here is what Uriah said:
>
> *Zion shall be plowed as a field,*
> *Jerusalem shall become heaps of ruins,*
> *And the Temple Mount a shrine in the woods.* (Jeremiah 26: 18)
>
> "And here is what Zechariah said:
>
> *Thus said the Lord of Hosts: There shall yet be old men and women in the squares of Jerusalem, each with staff in hand because of their great age. And the squares of the city shall be crowded with boys and girls playing in the squares.* (Zech 8: 4–5)

> The Holy One Blessed Be He said, 'Behold, I have two witnesses; if the words of Uriah are fulfilled then so will be the words of Zechariah.' If the words of Uriah prove vain then so will be the words of Zechariah. I have rejoiced because since the words of Uriah have come true then the words of Zechariah will also come true in time to come."

Akiba takes a longer view of the moment. Though he was certainly shocked by the sight of the ruins and the symbolic presence of the despised Roman occupiers, Akiba reached into the deep history of the Jewish nation and plucked a verse of hope and consolation from an era past. Within that verse is an affirmation of the will of God to restore long-term peace and security (old men and women) and an optimistic future (boys and girls playing):

> These are the words they replied to him: "Akiba, you have consoled us. May you be consoled by the bearers of good fortune!" (Lamentations Rabbah 5: 18)

It certainly took more than a clever word to assuage the grief of the witnesses to the destruction of the Temple. The Temple was itself the very center of Jewish life before it was destroyed. In it, the central tasks of service to God took place: sacrifices, offerings of tithes, expiatory rituals. Within the most sacred room, the Holy of Holies, remnants of the defining encounter at Mount Sinai were stored in the Holy Ark. As long as the Temple stood, the people of Israel were confident that they remained in God's favor. With the Temple destroyed, it was as if God's presence had been sent into exile. How could a playful interpretation of ancient Scripture restore the spirits of these deeply religious leaders?

The *midrash* illustrates a number of essential ingredients in the way Jews deal with calamity. First among them is an acknowledgment of the catastrophe. As obvious as it may sound, naming the disaster is the first step in addressing it. (Think of the many euphemisms contemporary Americans use for death as a means of avoiding the reality of the situation.) The Book of Lamentations is the record of the aftermath of the destruction of the first Temple. It begins with the agonized recognition of the scope of the tragedy. Its opening word, *Eikha* (which is the book's Hebrew name), is an interrogatory that combines challenge and grief, in a sense, "How could this happen?" Immediately, the reader confronts the circumstances: "She sits in loneliness; the city, once filled with people, has become like a widow!" (Lamentations 1: 1).

The event is known in Hebrew as the *Hurban*, the Destruction. Carried forward in the Bible and on the liturgical calendar, the name was applied immediately to the destruction of the second Temple and provided a context for the events surrounding it. The rehearsal of the paradigmatic event provides the framework for responding to new occurrences that upset the presumed order. Hence, the rabbis, in confronting the sight of the destroyed city, rend their clothing immediately (the traditional Jewish response to news of the death of a close relative). The decimation of Jerusalem is a death in the family. The definition gives structure to the response, both in the immediate moment and for those who later listen to or read the story—even generations beyond.

Perhaps Jewish tradition enjoys a unique advantage (and a unique disadvantage) in this circumstance. By the time of the second *Hurban*, a vast body of sacred literature was in existence, describing and responding to a thousand years of national history. The United States has a history that spans less than half that time since the original colonists arrived from Europe, and its narrative as a nation was barely 225 years when the 4 aircrafts crashed into our consciousness. No "*Hurban*" on our soil preceded this event, even considering the burning of the White House during the War of 1812.

Yet the date itself, September 11, has become a name for the disaster, with connotations beyond its generic meaning (much like "the Fourth of July" in a different context). The distress caused by the calamity echoes in the colloquial use of "nine-eleven," ironically the iconic emergency telephone number that summons first responders. In this sense, September 11 parallels the ninth day of the Hebrew month of Av (called *Tisha b'Av* in Hebrew). It was on that summer day that each of the destructions of the Temples took place, and it has been ensconced as a national day of mourning on the Jewish calendar. Even though thousands of summers have passed without incident on *Tisha b'Av*, Judaism preserves the sense of loss with a pause in business as usual to reflect on what was lost long ago.

A second component of the *midrash* is the attribution of the calamitous acts to the perpetrators. In this particular context, the rabbis themselves and their later audience can lay blame for destruction. The rabbis encounter a fox prowling the ruins of the Temple; the fox is the symbol of Rome, but a tale told in which a Roman official was the villain would be hazardous to the teller. Moreover, the Jews of the first century had an admiration for much of Roman culture and had positive relations with many Roman citizens. The demonization of the fox allowed for an object of anger and a demotion from humanity of the actual persons (and authority) responsible for the tragedy, but did not cast an entire cohort of outsiders as evil and deserving of expulsion or extermination. Other examples of *midrash* and Jewish law draw clear distinctions between praiseworthy Romans and condemnable ones, and between desirable aspects of Roman culture (e.g., the banquet that was adapted as the Passover *seder*) and noxious practices (e.g., gambling and gladiatorial combat).

Americans seem paralyzed between stereotype and political correctness in describing the forces behind the attack. Eager to separate the fanatics from the general population, we have played with a variety of linguistic variations on "Muslim" and "Islam" in addressing our anger and desire for justice or revenge. The confusion caused by our inability to say what we mean has translated into policy and behavior that continues to frustrate our need to heal the wounds of the attack. We find ourselves trapped between war and understanding, between an open tent and isolationism, and between our ideological commitment to civil rights and our heightened awareness of our insecurity.

The *midrash* also contains a clue to another aspect of Jewish tradition's ability to address catastrophe. The collapsing of time, eloquently employed by Rabbi Akiba, is possible only from the distance of time. His appropriation

of Isaiah's teaching to respond to the second *Hurban* is possible only because of his distance from the first destruction. When Isaiah spoke his words, the Temple had been rebuilt; there was no intimation of a second disaster hundreds of years in the future. Akiba had historical evidence that the catastrophic destruction of the past resulted in a restoration, complete with children at play in peaceful prosperity.

Jewish history includes an unfortunate supply of human catastrophe. Twentieth-century historian Salo Baron decried what he called "the lachrymose theory of Jewish history," emphasizing singular disasters interrupted by long and ignored periods of growth and development. Yet a rich heritage of responses to those tragedies provides the survivors with coping mechanism in the immediate aftermath of their own experience.

Professor David Roskies offers an example of just such an experience, removed from both the geography and the political reality of the original:

> For Gershon Levin, a medic serving in the tsarist army in 1916, the shock of recognition was immediate when his regiment marched through the ruins of Husiatyn, a town that straddled the border between Galicia and Russia: "Only then did I grasp the Destruction of Jerusalem, for whenever I had read the Book of Lamentations in *heder* [religious elementary school] or heard *kinot* [verses of lament] recited on the ninth of Av, the description always appeared to be grossly exaggerated. But on seeing what the Russians did to Husiatyn in the twentieth century, I could easily imagine what the Romans must have done to Jerusalem some two thousand years ago." The total and willful destruction of a once-prosperous Jewish community, a center of hasidic piety, awakened Levin's child hood memories which in turn validated the oldest record of Jewish disaster. In a single instant of personal and cultural recall, the event fell into place along the scale of earlier catastrophes.[1]

Levin's description is included in his memoir of the Great War, *In velt krig*, published seven years later. His distance from the events described in Lamentations allowed him to recreate—in all likelihood unknowingly—the *midrash* of the five rabbis encountering a devastated Jerusalem. American society has a future focus. As a result, those events in our past considered to be failures and disappointments, particularly on the home front, are often downplayed. Military defeats (e.g., the Alamo), social and economic catastrophes (e.g., the Great Depression and the Dust Bowl), civil strife (e.g., the Civil War and violent protests in the 1960s), and national crimes (e.g., assassinations of sitting presidents) are allowed to recede into memory without lasting expression in future generations. Indeed, rather than applying the lessons of the past to the present, contemporary issues and sensibilities are often retrofitted to popular conceptions of history. (Witness the anti-Vietnam sentiments that informed the television series "M*A*S*H," set in the Korean conflict.) It is ironic—and perhaps a lost opportunity—that our arts-and-entertainment-saturated society has not produced a body of

resources to give context and texture to our national disasters by articulating a collective memory.

While the *midrash* hints at Roman responsibility for the physical destruction, the choice of Lamentations and the citation of Jeremiah as prooftexts for both Gamliel and Akiba imply a spiritual shortcoming that made the Roman domination possible, even necessary. The Temple, built to specifications attributed directly to God in sections of Exodus, Leviticus, and Numbers, could not be overpowered without the acquiescence of God, according to Jewish belief. Lamentations is quite explicit that the earlier destruction came about because of the disloyalty of the people to the ritual instruction of Torah.

A different *midrash* (Babylonian Talmud, Tractate *Gittin*, 55b) addresses the reason that the second *Hurban* took place. Though the priests were scrupulous about the ritual in the second Temple, having learned from the shortcomings of their ancestors, the second Temple fell because of baseless hatred between Jews. A long story ensues about a mistaken identity. A wealthy man sends a servant to invite his friend Kamtza to a wedding. The servant mistakenly brings Bar Kamtza, the wealthy man's rival. Bar Kamtza, who came believing a reconciliation was intended, asked the wealthy man to allow him to remain at the wedding, eventually offering to pay for the festivities just to avoid embarrassment. The angry host physically ejected his rival as the guests, including many prominent rabbis, watched without protest. The disillusioned Bar Kamtza turned bitter from resentment and falsely informed the Roman occupiers that the Temple was being used to plan an insurrection.

It is usual for this *midrash* to be taught on or near *Tisha b'Av* to remind the Jewish community of the consequences of unrighteous behavior. Without shifting responsibility from perpetrator to victim, the teaching nonetheless emphasizes the direct connection between personal behavior and collective consequence. The lesson suggests that baseless hatred between people—practiced or silently accommodated—carries the same weight as the betrayal of ritual doctrine, making the violators unworthy of God's presence.

Part of the process of coming to terms with disaster is accepting the role of the victims in provocation. This notion is particularly difficult to accept, particularly when the offense is unintentional (I can imagine the rabbis at the wedding standing stunned and slack-jaw as the conflict erupted), and especially if those who suffered most directly were not engaged in the questioned behavior. Yet, the return of a sense of control depends on a reassurance that a future disaster can be prevented, not just by intercepting the perpetrators but by removing the motivating factors of their hostility.

It is particularly difficult to accept this notion when the victims are innocent and powerless against the perpetrators. Yet, the climate of quiet acquiescence to insensitive or arrogant behavior was troubling enough to the observers of the second *Hurban* that they cautioned future generations against being silent party to it. Likewise, an honest and critical look at American conduct in the world—and what the World Trade Center and

Pentagon symbolize to a hostile culture—seems to be a necessary component in understanding the aggressive hatred that erupted into the violent assault.

A longer meditation on this controversial notion is required in the context of attempts at genocide, and this is not the place. It is hard to imagine a preventative to the Holocaust, Pol Pot's Cambodia, Rwanda, and Darfur, to name but a few. In fact, such large-scale catastrophes occur at the far end of a long continuum. Mindfulness of the consequence of smaller actions can serve to slow or eliminate the momentum toward disaster.

The discovery of an internal shortcoming that contributed to the catastrophe can be cause for further despair. Another *midrash* from the collection *Avot de Rabbi Natan* (118) depicts a conversation between two rabbis, Yohanan ben Zakkai and Joshua. As Rabbi Joshua wept at the sight of the Temple ruins, he bewailed the loss of the place to atone for sin. His colleague consoled him with the suggestion that acts of love and compassion would replace Temple offerings, quoting Hosea 6:6, "Loving kindness I desire, not sacrifice [says God]."

The four rabbis who wept accepted the notion that Jewish sinfulness contributed to Roman success in destroying the Temple. Fortunately, Rabbi Akiba attached a message of hope to the dire situation. His juxtaposition of destruction and restoration gave the others a reason to give into their yearning for renewal, both communal and personal. The old and the young alike would witness the rebirth, just as they had once before. And just as the first rebirth resulted in better circumstances, so would the next rebirth more than compensate for their loss.

In spite of the sorrow and grieving of the destruction, a new resolve and a renewed faith inspires the other rabbis. "Akiba, you have consoled us," says Gamliel, and he prays that they be privileged to hear such news soon.

Rediscovering a sense of optimism is essential in seeing beyond the shards of broken dreams. An opportunity to rebuild what is lost—even to improve on it—brings consolation for the loss and can offer the chance to correct the internal shortcomings of the past.

This particular aspect of addressing catastrophe may be America's strongest. The aforementioned focus on the future pulls one foot ahead of the other. The immediate efforts to create both a memorial and a reconstruction of commercial property in lower Manhattan (and to repair the Pentagon within a year of the attack) reflect the insistent forward motion of American society.

The *midrash* of the five rabbis is notable for the glancing references to God. The divine presence is felt around the words of the teaching rather than in their midst. Perhaps that ethos represents the emotions of the characters as they witness the results of the *Hurban:* God's presence is vaguely sensed rather than directly experienced, as it would have been in the Temple. Yet, by the end of the *midrash*, the bereaved rabbis have rediscovered a reason for faith in God's beneficence, and reaffirm the values of devotion to and confidence in God's providence.

The reaffirmation of faith in the face of catastrophic loss later found its way into Jewish practice with the recitation of *Kaddish* (Sanctification). *Kaddish* is an Aramaic prayer that God's presence be perceived in this world. (Its language is similar in tone and content to the Lord's Prayer found in the Book of Matthew.) Originally a meditation of sorts following a "master class" in Scripture or Talmud, the custom slowly arose to recite the words in memory of a recently deceased master scholar. Eventually, the prayer became the liturgical response to mass murder of Jews in Germany by the Crusaders.[2] Though containing no reference to death, its affirmation of God's grandeur in the world and desire for peace continues to comfort individuals and communities in the aftermath of the death of loved ones. Even disaffected and areligious Jews are drawn to the practice of memorializing the dead through this affirmation.

The surge in popularity of Irving Berlin's popular "God Bless America" is a parallel to the phenomenon of *Kaddish*. Berlin wrote the simple tune while serving in the army during World War I as a victory song. It was revised and reintroduced twenty-some years later as a song of peace, becoming popular singer Kate Smith's signature. An impromptu performance by Members of Congress on the steps of the Capitol on September 12, 2001, imprinted a sense of defiance and faith on the relatively innocuous lyrics, which are now sung as a display of patriotism and hope as part of public occasions and memorials.

In spite of the mention of God in the lyrics, America's reaffirmation is less about religious faith than about the American Dream. The struggle to define the essence of that dream has been played out in political campaigns, legislation, courtroom arguments, and foreign policy. The national conversation is at least as important as the result of that conversation; *Kaddish* acknowledges the broadest possible sense of faith, not dogma or doctrine.

Finally, the *midrash* by its very existence as a story to be told and retold incorporates the catastrophe into the identity of the Jewish people. Out of the acknowledgment of these tragic events emerge a sense of resolve and a commitment to resist the circumstances that would make catastrophe likely in the future. Partly by power, partly by faith, Judaism has emerged conscious of the "lachrymose" elements of its past but devoted to an affirmative future.

Perhaps that resolve is best illustrated in the words of Nobel laureate S. Y. Agnon's prayer, based on *Kaddish*, for the fallen soldiers of the Israel Defense Forces. After noting the practice of human rulers to replace fallen soldiers with other soldiers, he continued:

> If this is what we recite in prayer over any who die, how much the more over our beloved and sweet brothers and sisters, the dear children of Zion, those killed in the Land of Israel, whose blood was shed for the glory of His blessed Name and for His people and His land and His heritage. . . . When one of His legion is slain, He has no others as it were to put in his place.
>
> Therefore, brethren of the whole house of Israel, all you who mourn in this mourning, let us fix our hearts on our Father in heaven, Israel's king

> and redeemer, and let us pray for ourselves and for Him too, as it were: Magnified and sanctified be his Great Name in the world which He created as he willed.... Amen. (1947)[3]

Agnon's meditation reflected the national mood of the emerging State of Israel by recalling elements of tradition and history in his contemporary context. It remains well known more than 60 years later because it continues to resonate as part of the Jewish ethos. A comparable effort in American culture can be seen in Bruce Springsteen's album, "The Rising." It is a collection of songs about September 11 that never mentions the date or any of the specific people or locations. Yet it captures the particular moods and universal concerns of a bereaved nation. For example, Springsteen includes these lyrics about first responders in "Into the Fire":

> ...love and duty called you someplace higher
> Somewhere up the stairs, into the fire
> May your strength give us strength
> May your faith give us faith
> Many your hope give us hope[4]

In these words, like in Agnon's, basic values of strength, faith, hope, and love are renewed in a chant that affirms a future born of a tragic past.

The vocabulary of tragedy in Jewish tradition is the result of a long history, not just of disasters but of time to consider and the events of that long history. It may be many years before the catastrophe of September 11, 2001, becomes contextualized in our consciousness, but if we encourage the process that has been a part of the lengthy and diverse history of the Jews the following elements will be in play:

(1) The acknowledgment of the tragedy on its own terms.
(2) The identification and rhetorical isolation of the perpetrators.
(3) The patience to allow for historical perspective.
(4) The self-critical acceptance of the victims' role in creating the circumstances of the catastrophe.
(5) The yearning for restoration in new and desirable circumstances.
(6) The rediscovery and reaffirmation of foundational values.
(7) The incorporation of the disaster into national identity and resolve.

The smoke and ruins that prompted my remembrance of past disasters were far from unique. Rabbi Irwin Kula heard a contemporary version of Lamentations. He took words of victims who were trapped in the upper floors of the burning towers, words that were captured by voice mail and email, and set them to the mournful chant used to recite the biblical verses on *Tisha b'Av*. For Jews, the connections are immediate, provoking both tears and consolation. Perhaps the events of September 11 will, in time, provide a context and consolation for the inevitable moments of tragedy all Americans face.

Notes

1. David G. Roskies, *Against the Apocalypse* (Syracuse, NY: Syracuse University Press, 1984), 15.
2. Ismar Elbogen and Raymond P. Scheindlin, trans., *Jewish Liturgy* (Philadelphia, PA: Jewish Publication Society, 1993), 82.
3. David G. Roskies, *The Literature of Destruction* (Philadelphia, PA: Jewish Publication Society, 1989), 611.
4. Bruce Springsteen, "Into the Fire," from "The Rising," Columbia Records, 2002.

9

September 11: A Hindu Perspective

*Arvind Sharma**

Perspective from Classical Hinduism: Axiology

The first point that emerges into view from the perspective of Hinduism in the context of the events of September 11, 2001, has to do with Hindu axiology. The point, however, cannot be presented straightaway; one must build one's way toward it by analyzing the Hindu doctrine of *puruṣārthas* or the goals of human existence. After some struggle, the doctrine crystallized in classical Hinduism in the form of the four goals of life, which are usually enumerated in the following order: (1) *dharma*, (2) *artha*, (3) *kāma*, and (4) *mokṣa*. *Dharma*, which is the first to be mentioned, denotes righteousness or virtue and implies that there is an innate human tendency to wish to do the right thing. The pursuit of this goal—that is, the pursuit of virtue—is one valid goal of human life. It is, however, not the only valid goal of human life. The quest for wealth and power is also a valid goal of human life, which is designated by the word *artha*. Similarly, the pursuit of the pleasure of the senses, from its most earthly form as sex to its most refined form as aesthetic pleasure, are also valid goals of life, in achieving which *artha* may come in handy. These too are valid goals no less than the pursuit of virtue but these two should be pursued subject to moral norms. This is why, it has been proposed, that *dharma* comes first in the order of enumeration, to suggest its regulative role in the pursuit of the two succeeding goals, those of *artha* and *kāma*. These three categories of goals of human life are rounded off with a fourth, which is designated *mokṣa* or liberation. The first three goals are of this world but the fourth takes one beyond the world and corresponds to the

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Western concept of salvation. The world in Hinduism is a place in which we are not just born but in which we are continually reborn, in keeping with the Hindu concepts of rebirth and karma. To be saved in Hinduism amounts to being saved from this existential condition—therefore the Hindu word for it is *mokṣa* or liberation; liberation, that is, from this process of rebirth in the universe. This category comes last as it represents the ultimate value and virtue or *dharma*, which was regulative for the pursuit of the goals of *artha* and *kāma,* is now considered preparatory for the pursuit of this final end of human existence.

What has been presented so far is the Hindu doctrine of the four ends or goals of human life in its standard version but we need to travel a little beyond it to get a Hindu perspective on the events of September 11, 2001. This can be done by raising the question: Why have these goals of human life been lumped under four heads? It has been proposed that four is an arbitrary number and is really a shorthand for "many." Using numbers in this figurative way has been identified by some as a Hindu habit. This could well be part of the explanation but another view suggests that these have been identified as four to indicate that they enjoy a certain independence of their own and are not reducible to each other. In other words, these represent distinct vectors of human aspirations. This carries the implication that while the various goals may be helpful in relation to each other, they cannot be reduced to each other nor can all of them be reduced to one.

From such a perspective, these conceptual categories of Hinduism have been used by some of its thinkers to critique Western perspectives on human life and two philosophical approaches in modern Western thought have been singled out for such critique—namely, Marxism and Freudism. The argument is then made that these ideologues are defective from an Indic point of view, inasmuch as they try to explain all of life in terms of just one value and thereby collapse under their own weight. Marxism thus uses *artha* as the sole valid goal of life and tries to assimilate all other goals and values to it, and Freudism used *kāma* in the same way. Both fall short of offering a full explanation of the human condition, by focusing exclusively on only one of the four goals—a trap in which Hindu thought is prevented from falling by its doctrine of the four valid goals of human endeavor.

The events of September 11, 2001, it may be proposed, now offer a chance of extending such a critique of values to include *dharma*. After all, the events of September 11 were perpetrated by individuals for whom commitment to their own vision of the virtuous life in a fundamentalist way had pushed other categories of human endeavor out of sight. Thus, from one point of view, the events of September 11 warn us of the danger of focusing exclusively on only one goal of human life to the exclusion of others. The exclusive focus on *artha* exposed one to the dangers and excesses of Marxism; the exclusive focus on *kāma* exposed one to the dangers and excesses of Freudism; and now the exclusive focus on *dharma*, in the form of religious fundamentalism, has exposed one to the dangers and excesses represented by the events of September 11. There is room for adding a wrinkle to this discussion while

we are on this topic. Marxism and Freudism were identified as developments within Western culture, but can the same be said of religious fundamentalism? One could be inclined to say yes, as the word fundamentalism is itself of American origin. The phenomenon, however, to which the word is being applied here, by which I of course have Islamic fundamentalism in mind, is really according to many scholars a *reaction* brought about by the impact of the West on the Islamic world.

Perspective from Classical Hinduism: Sociology

A second point that emerges from the perspective of Hinduism in the context of the events of September 11, 2001, has to be with Hindu sociology. Again the point cannot be presented straightaway and one has to build one's way to it, by analyzing the Hindu doctrine of the four *varṇas* or classes. The doctrine appears in classical Hinduism in the form of the conceptual classification of society into four classes designated by the terms (1) *brāhmaṇa*, (2) *kṣatriya*, (3) *vaiśya*, and (4) *śūdra*. Each of these terms denotes a class of society. The *brāhmaṇa varṇa* or the *brāhmaṇa* class consists of priests, teachers, intellectuals, and so on. The *kṣatriyas varṇa* is similarly composed of kings, warriors, bureaucrats, and so on. The *vaiśyas varṇa* similarly includes the agriculturalists, traders, and merchants, and so on, while the *śūdra varṇa* consists of servants and the labor class in general. This fourfold classification of society is very "Hindu" in the sense that it is not articulated in this way in other faiths of Indian origin such as Buddhism, Jainism, and Sikhism although they are familiar with it. Herein we stand on the border of the treacherous terrain known as the "caste system." This system, it is now widely accepted, involves the use of two distinct if interconnected concepts: that of *varṇa* and that of *jāti*. *Varṇa* stands for "class" and *jāti* for "caste" as it is commonly understood. We do not need to venture any further into this terrain except to note that *jāti* as an empirical social phenomenon is found in some measure in all the religions of India, including those even not of Indian origin such as Christianity and Islam but the concept of *varṇa* is specifically associated with Hinduism.

One can now march toward the point one intends to make, armed with this information. The point to note is that the four *varṇas* are assigned distinct privileges, duties, and responsibilities, and the fact that this scheme separates the offices of the priest and the king so clearly has attracted attention, as it seems to contain the seed idea of the separation of the Church and the state. Some modern Hindu thinkers have proposed that this idea of keeping the priests and the kings apart may have emerged after centuries of bloody conflict between the two when the roles were interchangeable, an early anticipation of modern European history when religious wars ultimately led to the evolution of the concept of a secular state.

The second point from a Hindu perspective would then read somewhat like this. The events of September 11, 2001, were the work of Islamic

terrorists who were acting the way they did on account of their acceptance of religious fundamentalism. Fundamentalism is basically the politicization of religion—of priests becoming kings or vice versa. It could be argued that there is no priesthood in Islam, at least of the kind associated with Hinduism or Christianity and this may indeed be so but the *ulama* in Islam do play an analogous role. In fact, the teachers at the *madrasas* play an important role in promoting fundamentalism.

The central point then is that there is something unique about Islam, inasmuch as the establishment of that religion and state formation in Arabia in the seventh century and later went hand in hand. This welding of the two in Islam makes it easy to politicize it in a way not possible, for instance, in Hinduism wherein state formation did not coincide with the emergence of the religion in India. Nor is it possible in Christianity, wherein state formation preceded its rise. Moreover, Christian doctrines emphasize rendering to Caesar what is Caesar's and to God what is God's. Nor was it possible in Buddhism. State formation had already occurred in most of the countries Buddhism gained a foothold in.

Perspective from Modern Hinduism: The Concept of Religion

The foregoing two points from a Hindu perspective were identified when the events of September 11, 2001, were viewed from the perspective of classical Hinduism. Two additional points can be adduced if the issue is now examined from the perspective of modern Hinduism.

The first of these has to do with the nature of Hindu religious identity as understood in modern Hinduism. The point to note here is that Hindu identity as it has evolved within modern Hinduism is not exclusive; in fact it tends to be universalistic, in the sense that it tends to accept all religions as valid paths to the divine.[1] Alongside this, however, an opposite trend was introduced under British rule, once the system of decennial census was introduced around 1880. Multiple religious participation has long characterized Indian religious life, and this often led to multiple religious affiliations and in some cases even to syncretic identities. The British census-takers, however, ultimately allowed one to only identify with one religion, sometimes even acting arbitrarily to achieve such an outcome.

It is a matter of common knowledge that in pre-British India and pre-Communist China dual or multiple religious affiliation was the order of the day, as it is in present-day Japan. Thus Eastern religions do not set much store by exclusive religious identities. The situation is diametrically opposite in the case of the Western or Abrahamic religions, wherein exclusive religious affiliation is the norm despite the fact that Judaism, Christianity, and Islam all believe in one and presumably the same God.

The type of events witnessed on September 11, 2001, were the work of people whose exclusive religious identity had hardened into a bipolar view of the world, which then pitted the true followers of Islam against the unbelievers

(including the followers of false Islam). Such polarization is antithetical to Hinduism, which allows for narrative polarization in moral contexts but shies away from absolute polarization in metaphysical contexts. British census practices, based on exclusive religious identities, have, however, *not* been discontinued in India and perhaps need to be done away with because they do not reflect the past correctly, distort the present reality, and are likely to create problems for the future.

Perspective from Modern Hinduism: A Gandhian Approach

One has to take the Gandhian perspective into account for pinpointing the second additional point from the perspective of modern Hinduism. This point begins to emerge clearly into view if one takes Mahatma Gandhi's insistence on *satya* (or truth) and *ahiṁsā* (or non-violence) seriously. The dual emphasis involved here is crucial and one encounters it in other forms in Gandhian thought as well. For instance, Mahatma Gandhi insisted that one should prefer nonviolence to violence but he also said that violence is to be preferred to cowardice. But to revert to the main theme: Gandhi emphasized both truth and nonviolence. What this meant in actual life was that one had to resist injustice because it was a form of untruth. There was no option here; one had to resist injustice. But one had to resist it nonviolently. So there is a double insistence in Gandhi—one *must* resist injustice and one *must* resist it nonviolently.

It is perhaps easy for us to connect with the first moral proposition—that injustice must be resisted. But it is the second proposition, which might not elicit that whole-heated endorsement from us as the first one did, which holds the key to the point about to be made. *To seek to redress injustice violently is to become unjust in the pursuit of justice.*

This Gandhian insight is writ large over the events of September 11, 2001. Let us for a moment view them from the perspective of the perpetrators. According to them they were merely reacting to the injustices being perpetrated by the United States of America on the Muslims of the world. And they wanted to react to it. This was their truth, and up to this point it is also Gandhi's truth for Gandhi would have urged them to fight injustice if they felt they were being subjected to it.

In doing so, however, they killed almost three thousand innocent people. Let us not be too innocent about these innocent people either. May be they were not all that innocent; may be none of us is innocent in some pure unadulterated sense. But so far as the matter at issue was concerned, Gandhi would have considered those who perished in the twin towers innocent. For one, they were not directly the agents of injustice. The perpetrators may have insisted that they too were part of the problem as they occupied the two towers which were at least symbolic of U.S. domination. On this point the Gandhian (and Christian) insistence on hating the sin and not the sinner becomes important. It is the structure that is the enemy, not the person.

The point then is this: the modern world is so closely interconnected that a *violent* protest against any injustice compounds the problem instead of solving it.

A General Hindu Perspective

A fifth and final perspective from the point of view of both classical and modern Hinduism may also be offered. Such a perspective has to do with how we view the "other." The events of September 11 are the sanguinary outcome of a "we" versus "them" mentality carried to its catastrophic if logical conclusion that "we" must do away with "them." Hinduism in all its incarnations—pre-Vedic and Vedic, classical, medieval, and modern—ultimately seeks to move toward a position in which there is no other, only another. This idea that the believer or follower of another religion is ultimately our soteriological equal usually restrains the Hindu tradition, even in the face of provocation, from becoming aggressive toward other traditions and may be a salutary attitude to cultivate in the present religious climate. I would like to conclude with an eloquent testimony to this attitude by Professor S. Radhakrishnan:

> If the Hindu chants the Vedas on the banks of the Ganges, if the Chinese meditates on the Analects, if the Japanese worships the image of Buddha, if the European is convinced of Christ's mediatorship, if the Arab reads the Qur'ān in his mosque, and if the African bows down to a fetish, each one of them has exactly the same reason for his particular confidence. Each form of faith appeals in precisely the same way to the inner devotion and certitude of its followers . . .[2]

From such a perspective, heresy is the only heresy, and 9/11 was the ultimate heresy.

Notes

1. See Arvind Sharma, *The Concept of Universal Religion in Modern Hindu Thought* (New York: St. Martin's Press, Inc., 1998), passim.
2. S. Radhakrishnan, *Eastern Religions and Western Thought* (London: Oxford University Press, 1939), 313.

10

Dialogue and Disagreement in the Christian Community

*James S. Spiegel and Ryan M. Pflum**

The 9/11 event and its aftermath encompassed social, political, and religious dimensions. While immediately following there was a euphoric sense of national unity, 9/11 proved to be divisive even within the Christian community. The attacks and subsequent "war on terror" necessitated that Christians again address the nature of suffering and evil, the justice of war, and God's providence over human events. Theologians and other Christian scholars have wrestled with the same existential and political issues confronting all Americans, and their response has been anything but uniform. The nature of Christian responses to 9/11 is the focus of this chapter.

We argue that while 9/11 revealed existing divisions within the Christian faith community, there are deeper moral-social ideals that unify Christians of all political stripes. And on the basis of this, productive dialogue is possible even where disagreement persists. We show how understanding these ideals is vital for understanding diverse Christian responses to global terrorism. Ultimately, the Christian community need not settle all internal debates about contemporary issues in order to speak to them insightfully and redemptively. However, we believe that the community can do better at dialoguing effectively in the midst of legitimate disagreement.

Some Distinctions

Historically, there has been debate among Christians about the public role of theology. In the United States after 9/11, this debate is as vigorous as ever. Two

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dimensions of the theological convictions involved must be distinguished. Christians have both *theoretical* and *practical* theological beliefs. By "theoretical" we mean metaphysical, epistemological, and meta-ethical doctrinal commitments. These would include beliefs about the divine attributes, the divinity of Christ, divine revelation, and moral principles, such as the sanctity of life and the Golden Rule. By "practical" we mean the social practices and public policies that are believed to proceed from theoretical commitments. Practical divisions exist among Christians regarding such familiar issues as abortion, capital punishment, affirmative action, gay marriage, the morality of war, and entitlement programs.

In light of the aforementioned divisions, three Christian theological-political perspectives may be distinguished. Broadly speaking, *conservative* Christians affirm traditional positions pertaining to theoretical doctrines. As for practical aims, conservatives emphasize personal salvation and insist that social renewal must come through the moral responsibility of individuals and families. They affirm the freedom and autonomy of persons in the public arena based on the biblical idea that humanity was created in God's image (*imago dei*). Conservatives affirm that all people are equally valuable and worthy of respect but insist that human autonomy is not absolute. Rather, citizens should be restrained by the state for the sake of the common good. This suggests restrictive policies concerning certain practices and policies, including abortion, gay marriage, and use of pornography.

Another important theological belief guiding the conservative Christian political perspective is the doctrine of human depravity. Human nature is not inherently good, but corrupt or "fallen," bent toward wrongdoing. This explains both the conservative espousal of social *restrictions* (to restrain evil human tendencies) and economic *freedom* (to allow natural human greed to drive our capitalistic economic system).

For conservatives 9/11 was not about neoconservative policies pertaining to economic globalization, as some Christian groups have suggested. Rather, conservatives maintain that the 9/11 attacks were a manifestation of *evil*. Ravi Zacharias, a prominent evangelical, says: "Evil was clearly recognizable in its merciless slaughter, even across cultural boundaries. Whether at eight-thousand meters, or high atop a building, or in the desert, evil looks hideous because the receiving end is always Ground Zero."[1] For conservatives, 9/11 was explicable in theological terms and calls for a theological response—specifically, an affirmation of God's goodness and love for humanity in the midst of suffering, as well as a retributive response to the perpetrators of such evil. (We discuss the language of evil in the next section.)

For *liberal* Christians, the cause of Christianity is and always has been a struggle against oppression. While conservatives look to the teachings of Jesus and the apostles for doctrinal truths about the nature of God and the pathway to personal salvation, liberals argue that these teachings must be understood in light of the Gospel's practical aim of social justice. This hermeneutic suggests that the teachings of Jesus and the apostles were primarily

intended to be politically revolutionary and yields a reinterpretation of the content and role of doctrine.

Christian doctrine, for theological-political liberals, provides resources in the ongoing struggle against empire. However, imperial powers may hijack these same doctrines, divorce them from their proper context, and deploy them in support of other causes. Indeed, Mark Lewis Taylor, of Princeton Theological Seminary, says:

> [W]e know well how, from the times of fourth century Constantinian Christianity to the present day, Christians have served up obstacles to liberation. They have licensed institutional repression, implemented inquisitional terror, and reinforced systems of the worst sort with their powers of religion. The Christian Right—today's "Constantinian Christians" as Cornell West has referred to them—is another prime example of empire-reinforcing Christianity.[2]

According to Taylor, the contemporary political climate is the result of a wedding of conservative Christian theology with neoconservative imperialistic policies. Christianity, at its roots, is an anti-imperialistic religion. The United States is forging an empire. Hence, the proper role of Christian doctrine is *pragmatic*. So, says Taylor, Christian theologians ought to bring doctrinal resources to bear upon the social structures that make the U.S. empire possible.

Christians in this tradition view 9/11 as a moment that neoconservatives have used opportunistically to advance imperialistic policies across the globe. They have called on the community to use the 9/11 attacks as an opportunity for reflection on the oppressive practices of the United States, both foreign and domestic. Catherine Keller argues as follows:

> In Christianity the prophetic social justice tradition, along with its anti-imperialist apocalypse, was marginalized from the time of the Christianization of the Roman Empire. . . . [The struggle of good versus evil] in the biblical text and in the 9/11 strike is directed against Rome . . . against all empire. . . . At this point it is up to liberal and progressive leaders to make another use of the "opportunity": not to proliferate homiletically overheated denunciations, but to expose theologically the idolatry of U.S. global pretensions.[3]

This position follows from the liberal commitment to a biblical hermeneutic which stresses social justice and a theological conviction that the role of Christian doctrine is inherently political. For this reason, liberals view any Christian support for the policies of the alleged imperial regime to be complicity with injustice.

In addition to theological-political conservatives and liberals is a third group, sometimes called *progressives*. Progressive Christians agree with

conservatives at the theoretical level but have affinities in practice with liberals' emphasis on social justice. Jim Wallis, president of the Christian social action group, Sojourners, is representative, as he endorses a political agenda that may be characterized as liberal.[4] What is absent from this agenda, however, is the aggressive anti-imperialist talk found in Taylor, Keller, and others.

Progressives contend that the conservative Christian community must broaden its understanding of what constitutes a "moral issue" if it is to be consistent in applying its theological theory to practice. A consistent ethic of life, Wallis insists, encompasses not only opposition to abortion on demand, but also opposition to capital punishment and war, as well as support for poverty relief efforts, the fight against HIV/AIDS, and a host of other human rights issues.[5] Wallis is quick to point out that one readily finds a theology of social justice in the teachings of the Hebrew prophets to a reprobate Israel and in the words of Jesus, the majority of which address the reality of poverty. Hence, a consistent application of the theoretical aspects of Christian theology must take stock of scriptural teachings on social justice.

For progressives, 9/11 and its aftermath were moments for communal reflection. They tell us that as a nation we ought to examine those foreign policies that provide breeding grounds for terrorism. However, Wallis argues that it is a mistake to understand those policies as a *cause* for terrorism. He says, "[T]o suggest, as some on the Left have done, that this terrorism is an 'understandable consequence of U.S. imperialism' is a grave mistake of both moral and political analysis."[6] Rather, Wallis argues:

> [T]he fight against terrorism is a spiritual struggle, not just a political one. . . . The American Bush theology sees a struggle between good and evil—we are good, they are evil. And everyone is either with us or against us. . . . That's bad theology. Jesus teaches us to see the beam in our own eye, and not just the mote in our adversary's eye.[7]

The Terminology of Evil

September 11 reintroduced the language of evil into the public domain and sparked a debate among Christians over the appropriate use of this moral terminology. President Bush was unabashed in using the language of evil in the months after the attacks and in the buildup to the war in Iraq. In his address to the nation on 9/11 he declared, "Today our nation saw evil, the very worst of human nature."[8] David Frum and Richard Perle, insiders in the Bush administration, asserted, "For us, terrorism remains the great evil of our time, and the war against this evil, our generation's greatest cause."[9]

The term "evil" evokes something stronger than other language one might use to categorize the horror we all felt after the attacks (e.g., "cowardly," "heinous," "monstrous"). Its use taps into a theological tradition that embeds the concepts of good and evil in the context of a battle between spiritual forces at

a metaphysical level. While some invocations of evil may be merely rhetorical (or, worse, manipulative), others are theological in nature and intended to provide a certain type of explanation. For theological conservatives, evil is a distortion of divine purposes in some manner.[10]

Moral terminology has been used recklessly post–9/11 to characterize the United States and its culture as unconditionally good and the terrorists and the milieu that breeds them as unconditionally evil. Richard Bernstein claims that such discourse "...represents an *abuse* of evil—a dangerous abuse. It is abuse because, instead of inviting us to question and to *think*, this talk of evil is being used to stifle *thinking*. This is extremely dangerous in a complex and precarious world. The new discourse of evil lacks nuance, subtlety, and judicious discrimination."[11]

One of the dangers is that people groups, such as Muslims or Palestinians, will be collectively condemned as the evil "others" by the language itself (providing potential justification for racism and unjust war).[12] This is of pressing concern to Christians since, as Wallis says, "Christ calls us to confession and humility, which does not allow us to say that if persons are not in full support of all of our policies, they must be evil-doers."[13] Another danger is that Americans will fail to critically reflect upon policies that inadvertently exacerbate terrorist activity. Avoidance of both dangers requires that we employ the category of evil in a nuanced fashion.

In order to be faithful to the scriptural norm of solidarity with one's neighbors, a clear distinction must be drawn between groups who perform acts of terrorism against innocents and groups who only share characteristics with terrorists that are unrelated to the perpetration of terror. To do so we must guard against simplistic applications of emotionally charged terminology. Furthermore, we must distinguish between a resolve to *resist* evil and the aim to completely *defeat* evil. The former is a legitimate goal; the latter is not.[14] The Christian vision is of God's eschatological defeat of evil. However, this is a divine work and not to be expected until the culmination of history.

At the same time, we must affirm the legitimacy of careful use of the terminology of evil in post–9/11 analysis. This language is not only justified by a Christian worldview but is also warranted by most objectivist ethical theories, including those that are naturalistic. For instance, a utilitarian would readily describe as evil any actions that produce extreme amounts of suffering, such as the Nazi extermination of Jews. Similarly, a nonreligious Kantian would apply the term "evil" to any choices that show extreme disrespect to rational beings and thus blatantly flout the Categorical Imperative. So while the concept of evil may be most at home in the Judeo-Christian theological tradition, it is a category that nonreligious moral philosophers readily apply to extreme immorality. Notwithstanding its theological origins, "evil" now belongs to the general public cache of moral descriptors. Thus, careful application of the term, such as to the events witnessed on 9/11, is appropriate.

Perhaps one reason the terminology of evil is so widely employed regarding terrorism today is the same reason that nonreligious moral philosophers have adopted use of the term: it provides moral clarity. Some actions, from

pedophilia to genocide, deserve unambiguous moral condemnation, and "evil" serves this purpose. Terrorism, whatever its underlying causes, paradigmatically involves the taking of innocent lives. It is understandable, then, that the term is so widely used, both by public figures and armchair ethicists, even if their doing so in some contexts is, as Bernstein claims, a "dangerous abuse" of the term.

Christian Unity in Shared Ideals

Since 9/11, many Christian scholars have beckoned for a unified Christian response to global terrorism and public policy generally. Max Stackhouse is a case in point, as he declares, "The need for a compelling cross-cultural public theology was made more obvious by the attacks; its continued lack remains the greatest socio-spiritual crisis of our time."[15] We echo this admonition for Christians to unite behind a common purpose and to provide a theological basis for understanding our world. But how might this be done, especially when there is such a broad theological-political spectrum within the Christian community?

We suggest this as a broad unifying aim for Christians in the public arena: *to provide authentic witness concerning the most pressing global issues that arise out of the contemporary context*. Since 9/11, of course, terrorism has been among the most pressing issues. While it is unrealistic to expect that extreme theological divides within the faith community will be overcome through dialogue, we believe it is still possible for the Christian community to speak in a unified, constructive voice when offering analyses of 9/11, its aftermath, and unfolding issues pertaining to global terrorism. We want to offer some guidelines that, if followed, would constitute a significant step toward realizing the broad aim articulated earlier.

First, it is paramount that Christians conceptualize global events in terms of moral-social ideals that have a rich heritage within the core tradition of their faith community. As Christians remain tethered to shared values, productive dialogue is bound to happen even if disagreement persists. But just what are such values that all Christians would affirm? Perhaps the two most outstanding are justice and peace (*shalom*), as throughout Scripture both of these ideals are heavily emphasized. Generally speaking the biblical concept of justice mandates fairness, in contexts ranging from punishing lawbreakers to helping the poor and oppressed.[16] This ideal is based on the concept of the *imago dei*, the metaphysical grounding for human value and respect for persons, as noted earlier. As for the biblical notion of peace this is not merely a negative ideal (e.g., the absence of violence) but rather is positively construed, specifically as harmonious fellowship, whether envisioned as the Peaceable Kingdom of Isaiah 11 or the communitarianism of the New Testament church (see Acts 2: 44–45 and 4: 32–35).[17]

There has always been disagreement within the church over how justice and peace should be defined, applied, and prioritized. But, curiously, such

discussions have been all but absent in the context of post–9/11 political dialogue. Concerted efforts to focus on these ideals can at least clarify the in-house Christian debate about terrorism and foreign policy. We might even dare to hope that some disputes may actually be settled by placing these values at the forefront of continuing dialogue. Also, doing so will make for more compelling arguments by individual Christian scholars even as they advocate divergent policy positions.

If nothing else, a shared emphasis on justice and peace can enhance mutual understanding and enrich dialogue among conservative, liberal, and progressive Christians regarding their respective approaches to global terrorism. This is so for two reasons. First, it is the shared commitment to these ideals that accounts for much of the common moral ground between diverse Christian political camps. Second, the divergent policy positions that do exist among Christians can often be explained in terms of their differing *interpretations* and *applications* of these ideals. Let us illustrate with some examples.

First, views on the war on terror generally and the Iraq war specifically may be analyzed as follows. Liberals' and progressives' opposition to war derives either from a strong respect for the value of peace, such that this serves as a moral trump card when it comes to foreign policy (as among pacifist Christians), and/or such opposition derives from a respect for the ideal of justice, such that the current "war on terror" is not regarded as satisfying the prerequisites for a "just war." Conservatives' support for the war, on the other hand, is generally based on the belief that the conditions for a just war have been satisfied and that pursuing a military response offers the best chance at long-term peace.[18]

Second, in supporting a military response to terrorism, conservatives tend to emphasize *retributive* justice (payback for wrongs done), while the preference for diplomacy among liberals and some progressives is often grounded in attention to *social* justice, specifically the poverty and inequitable social conditions that serve as breeding grounds for terrorists.

Third, all Christian parties to the debate appeal, at least implicitly, to the sanctity of human life as the inspiration for their conceptions and applications of the values of justice and peace. And this principle is, in turn, grounded in the notion of the *imago dei*, which again is affirmed by Christians on all sides. Many liberals and progressives oppose the war simply because this involves the taking of lives—both innocent and guilty—a *prima facie violation* of the sanctity of life. In contrast, conservatives and some progressives support the war out of *respect for* life's sanctity—whether based in a rationale of retribution or deterrence.

Fourth, the concept of "evil" is understood and employed differently by proponents of each approach because the concept of evil is readily analyzed in terms of the values of justice and peace. Specifically, purportedly "evil" actions can be so judged because they constitute either a deep injustice or an assault on peace. Probably, then, fair or non-"abusive" employment of the term would be enhanced with specific appeals to these ideals.

Conclusion

Assumptions about the moral-social ideals of justice and peace already fundamentally inform Christians' positions on issues related to global terrorism; so it is high time that they become foci of the debate. Doing so would end merely verbal disputes among bickering Christian groups. While disagreement will no doubt remain, the real crux of the debate will be revealed and dialogue can be carried on at a much higher level. Too often, interlocutors are mystified and aggravated by each others' positions, seeing one another as irrationally obstinate. Seeing how each others' views are actually coherently dictated by these underlying values—if differently defined or prioritized—can only increase mutual sympathy and understanding. And this is fertile ground indeed for productive dialogue.

Notes

1. Ravi Zacharias, *Light in the Shadow of Jihad: The Struggle for Truth* (Sisters, OR: Multnomah Publishers, 2002), 23.
2. Mark Lewis Taylor, *Religion, Politics, and the Christian Right: Post–9/11 Powers and American Empire* (Minneapolis, MN: Fortress Press, 2005), 160–161.
3. Catherine Keller, *God and Power: Counter Apocalyptic Journeys* (Minneapolis, MN: Fortress Press, 2005), 11, 17.
4. Jim Wallis, *God's Politics: A New Vision for Faith and Politics in America* (New York: HarperSanFrancisco, 2005).
5. See especially chapters one and three of *God's Politics*. Wallis attributes much of his understanding of the relationship between Christian doctrine and political practice to the Catholic social tradition. He asks, "What has happened to the 'consistent ethic of life,' suggested by Catholic social teaching, which speaks against abortion, capital punishment, poverty, war, and a range of human rights abuses too often selectively respected by pro-life advocates?" 18.
6. Wallis, *God's Politics*, 99.
7. Ibid., 105.
8. "Statement by the President in His Address to the Nation." http://www.whitehouse.gov/news/releases/2001/09/20010911-16.html.
9. David Frum and Richard Perle, *An End to Evil: How to Win the War on Terror* (New York: Random House, 2004), 9.
10. These categories are profoundly theological. Fittingly, the most important critique of the use of good and evil is theological in nature. See Richard J. Bernstein, *The Abuse of Evil: The Corruption of Politics and Religion since 9/11* (Malden, MA: Polity Press, 2005); Rosemary Chinicci, "September 11 and the Role of the Theologian," *Dialogue: A Journal of Theology* 41, no. 2 (Summer 2002): 131–135; Anthony E. Cook, "Encountering the Other: Evangelicalism and Terrorism in a Post 9/11 World," *Journal of Law and Religion* 20, no. 1

(2004–2005): 1–30; Fred Dallmayr, "An End to Evil? Philosophical and Political Reflections," *International Journal of the Philosophy of Religion* 60 (2006): 169–186; Keller, *God and Power*, 3–30; and Taylor, *Religion, Politics, and the Christian Right*, 17–34.

11. Bernstein, *The Abuse of Evil*, 11.
12. Chinicci, e.g., says, "Since everyone can be divided into two camps and since we know which side we 'belong,' it must be acceptable to use our weapons of destruction against 'the others,'" "September 11 and the Role of the Theologian," 134.
13. Wallis, *God's Politics*, 17.
14. Patrick J. Buchanan, a noted political conservative, echoes this sentiment in his critique of Frum and Perle: "[N]o nation can 'end evil.' Evil has existed since Cain rose up against his brother Abel and slew him. A propensity to evil can be found in every human heart. . . . Nor can any nation 'win the war on terror.' Terrorism is simply a term for the murder of non-combatants for political ends" "No End to War," *The American Conservative* 3, no. 4 (March 1, 2004): 6–14.
15. William H. Willimon, Leo D. Lefebure, William C. Placher, Max L. Stackhouse Douglas Ottati, Donald W. Shriver, Jr., Ellen T. Charry, Ralph C. Wood, Robin W. Lovin, and Thomas Lynch et al., "What's Changed? Reflections on September 11," *The Christian Century* 119 (September 11–24, 2002): 8–11.
16. Among its diverse senses in Scripture, justice may refer to (1) remediation or retribution (Isa. 61:8; Jer. 30:11), (2) procedural fairness (Ex. 23:2; Lev. 19:15; Ps. 112:5), (3) help for the needy (Ps. 140:12; Zech. 7:9), and (4) mercy for the oppressed (Isa. 1:17; Jer. 21:12).
17. Other key biblical passages regarding peace include Rom. 12:17–18; Eph. 4:3; 1 Thess. 5:13; 1 Tim. 2:2; and Heb. 12:14.
18. In terms of classical just war theory, necessary conditions for a just war (*jus ad bellum*) are the following: (1) *legitimate authority*: the war must be waged by an autonomous nation-state; (2) *sufficient cause*: there must be reasonable grounds for war, such as foreign military attack; (3) *likely success*: there must be a good chance of success in achieving the stated aims of war; and (4) *last resort*: all diplomatic means must have been exhausted. Critics of the current conflict in Iraq have objected most frequently on the basis of conditions 3 and 4. Others have been critical of the use of the phrase "war on terror" because no coherent sense can be made of such a vague concept in terms of the aforementioned conditions.

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11

Truth, "Faith," and 9/11

*John B. Cobb, Jr.**

Christian and Nationalist "Faith"

With rare exceptions, a person who grows up in a homogeneous society will assimilate and presuppose the vision of reality, the way of viewing the world and all the events that make it up, that shapes that society's thought and life. The control over that person's experience and thought of what is thus internalized does not exclude critical reflection on a range of topics, particularly those on which members of the society disagree. But the deeper context of those debates will not itself be brought into discussion. A society left to itself will change at this level only very gradually unless it faces crises of a quite serious sort.

Some of the deeper assumptions *may* become problematic when members of one society engage members of a quite different society at a more than casual level. However, change is rarely the first reaction. Usually the different beliefs encountered in such engagement appear strange and unacceptable. Since they do not fit with the general underlying assumptions that still remain unconscious, they do not "make sense." Nevertheless, by introducing into consciousness ideas that do not fit into the established vision, encounters of this kind can be stimuli to change.

We may call the largely unconscious underlying and overarching view of the world as well as the more conscious beliefs in which it is expressed "a faith." For a thousand years prior to the Renaissance the "faith" of the great majority of Europeans was Christian. This "faith" gave great power to the church and its hierarchy. Political rulers also typically gained their

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legitimacy from this "faith," usually through the church's involvement in their coronation.

The Renaissance began the process of problematizing particular Christian beliefs, and the Enlightenment introduced a new form of "faith"—the Cartesian view of nature. However, in cultural historical terms the "faith" even of the critics and skeptics and the opponents of ecclesiastical power remained largely Christian for centuries. Most of those who assimilated the Cartesian view and for whom this was experienced as less questionable than Christian belief, still integrated the two. They saw the Cartesian world as self-evidently created by a God whose special concern was moral goodness.

By the end of the eighteenth century, however, belief in a moral creator could no longer be taken for granted. Hume's writings show that a basically Christian worldview was no longer simply given. Its assumptions could be objectified and placed alongside alternatives. Of course, most people rejected and even ridiculed Hume, but others recognized the need at least to argue with him. Much of what had been "faith" increasingly became optional belief.

The response to Hume is interesting. What proved unacceptable to the cultural elite was not his undermining of Christian "faith" but his undermining of scientific "faith." By his time the Cartesian view of nature had been so deeply internalized that its problematization by Hume was not tolerable. The Cartesian view of nature had become the scientific view of nature, and belief that science provides truth was beyond question. For scientists in general this "faith" was so fully established that they found philosophical questioning pointless. Indeed, the sharp separation of scientific and philosophical thought began at that point.

For those who continued to care about philosophy, Kant changed it more drastically than it had ever been changed before in order to justify scientific "faith." As a result, the Cartesian understanding of nature continued to constitute part of the "faith" of the Western world for another century, and despite its tension with advanced physics it continues to rule the university and its academic disciplines.

Christian "faith" did not disappear. Changes in elite thought do not immediately affect the majority of a population. The Cartesian view of nature was itself derivative from Christian "faith" and as long as it continued, the Deist move from creation to Creator seemed natural and sensible to many. Christian ethics and values still functioned as self-evidently good. The figure of Jesus remained powerfully attractive to many. Kant had justified belief in God and in a morality that could be assimilated to Christianity as emphatically as he had justified the Cartesian view of nature. Nevertheless, for more and more people, whereas the Cartesian view of nature was now part of their "faith," being Christian was much more a matter of choice.

Other dimensions of the new "faith" that superseded Christian "faith" in Europe were racism and nationalism. In the great age of discovery and exploration Europeans encountered other people in Africa, Asia, and in the Western hemisphere whom they regarded as inferior. The contrast was at

first more likely to be in terms of Christians and heathen, but it gradually became a racial one. National identity began emerging as a part of "faith" in the late Middle Ages and grew in importance in the Renaissance as literature was written in the vernacular.

Political power officially superseded church power in the middle of the seventeenth century when the Treaty of Westphalia gave to princes the right to determine the religion of their people. Increasingly, therefore, one's loyalty and one's identity were defined by geography rather than religion. Wars over religion gave way to national conflicts. It became self-evident that one should be ready to fight and die for one's country. This was accepted by everyone in a given nation, so that each child was socialized to accept it as self-evident. Virtue was redefined as patriotism. The ultimate villain is the traitor. Saints were replaced by national heroes. The stories of one's nation took over from the Christian story in education and in public functions. For a Frenchman, an Englishman, or an American, being a Christian became optional. Public debates pro and con Christianity are fully acceptable. But being a Frenchman, an Englishman, or an American is not optional. There is no public debate about national loyalty. In short the dominant "faith" of most people in the modern world has been nationalist.

The dominance of Christian "faith" for a thousand years did not mean that no one criticized the church and its teachings. Quite the contrary. But the criticism was about the failure of the church to live by its teaching or the gap between its teachings and the Bible. The criticism itself was expressive of Christian "faith."

The dominance of nationalist "faith" today does not mean that there can be no criticism of what a government does. But the criticism is that the nation's actions are not in its true interests or do not accord with its true character. They are expressions of nationalist "faith."

"Faith," Truth, and Falsity

No way of thinking has ever achieved the status of "faith" primarily out of careful systematic thought and analysis. The story of how a hunting and gathering tribe arrived at its "faith" would include its repeated experiences and probably some unique ones as well. If the "faith" did not have enough correspondence to reality to lead to appropriate behavior in most circumstances, either the tribe would not survive or the "faith" would change. But in general the stories through which the "faith" is transmitted do not measure up to our standards of "truth."

This applies to Christian "faith" as well. It has guided many individuals and societies in successful ways. But a straightforward comparison of its sacred stories with what we now regard as facts shows many discrepancies. This problem was recognized from an early date, and because Christian "faith" led to the aim at "truth" the result was the development of Christian theology. This usually employed the best current philosophy in order to

achieve greater congruence with what at the time was understood to be reliable "truth." The unacceptable stories in the sacred writings were dealt with as allegories. In recent times, historical scholarship, presupposing the Cartesian view of nature, has been applied to the reconstruction of what "really" happened in order to bring church teaching in line with the "truth." Also Christians now tell their story in far more inclusive ways than was earlier the case. Protestants no longer ignore or disparage Catholics and vice versa. The stories are told more truthfully than was once the case.

Even so, most secular scholars hold that Christian theology is committed to positions that are "untrue," such as the reality of God and the effectiveness of divine grace in the world. And many Christians affirm much else that differs from the Cartesian worldview, often rejecting the influence of philosophy and of the critical scholarship of professional theologians. Accordingly, Christian theology is excluded from the university.

Scientific "faith" continues to fare much better. It dominates the universities and is the reason for the exclusion of Christian teaching from them. In the sciences its success in guiding investigations in fruitful channels has been immense. But today we know that its claims are exaggerated. There are scientific facts it cannot accommodate. We know also that the victory of the Cartesian view over its competitors in the seventeenth century was due less to its greater usefulness for scientists than to theological, political, and social considerations. The stories told about its origins and history, like other such stories supporting and reflecting other "faiths," are a mixture of fact and fiction.

What can we say about nationalist "faith?" It is expressed in national histories and in the sacred documents to which these have given rise. In the United States these include the Declaration of Independence and the Constitution. The "faith" is that the United States is a fundamentally virtuous nation that is also basically invincible. All who reside here have benefited from its political and economic accomplishments and owe what is good in their lives to this nation. Americans enjoy a unique freedom that is worthy of defense at any cost. This understanding is expressed and supported by the textbooks used to teach our children.

If we examine these textbooks, we will find that they also fall far short of the truth as formulated by critical scholars. Efforts to introduce the results of critical scholarship into these texts are resisted more consistently than the critical teaching of Bible and church history is resisted in our churches. A few students encounter these critical histories in university courses, but they are not encouraged to share the implications of the understanding outside of very limited circles. Even in the university a price may be paid for drawing conclusions from these critical accounts.

Until recently the American nationalist "faith" was emphatically racist, giving rise to various forms of racism in American culture at all levels. The civil rights struggle led by Martin Luther King has changed this. Today, avowed racism is not acceptable. Obviously racism has not disappeared, but we celebrate our nation as a multiethnic society and try to socialize our children into

its acceptance. This has required changing the way we tell our story. This is surely a move in the direction of greater truthfulness, although truth remains subordinated to the dictates of the new national self-understanding.

Nationalist "Faith" and the Islamic Enemy

The American nationalist "faith" long tended to be isolationist. Of course, American policy was always in fact imperialist, but the empire was the American West on the one hand and Latin America on the other. The former was land that was perceived as manifestly ours for the taking, the latter was to be part of that sphere that was isolated from Europe. One was to be occupied with its inhabitants largely annihilated. The other was to be controlled and exploited. The war with Spain was part of isolating the New World from the Old, but in fact it led to extending our empire to the Philippines—which became a colony in the typical European sense. We were drawn into World War I on the continent of Europe, but afterward our isolationism reasserted itself.

The American economic elite did not want to draw back from world domination in a similar way after World War II. They persuaded the United States to pay a high price to function as leader of the "Free World." This justified huge military expenditures and in many respects the militarization of society. When the cold war ended, the economic elite feared a move away from the military state. They invented the ideology of being ready to fight two wars at once, but this did not capture the imagination of the American people. We needed a villainous enemy.

For this our rulers invented "Islamofascism," although this name for it came later. The Islamic "freedom fighters" we had funded to fight Communists now became "radical, fundamentalist Muslims," a profound threat to our democratic values. More broadly the Muslim world became for the United States the threatening "Other," which must be secularized and nationalized as well as turned into capitalistic democracies. Conveniently, in much of the Muslim world, secularization can only be accomplished through highly authoritarian means, whereas popular rule gives religion a large role. Hence almost any Islamic country can be charged as guilty either of religious fundamentalism or lack of democracy.

One reason that the Muslim world can represent the Other that threatens us is that Islam, rather than nationalism, largely constitutes the operative "faith" of most of its people. Many national boundaries were drawn by Europeans in the break up of the Turkish Empire. States created in that way cannot quickly take over the function of evoking supreme loyalty. But this primacy of a traditional religious "faith" is deeply threatening to those who understand secular nationalism as the norm. It means that these people have not been re-formed by the Enlightenment. Instead Islamic "faith" unites people across national boundaries and judges the behavior of states by transcendent standards that are determined more by ancient scripture than modern rationalism. It even challenges the hegemony of capitalism.

The main difficulty of justifying the continued militarization of society on the basis of this new enemy—made up of our recent allies and employees—was their military weakness. The little nation of Israel had more military might than the Muslim world as a whole, and in any case many of the Muslim countries were still closely allied to us. Israel had some reason to fear its Arab neighbors, since it had done much to anger them. How could Americans be made to think that they were threatened by these new villains? Since there was no possibility of national armies threatening us, we invented a new type of danger that had played little role in the cold war. This consisted of terrorist strikes. Accordingly, terrorist acts were directed against us in the Near East. These were blamed on al Qaeda.

However, this was still not enough to justify large military expenditures and the further militarization of society. It might persuade us that the CIA's former employee, Osama bin Laden, had turned what we taught him against us but hardly that we needed to weaponize space. Something more was required; a massive attack directly on the civilian population of the United States that could be blamed on our new enemies. This attack was orchestrated on September 11, 2001. We were told immediately that it was the work of our arch enemy, al Qaeda.

This attack accomplished its purposes. This new enemy had now proved itself extremely dangerous. Whatever our leaders told us to do to counter its moves must be done. We were at war again. But the new enemy could not be al Qaeda alone. It is "terrorism." Terrorism is defined as attacks by groups other than national governments. By definition, thus, the terrible and terrifying actions of the United States and Israel cannot be acts of terrorism. This preserves our innocence. Since all the steps we take to fight terrorists generate more new terrorists than we kill, and since there is no one who can surrender and thus end the war, we have the ideal basis for a permanent state of war. This justifies permanent militarization of American society together with the surrender of traditional liberties and the reinstitution of torture.

The Astounding Story That So Many Believe

The story that was told to us at the time, and that has been revised and amplified ever since, is, on the surface, both humiliating and implausible. The world's most powerful air force was not able to offer any defense against supposedly hijacked civilian planes. The world's finest radar system was not able to track one plane coming toward the Pentagon, and the world's best defended building was unable to offer any resistance at all. Our vast intelligence network provided no warning, as a small band of Saudis, with modest skills at best, planned, prepared for, and executed a truly amazing attack on an apparently helpless or totally incompetent United States.

It seems remarkable that the American public dutifully vented its rage entirely on the supposed Muslim attackers and has not even demanded a serious investigation of those to whom we give hundreds of billions of dollars

every year to plan and execute our defense, but who provided no defense at all. If I believed the official account, I would be reluctant to leave in charge of the defense of the United States persons who failed so dismally on that day. But they have received no criticism.

Apparently, we as a people have accepted the idea that all blame for the failure of our defenses goes to the bungling stupidity of the usually highly efficient Federal Aviation Administration (FAA). Yet despite the official account of gross dereliction of duty, no one in the FAA has even been demoted, much less fired. And, of course, no one has been tried. A trial, heaven forbid, would open the door to factual investigation. In the whole affair, the only people who have been punished have been whistle-blowers.

Also remarkable is that the public has accepted the extraordinary story that two planes caused fires that totally destroyed three buildings. Although fires had never previously caused the total collapse of a building of this sort they brought down three on that day, all in just the way controlled demolition would have collapsed them. The many reports of explosions of the sort that accompany such demolitions were confiscated and concealed until their disclosure was demanded by the *New York Times*. The steel whose examination could easily have settled the question of what caused the collapse was quickly shipped away and melted down.

So far as I know, none of the statements in the previous paragraph are particularly doubtful. Yet when these and other facts are recited the response of most Americans shows how powerful is the hold upon them of their nationalistic "faith." They do not want to hear that members of their government may have deceived them on a matter of such importance. They do not want to examine the evidence. They "know" in advance that the questioner is out of line. They "know" this because the alternative does not fit with their "faith."

They find reassurance in the findings of a bipartisan commission, appointed by President Bush and congressional leaders, that has reportedly investigated what happened and come up with a revised official story that deals with some of the more glaring failures of the earlier accounts. They feel that report should end the discussion. In this they are reflecting what the media and the government tell them. They have not examined, and do not want to examine, the extensive evidence that silencing criticism rather than investigating what happened was the task assigned the commission.

They have heard that *Popular Mechanics* published an article defending the official theory, and that is enough to discredit the critic. They may know at some level that the CIA plants many deceptive stories to advance its programs, but they do not draw any connection. The point is to end the conversation and close the door on future questioning.

I have wondered why this assurance that the official story must be true continues to have such a hold on the American public even after it is widely acknowledged that we were lied into the Iraq war and have been deceived in many other ways by the Bush administration. The answer may be that deception about matters of who has what weapons can be tolerated. We can understand that the real motives for fighting a war are often different from the

announced reason. But to believe that high officials in an American administration of whatever party or ideology would organize a massive attack killing thousands of American citizens would deeply wound the American sense of the basic goodness of the nation, a conviction that belongs to the depths of our national faith.

Another part of our nationalist "faith" had to be threatened in order to move the American people further into the acceptance of ever increasing militarization. That is the sense of invulnerability. We were told in the official story of 9/11 that a small group of Muslims on the opposite side of the globe, previously funded and trained by our CIA, lacking any army, navy, or air force, were able to attack us at will and that we were unable defend ourselves against them. Whenever we go to airport we are reminded of our vulnerability. From time to time we hear of plots, mostly thwarted but having the potential to wound us. On the other hand, we were reassured as to our invincibility. We can and will punish them. And by militarizing our whole society we can and will reduce their ability to harm us—although we will never end it. It will always remain as justification for reducing our liberties and diverting our resources from social needs to "security."

The sense of invulnerability can easily lead Americans to isolationism. Hence it was important to those who seek American global hegemony to teach us our vulnerability to distant enemies. By relating them in our imagination to particular nations, we are then justified in conquering these. At the same time, by distinguishing these threatening enemies from all national governments we make sure that the threat can never be ended short of total control of the planet. Thus we have just the right enemy to justify our permanent militarism and our imperialism. In this way the spin on 9/11 carries further the general spin on "radical, fundamentalist Islam." It involves major modifications of American nationalist "faith," but it intensifies the conviction of American exceptionalism and the tendency to demonize all who question our virtue.

"Faith" and "Truth"

How well do the beliefs involved in the changing version of the American national "faith" measure up by normal standards of "truth?"

Like central Christian beliefs in the ages when Christianity provided the basic "faith" of most of Europe, these beliefs are generally protected from such inquiry. Although there could be heated debates about the relation of Jesus' divinity to Jesus' humanity, that Jesus was divine was rarely doubted. Those who did doubt generally kept their doubts to themselves. To speak them openly would have serious consequences.

Christians knew that Jews did deny Jesus' divinity. But this did not make the topic one for open discussion. Jews were made to suffer for what was regarded as their stubbornness. They were largely isolated from the dominant society. Their existence as disbelievers was a source of frustration and

anger that required special explanations. These explanations prevented their disbelief from making the belief of Christians problematic. It did not lead to critical study of history or of the biblical texts until the Renaissance.

It would be too much to say that the official story about 9/11 has a status in relation to the American national "faith" comparable to the divinity of Jesus in relation to Christendom in its heyday. Nevertheless, there are similarities. Although many national actions, social policies, and foreign adventures are based on this story, its accuracy, or even the possibility of its falsehood, is not a topic that can be publicly discussed. Of course, there can be public debates about particular anomalies, but these occur only in the context of the shared assumption that Osama bin Laden was the one who made it all happen. As the FBI has acknowledged, there is no hard evidence of his involvement, just as there was never any hard evidence for Jesus' divinity; but as long as raising the question itself places one outside the bounds of acceptable discussion, such facts count for little.

Those of us who doubt the official story function much as Jews did in the age of Christendom. Most people know we exist, but our ideas are not allowed to enter the discussion. Instead, all that is needed is a special explanation of such people that will make it clear that we are not part of the national conversation.

It was remarkable in the earlier period that the label "Jew" functioned so successfully. After all, everyone knew that Jesus and all the apostles whom they so revered were Jews. Surely being a Jew had to be recognized as not automatically disqualifying one from being taken seriously. Yet the church and the Christian society successfully ignored this anomaly.

In a somewhat analogous way, the label "conspiracy theorists" has been remarkably effective in achieving the exclusion from public discussion of those on whom this label is pinned. The success of this labeling is remarkable, since people know that most important historical changes come about as a result of some group of people planning and working together and that much of this is, at least at some stages, secret. That such conspiring is an extremely important part of history can hardly be doubted. The official theory is itself a conspiracy theory. Obviously, "conspiracy theory" no longer means theories of conspiracy in general. It now refers in public discourse only to theories that include members of the intelligence community or the administration as among the conspirators.

In excluding the Jews from participation in the medieval discussion, Christians required an understanding of how the Jews had gone wrong and rejected their Messiah. Once they understood this, they "knew" that any arguments provided by Jews were mere "rationalizations." There was no need to examine their credentials as scholars or the quality of their reasoning.

In excluding 9/11 truth seekers from the contemporary discussion, the nature of "conspiracy theorists" must be similarly explained. We are nuts and cranks who refuse to recognize and accept the obvious truth, and who are psychologically impelled to develop complex and convoluted accounts, based on hatred and on fevered imagination, to replace it. Since no one has infinite

time available for investigating everything, one should not waste time and effort on the "rationalizations" of "conspiracy theorists." It is enough to label and dismiss us.

In both cases, the "obvious truth," the truth that trumps evidence and scholarly authority, is the theory that fits best with the established "faith." Alternative theories that fit with the established "faith" are readily examined on their merits. But a theory that upsets that "faith" is felt to be a violation, in religious terms, a "sacrilege."

The exclusion of 9/11 "conspiracy theorists" from public discussion is not complete or absolute. A nationalist "faith" today cannot control the discussion in other countries, and Americans can learn more easily about conversations elsewhere than Europeans in the age of Christendom could learn about ideas of those who were not Christian. Nevertheless, the global power of the United States has limited serious discussion elsewhere as well.

Nothing like the Internet existed in the days of Christendom. Today this is the greatest bastion of unregulated communication. Further, although mainstream publishing is closed to "conspiracy theorists," there are marginal publishers who are not. In general, their publications are not reviewed in mainstream organs, but occasionally there is a crack in the wall of silence of the major media. There may be a newspaper report on a 9/11 truth meeting, a radio interview with a 9/11 writer, a review of a 9/11 book, or even a television program.

The Prophetic Tradition

In general in the United States, the nationalistic "faith" has a deeper hold, even among members of religious institutions, than the traditional "faith" to which those institutions officially subscribe. In many Christian congregations, going against the nationalist "faith" antagonizes more members than critiquing inherited forms of the Christian "faith."

The Jewish situation is somewhat different in that the traditional Jewish "faith" has become largely centered on the creation, flourishing, and preserving of the Jewish state. As long as there is no tension between devotion to Israel and American nationalist "faith," there is no problem. This is one reason the Jewish community works so hard to prevent the rise of any tension between American policy and Israeli policy.

The Muslim community is more divided, with traditional Islam continuing to play the primary role for many, while most are working hard to take part in the American national "faith." Whereas Jews flex their muscles forcefully and visibly, exercising a remarkably effective censorship over what can and cannot be discussed in the media and in Congress, Muslims still seek to avoid this kind of action or visibility. However, doubts about the official story are far more prevalent among Muslims than among Christians and Jews.

There is, however, in the Abrahamic communities what we call the "prophetic tradition." This is represented in the Jewish scriptures in the

"prophetic books." In general the prophets engaged in sharp criticism of the Jewish society of their day. They did not reject the inherited "faith," but they criticized the dominant form it had taken. This form typically justified the elite in their exploitation of the weak and gave a sense of virtue and security to the nation because of its worship of the one true God. The prophets lifted up the connection between the one true God and the demand of social justice, warning the nation not to assume God's protection.

During their lifetimes, these prophets were largely rejected and vilified and sometimes killed. But in retrospect, especially after history vindicated their warnings against complacency, their teachings were canonized. At least partly because of the presence of the prophetic writings in the Jewish scriptures, Judaism has continued to produce "prophets" throughout history.

In Israel, those in the "prophetic tradition" seek a just peace with Palestinians and criticize much of Israel's policy. Although this tradition may not be as strong in the United States as in Israel, it continues impressively in rabbis such as Michael Lerner. He receives frequent death threats for his courage. Contemporary prophets are hardly more acceptable in the dominant Jewish community today than they were in ancient times.

Many Christians believe that Jesus is best understood as a continuation or renewal of the prophetic tradition. He was, of course, completely Jewish. But like the earlier prophets he was critical of the Jewish establishment of his day, one that had made peace with Rome and participated in exploitation of the poor. Rooted in the prophetic side of the Jewish tradition, he proclaimed an alternative to acceptance of Roman imperialism, not as a violent revolution but as constituting a community that lived by a reversal of imperial values. Instead of the Roman Empire *(basileia)* he proclaimed the divine commonwealth (*basileia*). Rome executed him as a political troublemaker.

Like the prophetic side of Judaism in Israel, the prophetic side of Christianity has never been the primary version of Christian "faith." But also, as in Judaism, it has retained a role. In moderate forms it has influenced church policy and actions. In more thoroughgoing forms it has been a protest against the church's participation in the oppression of the weak and the exploitation of the poor as well as in all manner of hypocrisy and deceit. In the United States it inspired the antislavery movement and the later struggle for civil rights as well as much of the New Deal. In south Georgia in the years after World War II, the prophetic spirit expressed itself in the establishment by some Southern Baptists of Koinonia Farm, an interracial, pacifist, community in which all property was shared. The community survived the sometimes violent hatred of its Christian neighbors, spawned Habitat for Humanity, and still continues, now in a much less threatening context. Jimmy Carter, a near neighbor, also belongs to the prophetic wing of the Southern Baptists. I hope to stand in the prophetic tradition, although I have done far less to justify any such claim.

The Prophetic Tradition and the Quest for Truth about 9/11

Those in the prophetic tradition believe that power corrupts. It is rare that one attains much power in either state or church without compromises, and the exercise of power tends further to corrupt. This need not be the case to the extent that authority in an organization is distributed, and when there is real accountability for its use. It is the power that escapes this accountability, or is accountable only to the rich and powerful, that corrupts so seriously. The founding fathers of this nation understood all this well.

We are strongly opposed to what we call "idolatry," that is, to giving primary loyalty to anything less than God or the inclusive Whole. Final devotion either to the church or to the nation is immensely dangerous. Insofar as either the Christian "faith" or the nationalist "faith" encourages ultimate loyalty to church or nation, they are to be opposed. This opposition has roots in the Christian "faith" in a way it does not in most forms of the nationalist "faith"; so those in the prophetic tradition are particularly critical of nationalism.

The experience of 9/11 truth seekers can be set against this background. They have been vilified alike by the political Right and the political Left and given no hearing by either. In general the churches have been no more accepting. However, the prophetic tradition gives the truth seekers more foothold in the Abrahamic tradition than elsewhere.

The single most important writer in this movement is David Griffin, a Protestant theologian in the prophetic tradition. As such, he does not consider the unpopularity of an idea any argument against pursuing it. For example, in academia, including theological seminaries, parapsychology is virtually excluded from the accepted range of discourse. This is because scientific "faith" excludes it from the realm of the possible. Griffin approached the topic with some skepticism, but when he realized that the evidence supports the reality of a range of parapsychological phenomena, he wrote a highly scholarly book on the subject, indifferent to the negative effect this book might have on his scholarly reputation. It remains the most careful and thorough study of the field. He has continued to build on his findings in his theological writings.

As a participant in the prophetic tradition, he knows the power of "faith" to block critical study and he understands the importance of engaging in just the criticism this "faith" discourages. He is keenly aware of the role of systematic deception in the history of religions and of politics. As a theologian he knows that beliefs matter and takes seriously the ideology of the neoconservatives, largely derived from their most important teacher, Leo Strauss. In over simple terms, Strauss encouraged a Machiavellian approach to achieving critically important political ends. Accordingly, Griffin was open to the possibility that when the neoconservatives came to power they *did* employ Machiavellian means to achieve their basic, and publicly announced, goals.

With respect to 9/11, Griffin saw that the official story did not fit the known facts. He saw that the academic community in general boycotted the

topic. He saw that the media have been overwhelmingly subservient to the government or to the same powers that the government serves. He saw that American domestic policy and foreign policy alike have been constructed on false beliefs. He decided to give priority for some time to finding and stating the truth about this event so far as it is available from existing documents.

In general, the religious press has excluded the work of 9/11 truth seekers as thoroughly as the secular press. However, there are exceptions. A New England Methodist publication, *Zion's Herald*, published an article by Griffin.[1] This has now transformed itself into an organ for "progressive Christianity" generally. (Many who call themselves "progressives" would prefer the label "prophetic," but we are deterred from public use of this term because the religious Right has led the public to understand prophecy as prediction of the events of the end-time rather than as critique of falsehood and oppression.) More recently Rabbi Lerner's magazine, *Tikkun*, published Griffin's work.[2]

This is not to say that either the editor of *Zion's Herald* or Rabbi Lerner agrees with Griffin's view. My point is that adherence to the prophetic tradition pushes one to consider unpopular and threatening ideas as well as those that are acceptable to the culture and its academies. Open discussion of a theory is needed for its evaluation.

More important and daring was the publication by Westminster John Knox (WJK), the official publisher of the Presbyterian Church (USA), of *Christian Faith and the Truth behind 9/11*.[3] Griffin wrote this book as "a call to reflection and action," hoping, unrealistically I fear, that churches would recognize the importance of learning the truth and would act to do so. Unfortunately, more realistic expectations were fulfilled. The leading magazine of ecumenical Protestantism, *The Christian Century*, published a violent attack on Griffin and on the press for publishing the book. This was written, not as a normal book review by an outsider but as the position of the magazine by the executive editor.[4] Since the attack contained no significant arguments, Griffin could ignore it and go about his business. However, pressure from parts of the Presbyterian community prompted the WJK Board of Directors to issue a moderate apology for publishing the book. Two WJK editors, who were also officers of the Presbyterian Publishing Corporation, are no longer employees of the press. Those in the prophetic tradition cannot expect institutional support.

It is not my intention to say all seekers of truth that threatens established "faith" are in synagogues and churches or are directly influenced by either. The influence of the Hebrew prophets has passed through many channels. Many have received the prophetic impulse to social criticism through the influence of the Hebrew prophets on Karl Marx, who may have led them thereafter to cut all direct connections with the Bible. Although the Hebrew prophets are the main source of such criticism in Europe and, through Mohammed, in the Islamic world, they are not the only source.

It *is* my intention to say that where the deep influence of the prophetic spirit is lacking, "faith" typically reasserts its control on the boundaries of inquiry. This may be Jewish or Christian "faith." It may be secular,

Enlightenment "faith" of the sort encouraged in the university. Most often today it is nationalist "faith."

"Faith" and Faith

I have put "faith" in quotes throughout this essay as I name the complex of unexamined assumptions and habits of mind into which children in all cultures are socialized. That is one valid and legitimate use of the word. Secularly inclined people are likely to see and criticize quite lucidly the way this operates among those who still live in traditional religious communities. They are less likely to see how something very similar shapes their own way of being in the world. As the real "faith" of Western people is more and more shaped by the Enlightenment and by nationalisms, this failure to recognize that these "faiths" are just as limiting as are those they criticize is troubling. I have tried to illustrate this with respect to 9/11.

However, we in the prophetic tradition use the word "faith" in a different way. We call for faithfulness to a God who transcends every culture, tradition, and nation, who cares equally for all people and judges all impartially. God is Truth, and our commitment to that God is our faith. Our faith is then the basis for our critical relationship to everything finite and our efforts to overcome excessive trust in religious and political institutions and beliefs and in human leaders.

We respect every aspect of the "faith" in which we are nurtured and the many "faiths" in which others are nurtured, but we also support critical evaluation of all. These "faiths" include all the nationalist ones. When our own American nationalist "faith" is viewed in this context, it appears, as all such "faiths" do, in its uniqueness. No two are the same. But Americans no longer appear as uniquely innocent or virtuous. Our crimes in the past and in the present are generally proportionate to our power, just as has been the case of other nations. Most of the stories we tell ourselves about our past are mixtures of fact and fiction selected to strengthen our identity as Americans—not to give us accurate information about those who have gone before us.

In some stories, fact predominates; in others, fiction. The more closely we study the official story about 9/11 as well as the lengths to which the administration has gone to prevent serious examination of the evidence, the stronger is the impression of the primacy of fiction. In order to determine the facts, the desire to depict Americans as innocent victims would have to be set aside along with all the prejudices that flow forth from the American nationalist "faith." Skilled journalists and trained historians would have to seek the truth as, thus far, they have declined to do. Subpoena power held by those who seek the truth would greatly increase the likelihood of coming closer to that elusive ideal. For one who stands in the prophetic tradition this remains a hope. But faith in God gives no assurance that the various idols who contest for our devotion will not win out.

Notes

1. David Ray Griffin, "9/11: A Christian Theologian's Response: Deceptions of Empire and the Anti-Imperial Gospel of Jesus," *Zion's Herald*, July/August 2005, 5–6, 39–40.
2. David Ray Griffin, "The American Empire and 9/11," *Tikkun*, March/April 2007, 23–30, 69.
3. David Ray Griffin, *Christian Faith and the Truth behind 9/11: A Call to Reflection and Action* (Louisville, KY: Westminster John Knox, 2006).
4. David Heim, "Whodunit: A 9/11 Conspiracy Theory," *The Christian Century*, September 5, 2006, 8–9.

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Part III

9/11 and Philosophy and Ethics

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12

Justice: A Post–9/11 Theory

*Ada María Isasi-Díaz**

All acts of violence are rooted in injustice, promote injustice, and sustain injustice. Whether they are individual or social acts, that is, personal or systemic acts of violence, whether they are against one person, several persons, a community, a whole group defined by any given characteristic or circumstance, or a nation—acts of violence result in injustice and oppression.[1] Violence is not the only form of oppression but all forms of oppression impinge on each other, reinforcing each other. Violence, therefore, is at play in exploitation, prejudice and discrimination, marginalization, and powerlessness.[2] It is my contention that oppression destroys the ontological social fabric of humanity, that it violently tears asunder communities, peoples, nations: all relationships.

The violent events of September 11 were a clear indication of the rifts that exist between the United States of America and certain other nations and peoples in the Middle East and elsewhere. Whatever tenuous links might have existed, they were seriously mangled on that day and subsequently by other acts of violence committed since then by all sides. The acts of violence of September 11 and in the years following, I believe, are rooted in and are the direct result of oppression, whether intended or not. Such violence has made amply clear that injustice in our global society does not stop at national borders but affects peoples far and wide.

Recognizing that violence and all other forms of injustice fracture the human bonds that make it possible for all to share this planet, justice must be a priority. Without a deep commitment to justice—an active justice-praxis at the personal, societal, national, and international level—the future of the human race, of all species, and of our biosphere is seriously endangered. Only an all-out effort to heal divisions and to build bridges across what separates

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communities and peoples—to create and sustain right-relationships—will reverse the trend toward self-destruction that looms over our world. Justice in this day and age has to be understood and engaged in as a praxis of reconciliation, as a tender and solicitous being and doing that will refurbish or recreate the human fabric torn asunder by injustice and that will enable human flourishing, liberation, and fullness of life.[3] Justice as reconciliatory praxis trumps all other theories of justice no matter whether they are liberal, conservative, centrist, democratic, or socialist because it is grounded on the intrinsic value of all life and on dignity of all beings. Furthermore, it recognizes sociality as a core element of human beings and of many other species and as a basic need for survival.

To reconceptualize justice as a reconciliatory praxis of care and tenderness I move to the side, but not ignore or totally cancel, traditional understandings of justice such as fairness, utility, and merit since they have not led to justice but indeed have contributed to creating injustice. The oppressed, who are the vast majority of the human race, demand reconceptualizing justice in a way that takes them into consideration, that moves them into the center of all ethical proposals, that forces the elaboration of epistemological, philosophical, moral, and ethical considerations that not only explain justice but also provide a concrete guide to making justice a reality in our world. Our thinking, when it comes to justice, has to be more critical than ever: it has to be about changing reality, about undoing the injustice that exists.

The first section of this chapter presents an elaboration of understandings that root this proposal for a different theory of justice. This is followed by a brief interlude that explains how "theory" is used in this chapter. The third section elaborates the different element of the theory of justice being presented: solicitude or care, tenderness, and reconciliatory praxis.

Initial Excursions

The proposal to change the prevalent meaning of justice is a modest one that holds the different elements gingerly, loosely, while striving to clearly elucidate their meaning. The goal is to grasp and weave these elements into a comprehensive understanding that is precise enough to levy moral claims on persons, groups, communities, institutions, organizations, societies, and nations.[4] The attempt here is to present an account of justice that is not locked into only *one* way of understanding it and only *one* way of relating its elements. For example, when I talk about solicitude—care—as an element of justice, at times it necessarily involves being responsible *for* others, as when it relates to those who, for whatever reason, cannot care for themselves. In other circumstances "solicitude" is about being responsible *to* others, as when we insist on the absolute need to distribute to all in a solicitous way the resources of society. Not to recognize both understandings of solicitude as important, depending on the situation at hand, leads to stubborn and unreasonable claims that impede justice-making. Dealing with the elaboration of meaning

responds to the importance given to experience, to the ever evolvement of concepts that experience brings into our construction of knowledge.

"Process" is another operative concept in this and all theoretical proposals. All theoretical proposals are progressions of understanding and explaining, embryonic in nature, always becoming, evolving, adapting, reimagining, and reconceptualizing. All processes are open-ended. The moment processes close they become obsolete and dictatorial. A flexible social ontology of the self and of historical reality allows us to integrate process into the understanding of theories without making them imprecise.[5]

To say that a theory (of justice, in this case) is a process is to insist that it is fragmentary, conjectural, and provisional.[6] This is indeed true of all understandings given they are human enterprises imbued with finitude. A theory of justice as a reconciliatory praxis is fragmentary, conjectural, and provisional because we do not know everything there is to know about justice or because we are not willing to use in our proposals everything we know. This fragmentary, conjectural, and provisional nature of justice is grounded not only in human finitude but also in the temporality—historical—nature of all knowledge of reality.

How do we come to know reality? To come to know reality involves a threefold process: *hacerse cargo de la realidad*, *cargar con la realidad*, *y encargarse de la realidad*—to apprehend reality,[7] to take responsibility for reality, and to transform reality.[8] The first moment in this process, to apprehend reality, debunks the understanding that to know is to have an idea of reality in one's head. To know reality is not to harbor a cognitive abstraction but rather to be immersed in the materiality of reality. This noetic moment is suffused with the material because knowing requires not only an active being in reality but also using this "being in reality" to measure and prove what we claim to know.[9]

Apprehending reality grounds the claim that praxis—reflective action—starts with experience, with being in the midst of what one claims to know. In the case of justice, since two-thirds of the world live in unjust situations that shatter the social fabric of humanity, their experience of injustice is central to how justice is conceptualized. The cries of the oppressed, then, indicate the starting point for justice-making, that is, for the work needed to heal the brokenness of humanity.[10]

I contend that another way of being enmeshed in reality is through imagination fueled by solidarity. Though not being in the midst of the materiality of reality means the "knowing" in such circumstances is limited, imagination that has at least a toehold in the materiality of reality makes it possible to come to know a reality in which one is not immediately involved. For example, I have never been in danger of dying for lack of food. My work with people in danger of dying of hunger, my concern for those who die of hunger, my commitment to ending hunger in the world—this gives me a toehold in that reality. No, I do not know what it is to be dying of hunger but I can imagine what it is like and that imagining is a way of apprehending the reality of hunger. Imagination as a seventh sense, I believe, makes it possible to apprehend

reality as the reality one is not materially in the midst of, in a limited but none the less realistic way.

Concern about those who are dying of hunger, commitment to ending hunger—these are elements of solidarity. Solidarity starts with empathy or compassion but it does not stop there. Solidarity requires one to understand how one's reality is involved in the reality of others. To have some knowledge of "dying of hunger," I need not only a toehold in that reality but also need to understand how my availability to food at all times has to do with those who are dying of hunger. Compassion and empathy are no solidarity. Solidarity requires this element of accepting the responsibility I have for hunger in the world because of the access I have to food to the point that I do not have to worry about it.[11]

Personally, though not immersed in the reality of the war in Iraq, of those being killed and dying in Darfur, or of those who struggle to survive on less than a $1 a day in Perú, imagination makes it possible to apprehend their reality in a limited way if we are willing to take responsibility for that reality and work to change it. To do this, we have to understand how our reality impinges on theirs; how the benefits and privileges of the minority of the human beings are in a certain measure—and not a small one—at the expense of the others. Apprehending the reality of the oppressed through imagination fueled by solidarity also enhances the apprehension of one's own reality. The material reality of the poor, of those suffering war, genocide, hunger—of the oppressed—are part of the material reality of the oppressor, which includes those who knowingly or not indirectly benefit from such circumstances.

The second movement in coming to know reality is the ethical moment when one takes responsibility for the reality in which one is immersed. The immediacy of being enmeshed in the materiality of reality makes one inevitably responsible for it: for accepting it or rejecting it, for passively submitting to it or struggling to change it. This immediacy makes it impossible to simply shrug one's shoulder. On the contrary, it demands shouldering reality, assuming responsibility for the reality in which one is enmeshed.

Third, to know reality is to change reality. Reality does not go through the knower as through a funnel. One always leaves an imprint on reality by what one does or what one does not do with it. This is why critical thinking and critical philosophy insist on the practicality of knowing: one always affects what one knows. The knower is always inserting herself into the reality she claims to know, inflicting herself on that reality. This is why all knowing is historical: it is historically situated and it "re-situates" reality. It shapes reality.[12]

This understanding of what it means to know reality shows the fragmentary, conjectural, and provisional characteristic of knowing reality, and concomitantly, of all concepts and theories. By insisting on the need to be enmeshed actively in the materiality of reality in order to know it, we admit that we know only from our particular human limitedness. This is why all knowing of reality is also partisan.[13] Here we enter into hermeneutical considerations, which are necessarily part of all knowing.

Two reflections are in order. First, we must regard all hermeneutical considerations not just as a matter of uncovering the perspectival aspect of

knowledge, but also as a matter of "critical analysis and an unmasking, when it is needed, of the social origins and the social implications [destiny] of all knowledge."[14] This requires "epistemological vigilance," attention not only to the finitude of our capacity to know reality but also to the "concealing and distorting tendencies of this same capacity."[15] It is a matter of recognizing our biases and it is also a criticism of so-called impartiality and the attempt to ignore the social realities that condition our knowledge of reality. Our claim to know reality is shot through and through with partiality and to claim objectivity is nothing but a power play, an irresponsible haughtiness that attempts to hide the intrinsic subjectivity of all human knowledge.

The issue is this: how can we recognize and ground ourselves in our partisan view, in the particularity of the historical and social conditions that inform such partisanship, and yet propose understandings that can contribute to justice-making beyond one person, beyond a self, even a thoroughly social and immersed-in-community self? To answer this question we need to discuss three themes: objectivity as radical subjectivity; how power intersects all claims of objectivity; the validity of claims emerging from the particularity of experiences instead of from abstract ideas.

To redefine objectivity as radical subjectivity one has to start by arguing that the latter in no way skirts rational discourse.[16] Radical subjectivity uses weighty arguments that are persuasive, clear, and do not collapse under public scrutiny.[17] Radical subjectivity is valid not because it is based on *ad libitum* claims, that is, on claims based on a given person or a group's point of view. It is valid because it is straightforward, understandable, and "common sense." For an argument to be straightforward and understandable means not that it can be proven through abstract arguments but that it is *prima facie*—recognizable or understandable because it is enmeshed in material reality, and it is effective, productive, efficient, useful, and fruitful in changing reality.

Appeal to common sense rests on the human ability to discern, to establish criteria, and to make judgments not in an individualistic fashion but in ways that reverberate with others. This social or communal sense of common sense is the main reason for giving it special consideration.[18] Common sense is a product of human intuition that does not necessitate reasons or explanations for its importance but rather is recognized as valid precisely because it resonates across society. Common sense is rooted in a historical reality in which a great number of members of a society are or have been enmeshed; it is rooted in the lived-experience of peoples.

Another aspect of radical subjectivity is openness to the critical claims of and accountability to others. Openness to the critical claims of others immediately brings one face-to-face with human sociality and with the radical need there is to be accountable for the sake of each and every person as well as for that of society as a whole. Accountability points to the fact that radical subjectivity does not allow hiding behind a veil of disinterestedness—on the part of those who must demand accountability—or individualistic decision-making—on the part of the one that must render accounts. Accountability demands identifying and rendering account about one's

interests and privileges, thus opening each person to the claims of others. It is precisely the tension between our own interests and those of others that validates different subjectivities and makes it possible to bring as many of them as possible to bear on any given situation for sake of the common good.[19]

The second element in a redefinition of objectivity concerns power. Typically objectivity refers to the subjectivity of those who have the power to impose their point of view as objective. In other words, claims of objectivity often depend not on persuasiveness, effectiveness, openness, and accountability but rather on oppressive power, on the ability to enforce one's perspective as normative or as a principle for action. Not every claim to objectivity is a power play, but, from the perspective of those who suffer the derision of the powerful regarding how we see and understand reality, objectivity is often the imposition of the particularities of the subjectivity of the powerful. Traditional claims of objectivity are draped with an impartiality that simply does not exist. Claims of impartiality "deny or repress" differences and sustain the subjectivity of the powerful, of the *status quo*.[20] Impartiality denies particularity by attempting to treat all situations and persons similarly, according to the same moral rules. One needs also to consider that "only by expelling desire… [and] affectivity from reason can impartiality achieve its unity."[21] However, without desire, which is an intrinsic element of hope that feeds imagination, coming to know reality is severely curtailed. Affectivity, in turn, is central to solicitude without which one cannot sustain, and much less rebuild, the human social fabric destroyed by oppression and injustice. Finally, impartiality results in moral reasoning and judging that ignores subjects' interests, desires, and opinions.[22] This works against self-definition and moral agency without which it is impossible to maintain the self, the social self: the human person.

A third element comes into play in elaborating an understanding of radical subjectivity. It is the validity of claims emerging from experience instead of from abstract ideas. First of all, claims of objectivity have presupposed a grounding in "no place" or in "all places" that is simply not tenable given the particularity of all human knowledge. Furthermore, were this feasible—and again, it is not—the results would be abstractions that are useless to evaluate humans' institutions and practices. If claims are to be useful they have to identify the actual social context out of which they emerge.[23] Finally, the radical subjectivity I am discussing here is in reference to moral theory and ethical claims (though I suspect it is applicable to a much broader sphere of theories and claims).[24] None of this precludes or excuses rational reflection on one's particularity, perspective, and social reality. Nor does it excuse anyone from taking distance from her own "immediate impulses, intuitions, desires, and interests in order to consider their relation to the demands of others, their consequences if acted upon, and so on."[25]

Given what has been said so far regarding moral theories, is it impossible to conceive of moral understandings and ethical claims that are valid, applicable, and useful for different communities around the globe and beyond the present moment? It is not impossible if we understand "universals" not as *a*

priori abstract ideas valid regardless of particularity, but as shared understandings emerging from or based on people's experiences. Universals are universal precisely because they are radically inclusive of subjectivities—particularities.[26] Universals as shared understandings based on the threefold process of knowing reality explained earlier are always open to include new understandings. Universals cannot restrict human experience or human interpretation of experience.[27] Universals impinge differently on reality according to given particularities, and these particularities, in turn, are constantly in the process of redefining the universals.

What has been said about particularities and the understanding of universals does not invalidate or exclude the possibility of a plurality of theoretical frameworks that can be used in formulating any theory—in this case, a theory of justice.[28] Is one universal framework sufficiently flexible to hold all particularities or should one work with a plurality of related frameworks? When talking about specific issues or situations, the need for different frameworks that reference local problems and local knowledge is obvious. But when we are talking about justice as moral norm, as a value almost everyone believes important, we are referring to a moral criterion that is transportable, that is, to a "theory." Of course how the specifics of justice are understood vary. However, it is my contention that its main characteristics—care, reconciliation, and tenderness rooted in the value of all life—are never expendable since they are intrinsic to humanity. Though the humanity enfleshed and existing in every one of us in no way negates diversity and particularity, our shared humanity points to the need for consensus when it comes to intrinsic human values.[29] These shared understandings—in this case about justice—do not preclude moral choice of each person but rather depends on it. However, we do question the liberal understanding of freedom and liberty that promotes the moral choices of isolated individuals instead of considering moral choice as intrinsically social, related in conceptualization and effects to the social contexts in which they occur. In other words, making moral choices not grounded in social considerations may be an individual's right but such choices are to be respected only in so far as they do not impede the shared understandings that guide the moral choices of the community or society.[30] Furthermore, individualistic moral choices (in contrast to those that are social), just because they are the choices of a given individual, do not have to be considered in consensus-building processes regardless of their content. Distinguishing between moral choices that can contribute to building a consensus and moral choices of individuals that do not is not such a difficult task if common sense and human intuition guide the process of consensus-building, that is, of coming to shared understandings.

Solicitude: A Virtue of Sociality

Justice as right-relationships and as the recreation of bonds among persons and among communities shift the focus from protecting the rights and merits

of individual persons to considering the rights of all—of each and everyone—within the context of the rights of the community at large. The language of "solicitude" expands and deepens the social aspect of justice by bringing into the picture the sociality of all persons. There is a radical shift when solicitude is introduced into the discussion since it centers not on ideals or principles—like utility or merit do—but on persons within the context of communities, societies, and nations. Focusing on solicitude makes it possible to place at the center of justice the self and others who are and understand themselves as members of a community. I use "solicitude" instead of "responsibility" to highlight affectivity and reciprocity.

Solicitude refers to care for someone or something and indicates incumbency. Solicitude for others has to do with earnest concern for and kindness toward others. Incumbency involves the duties one has because of one's office or because of the demands others' rights place on one. No matter which of these connotations is used, solicitude or care always has an object to which it is extended. Not to care means that one is not interested or touched by something or someone. Even when our own selves are what we care or do not care about, the self is considered in this circumstance as someone to whom we direct our attention "from the outside." To be solicitous, then, is to show interest, concern, attentiveness, consideration, and kindness to others.

Solicitude or care emerges from at least three different preoccupations. First, "I *care* for someone if I feel a stir of desire or inclination toward him [*sic*]. In a related sense, I care for someone if I have regard for his [*sic*] views and interests."[31] I also care if I am "charged with the protection, welfare, or maintenance of something or someone,"[32] as in the care of an elderly relative for whom I am responsible. But this last understanding of care is included in the understanding of solicitude I am using only if it is based on the previous ones.

In the case of justice the object of care—the other—is the oppressed, the person who suffers injustice. There are several reasons, all of them interrelated, for focusing solicitude on the oppressed. First, one of the most important elements of solicitude is to preserve, promote, and/or enable the moral agency of the object of one's care. Even in situations where caring implies taking responsibility for the other, that responsibility is always limited by the person's ability to take care of her/himself. This is the reason one has to take into consideration how the oppressed understand their reality. Second, to start with consideration of the oppressed is rooted on the option for and the hermeneutical privilege of the oppressed. This option and privileging is based, not on their moral goodness or moral superiority, but rather on the fact that they know injustice—apprehend it, shoulder it, and work to change it—and their perspective of how to struggle against it is most valuable.[33] It is because they have little or nothing to protect in the present situation that the oppressed are better capable to see alternatives, to see other possibilities. If injustice exists it is because some of us benefit from it, including those of us who write and lecture about justice. Those who proposed theories about

justice—we are vested in the status quo and are less able to see the injustice we sustain by our choices and ways of life. Knowingly or unknowingly we protect our privileges and advantages. The struggle for justice, therefore, has to hermeneutically privilege the oppressed who have little or nothing to protect in the present situation.[34]

Another reason for starting with the oppressed has to do with the sociality of all human enterprise, including the elaboration of theories and strategies regarding justice. I believe this sociality requires dialogue in coming to determine the understanding of justice that is normative in society. Knowing reality, knowing what is just, is not an isolated process but a communal process. All three moments of our knowing reality—apprehending reality, taking responsibility for reality, and changing reality—include, relate to, and have an effect on others. Since justice is a basic and central value of society, this governing societal understanding has to include the reality of as many persons as possible. The inclusion of different understandings of reality is achieved through dialogue.

All theories of justice respond to the stance of the person elaborating the discourse and, I believe, it is most likely either a "justification of our privilege or [if we are oppressed] a reinforcement of our oppression."[35] Also, any understanding of justice is "distorted through its own partial rootedness in structures of oppression."[36] The only possible partial corrective for this distortion and the incompleteness of all theoretical elaborations is dialogue with the oppressed.[37] Why with the oppressed and not with the oppressor? One could indeed appeal to the sociopolitical reality of the vast majority of humankind as the reason for privileging the oppressed. However, I believe this is an "external" reason for privileging the oppressed. I want to argue for the hermeneutical and epistemological privilege of the oppressed as an "internal" reason, as a methodological issue: precisely because we need to remedy the distortions caused by our finitude, incompleteness and rootedness in oppression, dialoguing with the oppressed is the best way (the only way?) to do so.

Solicitude, as sentiment, attitude, and action, emerges as a response to injustice when we listen to the voice of the oppressed. Some talk about mercy, compassion, or empathy as the needed response to injustice but none of these include reciprocity, which indicates participation and self-definition on the part of the oppressed in the process of defining and creating justice.[38] Solicitude is centered on the object of one's care and, therefore, respects the moral agency of the person to whom it is addressed. Mercy, compassion, and empathy focus on the one who has such sentiment while solicitude is about the other. This is why without solicitude as an ethical way of being and acting, we cannot sustain solidarity, relationships, an operating sense of social ontology, or justice. Solicitude is what allows us to meet the other and take into consideration the well-being of the other for her/his sake as much as for our own. Solicitude demands that we know the reality of the situation of those we care for, that we apprehend their reality in such a way that it "disturbs" our own reality.

Reconciliation—Taking Care of What Has Been Torn Asunder

If the starting point of justice is the injustice that so many suffer in our world, then the goal of justice is to rebuild what has been torn asunder and to create a new order of relationships as basis for human flourishing, liberation, and fullness of life. Justice is about creating shared understandings that become normative for all.[39] This is what we call reconciliation.

The work of reconciliation is a humble process, a road to be traveled together, one step at a time, by those engaged in creating a new order of relationships. Reconciliation does not consist in unveiling preconceived or old answers. Instead, the work of reconciliation projects itself into the future, opening up and concentrating on possibilities. It is not a matter of repeating or of limiting oneself to the past. Reconciliation is about a plurality of truths, a plurality that creates possibilities, that roots human freedom and makes choices possible. These rich possibilities propose and demand common, responsible choice and not control of the situation. It is not a matter of absolute certainty or guaranteed success before taking any step. Responsible choice recognizes that what one chooses is but *one* way to proceed, that it is the best possible way to proceed given the present situation and the understanding the group or community has of it.

There is no process of reconciliation possible if moral responsibility does not focus on responding to others in order to establish and maintain reciprocity, which in turn redefines the concepts of autonomy, self-reliance, and self-definition. The work of reconciliation focuses on responsibility as

> participation in a communal work, laying the groundwork for the creative response of people in the present and the future. Responsible action means changing what can be altered in the present even though a problem is not completely resolved. Responsible action focuses on and respects partial resolutions and the inspiration and conditions for further partial resolutions… [by ourselves] and by others.[40]

The work of reconciliation requires those who have been apart from and opposed to each other to accept that risk, ambiguity, and uncertainty are part of the process. It demands a commitment to reciprocity, to opening possibilities together even if they may never become a reality. All this is over and above desires for tangible changes.

Reconciliation forces one to accept that we all have been, at some point in our lives, oppressors and exploiters. This helps understand that good intentions are not enough. To move away from oppression one must engage in moral actions that require risking-taking steps together, being accountable to each other, and participating in a process that concentrates on the future precisely by working to alter the present. Reconciliation as moral action makes it clear that healing the rifts that divide people cannot be incidental to one's

life. Reconciliation is essential to being a human being, a responsible person, a person fully alive: it is an everyday affair, a style of life.

Reconciliation in any situation of oppression is the only just way to proceed. It is the only way to embrace the responsibility we all have for our relationships, for our communities, and for our nations. The only way to participate and to contribute effectively to the future of our world is to suggest and explore possibilities together with those we have oppressed or who have oppressed us. Reconciliation is the only way to proceed with all sides recognizing that reality always transcends what is just now and that the future cannot be a slavish repetition of the present or of the past. Reconciliation is the only way to come together to discover shared understandings and to create possibilities for a common, inclusive future that is life-giving for all.

From an ethical perspective reconciliation is a virtue, a personal virtue. As such, reconciliation is not only a value but also a praxis: a way of acting in a conscious and reflective way. One has to work at it in order to become a good practitioner of reconciliation. Virtues are not themes to be elaborated in eloquent speeches but rather practices: a way of living. To be good at the virtue of reconciliation one has to understand it and also practice it. Virtues involve the disposition and actual competence to accomplish moral good: the virtue of reconciliation includes actual reconciling behavior. From an ethical perspective, to practice the virtue of reconciliation one has to work in a concrete and effective way to bridge the rifts created by prejudice and discrimination or by diversity of experiences, worldviews, and values. The virtue of reconciliation, like any other virtue, requires working at it so it can become a habit, the regular way of relating to others. In turn, as reconciliation becomes a regular way of relating, it also becomes a stable disposition of the person. One has to find effective ways of working at reconciliation even if the results are only limited, even if it involves only a few people, even if all it accomplishes is merely to strengthen one's resolve and provide new perspectives regarding the work of reconciliation. It is obvious, then, that reconciliation cannot exist unless we are in the process of reconciling ourselves to others from whom we are estranged.

Reconciliation is also a social virtue. Humans are social beings and as such live as members of various communities—family, workplace, neighborhood—that come together to form institutions and organizations. Unfortunately, because we are human, it is also true that we fail repeatedly to be in right-relationships; we make mistakes; we create animosity and enmity. In this sense human beings live in tension: we depend on others and must be responsible to them while also desiring complete autonomy to the point of becoming selfish and turning against others. Reconciliation imposes the duty to overcome what separates us and makes us turn one against another. Not to work at overcoming rifts is a betrayal of the fundamental human characteristic of sociality and, therefore, detrimental to all of humanity.

True reconciliation necessarily arouses shared feelings and leads to joint action. Reconciliation involves building a common programmatic vision, and this can be done only through dialogue.[41] In authentic dialogue the parties

involved seek not to convince one another or to move the other to one's own perspective. The focus instead is to forge together a shared point of view that grounds a program of action. For dialogue to happen, one has to embrace an understanding of differences that does not focus on what separates, excludes, and sets us in opposition, but rather what each one brings to the table; that is, the resources from which those dialoguing can draw to conceptualize the future and begin to create it.

Such an understanding raises questions about what to do with personal values. A call to true dialogue and reconciliation is not a call to betray them but to recognize that the same values can be actualized differently in diverse circumstances. Sometimes through the process of dialogue one comes to know that what originally were seen as contradicting values are simply different but not opposed. It often happens that personal insecurity makes one incapable of seeing what could well be considered positive in the values held by others. Of course there are values and counter-values. Some values directly oppose or work to diminish others. This must not be ignored. However most of the time, I contend, there are more areas of similarity than of dissimilarity. Commitment to dialogue makes us become experts in finding similarities—areas of agreement, joint understandings, and common visions about the future.

Understanding, appreciating, and learning from realities, experiences, and worldviews of different persons, communities, and nations, is essential to the process of reconciliation. We are linked to others no matter how dissimilar we may be for in our world today no person, community, or nation can live isolated. Shared interests exist in the "globality" we live today.[42] We do not need to invent them. We do need, however, to recognize shared interests by acknowledging the infinite number of ways in which we are interconnected with people who live far away as much as with those who are nearby.

The dialogue needed for reconciliation starts with believing that we all have something to contribute to a common future. Second, we have to learn to see reality, as much as possible, from the point of view of others. We are called to decentralize ourselves and not only to understand the perspective of others but also to learn to see what is positive in their understandings, how their understandings can enrich us. It is not easy to build a programmatic worldview based on shared understandings of history, the experiences of everyday life of people who live in very different circumstances, and our own dreams and expectations about our world. A programmatic worldview also has to take into consideration those who are not at the table. Therefore, it has to remain open to developments, to new possibilities, because it is not about some predetermined future based on ideological considerations or the power of a few but about a common historical future.[43]

Reconciliation will not happen easily. Often it seems impossible even to get those with whom we seek to be reconciled to come to the table. The process of reconciliation involves more than one party. Therefore, those with whom we are trying to be reconciled have to accept that reconciliation is needed. Perhaps the key is to make those we need to be reconciled with

understand that one does not seek to convince them that they are wrong. What we seek is a true dialogue that will move us jointly to a place we create together. Reconciliation requires a radical conversion on the part of all involved. It does not endorse, promote, or is based in an understanding of cheap grace in the sense of only "fixing a few things" and then declare that reconciliation has been accomplished.

Reconciliation is a very specific way of acting out "solicitude" when it comes to justice. It is a process that takes into consideration the poor and the oppressed, that starts with their cries and concerns, and that respects what they have to contribute to the creation of a sense/understanding of the common good. It is precisely a strong sense of solicitude that introduces into the process of reconciliation the possibility of solidarity, of coming together and being together not just to solve this or that problem but to live together in communities, villages, towns, cities, and nations bent on the flourishing of humanity.

Tenderness—Keeping Solicitude and Reconciliation Moving Forward

To bring about reconciliation—justice—dialogue has to be kept alive and moving forward. It takes constant vigilance to keep focused on the community involved in the process and the shared understandings of the community—the common good—acting always out of the sociality that binds or should bind the group together. It takes constant vigilance not to be absorbed by self-interest and protecting one's interests, and not to become selfish, haughty, and overbearing. Tenderness, I believe, is indispensable to make us act out of our best selves in the process of dialogue. Tenderness affects the quality of our solicitude and the personal disposition that moves us as we seek reconciliation. Tenderness is an attitude that influences how we apprehend reality, take responsibility for it, and work with others to change it. It makes us sensitive to others and pushes us to respond with solicitude. Our tenderness touches those we deal with but it also touches us. Discovering one's ability to be tender brings a realization of the value of vulnerability. Tenderness makes it possible to realize the need we have of others, without which we are incapable of entering into dialogue, reciprocity, and right-relationships.

Introducing tenderness into a theory of justice rescues the importance of emotions in our humanity and, therefore, in ethics. Emotions are sensations, perceptions, or thoughts "with a rich intentional content. . . ."[44] Emotions are a state of consciousness, a way of knowing and of being. Emotions are a type of cognition, a way of knowing, for they affect the way we apprehend reality and take responsibility for it. That "elaborate calculation, . . . computation, or even reflexive self-awareness" are not part of emotions does not mean that they should not be considered part of our intellectual function.[45] This understanding of emotions rejects the more common view that they are unreasonable, unthinking energies that simply push the person around, without being

hooked up to the ways in which one comes to know reality.[46] The fact that emotions "take place in a living body does not give us reason to reduce their intentional/cognitive components to nonintentional bodily movements."[47]

As cognitive functions involved in coming to know reality, emotions have content. They are not unspecific or diffused but have an object in sight. Furthermore, the object of one's emotions is intentional, that is to say, "it figures in the emotion as it is seen or interpreted by the person whose emotions it is. Emotions are not *about* their objects merely in the sense of being pointed at them.... Their aboutness is more internal, and embodies a way of seeing."[48] This aboutness is part of the emotion's identity, the way the object is apprehended, what differentiates ruthlessness from tenderness, for example. Emotions have to do with what one comes to know about an object or a person.

Since emotions have to do with how one knows reality they are not apart from ethics and morality. The relevance of emotions for our moral life also has to do with the role value plays in them. "The intentional perceptions and the beliefs characteristic of the emotions... are concerned with *value*, they see their objects as invested with value and importance."[49] Moreover, "the value perceived in the object appears to be of a particular sort. It appears to make reference to the person's own flourishing. The object of the emotion is seen as *important for* some role it plays in the person's own life."[50] The object of the emotion has importance in and of itself and it also has importance for the person's ends and goals, for "the person's flourishing."[51] Emotions, then, include judgments not as external but as constitutive elements and these judgments are shaped by the goal of one's life. The information emotions provide are part not only of apprehending reality but also of taking responsibility for reality and of changing reality.

In short, emotions are

> intelligent responses to the perception of value. If emotions are suffused with intelligence and discernment, and if they contain in themselves an awareness of value or importance, they cannot... be sidelined in accounts of ethical judgment. Instead of viewing morality as a system of principles to be grasped by the detached intellect, and emotions as motivations that either support or subvert our choice to act according to principle, we will have to consider emotions as part and parcel of the system of ethical reasoning. We cannot plausibly omit them, once we acknowledge that emotions include in their content judgments that can be true or false, and good or bad guides to ethical choice.[52]

Emotions, then, are part of the workings of the mind. They are "vital signs or signals from myself to myself" that contain information, shape how I process that information, contribute to shape what I think, and contribute to how I will respond in the future.[53]

Lack of emotional response leads to moral impairment. It is my contention that in the case of justice, without emotional response, without tenderness, one cannot "really feel the moral imperative or oughtness of the rules"

as part of one's own reactions. Without emotions one does "not feel the emotional 'mustness' or demand of conscience, nor... [does one] feel anxiety or fear over possible transgressions."[54]

If it is true that reason judges and tutors emotions, it is also true that emotions need to test and tutor reason. This leads to a moral life in which emotions, thoughts, and decisions are integrated into a whole. We have paid little attention to the role of emotions in ethics and morality to the detriment of our integration as full human beings. Many times our struggles for justice have fallen short precisely because we have not paid attention to tenderness in dealing with those who suffer injustice, a tenderness that can motivate and sustain us *en la lucha* simply because tenderness in our dealings with others "spark[s] moral indignation... [and] new moral visions of liberation."[55]

Without tenderness there is no possibility of solicitude. Solicitude without tenderness does not include or lead to shared understandings about reality. Without tenderness, solicitude deteriorates and offers at best temporary "solutions" that have no staying power. Solicitude without tenderness is a doing, instead of a way of being, that is hard to sustain over time. When justice is grounded in tender solicitude, it becomes intrinsic to who we are. Only then can it have the lifelong staying power that is needed in our world.

Concluding Appeal

To move beyond the tragedy of September 11 bold new proposals are needed. The understandings that prevailed on 9/11 that sustained private and public, civil and political institutions and organizations, obviously have not served us well. Those understandings (or their prevarication), in many ways, led us to create and sustain situations of injustice that sparked by violence turned into disastrous situations the world over. Yes, justice that focuses on fairness decided by the few, equality of pay but not of opportunity, merit of the few who start ahead of the rest—this understanding of justice has not served us well.

If we are to survive first we must recognize the deep divisions that we have created out of our human weakness. Then we must build bridges over the many divisions that flame enmity, vengeance, violence: injustice. The task ahead is the task the human race has had always: to come together, to be our sister and brother's keeper, to care for the earth, to protect and be solicitous about the vulnerable, to be in right-relationships with self, the other, all species, the biosphere. To break the chains of injustice and oppression and build the bonds of right-relationships—that is what justice is all about. And that we will do only if we engage in a reconciliatory praxis of care and tenderness.

Notes

As a Latina living in the United States of America, I am a member of a marginalized and minoritized group. I write as a Latina *mujerista*, engaged in a praxis

that uses as its starting point Latina's multiple oppressions—ethnic prejudice and discrimination, sexism, classism—and has as its goal our liberation and that of all oppressed peoples.

1. Injustice is the act committed or the situation sustained by the oppressor. Oppression refers to the results of injustice: it refers to the experience of those who suffer injustice.
2. Iris Marion Young, *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990), 39–65.
3. Human flourishing, liberation, and fullness of life, encapsulate what I consider is the central moral concern. I understand human flourishing, liberation, and fullness of life to be intrinsically related to the life and flourishing of all species and the biosphere, which I believe have intrinsic value in and of themselves. My attempt is to reach beyond freedom, prosperity, equality, equity, and all other considerations usually associated with justice, and to set human flourishing, liberation, and fullness of life as the necessary framework for justice. Human flourishing, liberation, and fullness of life are possible only through right-relationship with nature, other-than-humans, other humans, and the self. Here I draw from Rebecca Todd Peters's considerations regarding the *telos* of humanity and human flourishing. See Rebecca Todd Peters, *In Search of the Good Life: The Ethics of Globalization* (New York: Continuum, 2004).
4. I follow Roger Shinn's understanding that in the twenty-first century we face many forced options. Of course, as he indicates, this has always been so. The great difference is that as we move ahead in history, indecision and delay, whether born out of ignorance, apathy, or ruthlessness, can be criminal causing irreparable damage and even death. This brings great urgency to ethical understandings and practices. See Roger Shinn, *Forced Options: Social Decisions for the Twenty-First Century*, Third Edition (Cleveland, OH: The Pilgrim Press, 1991).
5. Dorothy Emmet, *The Moral Prism* (New York: St. Martin's Press, 1979), 3–7. I am influenced by Emmet's discussion of the integration of means and ends, of how the means impinge on the ends and can even change the latter ones.
6. These three characteristics of knowledge plus the fourth one introduced later are taken from Otto Maduro, *Mapas para la fiesta: reflexiones lationoamericanas sobre la crisis y el conocimiento* (Buenos Aires: Centro Nueva Tierra para la Promoción Social y Pastoral, 1992), 136–138. The elaboration of the elements and linking them to Ellacuría's schema that follows is my own.
7. Others translate "*hacerse cargo de la realidad*" as realizing the weight of reality. Kevin Burke, *The Ground beneath the Cross: The Theology of Ignacio Ellacuría* (Washington, DC: Georgetown University Press, 2000), 100.
8. This elaboration is based on the work of Ignacio Ellacuría, martyred in El Salvador in 1989. It is influenced by critical philosophy's insistence that knowledge is for the sake of changing reality. Ignacio Ellacuría, "Hacia una fundamentación del método teológico latinoamericano," *Estudios centroamericanos* 30, no. 322–323 (August–September 1975): 419.
9. Ibid., 421.

10. More about experience as the starting point of theory in a few paragraphs.
11. As I was writing this essay I saw an interview on television of a Cambodian woman, about my age, who cooks every day for a household of 11 persons. At one point she said, "I always am thinking about food." I believe she has to think about food every minute of the day precisely because I do not have to think about food hardly at all; certainly I never have to worry about having enough food.
12. Antonio Gramsci, *Prison Notebook*, ed. and trans. Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1975), 5–23, particularly 9–14.
13. This is the fourth characteristic of all knowledge presented by Maduro, *Mapas para la fiesta*, 137.
14. Ellacuría, "Hacia una fundamentación del método teológico latinoamericano," 421.
15. Otto Maduro, *Religion and Social Conflicts* (Maryknoll, NY: Orbis Books, 1982), 27–29.
16. I prefer to use "rational" to "logical" because logic has often been reduced to a syllogistic way of thinking, which is solely intent on exactitude and not on the social and historical conditioning of all truths.
17. Carol Robb, "Introduction," in *Making the Connections: Essays in Feminist Social Ethics*, ed. Beverly Harrison (Boston, MA: Beacon Press, 1985), xv.
18. My understanding and use of common sense is influenced by Clifford Geertz, "Common Sense as a Cultural System," in *Local Knowledge*, ed. Clifford Geertz (New York: Basic Books, Inc. Publishers, 1983), 84ff. Also I am indebted to Martha C. Nussbaum's use of "human intuition" throughout her book, *Women and Human Development: The Capabilities Approach* (Cambridge, MA: Cambridge University Press, 2000). I am *not* using the differentiation Gramsci makes between "common sense" and "good sense," in which he sees common sense as more negative than positive. See, Gramsci, *Prison Notebook*, 323–377.
19. Robb, "Introduction," xv; Harrison, *Making the Connections*, 250.
20. For an elaboration of how I reconceptualize differences see, Ada María Isasi-Díaz, *JUSTICIA: A Reconciliatory Praxis of Care and Tenderness* (Minneapolis, MN: Fortress Press, 2009).
21. Young, *Justice and the Politics of Difference*, 100.
22. Ibid., 101.
23. Ibid., 4.
24. Even the subjectivity of scientific experimentation has been exposed. See, Thomas Kuhn, *The Structures of Scientific Revolutions,* Third Edition (Chicago, IL: Chicago University Press, 1996).
25. Young, *Justice and the Politics of Difference*, 105.
26. Jodi Dean provides insights into how discussions on justice must take into consideration those who are not present to represent themselves by reaching conclusions that are not closed to new voices. See Jodi Dean, *Solidarity of Strangers: Feminism after Identity Politics* (Berkeley, CA: University of California Press, 1996).

27. Young, *Justice and the Politics of Difference*, 105.
28. Cf. Nussbaum, *Women and Human Development*, 34–58.
29. I believe that reconciliation is precisely the process we need to engage in to reach consensus, to discover and agree on the shared understandings—the common good—by which we will rule ourselves.
30. An example might be helpful here. When apartheid was dismantled in South Africa and Nelson Mandela was president, many wanted to seek compensation or reparation for the many evils they had suffered. Though Mandela and Archbishop Desmond Tutu, the leaders of the new South Africa, did not oppose reparations, their focus was reconciliation. Even if they were heavily criticized for not focusing on compensation for the victims, they remained set on reconciliation and did not allow the personal rights of those who sought compensation to influence the goal of the nation at large. Again, they did not oppose compensation but they believe that the common good of South Africa hinged on the ability of the people to move ahead instead of concentrating on the past. Honoring the need to make the truth about the past known they nevertheless kept their eyes on the future, which they believed required forgiveness and reconciliation and not compensation as the main focus. See, Desmond Tutu, *No Future without Forgiveness* (New York: Doubleday-Random House, 1999).
31. Nel Noddings, *Caring: A Feminist Approach to Ethics and Moral Education* (Berkeley, CA: University of California Press, 1984), 9.
32. Ibid.
33. I am claiming not only that the oppressed are better able to see a different future but that they are in a position that makes it possible for them to do so. However, I am aware and agree with the fact that those of us oppressed have a very difficult time understanding reality—including ourselves—in ways different from the oppressors. The subaltern can speak in her own voice but with difficulty and after much effort and only if she has community support and is willing to risk limb and life.
34. José Míguez Bonino, "Nuevas tendencias en teología," *Pasos* 9 (1987): 18–23.
35. John O´Brien, *Theology and the Option for the Poor* (Collegeville, PA: The Liturgical Press, 1992), 136.
36. Ibid., 137.
37. Besides what has been said earlier about knowingly or unknowingly participating in and benefiting from situations of oppression, one needs to recognize that many of us who engage in justice-talk, particularly those of us who belong to marginalized communities, have firsthand experience of injustice. This means that, most probably, many of us are oppressed as well as being oppressors, moving between these two poles almost constantly. Even those of us who suffer oppression, since we are also at times oppressors, need to engage in dialogue with the poor and the oppressed.
38. See Jon Sobrino, *The Principle of Mercy: Taking the Crucified People from the Cross* (Maryknoll, NY: Orbis Books, 1994).
39. See the discussion on "radical subjectivity," "shared understandings," and "universals" in the first section of this essay.

40. Sharon Welch, *A Feminist Ethics of Risk* (Minneapolis, MN: Fortress Press, 1990), 68.
41. See the first section earlier regarding "process."
42. By "globality" I simply mean the reality of the interconnections at all levels that exist in our world today, which includes enslaved local cultures and histories. I distinguish this from globalization, which adds to globality an exploitative ideology. I heard this term used by Franz Hinkelammert years ago. Walter Mignolo has a similar concept that he names "mundalización," the word in Spanish equivalent to globality. See Walter D. Mignolo, *Local Histories/Global Designs: Coloniality, Subaltern Knowledges, and Border Thinking* (Princeton, NJ: Princeton University Press, 2000), Ch. 7.
43. Aloysius Pieris, *An Asian Theology of Liberation* (Maryknoll, NY: Orbis Books, 1988), 24–31.
44. Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge, MA: Cambridge University Press, 2001), 60. Here I follow the study of emotions by Nussbaum because of its completeness, and because it weaves philosophical and psychological views of emotions with ethical and moral perspectives.
45. Ibid., 23.
46. Ibid., 24–25.
47. Ibid., 25.
48. Ibid., 27.
49. Ibid., 30.
50. Ibid., 30–31.
51. Ibid., 31. Nussbaum makes an important distinction when she comes to the role emotions play in one's goals and ends. She uses the Greek word *eudaimonistic* instead of its English spelling "eudaemonistic" for the Greek word is not limited to happiness or pleasure as the supreme good. This notion of human flourishing, of fullness of life, is inclusive of all that imparts intrinsic value in the life of a person and which are "not all valued simply on account of some instrumental relation they bear to the agent's satisfaction. This is a mistake commonly made about such theories, under the influence of Utilitarianism and the misleading use of 'happiness'..." as the only supreme good. See Nussbaum, *Upheavals of Thought* 31, footnote 23 and page 32.
52. Ibid., 1.
53. Sidney Callahan, *In Good Conscience: Reason and Emotion in Moral Decision Making* (San Francisco, CA: Harper Collins Publishers, 1991), 103–105.
54. Ibid., 107.
55. Ibid., 132.

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13

Known Unknowns: How Philosophy Has Responded to Fear of the Post–9/11 World

*Liam Harte**

> The whole game of history and power has been turned upside down, as have the conditions of analysis. One must take time to reflect. As long as events were standing still, one had to anticipate and outrun them. But when events accelerate so much, one has to slow down—without becoming engulfed in a jumble of words and in the clouds of war, and without losing sight of the unforgettable flash of images.[1]

Can a field as unhistorical as philosophy say anything worthwhile about 9/11, which has been described as not merely historic but world-historical? Giovanna Borradori raises this question in the introduction to her book of interviews, conducted only weeks after the event, with philosophers Jürgen Habermas and Jacques Derrida. As she notes, even Aristotle suggests that philosophizing is out of place in such times.[2] He calls poetry more philosophical than history, because it makes universal claims about "what such or such a kind of man will probably or necessarily say or do," while history makes particular ones about "what, say, Alcibiades did or had done to him."[3] The sense that 9/11 was in some way unprecedented—the sense that "everything changed" on that date—certainly makes this view attractive; but, historians being quite as capable as poets or philosophers of making generalizations, it cannot be entirely correct. Borradori turns to G. W. F. Hegel, who coined the notion of a world-historical event, to prove that "nothing is more philosophical than history."[4] Even did this not strike

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me as an overstatement, I would venture that one can explain the differences and the similarities between the philosophical and the historical approaches without recourse to Hegel's enigmatic and controversial theories. When one considers the ends of the disciplines of philosophy and history, the relevance of philosophical reflection to events—world-historical or otherwise—comes into focus.

Insofar as both are meant to make our experience of reality better intelligible, philosophy and history travel alongside each other. Their courses diverge because they aim to illuminate different aspects of experience. Historical claims must always refer at least indirectly to some actual event, and hence historians are prone to make many particular claims. Yet the distinction between history and philosophy runs deeper than that. Historians must seek to document their claims about what has happened, which is to appeal to a kind of perception. This is to say that history is a form of investigation, which in turn is to say that it is a way of providing proof by, as E. R. Emmett aptly puts it, "going and seeing." Investigation is thus distinct from speculation, or "sitting and thinking."[5] Isaiah Berlin draws the same distinction, but descries two kinds of investigation.

> The history of systematic human thought is largely a sustained effort to formulate all the questions that occur to mankind in such a way that the answers to them will fall into one or other of two great baskets: the empirical, i.e. questions whose answers depend, in the end, on the data of observation; and the formal, i.e. questions whose answers depend on pure calculation, untrammeled by factual knowledge.[6]

There is, however, an "intermediate basket, in which all those questions live which cannot easily be fitted into the other two," and "[s]uch questions tend to be called philosophical."[7] Because philosophy is essentially speculative, its claims need refer only to the structure of concepts that allows one to make sense of events (or of anything of which one can conceive as existing). But, while this fundamental distinction between philosophy and investigative disciplines such as history makes it comprehensible why philosophers will be prone to make universal claims, every investigative question raises questions that belong in Berlin's third basket. So, as my epigraph from Baudrillard suggests, even the least philosophical historians must at some point sit and think in order to gauge the significance of what they have gone and seen.

This, then, is my answer to the question about what philosophy can say about the ghastly particularities of 9/11: every attempt to understand them historically assumes some philosophical standpoint. But, having (pace Emmett and Berlin) sat and seen documents of 9/11—"the unforgettable flash of images"—over and over again, one must go and think about them. We sit and see because these times, by way of the media, drench us almost unavoidably with historical particulars to which, until 9/11, most of us were indifferent and behind which loom the iconic ruins of the World Trade Center. One common reaction is inchoate fear, giving rise to the question: will it happen

again? Historians, along with government officials, military personnel, journalists, bloggers, and others can make predictions, but the strangeness and relentlessness of so much of the information that one must assimilate in order to understand those predictions in the first place can make it difficult to feel anything but diffidence in the face of the future. The rest of this essay is concerned with how we philosophers, the professional speculators, have reacted to the times that 9/11 inaugurated. I shall suggest that very little has changed besides the selection of topics about which we philosophize. Both the continuity and the change, I believe, bespeak our commitment to making experience intelligible at the conceptual level. By trying to make the unknown known, by offering a place to go and think, philosophers can do their part to help overcome the fear that came in the train of 9/11.

Not everything to do with philosophy is speculative. Some things can be corroborated empirically, one of which is an obvious change in the philosophical world that is credibly attributable at least partly to 9/11: philosophers are publishing more work about violent political terrorism than ever before. The main record of philosophical publications is *The Philosophers' Index*. From its inception in 1940 up to and including August 2001, the *Index* shows 89 publications that have the term "terrorism" as a subject keyword; but from September 2001 to 2008, the number (at time of writing) is 410.[8] Such a huge increase seems unlikely to be a coincidence, even allowing for some duplication in records and the fact that a fair number of items make little reference to terrorism.[9] From the onset of the "modern" period of terrorism (about 1968) to 9/11, only a handful of prominent American philosophers—notably Kai Nielsen, Abraham Edel, Carl Wellman, Virginia Held, Michael Walzer, and Haig Khatchadourian—produced anything at all; and, of them, Khatchadourian alone produced a book-length study.[10] Since 9/11, it seems as though everyone has become interested in the topic, but the extreme increase in publications on terrorism has not, as far as I can tell, been accompanied by any comparable transformation in philosophical technique.

One should probably expect continuity from philosophy rather than sudden or drastic change. Western philosophy has been around for 3,000 years, so the techniques that philosophers employ in the service of making our experience intelligible are well developed enough not to be altered significantly by any single event, no matter how remarkable. Broadly speaking, the great tradition of Western philosophy that enshrines those techniques falls into two little traditions, known as "analytical" and "continental."[11] The former is dominant in the English-speaking philosophical world and the latter dominant outside it, though each has significant outposts in the other. Each little tradition is composed of "littler" ones, which comprise the various schools of thought—and many, perhaps most schools of thought are yet further subdivided by political, religious, or such like considerations. So, when I say that the swollen river of post–9/11 philosophical literature on terrorism offers no evidence of any change in technique, I mean that one who looks will find the various schools of thought applying to this subject the same theories that they were applying both to it and to other matters long

before 9/11. (I crave the reader's indulgence for a while, because supplying examples unavoidably requires the use of jargon that I have not the space to unpack.) On the continental side, we find, for instance, applications of Michel Foucault's post-structuralist genealogies of power relations, often with reference to his notions of "the care of the self" or of biopolitics;[12] considerations of what 9/11 and the war on terror might mean in light of the theories of Foucault's existentialist forebears, Jean-Paul Sartre and Albert Camus;[13] an interpretation, in terms of Martin Heidegger's early hermeneutic phenomenology, of fanaticism and terrorism as inauthentic modes of existence that allows a direct comparison of al Qaeda to Nazi Party;[14] a response to 9/11 as a continuation of the mature Heidegger's preoccupation with the poetry of Friedrich Hölderlin;[15] and the autodidacticism of prominent philosophers such as Derrida, Habermas, and Baudrillard.[16]

From hence, I shall leave aside the continental tradition and concentrate on the contribution of analytical philosophy. This is largely because, with one important class of exceptions, continental philosophers have so far responded much less comprehensively to 9/11 than their analytical cousins.[17] This may be because the brunt of 9/11—both the shock of the day itself and the response to it—has been sustained by the United States, the leader of the English-speaking world and, perforce, the leader in analytical philosophy today. Whether my conjectures are correct or not, though, it is certainly the case that analytical philosophy has applied its paradigms to 9/11 much more intensively than continental philosophy, and began doing so a good deal earlier.

Igor Primoratz, a prominent analytical philosopher, identifies two basic philosophical questions regarding terrorism. First: what is it? Second: is it ever morally justifiable?[18] (For short, I shall call these the "ontological question" and the "normative question," respectively.) Analytical philosophers spend almost all the time that they discuss terrorism in trying to answer some version of one or the other. There is nothing either new in the distinction or unique to discussions of terrorism. Many philosophical issues can be, and have been, distinguished into these two dimensions. The ways in which analytical philosophers go about answering them—and, for that matter, the answers that they give—have a comforting familiarity. Answers to the ontological question almost invariably take the form of one of two kinds of analysis of the idea of terrorism, intended to give illuminating descriptions of the phenomenon. On one hand, the idea can be broken down into necessary and jointly sufficient conditions—that is, putatively complete lists of conditions that must be satisfied for it to be true to say, for instance, that "X is a terrorist." On the other, accounts can be given of the "family resemblances" between instances of what we tend to call terrorism, which is to say descriptions of general characteristics which many, but not necessarily all of them, have in common.[19] Most analyses of terrorism in either mode, though, are what I call "violence analyses," because they take violence to be a necessary or very nearly necessary condition for terrorism. Many violence analyses unite the ontological and normative questions, by positing that violence must be directed against persons undeserving of

such treatment, to make what might be called "violence-against-innocents" analyses.[20]

Analytical philosophers tend to look at the normative question from a moral perspective (instead of, say, a political one). For the most part, analytical ethics seeks justification of actions or practices in either "deontological" or "consequentialist" terms. While deontology seeks to judge actions and activities in terms of their inherent rightness or wrongness, consequentialism does so by considering the desirability of their plausibly foreseeable consequences.[21] One can interpret most of the literature that analytical ethics has produced since 9/11 with this in mind, but I would mention two lines of enquiry that have gained a new lease of life. First "just war theory," which traces its pedigree all the way back to St. Augustine, has been impressively reenergized (although it had already received a fillip from the rash of ethnic conflicts that disfigured the post–cold war world of the 1990s).[22] Second there has, unsurprisingly, emerged a considerable literature on ethical questions that are importantly related to terrorism. Particularly notable are the many essays about the justifiability of terrorism and of responses to it.[23] There has been a corresponding resurgence of interest in the justifiability of torture, and much of this literature takes off from the venerable "ticking-bomb case," which poses the question of whether to torture a terrorist whose information can help avoid catastrophe. Needless to say, it long predates 9/11.[24]

All that said, certain kinds of attempts to answer the ontological and normative questions offer evidence of a perhaps unconscious shift in analytical philosophers' interests. Where the ontological question is concerned, this evidence is to be seen most clearly in essays—of which, to date, there are not many—addressing the phenomenon of "the new terrorism"; where the normative question is concerned, in those addressing the issue of bioterrorism. As I see it, the shift, such as it is, consists in philosophers taking up issues that to date have been the domain of experts both inside and outside the academy, who have pursued what might broadly be called "counterterrorism studies."

If the philosophical academy did not produce much work about terrorism before 9/11, this is not to say that no one produced any philosophical work. Political scientists, for instance, often have had to answer the ontological question. Much of the earlier work of Paul Wilkinson, one of the most cited of these authors, expends much effort on it, his answer being that "[w]hat fundamentally distinguishes terrorism from other forms of organised violence is not simply its severity but its features of amorality and antinomianism."[25] He also displays awareness of the normative question, particularly where the response of liberal democracies to terrorism is concerned.[26] But he rarely explores such avenues very far before turning to the historical and psychological matters that really interest him, and in his approach to which he presupposes his own definitions without subjecting them to any philosophical critique. From the standpoint of analytical philosophy, this has regrettable results. The definition of terrorism quoted earlier, for example, suggests either ignorance of how to avoid begging moral questions when defining terms, or uninterest in avoiding it; for, nowhere in the context of the passage

does Wilkinson forestall obvious objections to his definition by proving that political terrorism *must* be amoral and antinomian. His definition may be right, but he gives us no philosophical reason to believe that it is.

The prime post–9/11 legacy of necessary but flawed philosophizing by counterterrorism experts is the philosophical reappraisal of the concept of "new terrorism." Emerging during the 1990s, it expressed the conviction that "old" terrorism was being displaced by a form that was—among other things—more deadly and inspired by uncompromising, often apocalyptic beliefs.[27] It is true that even some counterterrorism experts have argued that there is no such animal, by claiming that the alleged examples of new terrorism are continuous rather than discontinuous with the historical record.[28] Even if one takes it for granted that such refutations are correct, however, the fact that there has been no new terrorism to date does not and cannot prove that there never could be. Only philosophical work that tests the coherence of the concept of new terrorism with both itself and with the idea of "old" terrorism that it has supposedly displaced could do that. The most august names to have taken on this task so far are Primoratz and Tony Coady. Their efforts illustrate not just the way in which analytical philosophers are reclaiming the ontological question from counterterrorism experts but also the fact that, like everyone else, they slough off habits of deference to expertise only slowly and inconsistently.

Both Primoratz and Coady reach the conclusion that the notion of new terrorism is inadequate by using the premise that the term denotes terrorism that dispenses with what is known in just war theory as the pricniple of discrimination: namely, that certain persons should never be attacked. To the extent that they explicitly incorporate this moral principle, which is necessarily non-empirical, their arguments are clearly philosophical, even though each appeals to historical examples. Primoratz's argument is, in fact, relies very heavily on historical data. He argues that new terrorism came into being at some time between 1901 and 1926, when there was "a change of [terrorists'] target—those who were directly attacked by terrorists, who were killed or maimed, and whose homes and other vitally important property were destroyed by them."[29] In violation of the principle of discrimination, terrorists took aim at the whole citizenry, rather than at only those with power and responsibility, such as political and military leaders. Terrorism thus changed from "what would today be called 'political assassination'" to something that "does not discriminate between legitimate and illegitimate targets."[30] So, Primoratz accepts that there is new terrorism. He just thinks that it began emerging ninety years sooner than most counterterrorism experts do. Primoratz's contribution is a notable venturing of a philosophical piont against the statistics and field studies of the experts. At the same time, though, the fact that the preponderance of his case rests on historical claims bespeaks a lack of confidence in conceptual discussion alone to carry the day.

Tony Coady also does an admirable philosophical job, though still in historical garb. He considers Paul Gilbert's thesis—following Mary Kaldor—that "old" wars and "old" terrorism are bound up with a "politics of role" whereas new wars and new terrorism are bound up with a "politics of identity." (Here,

I shall leave aside the ideas of old and new war.) Terrorists who adhere to a role-politics respect the principle of discrimination. In contrast, identity-politicians, by virtue of the fact that they hold visionary beliefs and pursue unrealistic goals, invariably cry "Havoc!" and let slip the dogs of unlimited war. Coady finds "inherent confusions" in the ideas of old and new war and of old and new terrorism.[31] Like Primoratz, he provides historical counterexamples, by pointing out that much allegedly old terrorism has characteristics that Gilbert imputes to new terrorism. From the point of view of respecting the principle of discrimination, as well as their motivations or their tractability to negotiations, new terrorism is indistinguishable from old terrorism (or from old war).[32] The significance of these counterexamples, though, is not that they cast doubt on Gilbert's historical thesis, for Gilbert himself states that it is "wrong to think of old and new wars as clear historical categories."[33] Instead of simply opposing one historical thesis against another, Coady points to problems with the very concept of new terrorism lurking behind the historical claims made by not only Gilbert but, by implication, many other theorists of new terrorism. In short, Coady can reveal that Gilbert's "old-new" distinction, where terrorism is concerned, is nothing but a distinction between terrorist activity that respects the principle of discrimination and that which does not. However successful this endeavor is, it is nonetheless a striking reassertion of the importance of the philosophical treatment of fundamental conceptual issues that the historical approach characteristic of counterterrorism experts understates and, thus, cannot but let fall into confusion. However imperfectly he does it, Coady, in asking whether a distinction between terrorism that respects the principle of discrimination and that which does not has any meaning, is raising a question that theorists of new terrorism have totally ignored. If either Primoratz or Coady is right (or if both are) then the counterterrorism experts have set us off on a wild goose chase.

Where the normative question is concerned, I shall focus on the ethics of bioterrorism to illustrate how analytical philosophy's focus but not its basic values have changed in the baleful light of 9/11. This nest of several different issues is directly connected with the idea of new terrorism, of which bioterrorism—handily defined for our purposes by Robin J. Strongin as "intentional release, or threat of a release, of biological agents (that is viruses, bacteria, or their toxins) in order to terrorize a civilian population or manipulate a government"[34]—is a manifestation. As I have shown, interest in the idea of new terrorism was sparked primarily by 9/11, but interest in bioterrorism was primarily motivated by another event: the "Amerithrax" incidents of October 2001. Given the mystery in which the matter is shrouded it is perhaps a little presumptuous to declare for sure that these constituted a case of bioterrorism, but they have certainly been taken to have been such by philosophers.[35] The bioterrorism issue is also interesting in that the climate of fear generated by the actual anthrax attacks, combined with the more amorphous fear of unprecedented styles of terrorism induced by 9/11, has directly elicited agonizing from philosophers, in print, about the possible need for the discipline to reorient itself.

Bioethics is a variety of "applied ethics," which means that bioethicists are usually concerned with generating justifications for particular activities or actions. As I have said, moral justifications usually come in consequentialist and deontological flavors, and bioethicists tend to incline toward consequentialism.[36] They address, among other issues, the allocation of scarce medical resources, the obligations of medical personnel, and law and policy regulating such matters. Where bioterrorism is concerned, these three issues are very important and importantly interrelated. Healthcare resources might be stretched to vanishing point during a serious bioterrorism incident.[37] Doctors and nurses acknowledge their duty to respond to actual bioterrorism as best they can, but the less straightforward question of what they can be required to do to prepare for it suddenly gained importance with President Bush's order, in December 2002, that half-a-million healthcare workers be vaccinated against smallpox in readiness for attacks using it.[38] And the question of funding rears its ugly head with respect to both readiness for and the response to bioterrorism.[39] Bioethical answers to the normative question are, then, ones that most people would find more "relevant" than the abstractions that the ontological question calls forth. Even the most commonsense answer must, however, assume some answer to the ontological question, and most of them call on abstract theories that existed long before 9/11.

Such things have not changed since 9/11, but there have been suggestions that they should. Howard Trachtman, for instance, complains that standard bioethical reasoning did not sufficiently take account of the public mood consequent upon the anthrax mailings. He takes aim at David Resnik and Kenneth De Ville in their ruminations on whether the government should have imposed a "compulsory licensure" order on Cipro in order to commandeer the supply. It is true that Resnik and De Ville argue in the traditional, rather staid mode of analytical bioethics. They clearly state the moral principle that "government policy makers should maintain a strong presumption against overriding patents," and compose a corpus of exceptions to it:

> [Government policy makers] are morally justified in overriding the patent only if the action satisfies five stringent conditions:
>
> 1. the medication plays a key role in the government's response to a bona fide national emergency;
> 2. there are no alternative remedies;
> 3. negotiations made in good faith to obtain the medication or a license to produce the medication have failed;
> 4. the government compensates the company nonetheless; and
> 5. the action is limited in time or has a sunset clause.
>
> We recognize that this series of threshold tests, if followed, will limit government action against pharmaceutical patents in all but a few cases, but we believe that moral considerations and overall social good warrant these narrow and exacting criteria.[40]

The bulk of the article is devoted to showing why the Cipro case is no exception to this rule, which insight leads inexorably to the conclusion that "the U.S. government would not have been justified in overriding the Cipro patent, according to the conditions set forth above, since conditions 1 and 2 are in doubt and it is not known whether the government intended to satisfy conditions 4 or 5."[41] Trachtman has a point that such reasoning might seem fussy or totally unrealistic when a deadly disease is being deliberately spread who knows where. One of Resnik and De Ville's premises, indeed, strikes a somewhat callous tone "given the facts thus far—four [*sic*] deaths from a noninfectious biological weapon that requires technical skill to deliver to its targets—we do not believe that a national emergency existed or exists."[42] Moreover, the article is, in some ways, a continuation of debates from the 1990s about intellectual property rights, and reads as though the authors have not quite managed to turn their gaze fully toward the issue of bioterrorism. The resulting impression that they convey is that the contemplated attempt to assuage the public's fear is untenable, given certain generally accepted moral and legal presuppositions about intellectual property; and that, once we see this, we shall not panic if we see the like of the anthrax mailings again.

Nine responses, some favorable and some unfavorable, that were printed alongside Resnik and De Ville's article retain their emphasis on patent laws—in fact, seven do not even mention bioterrorism! The main exception is Trachtman, who, in a self-described "Cassandra style," argues that "the failure of the government to intervene and do what it could to control production, distribution, and access to ciprofloxacin augmented the hysteria and promoted drug hoarding and fostered fears that patients who contracted the disease would not receive necessary treatment."[43]

He takes Resnik and De Ville to task for conveying "the sense that nothing fundamentally has changed in the world" when the anthrax scare showed clearly how bioterrorism, as "a method of creating the health problem was something for which past history was not a useful guide."[44] Bioterrorism, as far as Trachtman is concerned, is not simply one of a range of possibilities that can be envisaged as coming into conflict with intellectual property rights, but a threat of an existential kind against which such economic concerns are almost comically unimportant: "I suspect," he says, "that profit making and corporate integrity are not perceived as reliable safeguards against bioterrorism attacks."[45]

If Trachtman calls for it most passionately, Jonathon Moreno most clearly articulates a vision of a distinctively post–9/11 bioethics, assuming that "no intellectual pursuit that keeps at least one eye fixed on public affairs can remain apart from the sort of sea change that we might now be witnessing."[46] He asks whether bioethics ought not be affected by, for instance, the increased solidarity 9/11 engendered. Before 9/11, individuals' rights were the guiding principle for society at large, and bioethicists took them into account when seeking moral justification for various actions and policies; but, when citizens band together to fight the war on terror, individual rights can, and perhaps

should, be overshadowed by communal interests.[47] Such a shift would be particularly meaningful for bioethics.

> A new preoccupation with “homeland defense” and a renewed respect for the professionals engaged in these efforts, including the granting of greater legal flexibility for espionage activities, could easily spill over into an enhanced image for civilian institutions whose mission is to protect our national survival. Medical organizations and healthcare professionals will play an important role in ameliorating the effects of a chemical or biological attack, and the public health system will be needed to identify an outbreak as well as to organize the response.[48]

Even though Moreno finds it hard to believe that “the recent catastrophe will have no effect at all” on bioethics, he emphasizes that he is not “asserting that the field of bioethics, either in its theory or practices, will need to undergo some basic shift . . . any more than constitutional interpretation or legal practices will have to be altered.”[49] To that extent, then, it is difficult to see how exactly he might expect bioethics or any other kind of philosophy to change.

Moreno’s note of caution allows us to conclude with the spirited defense of the philosophical status quo that Nicholas King supplies when warning against the temptation to frame public health issues as biodefense issues for pragmatic reasons. Doing so might “encourage an exaggerated, open-ended climate of crisis in which ethical deliberations are hurried, obscure, or absent altogether.”[50] I would extrapolate from this undoubtedly correct point. In calling for bioethical reasoning to respond to the times Trachtman and Moreno risk turning it into a species of investigation, the subject of investigation being the sentiments of the general public and the aim of that investigation being an after-the-fact rationalization of what the alleged majority of people already believe: that this threat is totally unprecedented, that the government should compel licensure of Cipro no matter how unlikely the threat of bioterrorism may be, and so on. Since 9/11, I have sought to show, analytical philosophy (and its continental cousin) have resisted the siren song of such “relevance” as Trachtman and Moreno advocate and has, perhaps anomalously, pursued its accustomed speculative task as though nothing but the historical particulars had changed. My own view, like King’s, is that philosophy probably should continue plowing this furrow if it is to make any distinctive contribution to understanding the times we live in.

Notes

1. Jean Baudrillard, “The Spirit of Terrorism,” *Telos* 121 (2001), 134.
2. Giovanna Borradori, *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida* (Chicago, IL: University of Chicago Press, 2003), 2–3.

3. Aristotle, *Poetics* 1451b5–10, trans. Ingram Bywater, in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1941).
4. Borradori, *Philosophy in a Time of Terror*, 4.
5. See E. R. Emmett, *Learning to Philosophize*, Second Edition (London: Pelican, 1968), 11–12.
6. Isaiah Berlin, "The Purpose of Philosophy," in *Concepts and Categories: Philosophical Essays*, ed. Isaiah Berlin (Oxford: Oxford University Press, 1980), 2.
7. Ibid., 3, 4.
8. *The Philosophers' Index*, accessed via Westfield State College's Ely Library website on August 14, 2008. (Nine of the items that are listed as being published by the end of August 2001 make direct reference to 9/11!).
9. One offender is to be found in Stanley Fish, "Truth but No Consequences: Why Philosophy Doesn't Matter," *Critical Inquiry* 29 (2003), 389–417. Fish does not use the word "terrorism" in the whole 28 pages. Indeed, the only allusion that I can find is in the very first line: "When in the wake of September 11 a number of commentators began to draw lines of cause and effect between what had happened and the 'rise' of postmodernism, a new chapter was opened in a very old story" (ibid., 389). Everything that follows this sentence is a complex, eloquent defense of Fish's favored "neo-pragmatist" philosophy, a task that requires no reference to 9/11. Fortunately, cases such as this are the exception.
10. Haig Khatchadourian, *The Morality of Terrorism* (New York: Peter Lang, 1998).
11. I borrow the vocabulary of "great" and "little" traditions, although rather loosely, from Robert Redfield. See, e.g., "Civilizations as Cultural Structures?" in *Human Nature and the Study of Society: The Papers of Robert Redfield*, 2 vols. (Chicago, IL: University of Chicago Press, 1962), Volume I: 392–394. As I am using the terms here, a "great" tradition is a family of at least two "little" traditions that bear significant resemblance to each other and yet are simultaneously different enough from each other to be meaningfully described as separate.
12. On the care of the self, see Benjamin R. Bates, "Care of the Self and American Physicians' Place in the 'War on Terror': A Foucauldian Reading of Senator Bill Frist, M.D.," *Journal of Medicine and Philosophy* 31 (2006), 385–400. On Biopolitics, see Devin Zane-Shaw, "Absence of Evidence Is not Evidence of Absence: Biopolitics and the State of Exception," in *Against Empire: Radical Philosophy Today* 4 (2006), 123–138; and Amit S. Rai, "The Promise of Monsters: Terrorism, Monstrosity and Biopolitics," *International Studies in Philosophy* 37 (2005), 81–93.
13. Ian Birchall, "Sartre and Terror," *Sartre Studies International* 11 (2006), 251–264; Ronald Aronson, "Sartre and Camus: The Unresolved Conflict," *Sartre Studies International* 11 (2006), 302–310.
14. Archana Barua, "Fanaticism and the Philosophy of Dwelling: A Heideggerian Approach," *Journal of the Indian Council of Philosophical Research* 22 (2005), 59–73.

15. Jennifer Bajorek, "The Office of Homeland Security, or Hölderlin's Terrorism," *Critical Inquiry* 31 (2005), 874–902.
16. I do not intend the appellation of "autodidacticism" perjoratively. By it, I mean the historically informed application-cum-exposition of high philosophical theory, usually with reference to specific current events or trends and often parlayed by way of interviews or newspaper pieces. It is most commonly pursued by continental philosophers, perhaps because, outside the English-speaking world, philosophy is taken far more seriously as a way to approach such matters in public. For Derrida and Habermas, see once again Borradori, *Philosophy in a Time of Terror*; for Baudrillard, see "The Spirit of Terrorism." A very good example is Nicola Abbagnano, *The Human Project: The Year 2000*, trans. Bruno Martini and Nino Langiulli (Amsterdam/New York: Rodopi, 2002), the relevance of which is made clear in the next note. I would also cite Charles Taylor who, although a prominent Anglophone philosopher, is not, I think, properly classifiable as analytical. See Rosa Hartmut and Arto Laitinen, "On Identity, Alienation and the Consequences of September 11th: An Interview with Charles Taylor," *Acta philosophica Fennica* 71 (2002), 165–195. Noam Chomsky, who can be classed as an analytical philosopher of mind, was able to bring out an entire book of interviews, *9/11* (New York: Seven Stories Press, 2001), all of which were conducted within a month of the attacks.
17. The class of exceptions I have in mind is the catch-all category of "radical philosophy." (This class is an exception also in that many of its exponents are continental philosophers who ply their trade in English.) As the name might convey, most research paradigms in radical philosophy are of a left-wing persuasion, although—for reasons I shall not burden the reader with—I do not restrict the term to them. In fact, one of the first philosophical responses to 9/11 (Peter A. Redpath, "Contest of Millennial Inspirations: 11 September 2001," *Contemporary Philosophy* 23 [2001]: 34–40) is, if anything, right-radical in its distinct admiration for "American political thought, capitalism, crusading Christianity and Judaism" along with the "other principles of the Western creed we inherited from the ancient Greeks and medieval Christianity" (ibid., 39). Redpath contrasts them to the "Enlightenment Fundamentalism" which, prior to 9/11, had "weakened American culture and much of the West to the point that our spiritual strength was collapsing under its fundamentalistic milleniallist weight" (ibid.). He adapts to the situation some reflections from the Italian "positive existentialist," Abbagnano (for which, see Abbagnano, *The Human Project*, 44–47 and 124–126), in order to draw comparisons between the "millennial inspirations" of not only the radical Islamists but also of their nemeses, the philosophers of the European Enlightenment (especially Jean-Jacques Rousseau). For all that, it is, as I have mentioned, true that most radical philosophy is leftist, and I shall leave it aside for two reasons. First, much of it addresses the same questions as analytical philosophy does, and does so in fairly predictable ways. Indeed, the opening section of one left-radical essay criticizes this very predictability, with the all-purpose "root-causes" argument coming in for particularly

heavy criticism. It goes on to call for a social-democratic renewal that is at home in the changed landscape after 9/11 as the "critical intellectual" often was with the cold war. (See Dick Howard, "The Left Agenda after September 11: An American View," *Internationale Politik und Gesellschaft* [April 2002]: 69–73.) So, even briefly reviewing radical literature would be but another confirmation of my claim that 9/11 changed little or nothing in philosophical technique. Second, so much of left-radical philosophy, especially that which draws on Marxism indirectly, is both so historical and so programmatic that its philosophical content is frequently quite small. That is, left-radical writers are so concerned with current events and with recommendations for the direction that left-radical politics should take in order to capitalize politically on the situation that their philosophical principles are implied rather than stated. This last point is, in fact, probably as good a way of distinguishing left-radicalism as any other, since right-radicals such as Redpath scarcely ever fail to state their philosophical commitments.

18. Igor Primoratz, "Introduction," in *Terrorism: The Philosophical Issues*, ed. Igor Primoratz (New York: Palgrave-Macmillan, 2004), x.
19. Despite the ubiquity of the two approaches, Haig Khatchadourian appears to be alone in explicitly contrasting them. See Haig Khatchadourian, "Terrorism and Morality," *Journal of Applied Philosophy* 5 (1988), 134. He offers a compromise between the two in offering what he calls a "quasi-essentialist" definition (ibid.). This seems, however, to comport ill with his concurrent claim that the term "terrorism" has a "common core of meaning" despite many disagreements about its signification (ibid., 133), which itself would seem to imply that an "essentialist" analysis in terms of necessary and sufficient conditions is quite possible.
20. For prominent examples of violence analyses and violence-against innocents analyses, see Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, Second Edition (New York: Basic Books, 1977/1992), 197–198; C. A. J. Coady, "Terrorism, Morality, and Supreme Emergency," *Ethics* 114, no. 4 (July 2004), 772; Jenny Teichman, "How to Define Terrorism," *Philosophy* 64 (1989), 513; Virginia Held, "Terrorism, Rights, and Political Goals," in *Terrorism*, ed. Primoratz, 65; Louis P. Pojman, "The Moral Response to Terrorism and Cosmopolitanism," in *Terrorism and International Justice*, ed. James P. Sterba (New York: Oxford University Press, 2003), 140; Igor Primoratz, "What Is Terrorism?" in *Terrorism*, ed. Primoratz, 19, 20; Igor Primoratz, "The Morality of Terrorism," *Journal of Applied Philosophy* 14 (1997), 221; Igor Primoratz, "Terrorism in the Israeli-Palestinian Conflict: A Case Study in Applied Ethics," *Iyyun: The Jerusalem Philosophical Quarterly* 55 (January 2006), 29; R. M. Hare, "On Terrorism," *The Journal of Value Inquiry* 13 (1979), 244; J. Angelo Corlett, "Can Terrorism Be Morally Justified?" *Public Affairs Quarterly* 10 (1996), 167–168; J. Angelo Corlett, *Terrorism: A Philosophical Analysis* (Rotterdam: Kluwer, 2003), 119–120; Jeremy Waldron, "Terrorism and the Uses of Terror," *The Journal of Ethics* 8 (2004), 5–35, 6; G. Wallace, "The Language of Terrorism," *International Journal of Moral and Social Studies* 8 (1993), 133; Robert Young,

"Political Terrorism as a Weapon of the Politically Powerless," in *Terrorism*, ed. Primoratz, 56–57; Virginia Held, "The Media and Political Violence," *Journal of Ethics* 1 (1997), 188; Virginia Held, "Legitimate Authority in Non-State Groups Using Violence," *Journal of Social Philosophy* 36 (2005), 177–179; James P. Sterba, "Terrorism and International Justice," in *Terrorism and International Justice*, ed. Sterba, 206; Tomis Kapitan, "The Terrorism of 'Terrorism,'" in ibid., 48; Tomis Kapitan, "Terrorism in the Arab-Israeli Conflict," in *Terrorism*, ed. Primoratz, 175; Zayn Kassam, "Can a Muslim Be a Terrorist?" in *Terrorism and International Justice*, ed. Sterba, 130n1; and Claudia Card, "Making War on Terrorism," in ibid., 173, 180. There have been few attempts to deny that violence is a necessary or near-necessary condition for terrorism. For the record, the best known is Carl Wellman, "On Terrorism Itself," *Journal of Value Inquiry* 13 (1979), 250–258. My own reasons for finding any violence analysis inadequate can be found in Liam Harte, "Must Terrorism Be Violent?" *Review Journal of Political Philosophy* 6 (2008), 110–125.

21. The spiritual leader of the deontological school of thought is Immanuel Kant (1724–1804), author of *Grundlegung zur Metaphysik der Sitten* (1785, many editions), while that of consequentialism is John Stuart Mill (1806–1873), author of *Utilitarianism* (1863, many editions). The third, less prominent strand of moral philosophy in the English-speaking world is "virtue ethics," which takes its main inspiration from ancient Greek philosophy, especially the *Nicomachean Ethics* of Aristotle. Since it is not, strictly speaking, analytical philosophy, and because there has been next to no response to 9/11 by virtue ethicists, I leave it aside here.
22. Articles on just war theory that make reference to 9/11 include the following: Brian Orend, "Justice after War," *Ethics and International Affairs* 16 (2002), 43–56; Darrell Cole, "Death before Dishonor or Dishonor before Death? Christian Just War, Terrorism, and Supreme Emergency," *Notre Dame Journal of Law, Ethics, and Public Policy* 16 (2002), 81–99; Ronald David Glass, "Reflections on the Justice of the Present War and Some Implications for Education," *Philosophy of Education* (2002), 440–448. Accessed online at http://www.ed.uiuc.edu/EPS/PES-Yearbook/2002/440-glass%2002.pdf, June 16, 2009; Justin Infinito, "On the Justice of the Present War: Some Implications for Education," *Philosophy of Education* (2002), 449–451. Accessed online at http://www.ed.uiuc.edu/EPS/PES-http://www.ed.uiuc.edu/EPS/PES-Yearbook/2002/449-infinito%2002.pdfYearbook/2002/449-infinito%2002.pdf, June 16, 2009; William A. Galston, "The Perils of Preemptive War," *Philosophy and Public Policy Quarterly* 22 (2002), 2–6; Ted Westhusing, "'Target Delays Cost Air Force Key Hits': Targeting Terror: Killing Al-Qaeda the Right Way," *Journal of Military Ethics* 1 (2002), 128–135; Bruno Coppetiers and Nick Fotion, eds., *Moral Constraints on War: Principles and Cases* (Lanham, MD: Lexington, 2002); Sterba, "Terrorism and International Justice"; Thomas M. Nicholas, "Just Wars, Not Prevention," *Ethics and International Affairs* 17 (2003), 25–29; George R. Lucas Jr., "The Role of the 'International Community' in the Just War

Tradition—Confronting the Challenges of Humanitarian Intervention and Preemptive War," *Journal of Military Ethics* 2 (2003), 122–144; Gary D. Brown, "Proportionality and Just War," *Journal of Military Ethics* 2 (2003), 171–185; Paul H. Gilbert, *New Terror, New Wars* (Washington, DC: Georgetown University Press, 2003); and Verna V. Gehring, ed., *War after September 11* (Lanham, MD: Rowman and Littlefield, 2002).

23. A selection of these articles is as follows: Matthew R. Silliman, "Weighing Evils: Political Violence and Democratic Deliberation," in *Social Philosophy Today: War and Terrorism*, ed. John R. Rowan (Charlottesville, VA: Philosophy Documentation Center, 2004), 129–136; Jean Bethke Elshtain, "What's Morality Got to Do with It? Making the Right Distinctions," *Social Philosophy and Policy* 21 (2004), 1–13; Saul Smilansky, "Terrorism, Justification, and Illusion," *Ethics* 114 (2004), 709–805; Paul Viminitz, "A Defense of Terrorism," in *Ethical Issues for the Twenty-First Century*, ed. Frederick Adams (Charlottesville, VA: Philosophy Documentation Center, 2005), 397–408; Stephen Nathanson, "Is Terrorism Ever Morally Permissible? An Inquiry into the Right to Life," in *Universal Human Rights: Moral Order in a Divided World*, ed. David A Reidy (Lanham, MD: Rowman and Littlefield, 2007), 189–208; Omar Dahbour, "The Response to Terrorism: Moral Condemnation or Ethical Judgment?" *Philosophical Forum* 36 (2005), 87–95; Karsten Struhl, "Is War a Morally Legitimate Response to Terrorism?" *Philosophical Forum* 36 (2005), 129–137; and Frances Myrna Kamm, "Terror and Collateral Damage: Are They Permissible?" *Journal of Ethics* 9 (2005), 381–401.

24. A selection of these items is as follows: Fritz Allhoff, "Terrorism and Torture," *International Journal of Applied Philosophy* 17 (2003), 121–134; Michael Langford, "A Moral Education Discussion Topic of Current Concern," *Prospero* 10 (2004), 21–24; Jean Maria Arrigo, "A Utilitarian Argument against Torture Interrogation of Terrorists," *Science and Engineering Ethics* 10 (2004), 543–572; David Sussman, "What's Wrong with Torture," *Philosophy and Public Affairs* 33 (2005), 1–33; John M. Berkoff, "Defeating Terrorism without Fighting a War," *Criminal Justice Ethics* 24 (2005), 47–51; Larry May, "Torturing Detainees during Interrogation," *International Journal of Applied Philosophy* 19 (2005), 193–208; Seumas Miller, "Torture and Counterterrorism," *Iyyun* 55 (2006), 83–106; Jessica Wolfendale, "Training Torturers: A Critique of the 'Ticking Bomb' Argument," *Social Theory and Practice* 32 (2006), 269–287; Andrew Fiala, "A Critique of Exceptions: Torture, Terrorism, and the Lesser Evil Argument," *International Journal of Applied Philosophy* 20 (2006), 127–142; Vittorio Bufacchi and Jean Maria Arrigo, "Torture, Terrorism, and the State: A Refutation of the Ticking Bomb Argument," *Journal of Applied Philosophy* 23 (2006), 355–373. As a sidelight, I would add that, for some reason, articles on torture do not only bring out the distinction between deontology and consequentialism most clearly, but also show that belonging to one camp or the other often neither unifies nor divides philosophers decisively. We find deontologists disagreeing with consequentialists in their grounds but not in their conclusions, deontologists

disagreeing with each other in their conclusions but having very similar grounds, and so on. For an example of a range of essays that take the same approach (in this case consequentialism) but many of which draw mutually incompatible conclusions, compare Allhoff, Arrigo, Arrigo and Buffachi, Sussman, May, and Miller.

25. Paul Wilkinson, *Political Terrorism* (New York: John Wiley, 1974), 16. See also Paul Wilkinson, "Three Questions on Terrorism," *Government and Opposition* 8 (1973), 292. Notice that this is a violence-against-innocents analysis.
26. See Wilkinson, *Political Terrorism*, 21–29, and Paul Wilkinson, *Terror and the Liberal State* (London: Macmillan, 1977).
27. For this kind of view, see Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998); Bruce Hoffman, "Terrorism and WMD: Some Preliminary Hypotheses," *The Nonproliferation Review* 4 (Spring–Summer 1997), 45–53; Bruce Hoffman, "Terrorism: Trends and Prospects," in *Countering the New Terrorism*, ed. Ian O. Lesser (Santa Monica, CA: RAND, 1999), 7–38; Walter Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction* (New York: Oxford University Press, 1997); Walter Laqueur, "Terror's New Face," *Harvard International Review* 20 (Fall 1998), 48–52; Jose Vegar, "Terrorism's New Breed," *Bulletin of the Atomic Scientists* 54 (1998), 50–55; Jessica Stern, *The Ultimate Terrorists* (Cambridge, MA: Harvard University Press, 1999); Steven Simon and Daniel Benjamin, "America and the New Terrorism," *Survival* 42 (2000), 59–75; Nadine Gurr and Benjamin Cole, *The New Face of Terrorism: Threats from Weapons of Mass Destruction* (London: Tauris, 2002); and Steven Simon, "The New Terrorism: Securing the Nation against a Messianic Foe," *Brookings Review* 21 (2003), 18–24.
28. See Ariel Merari, "Terrorism as a Strategy of Struggle: Past and Future," *Terrorism and Political Violence* 11 (1999), 52–65; David Tucker, "What Is New about the New Terrorism and How Dangerous Is It?" *Terrorism and Political Violence* 13 (2001), 1–14; Thomas Copeland, "Is the 'New Terrorism' Really New? An Analysis of the New Paradigm for Terrorism," *Journal of Conflict Studies* 21 (2001), 91–105; Isabelle Duyvesteyn, "How New Is the New Terrorism?" *Studies in Conflict and Terrorism* 27 (2004), 439–454; Jonny Burnett and Dave Whyte, "Embedded Expertise and the New Terrorism," *Journal for Crime, Conflict and the Media* 1 (2005), 1–18; and Alexander Spencer, "Questioning the Concept of 'New Terrorism,'" *Peace, Conflict and Development* 8 (2006), 1–33.
29. Igor Primoratz, "A Philosopher Looks at Contemporary Terrorism," *Cardozo Law Review* 29 (2007), 35.
30. Ibid., 37.
31. C. A. J. (Tony) Coady, "How New Is the 'New Terror,'" *Iyyun* 55 (2006), 65.
32. See ibid., 58–61.
33. Gilbert, *New Terror, New Wars*, 13. In a footnote to this passage, Gilbert distances himself from Kaldor, whom he describes as using the distinction between old and new wars "in a literal, chronological sense" (ibid., n15).

34. Robin J. Strongin, "Emergency Preparedness from a Health Perspective: Preparing for Bioterrorism at the Federal, State and Local Levels" (Washington, DC: The George Washington University, National Health Policy Forum, October 2001), 2.
35. While I was composing this section of the chapter, the main suspect in the "Amerithrax" case died due to an overdose of Tylenol. A few days later, The U.S. Department of Justice released the documents related to the case. Careful study of these may, perhaps, allow us to classify the case as an incident of bioterrorism.
36. I will not presume to venture any sociological claims about why this should be, but Leon Kass, former chair of the President's Council on Bioethics and one prominent bioethical deontologist, notes that "[m]any of the country's leading bioethicists have served on national commissions or state task forces where, understandably, they have found utilitarianism to be the only ethics vocabulary acceptable to all participants in discussing issues of law, regulation, and public policy" (Leon Kass, "The Wisdom of Repugnance," *The New Republic*, June 2, 1997, 18). Utilitarianism is the form of consequentialism most commonly found in the academy of analytical philosophy.
37. The near-panic over the distribution of ciprofloxacin, an antibiotic capable of treating anthrax (and better known by one of its brand names, "Cipro"), received much attention in the literature as a foretaste of what could transpire.
38. See J. M. Selgelid, "Bioterrorism and Smallpox Planning: Information and Voluntary Vaccination," *Journal of Medical Ethics* 30 (2004), 558–560.
39. J. M. Selgelid, "Democratic Defense Spending in an Age of Bioterrorism," *American Journal of Bioethics* 5 (2005), 49–50.
40. David B. Resnik and Kenneth De Ville, "Bioterrorism and Patent Rights: 'Compulsory Licensure' and the Case of Cipro," *American Journal of Bioethics* 2 (2002), 29, 31.
41. Ibid., 38.
42. Ibid.
43. Howard Trachtman, "Who Are the Guardians Guarding?" *American Journal of Bioethics* 2 (2002), 47. Nicholas B. King contests Trachtman's empirical claim directly, saying that "evidence from the September 11 attack and other disasters indicates that the public is unlikely to panic or behave irrationally, and in fact can be relied upon to act in a resourceful manner according to the prevailing social norms" (Nicholas B. King, "The Ethics of Biodefense," *Bioethics* 19 [2005], 441).
44. Trachtman, "Who Are the Guardians Guarding?" 47.
45. Ibid.
46. Jonathon Moreno, "Bioethics after the Terror," *American Journal of Bioethics* 2 (2002), 60.
47. Ibid., 60–63.
48. Ibid., 61.
49. Ibid., 64.
50. King, "The Ethics of Biodefense," 445.

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14

Generosity, Terror, and the Good for Humans

*Jorge Secada**

Preliminaries

If there is something in philosophy that can appeal to everybody, something it has to offer anyone, it is the ideal of a self-critical life—a life lived reflectively, submitting belief and action to dispassionate examination. For sure, not all make this ideal their own, but that is at their expense and to the detriment of the fullness of their lives. As citizens of our country and of the world, we all have the duty to consider objectively matters of public interest and to deliberate carefully about the course history will take in the years to come. If we measure our obligation merely consequentially, and in order to justify our complacency ask "what is the point of considering these issues when I have no way of actually influencing the course of events?" then we are denying our humanity. We can all live according to truth and the good; and in order to do so, we must each consider and confront, within the measure of our capabilities, the circumstances we share with our fellow humans.

Though violence is commonplace among us, it fails to distinguish our age from that of our parents, or our grandparents or their parents and grandparents, and so on successively until the origins of our species. Still, in the last half century one does not easily find other examples of the violent destruction of a whole country, a barbaric and savage destruction, as we have witnessed in recent years in Iraq. Nor can we find in the earlier parts of the past century as widespread a willingness to kill the innocent for the sake of some distant and improbable aim as we find nowadays. Violence is not the

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most revealing amongst the many features that characterize our times. But that does not mean it does not matter. We are referring to intolerable suffering, massive and intentionally caused. That it is intentional does not make it evitable, but in these two cases, Iraq and recent terrorism, the suffering was avoidable. And among the distinctive aspects of the attacks of September 11, 2001, is that they happened to *us*, that we have allowed them to take over our lives, and that we have used them to justify other acts of atrocious violence.

I invite my reader to reflect on these matters and ask: How is such unjustified monstrous evil possible? And I propose to start by delimiting the focus of our interest, suggested as it is by the terrorist attacks of September 2001 and the subsequent invasion of Iraq. We will concentrate on a certain kind of action: the free and deliberate acts of moral agents that either in themselves or through their clearly foreseeable consequences bring about massive and intolerable suffering. So we will not explore evil resulting from the actions of the mentally deranged. Neither are we interested in the actions of nondeliberating agents or of the negligent and irresponsible. Nor will we attend to the doings of those who, for whatever diverse motives, act contrary to the command of their deliberative efforts. We will instead look into the possibility of actions performed by full moral agents, who are responsible and free, and sincerely act in the name of the good after careful deliberation.

We are not inquiring after the metaphysics of evil. Nor are we seeking psychological or sociological answers. We deal not with accidental or with psychopathic violence, nor with the violence of amoral or of immoral criminals. We are instead interested in deliberate and planned violence, displayed in a methodical and organized fashion, carried out in the name of the good, and unjustifiedly bringing about suffering of unimaginable dimensions, suffering that considered in itself anyone would recognize as a horrendous evil. And in the face of these acts, we ask, “How is it possible that ethically motivated agents who seek to justify their actions, people who may behave considerately with their families and friends and acquaintances, bring about such monstrosities?”

It is just the acts themselves that motivate our question. For they do exist. And the need to account for their very possibility arises precisely from their overwhelming horror and the morality and deliberateness of their agents. The demand they impress upon us would be like the need to give some account of how it could be possible, were it ever to happen, for an able mathematician to get a simple addition wrong after careful consideration. But monstrously evil actions of the kind we have delimited are certainly possible. We see them around us, and we can find them throughout history.[1]

We will not engage in theodicy, even if understood widely as presupposing only some fundamental natural goodness and asking merely “how can there be such evil, given that goodness?” We merely presuppose deliberating agents bent on the pursuit of the good, acting freely and armed with the rational and motivational structures of human beings. Like theodicies we concentrate on a kind of evil, but not like them on natural evil or evil akin to natural evil, such as that involving the acts of the lunatic or the consequentially ignorant,

which to us is uninteresting. We focus precisely on the evil that theodicies by and large set aside as uninteresting, the evil of free and deliberating agents. It is this evil that is a problem for us. As will emerge later, I do presuppose the fundamental goodness of human nature. But this will not shift the aim of our inquiry; it will instead make *our* question all the more urgent.

A Cognitive Mistake, or the Wrong Values

One answer which may first suggest itself is that these acts result from a cognitive failure, a failure to grasp the good. This indeed appears to underlie common accounts of the behavior of Islamic terrorists. They are described as perversely opposed to freedom and democracy, as if that opposition provided the ultimate explanation for their acts. Sometimes it is suggested that their mistake is widespread because it results from the upbringing they receive in the culture into which they are born, or at least into certain segments of societies embodying that culture. Terrorists have been pictured as the first line in a clash of civilizations that in the end is a confrontation between the true values of the West and the mistaken ones of the others. So it is not surprising that the accompanying recipe for the elimination of the sources of Islamic terrorism is to inculcate the correct values, through example, and, failing that, through cultural reform and social engineering, which may need the use of force. Indeed, an instructional dimension is found to the waging of war, for it will make manifest some immediate benefits of the mending of ways, much like punishment may be useful in the education of recalcitrant and difficult children. It may be such presupposition as to the sources of terrorism in general, that as a widespread phenomenon it springs from a failure to grasp correct values, a failure that moreover is endemic to certain societies and cultures, that may account for the ease with which the war on fundamentalist Islamic terrorism becomes the war on unqualified terror and with which the transformation of an Arabic Middle Eastern state into a Western democracy is seen to be a central part of the latter. The basic idea is that once the whole world knows the good, terrorist violence will no longer be a threat to world peace—being found mostly in the acts of the amoral and the lunatic.

That the error is cognitive need not suppose that it can be corrected merely by exposition to the truth. The mistake might be so deeply engrained that it cannot be eradicated easily or in fact at all, a danger particularly strong given that the mistake is the result of societal ways and norms. Terrorists are possessed by evil. Their mistaken conception of the good shapes their characters, it taints their desires and attitudes, so that it will be impossible or at least most difficult for them to come to appreciate the good. Other members of their culture may be at risk of following in their footsteps. And it may be that the horror of their acts deters others who still might entertain them at a distance. Undoubtedly, there will be amongst them some who already see the truth. These are matters over which optimists and pessimists debate. The

point we make on behalf of those who argue that monstrous evil originates in a cognitive error, is that though the character of terrorists may be perverted, and this perversion may be manifested in ways that go beyond mere false understanding, the root of their error lies in a mistaken conception of the good.

This answer gains support from the repressive and discriminatory ideals of some Islamic fundamentalists who advocate theocratic states where codes governing personal appearance, dress, and behavior are enforced in the public space—codes that in the West are thought to encroach on matters of individual choice; where women, generally confined to the private sphere, are barred from certain roles and the development of certain capacities, thus denying their equality with men and their fundamental human dignity; and where the public exchange of ideas is subject to censorship guided by religious belief.

Further confirmation may be obtained by looking back into history. Without moving beyond the last century, we could note that some of the most horrendous atrocities of all time, the cruel confinement, torture, and killing of Jews, Gypsies, and the mentally retarded under the Nazi regime, the slaughtering of Cossacks and others deemed obstacles to social progress in the hands of Stalin and his agents, the systematic oppression and exploitation of the black and colored people of South Africa, the methodical extermination of Cambodians under the Khemer Rouge, were all the result of some cognitive error or some moral misconception: that there are inferior humans who deserve such cruel treatment on account of their ethnicity or their genetic constitution, or that Marx uncovered a science of society and history, later perfected by Lenin and Mao, which sets the correct agenda for political action. Moving closer to home, a monstrous practice such as the lynching, hunting, and abuse of blacks may appear to also spring from a culturally extended failure to see the basic equality and dignity of all human beings, regardless of such features as the color of their skins.[2]

In Oliver Hirschbiegel's film *Downfall (Der Untergang)* the following episode is convincingly depicted. A few hours before committing suicide with her husband, with whom she had planned all these events, Magda Goebbels had six of her children take a powerful narcotic before going to sleep, so that she could later inject them with a quick-acting poison. She is portrayed as fully conscious of what she does: after her macabre deed, she is herself a living dead unable to accept the comfort her husband tries to offer her, simply awaiting her own demise. Earlier, a close friend who comes across as perceptive and morally sensitive, aghast at the thought she *may* be entertaining such plans, states the obvious, "they deserve a life," and reassures her and himself that she would not be capable of such perversity. However, Magda Goebbels did coldly kill six of her children. This is what she wrote shortly before, in a letter to her eldest son:

> Our magnificent idea has died, along with every beautiful, admirable, noble, good thing I have known in my life. The world after the passing of

> the Fuhrer and of National Socialism is no longer worth living in. That is why I have also brought the children here. They are too good for what is to come. A merciful God will understand me for saving them.

Mrs. Goebbels sought the good, deliberated, and then acted according to the results of her deliberations. When her daughter Helga, sensing what was happening, refused to take the narcotic and begged to be spared, her mother violently forced her to do so against her will, as one would force a child to take the repulsive medicine that will save her. Once more, now at the level of individuals, where ethics is actually lived, we might again see the roots of monstrosity in the falsity of the values that guide us; if only Mrs. Goebbels had not been a Nazi, if she had not been under the grip of such wrong beliefs, she would not have done what she did.

Prevalent and attractive as this answer to our question may be, it is nonetheless inadequate. For did we not invade Iraq in the name of the good? One justification offered for the second Iraqi war by those who brought it about is the doctrine of preventive self-defense.[3] We will set this aside and consider instead a different rationale also operating in the minds of those agents, and openly offered to justify their actions. Iraq was invaded in the name of freedom and democracy.

Consequentialist Reasoning

In the weeks and months leading to the invasion of Iraq, U.S. government agents argued that the overthrowing of Hussein's regime, the liberation of the Iraqi people, and the subsequent transformation of their country into a prosperous democracy, were goods that in themselves and in their consequences justified the war.[4] Those who find fault with these claims purely on the grounds that similar cases could have been made for directing our attention toward other tyrants and nations stake out a very weak position: for a good is a good. Let us grant that such liberation and transformation would indeed have been goods. Still, in order to be able to fully appreciate this moral justification for the invasion of Iraq, we need to consider a further element in it—that the goods the war would bring outweighed its evils.

We should first note that on some occasions we may be forced into choosing the lesser of two evils: a surgeon may have to kill a child in order to save one, if they are Siamese twins who would die if left unseparated and who cannot be separated without one of them dying. Even something like the terrible deed of Magda Goebbels may perhaps, in other circumstances, be justified: a father may have to kill his children in order to save them from certain torture and death in the hands of some cruel and victorious enemy. But in all these cases, the evils are inevitable, and all that is within the scope of one's will is whether it will be the lesser evil that is allowed to happen. I suggest, moreover, that evitable evil is not justified merely by some good it may bring about, though I concede that there may be room here for qualification and

discussion. Be that as it may, it is clear that in the cases just mentioned there is also considerable certainty about the outcomes one is facing. For sure, the probabilities of the diverse outcomes and the certainties with which they are known are all crucial to the consequentialist justification; there are relevant relations not just between the dimensions of the various evil outcomes, but also between them as modulated by the certainties with which their inevitability is known.

The more general point I wish to bring out is that as the cases become more complex and involved, as there is incomplete available information and the probabilities can be established only speculatively, judgment, evaluation, and estimation, play an increasingly substantive role in the corresponding deliberations. In addition, there could be temporal constraints, so that not acting is tantamount to acting one way or the other. In these murky conditions one will be, so to put it, forced to gamble. It would be absurd to suggest that under such uncertainties and such inexorable pressures there are no deliberative obligations, no rights or wrongs. Instead, the correct conclusion is that in those circumstances the exercise of judgment takes central stage. This is a most important point to which we will come back shortly.

But now we find ourselves having provided the cognitivist with an answer to the doubts we brought against her. True, the cognitive mistake need not be a failure to grasp the correct values, at least not as ultimate ends. But all that she needs to add still involves merely a cognitive error, which if anything is more clearly just a cognitive one. One can bring about monstrous evil, even when in possession of the right conception of the good, through a failure in consequentialist reasoning. Such factual blunders are apparent in the reasoning of Marxists and others mentioned earlier, independently of other mistakes they may also have committed regarding the good. And it is here, in the consequentialist aspects of the deliberations leading to the invasion of Iraq, that one may find fault and corresponding responsibility in the agents who brought it about—not in the underlying values and moral aims motivating them.

To see what the cognitivist is failing to see suppose then that the consequential calculations were all correctly carried out, in as much as that can be so. What can this mean in the cases in which we are interested? Notice that, as we pointed out earlier, in all cases which concern us, cases where unjustifiable monstrous evil is brought about in the name of the good, consequential reasoning will necessarily involve the exercise of judgment. The agents have to gamble. If no assessment and judgment is required, for all facts relevant to the deliberation are known certainly and clearly, then what we have is a morally justified action that has no interest for us: such evil results from the lamentable fact that we are sometimes forced to choose evil in order to avoid a greater evil. Instead, monstrous evil of the sort we are considering in this essay results from a judgment call, the placing of a bet that a certain outcome will result from our actions. And for the consequential calculations to be right must then amount to the bet working out, that is, for the eventual outcomes to validate it. Let us examine this more closely.

For the sake of argument let us set aside a point I made earlier in passing and suppose not that evil means are justified only when they are the lesser of several inevitable evils, but that, in certain circumstances, the pursuit of a good can justify the use of evil means. The relevant circumstances will include that the good clearly outweigh the evils used to make it happen, and that the chosen means be the least evil of all the available ways of attaining the good end.[5] So what is it for the outcome to vindicate the gamble? In these cases, it would amount to a good coming about, a good that according to some assessment procedure is estimated to clearly outweigh the evils used to produce it. In other cases, it would amount to some evil not taking place as a result of some estimated lesser evil being brought about. If the greater good fails to occur, or the greater evil still happens, the bet would obviously have been unjustified. But in all cases, the deliberative bet would be validated only in so far as the evil means came to be shown to be inevitable, that is, in so far as it was revealed, again according to some reasonable assessment, for the evil to have been the only way to realize the greater good or to avoid the greater evil. However, what I wish to stress at this juncture is that, given the cases we are looking into, there is no such thing as the gamble being *proven* to be right. Other bets, like for instance the playing of a lottery, are wholly vindicated by the outcome, since they are nothing beyond manifestations of the hope that those outcomes will happen. But for the sought-after outcome to take place is not enough for the *moral* bet to be vindicated. It will always be just a gamble, nothing more than expressions of hope, even if the hope is reasonably based on informed opinion. That is, it is in the nature of these cases that the deliberation will never be shown to be grounded on knowledge sufficient to justify the acts; chance will always be present. So if we want a moral vindication, we will not get it merely with the outcome.[6] This is the crucial point for us.

I propose, therefore, that whether the gamble works out or not, that is, whether the end results are those that the agent was hoping for or not, is on its own insufficient for the moral correctness of the deliberation. The judgment calls contained in these deliberations are modulated not solely by cognition; they express a certain ethical character, exemplify moral dispositions, and make manifest the moral fiber of the deliberating agents. What is essential to the rectitude of such deliberations is, then, that the agents engage in them possessed by the right virtues and avoid the relevant vices. And so, I argue, monstrous evil does in truth result from peculiarly moral flaws.

Generosity and the Good for Humans

Let us distinguish, then, between the cognitive elements, the knowledge and the reasonable beliefs, and what I call the peculiarly moral elements operating within the agent.[7] What are these? Before we address this question, I must, however briefly, sketch some general features of the moral theory underlying the approach that guides this essay. I presuppose an Aristotelian conception of morality according to which there is such a thing as excellence as a human

being. The natural aim of a human life is to attain this fulfillment and perfection. Some human goods are merely physical and biological, but some involve capacities that go beyond those we share with any other material entities, with vegetables, and with other animals. They include our abilities to behave intelligently and to understand, to appreciate beauty, and to live meaningful lives. Moral actions are actions conducive to a class of such peculiarly human goods. Virtues are dispositions that contribute to the fulfillment of our peculiarly human nature and the attainment of the corresponding ends, while vices are habits that hinder human excellence. Here, I wish to focus on one particular virtue and its corresponding vices, a virtue that stands at the very center of the good for humans. Though perhaps it would be more accurate to refer to a family of virtues and vices, I introduce our object with a single name and propose to call it generosity.

Human agents are necessarily constituted culturally. Indeed, a culture is a way of being human. Sure enough, there is such a thing as a cosmopolitan upbringing, and humans can straddle several cultures with the confidence of natives. But no human can be culturally innocent, belong to no culture, if she is to possess the minimal linguistic and cognitive abilities required to be a full human agent. The complex motivational structure of human agents, the web of desires, senses, dispositions, beliefs, intuitions of which it is made, is shaped by the social practices embodied in language, the behavior of parents, relatives, friends, and other acquaintances, and the diverse customs and cultural products of the societies into which humans are born, all of which mold and inform agents before, temporally and logically, they can deliberate. Though there is some scope here for choice, we are all born into cultures and whatever options we may have are ultimately set against this background.

Now, the range of possible cultures is indefinitely large. One can of course judge them from various perspectives and, not surprisingly, some will come out better than others relative to the frames of reference and scales we are using. I myself believe that there are limits to cultural relativism, whether it be in the realm of morals, aesthetics, science and knowledge, physical prowess, or gastronomy.[8] But the important point to make here is that cultural identity, though essential to human fulfillment, is also a source of one of the most serious threats it faces. For identities can serve to exclude those who do not share them; they can serve to deny the humanity of others. And cultural identities are peculiarly dangerous in this respect, not being optional and being nonetheless constitutive of who we are in deep and essential ways. One standard against which one can judge a culture, in this case a moral standard, is the degree to which it facilitates the exclusion of others and the denial of their shared humanity, and, conversely, the degree to which it furthers openness to what is thoroughly alien culturally.

So what is generosity? It is the virtue of acting in recognition of the humanity of others. Generosity is an expression of love, and it is embodied in self-denial and a capacity to put one's will and beliefs to the side when interacting with those who are radically different from us but whom we should still recognize as fully human. Its opposing vices include self-centeredness and selfishness,

which are failures to properly recognize others, particularly when such recognition would involve questioning our own interests and convictions. They also include pride and self-assertion, which exhibit an exaggerated estimation of one's worth in relation to the worth of others. Generosity is at the center of human morality because it is an expression of the recognition of our shared humanity and of the scope of its possible realizations. Generosity makes us more human by completely embracing our humanity. It is an essential component of friendship, one of those distinctively human moral capacities, one that is indispensable for human flourishing and a meaningful life.

One context within which generosity can be displayed is in interactions that cut across cultural differences. But this is also a context where it can be most easily, and indeed is, denied. Generosity is manifest in the principle that in confrontations involving cross-cultural differences dialogue is always preferable to violence, and that one should never give up on the hope of reaching mutual understanding.[9] One particularly insidious vice we encounter here is paternalism, which involves a lack of respect for the autonomy and agency of its recipients under the guise of acting for their good and on behalf of their interests. At best, it robs them of their history and agency, and is a sinister substitute for dialogue and true generosity. At worse, it involves an acute form of self-assertion and lack of love seeking to make others like us. Paternalism is a failure to recognize the full humanity of others, while professing to respect them.

Generosity leads us to acknowledge that we are all responsible for human history, all part of one common journey. To embrace our shared humanity is to admit that we are prone to the same vices which have led others to evil so monstrous that it is beyond grasp, that it is our brothers who have sinned so terribly, and that no culture is immune from such failing. In no measure does this limit responsibility, nor does it provide an excuse for those hideous deliberative failures. Nonetheless, to understand how they are possible is to understand ourselves. The vices that infect deliberations leading to monstrous evil are vices that possess us all in a larger or lesser measure. This is a tension we have already encountered, the original sin of humanity, self-centeredness, and lack of generosity, most naturally arising from our group identities—identities that are all the same essential to our perfection.

Inevitably, we must bring nations and states into the picture. Generosity is bound up with the recognition that, considering the matter ultimately and absolutely, the only legitimate political authority there can be in the world now is one grounded on the good of all humanity. As Francisco Vitoria already saw five centuries ago, "the whole world . . . is in a sense a commonwealth."[10] Moral justification does not give any peculiar worth to the interest of states and nations per se, nor does it give any one state authority over any other. In the end, the only group that matters above all others is humanity, the totality of human beings considered each in her full dignity and identity. Nation-states embody the danger of exclusion and denial of generosity most acutely, on account not only of the nature of the identity they confer upon their citizens but also of their capacity for almost unbounded violence.

It is worth noting here that the violence we are mostly interested in can be carried out only by states or by groups large and organized enough to be able to compete with states, or at least with their acquiescence. Furthermore, modern wars, an evident occasion for such monstrous evil as occupies us, require complex productive and logistic organizations. Though it is possible for small criminal groups to acquire massively destructive weapons, we must not lose sight of the fact that those weapons exist only because there are states which allow their production. The complexity of the productive structures required to make atomic bombs, chemical weapons, missiles, war planes and warships, large guns, tanks, automatic and semiautomatic weapons, and even simpler guns is such that if no state allowed their manufacture and instead sought to stop it, they would not be produced. Of course, there are already many such weapons around; and other simpler ones, such as poisons, may be exceptions to this rule. But there is a clear point here: those weapons exist on account of the agency and complicity of states.

In any case, pride and paternalism find a fertile ground in patriotism. Patriotism is a virtue when it is the embodiment of solidarity. It is not an immoral restriction upon solidarity that it start at home; on the contrary such delimitation is a condition of its exercise. Perhaps it is also a virtue when it expresses commitment to a shared ideal pursued over time and alive in the institutions and practices of a people.[11] But when patriotism becomes a vice, a denial of generosity and love and a vehicle for self-centeredness and self-affirmation, it is akin to racism, male chauvinism, and other forms of blindness to the humanity of others. Given the power of states, and the primeval and unthinking way in which loyalty to this particular group identity is inculcated, this vice has considerable moral import. Closer to home, it has had a role to play in accounting for deliberations leading to unjustified monstrous evil undertaken in the name of the good.

Self-Centeredness and the Source of Monstrous Evil

Deliberation resulting in unjustified monstrous evil can fail by not being regulated by the principle that it is better to suffer evil than to commit it, and by the related principle that it is better to err on the side of charity and trust than on the side of egoism. But its decisive fault, a fault that the failure to heed these principles ultimately manifests, is a lack of generosity. Unjustified monstrous evil is the result of the frailty of human nature, the ease with which it can be perverted by pride, self-centeredness, and self-assertion, working through the inevitable identities humans must take on in order to be fully human.

I propose that the violence which interests us is generally bound up with a conception of the good involving a group identity, which blinds agents to the humanity of others. Sometimes these are natural groups, sometimes they are *ad hoc*. Sometimes the group identity is part of the conception of the good, as in the case of National Socialism, religious or ethnic liberation organizations, or Zionism. Sometimes it is simply instrumental to that conception and is

related to it through additional considerations, as when Lenin conceived the Party as the enlightened vanguard of history. In the case of the more immediate motivations for this essay, we find our identity at work in such a way when, in the weeks prior to the invasion of Iraq, President Bush told Congress that freedom is a gift from God to humanity and suggested that the United States is the messenger bearing it with war as his means:

> [T]onight I have a message for the brave and oppressed people of Iraq: Your enemy is not surrounding your country, your enemy is ruling your country. And the day he and his regime are removed from power will be the day of your liberation.... [W]e go forward with confidence, because this call of history has come to the right country.... [We] know that freedom...is not America's gift to the world; it is God's gift to humanity.[12]

Notice that we are not interested in the real or merely apparent positive or negative features of the diverse identities and conceptions of the good to which we have just referred. We may disagree about them, and I imagine most of us would reject many of them while embracing some others. But I have placed them all in the same bag knowing that in all probability most of my readers will find some toward which they have sympathy and some which they find repugnant; I have done that in order to underscore that the point is not the goodness or badness of the associated conceptions of the good, but their association to group identities, be they ethnic, religious, cultural, social, or national. For the central point of our answer to our original question is that unjustified monstrous evil flows from a lack of generosity on the part of the agents undertaking it, that this disavowal of the humanity of others is the result of being enclosed within themselves, and that this tends to happen when one is possessed by certain identities.

When deliberation leads us to opt for extreme violence and the certain possibility of horrendous suffering and devastation, it is indispensable for its moral integrity that it contain generosity at its very core, that it be guided by it, and that it fully embody it. This is a demand that touches every agent who in any way takes part in such deliberations, from those who are most responsible for the acts taking place at all to the simple citizens and members whose responsibility is evidently much lesser but still not nonexistent. We all have power over our actions, from our votes to the paying of our taxes, going through our jobs in factories that contribute to the production of weapons and our participation in our armed forces. In its pristine sense generosity refers to human dignity and nobility, to the recognition of the human species and to full participation in the inexhaustible range of human possibility and personhood. It requires openness to another as if she were oneself, making her interests and perspectives one's own, seeing the world from her perspective. So what we need to ask ourselves when assessing the deliberations that interest us, in particular those leading to the invasion of Iraq that so many of us supported, is how much they were informed by these virtues, how much did they *truly* embody the rule of treating others as one would treat oneself,

how much do they manifest self-denial as opposed to self-assertion. These are questions that, to some extent or other, we should all confront.

It is not necessary to delve closely into the deliberations of terrorists and others disposed to use the certain suffering of the innocent to pursue improbable aims and who give up on dialogue and understanding, since their thinking is so evidently devoid of generosity. Let us, however, look briefly into the thinking that led us to invade Iraq in 2003. It seems clear that the deliberations of the agents who are most responsible for that war was not informed by the requisite virtues. The minutes of the meeting between Presidents Bush and Aznar held in Texas on February 22, 2003, shortly before the invasion of Iraq got under way, help us confirm this diagnosis.[13] There we perceive pride and self-assertion, self-centeredness and a lack of sensitivity to the enormous evil that was to be unleashed upon the Iraqi people. We also perceive paternalism, so that instead of seeing others these leaders see only themselves. In other passages, what emerges are forms of vicious patriotism. What is lacking throughout the meeting and its moral rhetoric is generosity.

Would the president and those in his close circle of advisors have decided to invade, if doing so meant the certain suffering of their immediate families and friends—as certain and as horrible as the suffering that would be inflicted on very many innocents in Iraq? Would he and his advisors have still gambled for the greater good or the lesser evil? Or when the cost hit so close to home and the lesser evil was so palpable and immediate, would they have then preferred other options? When there is consequentialist judgment involved and one gambles with the unbearable suffering of others as we gambled in the war on Iraq, one must love those victims as one loves oneself or risk moral perversion. One must be willing to take upon oneself or to submit those one loves most closely, the immediate family, the dearest friends, to what one is deciding for others.[14] This is a test for the virtue of generosity, particularly when one is acting from a position of power, which those who decided to invade Iraq appear not to pass.[15]

Once more, film is useful here. It can help us appreciate how it is the lack of generosity, rather than a failure to grasp a moral truth or to properly carry out consequentialist reasoning, that is the deeper source of monstrous evil. Magda Goebbel's appaling flaw is best understood when seen as radical self-centeredness, which blinds her to the humanity even of her own children. She is surrounded by others who also shared her beliefs in Nazi ideology, but they were not so lacking in generosity as she was. Indeed, many were decent, generous human beings.

Consider now this other case. Gerd Wiesel, the main character in Florian Henckel von Donnersmarck's *The Life of Others (Das Leben der Anderen)*, is a disciplined and reliable agent of the East German secret police, a man of integrity sincerely convinced of the truth of Marxist doctrine and honestly committed to the goals of the state that he serves. The film is the recounting of his moral transformation, whereby he comes to realize the utter depravity of his actions and those of his fellow agents. The process is narrated realistically and with deep insight. What drives his change is not the correction of

any of his beliefs. It is instead his growing inability to not see the humanity of his victims, and the corresponding growing awareness of his own self-centeredness and of the greed and petty egoism of his comrades. Poignantly, it is exposure to beautiful, captivating music, a piano sonata played by the man on whom he is spying, that epitomizes his transformation: the shared music inevitably reveals to him their shared humanity. To bring the point home, he hears his victim say: "Can anyone who listens to this music, I mean truly listens, be a bad person?"

The roots of the evil we are considering lie in lack of love, egoism, and pride; they are found in the human capacity to forget, perversely aided by moral discourse and our group identities, the humanity we all share with each other. When monstrous evil is at stake and we engage in complex consequential reasoning, informed by uncertain theory, when whether we should gamble, and in what terms, cannot be determined by sure and certain knowledge of all the relevant facts, the only course open to those who wish to act according to the good is to act with generosity.

Notes

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1. The mathematician's case can be reasonably deemed to be analytically flawed for it both asserts his ability and then denies it. But that misses its point, which is just to highlight the need to give some account of the egregious failure in moral deliberation involved in the monstrous acts we are considering. Furthermore, the analogy is not intended to in any way suggest the answer to our question.
2. In the previous listing there is no intention of equating, as to their moral significance, the various monstrous acts and practices.
3. Talbot Brewer in "On Moral Alchemy: A Critical Examination of Post–9/11 U.S. Military Policy," chapter 15 in this volume, examines the moral indefensibility of such doctrine; on this topic, see also chapter 16 in this volume, Martin L. Cook, "The Day the World Changed? Reflections on 9/11 and U.S. National Security Strategy."
4. See Eliot Weinberger, "What I Heard about Iraq," in *What Happened Here: Bush Chronicles* (New York: New Directions, 2005), 144–182; originally published in *The London Review of Books* 27, no. 3 (February 3, 2005). In particular, see pages 150–152, 154–155, 163, and 181. See also by same author, "What I Heard about Iraq in 2005," *The London Review of Books* 28, no. 1 (January 5, 2006).
5. I should stress that here I am conceding, for the sake of argument, not only that these calculations could lead to moral justification, but that they could be carried out in a principled and plausible manner.

6. Since justification is related to the grounds available to the agent, all we need is epistemic chance.
7. It is not my intention to suggest that moral character does not crucially involve belief, nor that there are no cognitive aspects to ethical virtue.
8. See Paul Boghossian, *Fear of Knowledge: Against Relativism and Constructivism* (Oxford: Clarendon Press, 2006).
9. See chapter 17 in this volume, Michael McKenna, "Understanding Terrorism and the Limits of Just War Theory" and also chapter 12, Ada María Isasi-Díaz, "Justice: A Post–9/11 Theory."
10. Francisco de Vitoria, *Political Writings*, ed. Anthony Pagden and Jeremy Lawrance (Cambridge, MA: Cambridge University Press, 1991), 40; Francisco de Vitoria, *De potestate civili*, 3, 4; §21.
11. I owe this point to Tal Brewer, in conversation. My residual doubts arise from uncertainty as to whether *patriotism* can be effectively severed from the notion of a nation-state and the identity it confers, and be linked instead to other forms of human community, or whether we should instead look here to a different virtue altogether. After all, cultures can be organized communal projects embodying conceptions of the good pursued over time but loyalty to them does not seem properly patriotic. There appears to be nothing to rescue nation-states as such as vehicles for those worthy pursuits, since even the establishing of laws and social norms is not peculiar to them.
12. State of the Union Address delivered on January 28, 2003.
13. The transcript was originally made public by the Spanish newspaper *El País* on September 26, 2007.
14. See Talbot Brewer, "We the People, We the Warriors," *The Washington Post*, August 26, 2002.
15. Of course, passing this test is not sufficient; it is merely indicative, at best a necessary condition. Hitler and Stalin would pass it. When an exclusive and blinding identity is an integral part of their conception of the good, agents who pass that test will fail to embody generosity; and fanatics may also pass it with ease.

15

On Moral Alchemy: A Critical Examination of Post–9/11 U.S. Military Policy

*Talbot Brewer**

There is a growing consensus, even within the United States, that the decision to attack Iraq was morally unjustifiable and strategically disastrous. But there has been relatively little public scrutiny of two fundamental shifts in U.S. foreign policy and military doctrine that accompanied the war and that threaten to have a long-term impact on the use of the world's most powerful military force. Half a year before attacking Iraq, the U.S. Department of State attempted to prepare the legal and moral basis for the war by issuing a new National Security Strategy that broke decisively with prior limitations on the self-defensive use of military violence, declaring that the United States would attack other nations to defuse long-term threats to its security even when those nations had no imminent plans to attack the United States or its allies. Two years after invading Iraq, the U.S. Army and Marine Corps made an equally fundamental change in their strategic doctrine—a change aimed at improving its capacity to suppress the sort of resistance movement that has arisen in Iraq and that might confront its operations in other foreign nations. I believe that both of these fundamental changes in war policy are strategically unwise, but I will not pursue that matter here. My aim is to show that they are both morally indefensible. The doctrine of preventive self-defense could be counted as moral only on the exceedingly implausible supposition that when a group of individuals forms a state, this gives them a newly enhanced right to kill their fellow human beings. The new counterinsurgency doctrine would be morally benign only if put into practice by an army of angels. Applied to an army of human beings it is a recipe for

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brutality and oppression, and it will often result in the violent death of many innocent human beings.

The Doctrine of Preventive Self-Defense

It is widely recognized that self-defense provides a particularly strong justification for the use of military force, but there is considerable unclarity about what counts as self-defense. In addition to the clear cases of armed response to prior attacks, ethicists and international jurists have traditionally affirmed a right to initiate conflict to preempt attacks that have not yet been launched. However, this right has generally been taken to have a very narrow scope. One influential formulation of its scope is due to former U.S. Secretary of State Daniel Webster, who tied legitimate preemption to a "necessity of self-defense, instant, overwhelming, leaving no choice of means, and no moment of deliberation."[1]

In its National Security Strategy of 2002, the Bush administration publicly adopted a strategy of preventive self-defense with a much broader scope than would be permitted by Webster's criterion. The administration acknowledged that legitimate preemption has traditionally been premised on the identification of a clear and imminent threat, but argued that this standard must be loosened in order to meet the threat posed by stateless terrorists. It is not hard to see the rationale for this change. The attacks of 9/11 drove home the point that exceedingly damaging attacks can now be launched by entities other than states. Such enemies can rarely be deterred with the threat of counterattack, since there is no clear return address to which retaliation can be sent. The only way to thwart their attacks may be to strike first. Given the recent proliferation of non-state entities capable of launching damaging attacks, then, there are credible grounds for loosening the strict criterion enunciated by Webster. Still, as the Bush administration has framed and reframed its case for invading Iraq, it has settled upon an excessively loose and patently indefensible understanding of the bounds of self-defense.

One of the administration's original arguments for attacking Iraq was that Iraq's putative "weapons of mass destruction" posed an unacceptable risk to the United States, and that this risk was sufficient to justify the initiation of war even in the absence of solid evidence that Iraq planned to attack us or to aid others in attacking us. This argument represents a particularly decisive departure from the tradition of just war theory and international law. One fixed point of the tradition is that barring cases of tragic misunderstanding, the outbreak of war is never innocent on all sides but always involves an impermissible act of aggression by at least one participant. If we accepted the Bush administration's conception of preventive self-defense as a suitable international standard for the initiation of war, we would have to give up this fixed point. Since it can hardly be maintained that Iraq initiated aggression, the outbreak of this war would have to be regarded as innocent on all sides.

Indeed, by the Bush administration's standard, Iraq clearly would have been justified in attacking us even before we began to move troops into position to attack them, since public debate within the United States at that time made clear that there was a significant threat that we soon would attack. By this same standard, North Korea, Iran, and Syria—the members of Bush's so-called Axis of Evil—would have a right to attack us today. India would have a right to attack Pakistan, and Pakistan India. Russia would have a right to attack Georgia, and Georgia Russia. Israel would have a right to attack a long list of Arab states, and that same long list of Arab states would have a right to attack Israel. If all nations accepted and acted on the Bush administration's standard of preemptive attack they would race each other to war under the banner of self-defense, and the resulting wars would be innocent on all sides. The Bush administration must be supposed either to have failed to think through the consequences of this doctrine, or to have intended it as a special prerogative of the United States—not to be extended to other nations.

Shortly after the U.S. invasion of Iraq, the CIA and the Pentagon sent a 1,400-member team of investigators to Iraq in search of nuclear, chemical, or biological weapons. In October of 2004, the team issued a final report in which it concluded that there were no such weapons in Iraq, that there was no evidence that Iraqi weapons had been moved to Syria or any other country before the war, and that Iraq had not had an active nuclear weapons production program since 1991. In light of these findings, the Bush administration might have chosen to acknowledge that Iraq never had posed a significant enough threat to justify a self-defensive war, even by its own very permissive standard. Instead, President Bush immediately called a press conference on the White House lawn and insisted that the report did not undermine the self-defensive case for the war, since Iraq "retained the knowledge, the materials, the means and the intent to produce weapons of mass destruction" and "could have passed that knowledge on to our terrorist enemies."[2] With these words, Bush not only disregarded the conclusion of his own investigators that Iraq did not have the means or the immediate intentions to manufacture chemical, biological, or nuclear weapons; he also gave an ominously open-ended interpretation to his administration's already dubious notion of self-defense. If it were an accepted element of international law that an armed attack could be justified on self-defensive grounds by a potential adversary's mere intention to produce threatening weapons, or by the possibility that it might pass along its knowledge of how to build such weapons to avowed enemies, very little would be left of the category of injustice in the initiation of war.

It might be thought that weapons of mass destruction are a special case, and that there can be no innocent intention to produce or maintain an arsenal of such weapons. There would of course be a glaring hypocrisy in the adoption of such a stance by the United States, which does produce and maintain such weapons. But there is a more fundamental problem with the suggested position. The problem is that the notion of "weapons of mass destruction" is itself an ideological construct, one that is wholly unsuited to clarify the

real moral contours of military violence. I do not think that this phrase has a long history, though I have been unable to determine when or by whom it was coined. It seems apparent, though, that its widespread adoption within the United States has lent an undeserved appearance of moral decency to U.S. foreign and military policy. The various weapons that count as "weapon of mass destruction" are indeed fearsome. Yet it is worth pausing for a moment to compare mustard gas, one of the weapons of mass destruction that the Hussein regime was falsely accused of stockpiling, with American "Daisy Cutter" bombs, which are not counted as weapons of mass destruction. When mustard gas was used on the battlefield in World War I, primitive medical interventions were able to keep it from killing more than about 5 percent of those who were directly exposed to it. When the United States dropped its "Daisy Cutter" bombs on Taliban troops in Afghanistan and on Iraqi troops during the Gulf War, they killed virtually everyone within 300 yards while blinding, bursting the eardrums, and rupturing the lungs and other internal organs of those within about 600 yards.

The Daisy Cutter is now obsolete. It has been replaced with the Massive Ordnance Air Blast (the MOAB, also known as the "Mother of all Bombs"), which carries nearly twice the explosive power of its predecessor. Mustard gas is a weapon of mass destruction. The Mother of all Bombs is not. If the phrase "weapons of mass destruction" were merely a technical term for a certain category of weapons, it would not be a serious problem that its public use is at war with the words that compose it. But it is not merely a technical term. It is the name of an actionable cause for war. Under the circumstances, the cause of genuine truthfulness—truthfulness about the moral propriety of American actions in the world—demands something more than the retrospective correction of mistaken claims about the presence or absence of "weapons of mass destruction" in Iraq. It requires, among other things, a critical assessment and revision of the category of weapons of mass destruction. It requires a similarly clear critical assessment of many of the other concepts through which we organize our thoughts about our nation's doings on the world stage, including the notions of terrorism and self-defense.

It is particularly important to get straight on this last notion, since it demarcates the line between innocent and criminal uses of military violence. One way to see what is wrong with the Bush administration's understanding of it is by reflecting on the relationship between individual and political rights of self-defense. Most of us think that individuals have a moral right to use force to defend themselves against those who have already attacked them or who have clear and imminent plans to attack them, or who are supplying weaponry to others who have attacked or are about to do so. Given this, we can provide a simple and compelling account of how states might come to have comparable rights. When individuals organize a state it makes sense for them to confer their individual right of self-defense upon the state, so as to ensure that their right to defend themselves will be backed by adequate military power to make that right effective. If this is how states come to have a right to use military violence, we can see why Webster and others might have

insisted that rights of preemptive self-defense are sharply limited. All but the most hard-bitten Hobbesian will agree that individuals have no moral right to direct lethal force against those who pose merely conjectural long-term threats, nor any right to expose innocent bystanders to grave risk of death in order to minimize such threats. If states inherit from their own citizens whatever rights they have to direct violence at foreigners, no state could have such rights. Yet the Bush administration's doctrine of preventive self-defense implies that at least one state does have such a right.

The fundamental problem with the Bush doctrine is this: it effectively presumes that when human beings (or at least Americans) organize a state, this act mysteriously provides them with new and more ample rights to direct violence against other human beings. It presumes, in other words, that one can generate the gold of moral rights from the dross of overlapping self-interests and organized power. This is the moral equivalent of alchemy. If so-called reasons of state are trotted onto the scene to patch over this alchemy, one can only conclude that the phrase is serving as a polite name for massive and organized immorality. No similar alchemy is needed to explain the traditionally recognized right to preempt a clear and imminent threat of attack, or the right to attack those who are supplying one's assailants with weaponry. Intuitively it seems clear that individuals have these rights before they form a state, and they can confer these rights upon the state when it acts on their behalf.

One need not impute an irredeemably evil character to the central figures of the Bush administration in order to understand why it has sought a more ample license to use lethal violence. These leaders have been charged with protecting the lives and liberties of U.S. citizens, and they do not want to be remembered for having failed to live up to this responsibility. Still, political leaders are not exempted from moral prohibitions against the murder of innocent human beings simply because they bear this weighty responsibility. It should be added, though, that the citizens of even a barely functioning democracy do not retain their moral innocence if they stand quietly by while their government makes use of military violence in ways that presuppose that their lives are more valuable than those of other human beings who happen to have been born in other countries.

The Turn to Counterinsurgency Warfare

A year and a half into the war in Iraq, U.S. Defense Secretary Donald Rumsfeld attempted to explain to troops why their transport vehicles lacked adequate protection against improvised explosives by saying, "You go to war with the Army you have, not the army you might want or wish to have."[3] By that time, however, it had already become clear to many military leaders, if not to Rumsfeld, that there was a more serious and fundamental mismatch between the army the United States had and the army that would be needed to achieve its war aims. What these military leaders had realized was that the

army they led was designed for traditional battles against other armies and was not well prepared to suppress the armed resistance that was bound to emerge after the invasion ended and the occupation began.

It is a telling fact about the Bush administration that this mismatch between the army and its mission seems to have come as a surprise. It suggests that the administration did not expect a serious resistance movement to emerge. One can see indications of such a delusion in the repeated prewar predictions of Vice President Cheney and other senior White House officials that U.S. troops would be celebrated and welcomed as liberators upon their arrival in Baghdad,[4] in Rumsfeld's refusal to accept warnings from his own Joint Chiefs of Staff (and in particular General Eric Shinseki) that vastly more troops would be needed to occupy Iraq than to unseat Saddam Hussein, and in President Bush's widely ridiculed decision to give a victory speech on the deck of the *USS Lincoln* on May 1, 2003, less than six weeks after the start of a war that has now lasted more than five years, under a large banner declaring "Mission Accomplished."

Success in conventional warfare requires a wholly different set of competencies and strategies than success in suppressing armed resistance to an occupation. In conventional warfare, the surest recipe for success is to maximize casualties inflicted while minimizing casualties sustained. This is how one wins battles, and if one wins every battle then one is virtually guaranteed of winning the war. In counterinsurgency operations, the rules are radically different. It is often difficult to kill insurgents without killing civilians who have not yet committed themselves to the insurgency, and killing uncommitted civilians is the surest way to incite the sort of hatred that supplies the insurgency with fresh recruits. Hence the massive violence that destroys conventional armies often strengthens an insurgency. To use such violence is to run the risk of winning all the battles while losing the war.

The U.S. Army excels in the targeted deployment of overwhelming violence, and this permitted a quick and decisive victory during the initial invasion when there was still a conventional army to defeat. But after the invasion, when the U.S. Army attacked insurgents in Fallujah and other cities with airpower and devastating artillery fire (including white phosphorous munitions banned under the Chemical Weapons Convention, to which the United States is not a signatory), so many Iraqi civilians were injured and killed that the insurgency came away from the confrontation with wider popular support and a fresh stream of recruits.

By early 2005, the army leadership decided to rethink its counterinsurgency strategy from the ground up. This task was assigned to General David Petraeus, who now commands the U.S. forces in Iraq and who is generally regarded as one of the more gifted thinkers in the upper echelons of the military. Petraeus had been pondering counterinsurgency warfare for at least two decades, and there are signs that he was once quite skeptical about its feasibility. In his doctoral dissertation, submitted to Princeton University's School of Public Policy in 1987, he had concluded that "committing U.S. units to counterinsurgencies appears to be a very problematic proposition, difficult to

conclude before domestic support erodes and costly enough to threaten the well-being of all America's military forces (and hence the country's national security), not just those involved in the actual counterinsurgency."[5] This passage is entirely consistent with the views of influential military elders such as Caspar Weinberger and Colin Powell, for whom the principal "lesson of Vietnam" was that the military should not be sent into war without clearly identifiable and rapidly achievable aims, sufficient force to overwhelm the enemy on the battlefield, and a clear exit strategy. This is tantamount to saying that the military should not be used for nation-building or counterinsurgency warfare. Petraeus is widely interpreted as having harbored similar reservations when, while leading his invading troops through combat in Najaf and on to the fall of Baghdad, he was heard repeatedly asking himself and his companions, "Tell me how this ends?"[6] But he quickly developed a reputation as a capable leader of counterinsurgency operations, and was picked to lead an aggressive redesign of the U.S. military to prepare it for precisely the sort of counterinsurgency missions that previously he seems to have viewed with suspicion.

By December of 2006, Petraeus and his team had penned the army's new *Counterinsurgency Field Manual*, which sets out the special challenges of fighting an insurgency and the best strategies for defeating it. According to Lt. Colonel John Nagl, an influential member of the writing team, the manual is a statement of official military doctrine to be used not only in the planning of battlefield operations but also in the long-term resculpting and retraining of the army so as to prepare it for future engagement in the sort of warfare in which it had become entangled in Afghanistan and Iraq.[7] One does not expect a military field manual to be a stimulating read, but this one turns out to be surprisingly thought-provoking. So well do Petraeus and his team explain the special challenges or "paradoxes" of counterinsurgency that it is possible to read it as a sly *reductio ad absurdum* of the feasibility of the sort of military venture to which his civilian superiors have committed him.

In the field manual, Petraeus correctly locates the decisive battlefield of counterinsurgency warfare in the "hearts and minds" of civilians rather than in actual armed confrontations with insurgents. An insurgency will be virtually impossible to suppress if it has popular support, but there is some hope of stamping it out if it loses that support. What this means is that an occupying army's most vital task is to win over the local population. The best way to do this, according to Petraeus's manual, is to meet the basic needs of local residents. In the moment of anarchy that follows the collapse of the state, the greatest of these needs is for security. Hence, Petraeus's manual claims, the most vital task of an occupying army is to replace the police function of the fallen regime and to fulfill this role in a way that wins the allegiance of the local population. Insurgents can be expected to understand that this is where the crucial battle lies. Given this, Petraeus reasons, insurgents can be expected to melt into the civilian population, not only because they would quickly be killed if they could be identified but also because this fosters confusion among occupying troops about who is a friend and who is a

foe. Such confusion tends to increase the number of uncommitted locals who are maimed or killed when the occupying troops battle with the insurgency, thereby inciting the sort of hatred that brings fresh recruits to the insurgents. The occupying army cannot succeed unless it engages in security patrols that magnify risks to itself while restraining itself from retaliating against attackers whenever this would expose the civilian population to acute risk of injury or death (which it almost always will if the insurgents are competent in planning their attacks). The occupying troops must also forego the temptation to root out the enemy with brutal search and interrogation tactics, since the insurgent cause is advanced with each credible allegation of brutality or torture.

Petraeus and his writing team assume here that insurgents will not hesitate to act in ways calculated to increase civilian casualties among the population on whose behalf they are fighting, while U.S. troops can be relied upon to risk their lives on behalf of strangers. I will say more about this assumption in a moment. But before doing so I want to express my discomfort about some of the manual's terminology, since I find it hard to discuss the manual without making use of its terminology, yet I think that some of this terminology is calculated to give the U.S. wars in Iraq and Afghanistan an undeserved appearance of moral decency. There is, first, the question whether the armed opposition that has risen up against the U.S. forces in Iraq can correctly be described as an insurgency. This is the term now preferred by most television journalists and it is far less dishonest than the term "terrorist," which it has for the most part displaced. Still, "insurgency" strikes me as a tendentious name for the armed resistance that has risen up against U.S. forces in Iraq. An insurgency is an armed movement that initiates conflict against an established government with the aim of taking over the reins of power. U.S. forces in Iraq are currently being attacked by many different groups, none of whom can plausibly be said to have initiated the conflict. Not all of these groups seek to rule Iraq, and those that do seek political power disagree violently about who should exercise it. If any common cause unites these armed factions, it is the cause of ending the occupation. Hence it would be more apt to say that U.S. forces are fighting an independence movement than an insurgency. Nor does it strike me as entirely apt to say that the U.S. Army is playing or could play the role of a police force on the streets of Iraq. After the terrorist attacks of 9/11, the Bush administration chose the path of war rather than the path of cross-border police action. With the war in mid-stride, it is rhetorically convenient for U.S. leaders to portray soldiers as engaged in the police function of keeping the public peace. But one cannot enter a nation as an aggressor, then magically convert one's venture into a policing mission merely by unilateral imposition of limits on the further use of the violence at one's disposal. One is on the streets, engaging in patrols, only because one has used military force to interrupt peace by armed military invasion; and one will not be engaged primarily in the ordinary police mission of fighting crime. So while I borrow some of the terms of the manual in order to assess the tenability

of its arguments, I borrow them with trepidation—in awareness that their mere use can undermine moral clarity.

Policing is by no means the only traditionally civilian function that Petraeus's field manual assigns to the military. Once the invasion has run its course and the occupation begins, the military must transform itself into a comprehensive interim government engaged in what the *Field Manual* rather inventively calls "armed social work."[8] It falls to soldiers to restore healthcare facilities, fire protection, emergency food and shelter, electricity and water service, while also seeing to it that the trash is collected and that roads and bridges are rebuilt. The difficulty of mustering an army capable of fulfilling all of these roles is perhaps sufficient reason in itself to reject counterinsurgency warfare as a futile enterprise. Still, despite certain superficial similarities between soldiering and police work, there is reason to think that the police function presents the most intractable challenge to a successful and legitimate counterinsurgency campaign. The basic problem is that a foreign police force is extremely unlikely to have the far-reaching and selfless concern for the local population that a police force must have if it is to make responsible use of its domination of the means of violence. A police force that values the lives of its own members far more highly than the lives of those it is supposed to protect is a bad police force. It is never an easy matter to find good police recruits. Good policing requires an unusual degree of solidarity with those whom one is policing, and few people have that sort of solidarity even with their fellow citizens. But even fewer have such solidarity with strangers who live halfway around the world. Thus, if one wished to find good candidates for police work in Iraq, it would make little sense to look for them in North Dakota or West Virginia.

The point is not that a domestic police force is invariably better than a foreign one, but only that a foreign police force is exceedingly unlikely to have the motivational makeup that will permit it to win the hearts and minds of the local population. This point becomes all the more powerful when the members of the foreign force have been recruited by overt appeals to patriotic concern for their own nation and not to cosmopolitan concern for humankind, then subjected to psychological conditioning during boot camp so as to break down their inhibition against killing and to implant an instinctive disposition to give utmost priority to the safety of fellow members of their platoon. This sort of recruitment and training is an efficient way to prepare an army for conventional battle, but it is an abysmal way to try to assemble a police force. A foreign army that has had the training necessary to succeed in invading and taking control of a country will be exceedingly unlikely to provide the sort of policing that will win the crucial battle of the ensuing counterinsurgency phase of the war—the battle for the hearts and minds of local citizens.

An occupying army faces a further challenge that is all but intractable: its presence in the streets will tend to inflame nationalist sentiment and hence to increase rather than to decrease the overall incidence of violence. This makes it very hard for foreign troops to deliver the good of security that Petraeus

regards as the key to victory. But it also means that foreign patrols will frequently confront an especially threatening kind of violence that domestic police rarely confront: violence whose primary purpose is to kill the police themselves. Put another way, an army fighting a counterinsurgency cannot really transition into the police role so long as they remain in a simmering counterinsurgency war. Their perilous situation encourages a hair-trigger response to emerging threats and puts innocent civilians at grave risk. This sort of violence has a self-escalating dynamic: when innocent bystanders are killed by foreign troops this fuels resentment and strengthens the insurgency, thereby heightening the danger faced by the troops and encouraging the rapid resort to violence that multiplies civilian deaths. The mindset that produces this cycle of violence is vividly described by Corporal Sean Huze who served with the Marines in Iraq and has since spoken out against the war:

> We got into a lot of firefights. We didn't lose a single Marine. It was because in certain areas everything was considered hostile. We're taking fire from that general direction. There are 50 fucking people there, one guy is shooting at us. We can't find the one guy, fucking kill everything. You know, lay fire down over there, suppression fire, area target. You know, you don't think, "Okay, there's a lady in a pink dress, let's take her out. There's a kid, you know, let's take him out." No. We're taking fire from over there, blanket the fucking area. It works. It's effective, you know. You don't take fire from that area any more. The threat's eliminated and you keep going.[9]

Needless to say, these are not the techniques of a legitimate police force. Yet when the task of securing the streets has been assigned to a heavily armed occupying force who are under fire from unidentifiable assailants, and whose members feel fierce loyalty to each other and only a tenuous and temporary connection to the local population, the temptation to adopt these techniques should come as no surprise. Abuses and killings of civilians will be especially likely if the occupying army is supplemented with heavily armed mercenaries under the employment of private security corporations, as has been the case in Afghanistan and Iraq. And indeed, there have been disturbingly frequent media reports of such abuses and killings in both of these prolonged counterinsurgency struggles. To recall a few of the more egregious cases, we have read of the detention and torture of suspected insurgents at Abu Ghraib; we have read repeatedly of accidental shootings of unarmed civilians at military checkpoints; we have learned of a Pentagon program encouraging army snipers to plant bomb-making materials in public places and to shoot anyone who bends down to pick them up;[10] we have heard of the many unarmed Iraqis who have been killed without provocation by the mercenary soldiers of Blackwater Worldwide[11]; we have read of the disproportionate use of force and the killings of many civilians in the Battle of Fallujah.[12]

I do not mean to suggest that it is impossible for an occupying army to carry out policing duties in a wholly admirable way. I mean only that it

would require soldiers who are willing to put their lives at grave and continuous risk to ensure the safety of a population of strangers, even in the knowledge that a considerable number of those strangers are attempting to kill them. Petraeus and his writing team have made a compelling case that such altruism is a precondition for winning a counterinsurgency. But precisely because they have succeeded so well in establishing this claim, they have served up the key element of a powerful *reductio ad absurdum* of the very notion that counterinsurgency warfare can succeed in stabilizing a government that the local population actually accepts as legitimate (rather than a regime to which they will acquiesce until the foreign troops go home). This aim might possibly be fulfilled by an army of angels, but to commit an army of human beings to such a mission is to make abuses and killings of unarmed civilians all but inevitable. For this reason, there should be a strong moral presumption against any invasion that is likely to lead to occupation and counterinsurgency warfare. Such an action might well be justified in response to a previous armed attack or in order to end egregious and ongoing human rights abuses, but not on the looser self-defensive grounds that the Bush administration set out before the war nor on the democracy-promoting grounds that the administration began to cite in retrospect when no threatening weapons were found.

There is a close relation between the two fundamental shifts in U.S. policy discussed in this essay. Unfriendly regimes can rarely be replaced in the name of preemptive self-defense without sparking an insurgency. Hence the expanded doctrine of preemptive self-defense will often require an army that can defeat opposing army during an invasion, then prevail against an insurgency in order to establish and stabilize a more friendly regime. The training required for success in traditional battle involves the inculcation of strong patriotic devotion, the breakdown of ordinary psychological inhibitions against killing, and the development of fierce bonds of loyalty among the soldiers in each platoon. Counterinsurgency requires an entirely different sort of recruitment and training—a sort that fosters cosmopolitan concern for host populations and a readiness to risk life and limb on their behalf. There is good reason to doubt that any program of military recruiting and training could produce an army capable of excelling in both kinds of warfare, since they require conflicting fundamental concerns. This provides a further reason to reject the Bush administration's doctrine of preventive self-defense. Not only does it provide a doctrinal basis for further violations of standards of justice in the initiation of war (*jus ad bellum*), its implementation will often require counterinsurgency operations that no human army can reasonably expect to carry out without serious violations of standards of justice in the conduct of war (*jus in bellum*). There are powerful moral reasons, then, for renouncing the Bush administration's oxymoronic doctrine of "preventive self-defense" and for reaffirming the skepticism about counterinsurgency operations associated with many military leaders of the immediate post-Vietnam era, including prominent Republicans such as Caspar Weinberger and Colin Powell.

Notes

1. Daniel Webster, in Extract from Note of April 24, 1841, enclosed in a letter to Lord Ashburton dated July 27, 1842. The text is available at http://www.yale.edu/lawweb/avalon/diplomacy/britain/br-1842d.htm.
2. White House press release, October 7, 2004. http://www.whitehouse.gov/news/releases/2004/10/20041007-6.html.
3. The remark was widely reported but quoted in slightly different ways by different news sources. The wording here is drawn from a clip of the remark that can be viewed at www.youtube.com/watch?v=3jPgljRvzQw.
4. An ample selection of these predictions can be found at http://democrats.senate.gov/dpc/dpc-new.cfm?doc_name=fs-108-2-211.
5. David Howell Petraeus, *The American Military and the Lessons of Vietnam: A Study of Military Influence and the Use of Force in the Post-Vietnam Era* (Ph.D. Dissertation, Princeton University, 1987), 305. This passage is cited by Chris Bray of George Mason University's History News Network at http://hnn.us/blogs/entries/42627.html.
6. Christopher Dickey, "The Story of O," a review of Rick Atkinson, *In the Company of Soldiers: A Chronicle of Combat*, in *The New York Times*, April 4, 2004.
7. See *The U.S. Army and Marine Corps Counterinsurgency Field Manual* (Chicago, IL: University of Chicago Press, 2007), xiv.
8. Ibid., Appendix A, Section 45.
9. From an interview in the documentary film *The Ground Truth* (Focus Features, 2006). For further information see http://www.thegroundtruth.net/.
10. For a *Washington Post* account of this program, see http://www.washingtonpost.com/wp-dyn/content/article/2007/09/23/AR2007092301431.html.
11. A relevant BBC report can be found at http://news.bbc.co.uk/2/hi/americas/7095764.stm.
12. See http://www.abc.net.au/news/newsitems/200411/s1245229.htm.

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The Day the World Changed? Reflections on 9/11 and U.S. National Security Strategy

*Martin L. Cook**

In the immediate aftermath of the attacks of September 11, 2001, there was a great deal of rhetoric from within the Bush administration and without claiming that the nature and scope of those attacks marked a decisive turning point and watershed in U.S. foreign and military policy and perhaps in international law. As we look back from the perspective of seven years, it is clear that a very large number of decisions regarding the use of the U.S. military, the restraints of the Geneva Convention, and the relations of the United States with its allies were indeed based on the belief that such a fundamental change had occurred and that it necessitated considerable modification in the conduct and that have historically defined the stance of the United States toward the international community. The belief in such a fundamental shift has been used to justify treatment of prisoners that would, under existing standards, be considered torture. It has underpinned an unprecedented degree of American unilateralism in its conduct of foreign policy and military affairs. And it has been cited as a rationale for fundamentally recasting the justifications for use of military force in terms of the understanding of *jus ad bellum* as it has evolved in international law in recent centuries.

This essay critically examines those developments, specifically with reference to the purported justifications for the use of military force *ad bellum*. It examines the arguments offered that 9/11 justifies a fundamental rethinking of those criteria. It will attempt to weigh the risks and benefits of accepting

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the proposed new standards as legitimate in international law and ethics. Lastly, it will make some projections beyond the end of the Bush administration to suggest directions in which the United States might profitably modify its stance and serve as a leader of the international system toward some new understandings that attempt to address the global terrorist threat in ways that might be more universally acceptable to our international friends and partners.

The Shock of 9/11

For those paying close attention to the threat, the attacks of 9/11 were hardly a bolt from the blue. The first World Trade Center bombing (1993), the bombing of the U.S. embassies in Tanzania and Kenya (1998), and the bombing of the *U.S.S Cole* (2000) were evidence of a growing and determined group of terrorists who plotted to attack U.S. targets. Furthermore, the Clinton administration (in particular National Security Advisor Sandy Berger and counterterrorism advisor on the National Security Council Richard Clarke) were focused specifically on *al Qaeda* as a significant threat to the United States.[1] With the wisdom of hindsight, in fact, the specific method of using commercial airliners to attack domestic targets seemed clear (and was clear at the time to some investigators).

Nevertheless, the loss of 2,740 lives in a single morning on U.S. soil, witnessed on live television in the case of the second New York attack, shocked the nation and the administration. Obviously, no one knew at the time if follow-on attacks were imminent. For the first time in its history, NATO invoked Article 5 of the Washington Treaty authorizing a collective security response by the alliance as a whole to the threat.[2] Pursuant to Article 5, NATO provided airborne surveillance aircraft to patrol the skies over the United States in the immediate aftermath of those attacks.[3] "We're all Americans now," proclaimed the French magazine *Le Monde* in its September 12, 2001 edition. Clearly, the immediate responses suggested that a major shift in the routines of the international system was to be expected and was assumed to be required.

What followed (in terms of the use of military force—the sole focus of this chapter) is common knowledge. The United States attacked Afghanistan and toppled the *de facto* Taliban government of Afghanistan, even though no one suggested that the state of Afghanistan itself was in any way responsible for the September 11 attacks. Ostensibly, the justification of that attack was that it was necessary to attack the state of Afghanistan in order to reach the real perpetrators of the attacks: the al Qaeda organization that stood in a complex relationship to that *de facto* government. Subsequently, of course, the United States, the United Kingdom, and a small coalition of the willing attacked the state and government of Iraq, which (despite a great deal of obfuscation by the administration) clearly bore no responsibility whatsoever for the September 11 attacks.

Neither of these military operations conformed to the existing model of justified use of military force in terms of the settled *jus ad bellum* considerations of just war either as an ethical tradition or in its commonly agreed legal version. It is important, therefore, to carefully delineate the ways in which they departed from that tradition. Subsequently, we will offer some assessment of the justifications for such departures, and conclude with weighing in hindsight the pluses and minuses of those modifications with a view to the emergence of future agreed-upon international standards.

How Did Afghanistan and Iraq Depart from Existing Norms?

For some centuries, the agreed-upon understandings of the legitimate uses of military force have focused on warfare as an activity that states conduct with other states. Furthermore, throughout the twentieth century, the reasons for the use of military force accepted as legitimate have gotten narrower and narrower. Since 1928, with the Kellog-Briand Pact, all uses of force that are not defensive and responses to aggression on the part of other states have been judged to be illegal—and that judgment was the basis for one category of war crimes at the Nuremburg War Crimes Tribunal: crimes against peace.

There were, of course, exceptions to this apparently universal rule. In particular, law and custom recognized a very narrowly drawn right of states to use force preemptively or, as the lawyers prefer to call it, in "anticipatory self-defense." But the recognition of the possibility of abuse of this exception to legitimate wars of choice rather than of necessity was so great that the tendency was to restrict it as narrowly as possible. Michael Walzer helpfully codified that understanding in *Just and Unjust Wars*: the other state has a manifest intent to injure the preempting state, is engaged in active preparation to do so, and waiting and doing nothing only magnifies the risk.[4] In other words, the threat must be imminent. Allowing any more latitude of interpretation opens the floodgates to wars intended to be preventive, or even to nineteenth-century-style balance of power war—wars that, experience has shown, attribute excessive foreknowledge to their planners of the actual effects of their actions.

Further, after the creation of the UN system in the aftermath of World War II, the legal justifications of war (at least on paper) became even more restrictive. While all states retain a right of self-defense in immediate response to an armed attack, the UN Charter envisions collective security to be the preferred response to international bad actors generally.[5]

Walzer famously summarizes the standard interpretation legitimate *jus ad bellum* in his "legalist paradigm":

1. There exists an international society of independent states.
2. This international society has a law that establishes the rights of its members—above all, the rights of territorial integrity and political sovereignty.

3. Any use of force or imminent threat of force by one state against the political sovereignty or territorial integrity of another constitutes aggression and is a criminal act.
4. Aggression justifies two kinds of violent response: a war of self-defense by the victim and a war of law enforcement by the victim and any other member of international society.
5. Nothing but aggression can justify war.
6. Once the aggressor state has been militarily repulsed, it can also be punished.[6]

For our purposes, the crucial point is #5: "nothing but aggression can justify war." This is significant in both cases of Iraq and Afghanistan because rather obviously neither is a military action in response to aggressive actions by those states committed against the United States. Self-evidently, therefore, neither is legitimate if the measure of legitimacy is conformity to the paradigm.

One major exception even within the existing system, of course, would be "collective security" actions authorized by the Security Council. While there is room for some rather murky argumentation about the precise status of early Security Council resolutions, especially regarding Iraq (and it was, of course, the U.S. administration's position that those resolutions were sufficient to provide a legal justification for the Iraq war), I believe it is a fair statement to say that few other nations, and almost no dispassionate legal experts, concur with the view that a legal basis existed for either action under the UN system.[7]

To note that both interventions depart from existing norms is not, of course, to decide the issue whether they might be justified unless one is unwaveringly committed to the view that the illegal is always the immoral or unless one is a fundamentalist in one's interpretation of the UN Charter (hardly a wise course of action, one would think, given the track record of UN performance in the collective security area over the course of its history). But such departures, if they are to be justified, obviously require extraordinary justifications. What follows is an assessment of those justifications in light of the unique circumstances of both cases.

In many ways, the issue in Afghanistan is the more straightforward of the two. The attacks on the United States of September 11 were (obviously) not acts of interstate war. Al Qaeda is not a state, and therefore does not fit the model of the legalist paradigm at all. On the other hand, al Qaeda was then unquestionably headquartered and commanded from within the territory of Afghanistan, and the country was ruled *de facto* by a Taliban government that had broad sympathies with the group and complex interlocking relationships with it. Although the United States quickly determined upon a military course of action to respond militarily to those attacks, it recognized the distinction between the *de facto* Afghan government and al Qaeda by offering the government the opportunity to turn over Bin Laden for trial—an offer which was essentially rebuffed by raising legal quibbles such as "proof" that he was guilty before they would do so.

This left a unique situation before the U.S. leadership. There was no question where the leadership of the group that had attacked the United States was located—in Afghanistan. There was also no question that the United States had not been attacked by the nation of Afghanistan, but by a group within its borders but not under the control of that government. The thought that another attack by al Qaeda might be quite imminent was powerful and justifiable. As long as the Taliban government remained in power in Afghanistan, there was every reason to believe they would continue to offer sanctuary to al Qaeda in their borders. In that context, and given these real-world considerations, it seemed a legal nicety at best to allow Afghan sovereignty and lack of direct involvement in the attacks to be a barrier to an effective military response to al Qaeda. President Bush announced that it would be the policy of the United States to "make no distinction" between terrorists and those that harbor them—a striking phrase, if not entirely precise in its meaning.

What is the status of such a claim? Clearly, as we have already seen, it goes far beyond the permissions of existing international law and international institutions. Certainly there were critics of the Afghanistan operation who objected on those grounds. But I believe most thoughtful nations and individuals recognized that doing what was possible to disrupt al Qaeda Central, even though it required reaching into sovereign territory, was justified both because of the unique nature of al Qaeda as a non-state actor and because of the highly irregular and ideologically aligned character of the Taliban government of Afghanistan.

If the issue had ended there, this author thought the way forward was relatively clear. This intervention would be a beginning of a revision of international law that would, by its acceptance, probably be recognized as a new contribution to customary international law. All states would recognize that they too would act in similar ways, confronted with similar attacks and threats. In light of that, one might have expected development on the diplomatic front to begin to build international consensus and agreement on the rules, criteria, and procedures for such interventions. Obviously, military intervention in the face of the objections or military resistance by the harboring nation would remain the last resort, and a series of graduated pressures and expectations on the harboring government, short of military intervention, would be the norm—ideally with international cooperation and support. Indeed, evolution of international law in such directions would in some ways be of a piece with the similarly increasing porosity of state sovereignty. At least in theory, ever since World War II the international community has committed itself to various forms of humanitarian intervention and the "responsibility to protect." Such interventions, emerging as legal norms in the international system, are already in competition with state sovereignty.[8] In other words, effective intervention and control of non-state actors would join the responsibility to protect as among those goods which should not (in appropriate circumstances) be stopped by an inviolate principle of state sovereignty. What would remain to be clarified, of course (as is the case with the impulse for humanitarian intervention and responsibility to protect), would

be procedures, criteria, and generally agreed-upon cases in which the international community was truly prepared to overrule sovereignty. There is as well the continual problem with all talk of "the international community": with what resources (since all military resources are under the control and governed by the national interests of sovereign states)?

In other words, while the decision to engage the Taliban government goes beyond settled and agreed-upon international norms for *jus ad bellum*, it appears to this author in any case that the facts of the case suggest it is highly likely that other like-minded states, faced with similar threats either in reality or in prospect, would recognize such an intervention as legitimate. Most states are likely to see it as a reasonable and necessary response to attacks by a group such as al Qaeda. No state could allow such a group to shelter behind the sovereignty of a state—especially if that state is utterly unlikely to be cooperative in dealing with the threat and indeed is aligned ideologically with it. If acceptance of intervention in such a case were widespread, of course, then such actions would by their example add to "customary international law," and make them precedents from which analogical reasoning could proceed if similar situations arise in the future. This is clearly a case where careful thought about just war needs to reach behind the existing legal framework to recapture the older and deeper moral basis of the just war tradition to find the resources to continue its evolution.

Although the Bush administration's aversion to internationalism prevented it from actively pursuing the diplomatic prong of this strategy, the basic facts of non-state actor threats operating from sanctuary within the borders of sovereign states remains, and looks as if it will remain, a threat for years and probably decades to come. It is, furthermore, a threat not only to the United States but to what Thomas Barnett has usefully characterized as "the Core" states of the functioning international community.[9] So one way in which indeed the world has changed is by generating an objective requirement for a significant revision in settled international law and international institutions to deal with the emerging reality of such non-state–based threats. This effort will be mostly diplomatic. The realistic goal for the near term is probably less formal revision of international law than attempting to gain the widespread acceptance of actions against such groups that will provide the basis for the shift in customary international law. This acceptance will be sufficient to legitimate necessary actions against non-state actors and greater clarity of the increments of pressure necessary if the sovereignty of states is to be challenged in cases where they cannot or will not disrupt terrorist activities within their borders. Beside international law, of course, other measures are also required to trace the financing of such groups, disrupt their information transmission and recruiting efforts, and to more effectively and rapidly share intelligence among like-minded states engaged in attempting to shut down their operations.

The Bush administration's claims for the degree of change required after 9/11 are, of course, far broader than the ones we have explored so far. Furthermore, those claims were the basis on which the decision to invade and

carry out regime change in Iraq were based. We turn, therefore, to the basis of those claims for the necessity of even more radical and fundamental change in our understanding of *jus ad bellum* justifications for war and to the first application of those norms in the decision to go to Iraq.

Very quickly after 9/11, statements from a number of administration leaders suggested that new rules and new norms were to be expected as the administration formulated its action plan in response to the 9/11 attacks. These culminated in a definitive statement in 2002 in The National Security Strategy (NSS) of the United States—the official document each administration issues to provide its overall vision of national security threats and challenges, and the document that is meant to flow into The National Military Strategy (NMS) of the United States.

To its credit, the NSS directly addressed the revisions to international norms that it was advocating and offered a rationale for them.[10] In Section V of the document, it begins by citing the existing legal norm of legitimate preemption (or "anticipatory self defense"): "For centuries, international law recognized that nations need not suffer an attack before they can lawfully take action to defend themselves against forces that present an imminent danger of attack. Legal scholars and international jurists often conditioned the legitimacy of preemption on the existence of an imminent threat—most often a visible mobilization of armies, navies, and air forces preparing to attack."

It then proceeds, however, to argue that the attacks of 9/11 require and justify a revision of this agreed-upon standard of legitimate preemption: "We must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries." And specifically, the nature of these adversaries is that "[r]ogue states and terrorists do not seek to attack us using conventional means. . . . Instead, they rely on acts of terror and, potentially, the use of weapons of mass destruction—weapons that can be easily concealed, delivered covertly, and used without warning" (2002 NSS, Section V).

These claims regarding the nature of the threat are unquestionably true, it would seem, especially for the totally non-state actor adversaries (since even a rogue state is still a state, locatable on a map, and susceptible to retaliation—hence, to some degree, subject to deterrence). But a dispersed non-state group is indeed immune to many of the real-world constraints that would be in play for even the most deviant state actor.

In light of these facts about the nature of the new threat, the NSS states as the policy of the United States a variation of existing international norms:

> The United States has long maintained the option of preemptive actions to counter a sufficient threat to our national security. The greater the threat, the greater is the risk of inaction—and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively. (2002 NSS, Section V)

In other words, the argument is that, because of the nature of the adversary and the possible magnitude of weapons of mass destruction (WMD) attack, the bounds of legitimate anticipatory self-defense must be expanded. The traditional standard includes three elements: capability (the adversary has capability to harm you), intent (the adversary clearly and unambiguously intends to do so—traditionally indicated by signals traffic, mobilization, and so forth), and risk (that, since the first two are generally subject to interpretation, one should wait unless the risk of continuing to wait is unacceptably high). In essence the NSS advocates the view that we already know intent, and since we may not see enough of the threat forming to intelligently judge risk, we should eliminate capability whenever and wherever possible so that the threat can never materialize.

The administration offered a gamut of justifications for our invasion of Iraq.[11] But the most persistent one was that the fact that Iraq either had or was working to acquire WMD in the near future made an Iraq led by Saddam Hussein an unacceptable risk—in other words, precisely the "assume intent, can't afford to wait to determine risk, therefore eliminate capability" argument the NSS envisions.

Of course we now know that the WMD did not exist, and we further know that the intelligence which suggested that they did was, to put it mildly, the product of a less than diligent effort to establish ground truth. We further know that, at least in the minds of many highly knowledgeable people, even if one thought Iraq did pose a threat, attacking it when we did hardly was a matter of "last resort." But of course the essence of the proposed revision of the NSS is that we need not—indeed ought not—wait for last resort because (it claims) we will never know the scope and place of the attack until it is too late.

Ought we to agree that this, too, should be regarded as a legitimate and necessary bid to revision of international law by means of an action intended to be accepted as an addition to customary international law? It is my opinion that, stated as a general principle (as the NSS does), we ought not to agree.

Admittedly, few would dismiss absolutely the legitimacy of a preventive military response in a case where leaders knew to a moral certainty the location and identity of non-state actors engaged in acquiring WMD and known to have the will and intent to use them. It is hard to imagine that states and their leaders would object seriously (although they might feel the need to do so for political reasons and to rise in defense of sovereignty in principle) if the United States or any other power were to attack a specific al Qaeda location, which could be shown clearly to have been a production facility for WMD. Of course, such an attack would be a violation of existing norms both of the legalist paradigm and even of existing understandings of legitimate anticipatory self-defense. But it would at a minimum be seen, I think we can be confident, as a legitimate exception to those existing norms justified by the extremity of the threat in the face of clearly demonstrated intent on the part of al Qaeda.

To note this, however, falls far short of a generalized permission for preventive war. The reasons are that such a narrowly drawn legitimate exception would almost never be found in the real world due to epistemological and practical constraints.

The epistemological constraint is that such certainty of knowledge would rarely if ever be achieved. Obviously any terrorist group interested in acquiring such weapons would be well aware of the importance of the covert nature of their actions and would go to great lengths to disguise them.

Furthermore, if such certainty were obtained, it would in most cases be acquired with at least some level of cooperation by the state within whose borders these activities are taking place. When that is the case, the kind of direct violation of state sovereignty imagined by the NSS's defense of preventive war would not be necessary since in almost all cases cooperation of that state could be obtained (admitted perhaps coerced or reluctant cooperation). But as long as the legalities of cooperation are maintained, the fundamental structures of state sovereignty are intact.

Therefore, while the NSS does point to a logical possibility of unilateral action pursued for preventive purposes, the suggestion of a fundamental revision of the "rules" of international conduct is not warranted. First, all like-minded states would recognize the nature of threats of this type and willingly cooperate in their suppression. Second, the "rule" proposed by the NSS, if universalized as a legitimate legal standard for all states, would so deeply destabilize the degree of international order that does exist as to be far, far too dangerous to the world community.

Better, then, to grant the logical possibility of the extreme justifiable case as a legitimate exception to the normal rules rather than to attempt to revise the rule to cover the extreme case—especially because, as a practical matter, it is going to be a very rare case; then all the elements would combine to justify such an intervention into a sovereign state. Furthermore, as the experience of Iraq shows, the strategic and political costs of getting it wrong are enormous. In light of that experience, one hopes future decision-makers will scrutinize suggestions for future preventive attacks and regime change schemes far more carefully.

So, Has the World Changed?

September 11 was, indeed, a massive shock to the system of the existing international order. It certainly put the focus on a problem poorly handled by existing international law: attacks by non-state actors. Here change is indeed required, and will take years of diplomatic work as well as assessment of the legitimacy of various actions that states will take to deal with it in the absence of clear legal guidance. Although the specifics are not clear at the time of writing, the goal is straightforward: there are some actions by non-state actors that the world community cannot allow traditional state sovereignty to shelter. As we noted earlier, this is really just another dimension of the

sense that has been evolving since World War II that state sovereignty must be limited in light of other international and human goods.

On the other hand, the claim advanced by the Bush administration that we should fundamentally revise international law to carve out permissions for unilateral state actions as an accepted part of the conduct of statecraft goes too far. While granting the possibility of the extreme case where an individual act of such intervention might be justified, we have noted that such cases will be rare (perhaps to the point of nonexistence). Furthermore, the attempt to treat any such exceptions as integral parts of a reworking of international law is more dangerous and destabilizing than the problem that the proposed changes are meant to address.

Notes

The views expressed in this essay are those of the author and do not necessarily reflect the official policy or position of the U.S. Air Force, the U.S. Department of Defense, or the U.S. government.

1. http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB147/clarke%20memo.pdf.
2. The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

   Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security. http://www.nato.int/terrorism/five.htm.
3. http://www.nato.int/docu/pr/2002/p02-003e.htm.
4. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, Third Edition (New York: Basic Books, 2000), 81.
5. Needless to say, the realities of the UN system in delivering on that promise are not such as to inspire confidence. But the legal point is important nonetheless when we come to assess the justifications offered for the military actions in Afghanistan and Iraq.
6. Walzer, *Just and Unjust Wars*, 61–62.
7. See, e.g., the advice on Iraq from the British attorney general: http://www.globalpolicy.org/security/issues/iraq/document/2003/0307advice.htm and also the opinion of then Secretary General of the United Nations Kofi Anan: http://news.bbc.co.uk/2/hi/middle_east/3661134.stm.
8. It is important to note, of course, that these commitments are not well integrated with the older state sovereignty system. The result is great confusion

both in theory and in practice when real cases that appear to require such interventions arise. The inability of the United Nations and the international system generally to rise to effective action regarding the Darfur region of the Sudan is only the most recent of a depressing chain of such examples.

9. Thomas P. M. Barnett, *The Pentagon's New Map: War and Peace in the Twenty-First Century* (New York: Berkley Books, 2005).
10. http://www.whitehouse.gov/nsc/nss.pdf.
11. Richard Miller provides a very helpful and careful analysis of the differing accounts of that justification. Richard Miller, "Justifications for the Iraq War Examined," *Ethics and International Affairs* 22, no. 1 (Spring 2008): 43–67.

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Part IV

The Just War Theory after 9/11

17

Understanding Terrorism and the Limits of Just War Theory

*Michael McKenna**

Since 9/11 we here in the United States and others in many large and small democracies around the world have been bombarded by discussions of terrorism's threat. And we have been called on, in the face of it, to support dramatic changes to our democracies, changes such as the Patriot Act, along with invocations to support extreme international policies, such as to make no distinction between terrorists and those who harbor them. I confess, the very day I saw those towers burning on a television screen, I hoped that our country would not be transformed in the way that it has.

I have an anecdote about that day that is just too ironic to pass over. Early that very afternoon, I was scheduled as a visitor to teach a session in an interdisciplinary honors seminar at Ithaca College titled "Cultural Differences." I planned to begin my allotted two-week unit on cross-cultural interpretation. My goal was eventually to bring the students to see the force of Donald Davidson's principle of charity, a principle which dictates that in order to interpret a person whose behavior and language are alien to us, we must presume that the majority of the person's beliefs are true. The entire campus was in a state of shock. Most professors were making appearances for their scheduled classes only in order to cancel them. The professor of the course I was to visit officially canceled class but also made it optional for students to remain in order to talk about this terrible event. I stayed with him, together with a small collection of students. Most of the students expressed fury and

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pain. They could not imagine who could do this or why. One young woman, an international student, had been sitting quietly in the corner for a long time listening intently to the others express their dismay. Finally she spoke up. She began very gingerly. She tried to express how and why she had a very different perspective on that morning's events. She did not say what country she was from, and I did not ask, but she pointed out that for her this terrible sort of event would not be regarded as a complete surprise, though naturally it would devastate her and her people as it did ours. She lived in a place where political strife and violent controversy were parts of the social space everyone was forced to face, including small children and other innocents. She explained that, as she saw it, the United States was often involved in policies that contributed to such unrest. Still, our citizens had been immune to the terrors of it. Then she said, "Now you know what it is like."

I do not think that I will ever forget that remark. Despite her insensitivity for offering it just then, on that day, with other students in tears, it was brave and honest. It is easy to dismiss her contribution as callousness, but I think that there is a powerful point in it. Eventually I want to cast a light directly on it. But to begin, I would like to ask what we mean when we talk about terrorism. Since, according to the rhetoric of our time, we are at war with it, it would be good if we had some understanding of what in the hell we mean by it.

* * *

In a rich and impressive collection of essays edited by James Sterba, *Terrorism and International Justice*, several noteworthy figures take up the topic of what terrorism is. Although their suggestions are far superior to those that are assumed in most discourse found in the media, even in Sterba's collection, there is much variation, and to my mind it is not helpful. That is, it is not bound to foster multiply constructive but competing perspectives in the service of enriching dialogue. Mostly, it is bound to impede clear thinking rather than facilitate it. Drawing upon a number of pieces in Sterba's collection, as well as a few other prominent sources, let me begin by offering various credible contenders for a proper account of terrorism.

In "The Terrorism of 'Terrorism,'" Tomis Kapitan defines terrorism as "the deliberate use of violence, or the threat of such, directed upon civilians in order to achieve political objectives."[1] Notice that on Kapitan's account we have to rely upon a distinction between civilians and non-civilians. We also have to assume that the modification "political" is meant very broadly. I will speak to each of these points briefly. As to the issue of relying upon a distinction between civilians and non-civilians, notoriously there are problems with making a clean distinction here. But even amongst those who are clearly non-civilians, what of the military officer who works as an attorney prosecuting soldiers in her own military responsible for war crimes? If she is targeted, maybe while off duty, through means typically associated with terrorist activity, is it not terrorism since she is not a civilian? Regarding the

issue of the objectives of terrorism, suppose a person were to pursue a policy of terrorism to make a point about her religious way of life, must we take the relevant aspects of her life as political? My inclination would instead be to construe the potential objectives of terrorism more broadly.

In *Terrorist Targets and Tactics*, Paul Wilkinson characterizes terrorism as "the systematic use of coercive intimidation, usually to service political ends."[2] Wilkinson qualifies his account so that it usually targets innocent civilians. Two points about Wilkinson's view. First, unlike Kapitan, and in keeping with my suggestion, Wilkinson allows the scope of terrorism's objectives to be other than political. Also, Wilkinson seems to allow the possibility that non-civilians could be the targets of terrorism, and he furthermore wishes to qualify the persons targeted as innocent where Kapitan does not.[3] I believe that the notion of innocence is required in accounting for terrorism, but I will defer my reasons for that just now.

In "Terror and Just Response," Noam Chomsky makes do with the document titled, *US Army Operational Concept for Terrorism Counteraction*. It defines terrorism as "the calculated use of violence or the threat of violence to attain goals that are political, religious, or ideological in nature... through intimidation, coercion, or instilling fear."[4] Notice that this definition does not even make reference to civilians, noncombatants, or the notion of innocence, though it does widen the scope of the terrorism's objectives beyond the political. (To be fair to Chomsky, he means only to make use of this definition to turn its application on policies of the United States.)

In an essay by Claudia Card, "Making War on Terrorism in Response to 9/11," Card approvingly cites Carl Wellman's account of terrorism as coercive political violence characterized by two features. One is that harm is aimed at a direct target, but with the intention of sending a message to an indirect target. Another is that the activity is meant to be coercive. It is meant to have a specific coercive result involving the altered conduct of those terrorized. For this reason, Card concludes that, if the attack on the Twin Towers was merely meant to be punitive, or instead to show the world that the United States is not invulnerable, then on Wellman's definition, it was not an act of terrorism. Card seems to approve of this inference.[5] To my mind, the first of Wellman's conditions is insightful and is overlooked in much of the discussion of terrorism—that the direct targets of terrorism's violence are typically not those the terrorist means to influence. But the second seems to me unnecessarily restrictive. If according to Wellman's definition the 9/11 attacks could not be terrorist attacks because they were only meant to be punitive, then so much the worse for Wellman's definition!

Turning to Michael Walzer's highly influential *Just and Unjust Wars*, in his chapter on terrorism, Walzer does not pause to give a careful definition of it but he does have a few extremely important observations about it. One is the element of randomness aimed at the innocent. Another is the intended goal of making the larger population feel "fatally exposed" and therefore prepared in some way to acknowledge or acquiesce.[6] Walzer goes on to discuss an effort at a moral distinction between just assassins and those who are

unconcerned with whom the victims of their violence will be. Citing the case made famous by Camus in *The Just Assassins*, Walzer describes the case of the Russian revolutionaries who planned to kill a Tsarist official, the Grand Duke Sergei, only to scotch the plan when it became clear that the Duke had children with him at the time.[7] The important point about the case is that in it the political assassins, though not acting as soldiers or targeting "combatants," were willing to distinguish the politically guilty from the politically innocent and allow that distinction to place constraints on their conduct. And, as Walzer then writes about the politically innocent, "It is precisely these people, however, that contemporary terrorists try to kill."[8] It is in light of this sort of observation that I think that a proper account of terrorism should make some effort to build into it the notion of innocence, as challenging and controversial as it might well be to do so.

In "Terrorism and International Justice," James Sterba offers a definition quite close to one I have developed, "Terrorism is the use or threat of violence against innocent people to elicit terror in them, or in some other group of people, in order to further a political objective."[9] My reservations with it are obvious given my remarks earlier. The objective need not be political; it should be clear that the policy is directed at those who are not the direct targets of the violence; and the goal need not be influence (in the sense of being coercive), since it could just be a means of moral address, when, for example, it is punitive. I would add one more point to Sterba's: it must be intended that the means of influence or address be *by way of the terror elicited*. This is connected with Walzer's point that the strategy of terrorism is meant to make a population feel fatally exposed.

Let me make this last point by way of the case of coercion. There are many ways to coerce. I am, I admit, coerced by the IRS every year, and I am quite a compliant, calm, cool, and collected object of their coercion, I assure you. My point here is this. Coercion's essential nature is that it involves influencing a person so as to act contrary to her own preferred best judgment under threat of some sort.[10] Ergo, I am coerced by the IRS. But one can be coerced, when coercion is understood as such, and still not be the intended object of a policy meant to elicit terror. She can, in a completely cool manner, assess the threat, understand the potential harm to her, and then draw appropriate conclusions that might well involve a best judgment that includes complying with the threat. Some policies of coercion, including some that might be morally justified and some that clearly are not justified, are nevertheless designed to give persons a rational basis for compliance. *Such policies are meant to engage a person's rationality*. Instilling terror, by contrast, is meant to *short-circuit* the exercise of that sort of rational capacity.[11] Or, if it is not designed to short-circuit exercises of rational capacity, minimally, it is unconcerned with whether or not it does so. No doubt, there are those brave (or stupid) persons who, in the face of good reason to be terrorized, are not.[12] But that does not mean that they are not the intended objects of terrorism; it just means that they refused to give in to the policy's intended effects. I propose that we build this element into a proper definition of terrorism (though I concede

that doing so will exclude outlier cases that strictly speaking will not fit the definition but are perfectly good cases for instances of terrorism).

Keyed to the parenthetical remark in the previous sentence, in correspondence, Jeff McMahon has thoughtfully resisted my building into the definition of terrorism the condition that it in some way is designed to illicit the sort of fear that short-circuits one's capacity to reason.[13] He gives the example of a totalitarian government besieged by an aggressor with bombings meant to undermine the government's control over their people by killing those people, reducing the manpower of the country, and so on. There is no assumption on the aggressor's part that the terror of the civilian population created by their bombings will in any way have a bearing on the totalitarian government's policies (the government is unconcerned with "the will of the people"). But the bombings will create a fear in those governing that, without bending to the will of the terrorists, they will lose control over their population.

My first, and I think better, reaction to McMahon's example is to make the concession that this is a case of terrorism and that it does strictly speaking fall outside the conditions of the definition I am working toward. But I think care needs to be taken here before, in light of this counterexample, we throw out the definition. Surely the term we are trying to nail down does not capture a metaphysically distinct type of phenomena with its own "essence." There is nothing here to carve "at the joints" so to speak. It is a term of art meant to capture a disparate range of cases. Hence, it is plausible that certain outlier cases will not fit it well. But if the definition organizes many of the sorts of cases that we want to think about, for moral and political reasons, then perhaps the weakness of the definition is not that objectionable. Because so many cases of terrorism *are* meant to achieve the appropriate results through the psychic means identified here, *terror*, I think it wise to preserve this contentious component of the definition toward which I am working. (Of course, to handle the case, one could simply hedge the condition with a qualifier such as "typically" or "often.")

A different response to McMahon's example is to deny that the strategy it identifies is meant as a strategy of *terrorism*. It is, in light of the definition offered, a case of murderous coercion that has the known but unintended consequence of *terrorizing* a group of people, but is nevertheless, not a policy of *terrorism*. I am inclined to think this second response is unreasonable. It would be highly un-philosophical to think one's definition should trump such a clear contender for a case of terrorism.

Despite the reservations just discussed, here is an account of terrorism that fits with the preceding survey of others' accounts of terrorism, one that I have developed elsewhere. I think it turns the trick in bringing together the best features of the aforementioned definitions while avoiding various difficulties that we have canvassed: "Terrorism is a policy committed to the random use or threat of violence directed against innocent members of a community with the intention of eliciting terror in the wider community in order to influence or address the practices or beliefs of that community by way of the terror elicited."[14]

As I indicated earlier, the notion of innocence is one of the tricky elements in this definition, and I have not tried to make clear what I mean by it. I will not attempt to do so at length here, but I will note a few salient points that I believe should make its place in my definition unobjectionable. In my estimation, the pertinent notion of innocence is relative to a wrong or constellation of wrongs.[15] So, for example, if I am guilty of something or other, say deceiving my dear wife about a financial matter, it will not be okay for you to sock me in the nose if you have been insulted by someone other than me. It will not do to defend your socking me to say that I had it coming to me since I was deceiving my wife. Well indeed, maybe I did, but not by you, and not in light of the fact that you have been insulted when I in no way was involved in your being insulted.[16] This is what I assume is meant by innocence in the account of terrorism under consideration.[17]

Certainly any sane person committed to a policy of terrorism has some purchase on this notion of innocence to appreciate that some persons within a targeted community have in no way participated in or even supported any of the policies figuring into the perceived wrong in question.[18] The most obvious candidates are very young children. But in most complex communities that are often the targets of terrorist violence, the terrorists are aware that many responsible adult members of the targeted community disavow many of their community's policies that contribute to the perceived wrong. And some of them might even be actively engaged in efforts to alter the relevant policies. Such persons thus do not bear the proper relation to the perceived wrongs to claim that they are or were party to them. Hence, they are, in the sense at issue, innocent with respect to the policies; yet they are targeted as a means of addressing the pertinent policies. On the account that I have offered, and in keeping with Walzer's observation in his discussion of the just assassin, terrorism is a policy that refuses to be constrained by the moral distinction between the innocent and those who are not. In the typical cases, it actually feeds off that distinction by intentionally acting in opposition to its proscriptions.

* * *

When terrorism is morally wrong, what is distinctive about its wrongness? Of course, there are various things that are wrong about it that it shares with other forms of deep moral wrongs such as torture, genocide, mass slaughter, and so on. Of paramount importance is, naturally, that like genocide and mass murder, it is directed at the innocent. But one feature that, I think, cuts deep to the heart of terrorism's distinctive wrongness is that it means to influence, as I explained earlier, by way of short-circuiting a community's capacity to reason. By targeting the innocent, tender underbelly of a community, a policy of terrorism is not in the business of asking its wider intended audience to acquiesce or to alter some policy on the basis of the good reasons (if there by any) that would justify the terrorists' claims of having been wronged. A policy of terrorism means to force its audience to

willingly concede regardless of their own moral standpoint and their claims of the moral legitimacy of their community and its members. It also means to demand concession regardless of the audience's perceived reasonableness of the terms. In effect, then, terrorism is a policy that is prepared to go beyond the pale of some very basic constraints on the possibility of moral address. And there, at the limits of moral address, are the limits of what we can demand of each other in terms of intelligible assessment of others' claims. We are in a place worse than a Hobbesian state of war; we are in a place in which appeals to rational self-interest are no longer viable bases for seeking the path from war to peace.

If terrorism is a policy that is prepared to go to a place beyond the pale of reason, beyond, in effect, intelligible demands that could be the basis for moral address of any sort, then how could it ever be morally justified? In the remainder of this essay, I want to explore the possibility that there might be very special circumstances in which it could be. My main purpose in asking this hard question is in the service of a deeper moral understanding. If those terrorists who flew those planes into the Twin Towers on 9/11 were not lunatics, then is there any way to construct a moral justification for their actions? This is a terrible question, but if we cannot even ask it, then we truly are in a terrible place, a place where reason is not permitted free reign. I believe that there is no better counsel than good reason itself, and that nothing meriting the label "morally wrong" is beyond the scope of what good reason can demonstrate, including racism, bigotry, sexual exploitation, rape, torture. You name it. There should be nothing wrong with asking of such things whether there could be a good reason for them. For it is surely the finest test of clear-eyed rational examination that makes plain that there are not.

Having said that, I fear that the results I will arrive at will leave some disturbed. I plan to show that by moral considerations found in just war theory, considerations that many reasonable people are prepared to accept, there is a basis for the claim that sometimes terrorism is morally justified or, at least, morally permissible. This is a very far cry from the claim that the attacks on the Twin Towers were morally justified, but it might help us to put the lie on a proper understanding of what might have motivated these men and their acts of evil. Certainly, it will carry us far beyond the facile explanation that these were men who were "haters of freedom."

As a preliminary, let me say that there are those persons who as pacifists do not acknowledge that violence is ever morally justified. To them, none of the fine distinctions in just war theory will be at all persuasive. In what follows, I only mean to point out that, by the light of one powerful moral cannon regarding war and warfare, a cannon likely studied carefully by many a graduate of West Point or the Naval Academy, there are resources to make a case for situations in which terrorism might be morally justified. And to the extent that these moral considerations are contiguous with aspects of "our" moral worldview, I only mean to show that morally, or at least rationally, there is not an unreachable gulf between "us" and "them." This, I think, is not a bad thing, but a good thing, though no doubt it is also very sad.

In a recent article appearing in *Ethics*, "Terrorism, Justification, and Illusion," Saul Smilansky boldly takes up the question of whether terrorism could ever be morally justified. Rejecting the sort of absolutist prohibition against killing the innocent expressed in Thomas Nagel's famous article, "War and Massacre," Smilansky advances, with various careful reservations, a principle of exception to another principle. The principle is the Anti-oppression Exception to the Principle of Noncombatant Immunity. Its claim is that there are exceptions in which weak forces are fighting unjust oppression against a vastly disproportionately stronger oppressing force. In such circumstances, extreme measures that target noncombatants can be morally justified.[19] Smilansky looks at the cases of the IRA, the Palestinians, and al Qaeda, arguing in each case that their circumstances would not warrant invocation of the Anti-oppression Exception. His reason in each case is that there are and were viable means for pursuing their moral claims that did not involve targeting noncombatants. Although I disagree with Smilansky's assessment of some of the cases that he considers, his is one of the most thoughtful philosophical discussions of terrorism's problematic moral place that I have seen—though I do not think that he connects the dots between terrorism and just war theory as perspicuously as he might have, and this is how I shall now proceed.

In *Just and Unjust Wars*, Michael Walzer develops a rich account of the moral constraints on justice *of* war and justice *in* war. The controversies Walzer's book has instigated are many, and I do not mean simply to endorse his book as a sort of secular scripture. But I do think that, even if many of its major tenets are disputable—such as building an account of justice of war on the domestic analogy, or instead, maintaining a logical partition between justice of and justice in warfare—the theses within it are within the scope of what many a reasonable person could accept. And it will be enough to make my case if I can show that sometimes it is at least within the scope of the reasonable that a policy of terrorism could be morally justified.

Since terrorism is a strategy or a tactic, evaluating it within the context of just war theory requires that it should fall under the rubric of justice *in* warfare.[20] As Walzer might put it, the cause of a group committed to an act of terrorism might be morally justified; the persons in question might legitimately be oppressed in ways that would warrant their initiating what would be for them a just war, but the *tactic* is another matter. Central to Walzer's account of justice in warfare is the distinction between combatants and noncombatants. (As I see it, this distinction turns upon the notion of innocence. But that is another matter and can be set aside here.) Walzer takes great care to show how a principle such as the doctrine of double effect can be modified so as to permit the unintended but foreseeable killing of noncombatants with the intention of achieving certain morally justified military goals. Suffice it to say that Walzer is very careful to make the threshold for such permissibility very high indeed. But however it unfolds, simply directly taking aim at noncombatants to force a military to acquiesce is strictly forbidden as Walzer sees it.

It is therefore surprising to read Walzer's discussion of the carpet bombings by the allies of German cities in the early stages of World War II. There, amongst many reasoned qualifications, Walzer acknowledges that a sort of *supreme emergency* could justify what he himself described as an allied policy of terrorism in the form of terror bombings. Walzer writes, "The purpose of the raids was explicitly declared to be the destruction of civilian morale."[21] According to Walzer, two elements are required for a supreme emergency. First, the threat has to be conceived as catastrophic, involving excessive desperation and despair, such as the prospect that an entire people could be obliterated. A second is that the situation has to be immediate. There must be a crisis that calls for decisive action. Given these constraints, Walzer imagines himself, roughly, in Churchill's shoes in the summer of 1940 deliberating about whether to commit to a policy of terrorism by way of carpet bombing. Walzer's own words are so gripping that they merit quoting extensively:

> Given this view of Nazism that I am assuming, the issues take this form: should I wager this determinate crime (the killing of innocent people) against that immeasurable evil (a Nazi triumph)? Obviously, if there is some other way to avoid the evil or even a reasonable chance of another way, I must wager differently or elsewhere. But I can never hope to be sure; a wager is not an experiment. Even if I wager and win, it is still possible that I was wrong, that my crime was unnecessary to victory. But I can argue that I studied the case as closely as I was able, took the best advice I could find, sought out viable alternatives. And if all this is true, and my perception of evil and imminent danger is not hysterical or self-serving, then surely I must wager. There is no option; the risk otherwise is too great. My own action is determinate, of course, only as to its direct consequences, while the rule that bars such acts is founded on a conception of rights that transcends all immediate considerations. It arises out of our common history; it holds the key to our future. But I dare say that our history will be nullified and our future condemned unless I accept the burdens of criminality here and now.[22]

It is instructive that Walzer describes the case as one that involves accepting the burdens of criminality. That is, he is not saying that a supreme emergency makes what would otherwise be criminal not a criminal act. But despite this, when he says, "surely I must wager," minimally, the "should" is meant to be a rational if not a moral "should." And so Michael Walzer, an imminently rational philosopher, having taken great care to distill as best as possible the proper scope of the moral constraints on warfare—in terms codifying the sorts of moral commitments reflected in Western democracies such as our own—is willing to peer out to the reaches of just wars and concede that in extreme cases a policy of terrorism can be rationally (if not morally) justified.

Now Walzer warns us that supreme emergencies have to be constrained by the two requirements mentioned earlier, severity and immediacy. And the

relevant thresholds here must be quite high. But still, regarding the condition of severity Walzer claims that we "need to make a map of human crises and to mark off the regions of desperation and despair."[23] Well, how are we to do this? I do not know but, in his own articulation of Churchill's reasoning, he cites a threat to one's common history. To proceed, I shall adopt the morally objectionable strategy of speaking in terms of "us" and "them," which is certainly a dangerous way of proceeding. In this case, however, its use is meant to invite reflections upon narrowing and not widening gaps in understanding.

Here is a kind of "sympathy for the devil": My fear about the terrorists of 9/11 and others in like organizations around the world is not that they are lunatics or haters of freedom. It is that they are not. It is that they see their people's place in the world as one involving a supreme emergency in which their very own common history is threatened by an aggressor toward whom they are otherwise entirely disempowered and wholly disenfranchised. And they might even see the threat to their way of life as immediate. If so, then they from their standpoints look upon us as we might look upon others when we are facing a supreme emergency of the sort Churchill faced in the summer of 1940. Minimally, there is no reason to see "them" as other than rational.

I think about that student and her hard remark, "Now you know what it is like." It is a remark instigated mostly by exasperation over living amongst others whom she found to be morally blind to much trouble in the world—some of it, her very own. It was not entirely unjustified exasperation, even if on that day expressing it might have been out of line. It is certainly ironic that my lesson plan for that day was to work the students toward Davidson's principle of interpretive charity. My own reaction to the aforementioned "sympathy for the devil" is to insist that the terrorists of 9/11 were wrong in their assessment of the moral topography of the world. They were *not* facing a supreme emergency; their way of life was *not* threatened with extinction; and the urgency of their situation was *not* immediate. All of this, I think, is true. And so I do not believe that the terrorist attacks on 9/11 could be justified within the framework of Walzer's treatment of just war theory. But from what I have learned, that is not how "they" see it. I believe that they do not see things aright, but it would be a terrible moral blindness not even to consider our own failures of moral imagination. Perhaps we, meaning the United States, or other Western nations, have wronged their people in ways that *would* justly warrant some acts of aggression. Is this unthinkable? If not, at least we have found a place where moral address is possible, and that is better than the alternatives.

Notes

For many illuminating conversations on this topic, I am indebted to Jorge Secada. I would like to thank Joshua Gert, Rick Kaufman, Jeff McMahon, and David McNaughton for their excellent comments on an earlier draft of this essay. I would also like to thank Matthew Morgan for inviting me to contribute to this volume.

1. Tomis Kapitan, "The Terror of 'Terrorism,'" in *Terrorism and International Justice*, ed. James Sterba (New York: Oxford University Press, 2003), 48.
2. Paul Wilkinson, *Terrorist Targets and Tactics* (London: Research Institute for the Study of Conflict and Terrorism, 2000), 12–13, as cited by Kapitan, "The Terror of 'Terrorism,'" 62n3.
3. Kapitan, "The Terror of 'Terrorism,'" 62n3.
4. Noam Chomsky, "Terror and Just Response," in *Terrorism and International Justice*, ed. Sterba, 69.
5. Claudia Card, "Making War on Terrorism in Response to 9/11," in *Terrorism and International Justice*, ed. Sterba, 173.
6. Michael Walzer, *Just and Unjust Wars* (New York: Perseus Books, 2000), 197.
7. Ibid., 198–199.
8. Ibid., 199.
9. Sterba, ed., *Terrorism and International Justice*, 206.
10. To some ears, this might not ring true. In correspondence, David McNaughton has noted that he and Piers Rawling endorse a normative account of coercion, one that identifies coercion with only an *unjustified* threat or use of force. My account, by contrast, is nonnormative. I agree that many associate "coercion" with a morally objectionable use or threat of force. But I think this is too restrictive. Suppose that I come upon burglars who are about to rob your home, and I tell them that if they proceed, I will blow up their homes. They acquiesce. It seems to me that I have coerced them, and yet (let us suppose) I was justified in my threat.
11. This is a delicate point since it should be made consistent with the thought that sometimes fear, even rationally debilitating fear, can be rational. Or, as I prefer to put it, sometimes fear, even rationally debilitating fear, is not irrational. Paradoxical as it might sound, a person who is rationally debilitated by a threat need not be understood as having reacted irrationally. As perplexing as this sounds, I think there is an easy way to appreciate why this is intelligible. Fears are rationally constrained by the propositional objects to which they are responses. One constitutive element in (most) cases of fear involves a belief that something (e.g., a state of affairs) could harm a person. Hence it is not irrational to fear something if in fact it could pose a harm to you. Irrational fears involve fearing things that could not harm you. (This all needs to be qualified in terms of degrees of harm. For example, paper cuts can harm you, but it would not be rational to respond to your fear of them by refusing ever to handle pieces of paper.)
12. After completing this essay I happened to read a recent article by Jeremy Waldron, "Terrorism and the Uses of Terror." I was heartened to see that Waldron is also interested in making clear that mere coercive influence is too weak of a notion to capture what is at the heart of terrorism. Waldron's discussion is much more advanced than the fairly simple one I have offered here, but what we clearly share is an insight about the distinction between influence merely by threat and influence by what Waldron calls "terrorization."
13. Both Joshua Gert and David McNaughton objected on similar grounds.

14. Where this way of influence or address involves efforts to bypass appeal to the exercise of rational capacity.
15. Thanks to Jeff McMahon for helping me to fine-tune this point.
16. Rick Kaufman has thoughtfully pointed out that in just war theory, the conditions for *jus in bello* do not understand innocence in this way. In the context of *jus in bello*, the notion of innocence is not of the moral sort I bring out in my sock-in-the-nose example. It is, rather, about the distinction between those who pose a legitimate harm in the context of aggression. A young conscripted soldier in no way morally or legally responsible for any wrong done to an opposing group might nevertheless be made into one who can reasonably be thought to pose a credible threat or harm, merely by carrying a weapon and being part of a military force. Hence, combatant and non-innocent line up with posing a potential *future* harm; noncombatant and innocent line up with posing no future harm.

    I concede that this is how the notion of innocence does work in thinking in terms of just war theory. (Though I am suspicious of its credibility.) But I do not think that it captures the intuitive moral distinction that I suspect is behind the way those committed to a policy of terrorism might think of the notion. Theirs, I assume, has a backward-looking element captured by the standard moral notion of innocence relevant to the sock-in-the-nose case. They are interested in those who are not innocent of the harms (and moral wrongs) done to them. And they are prepared to commit to a policy of addressing those persons whom they take to be guilty in this sense by harming or threatening harm even to those who are, in the backward-looking sense, innocent.
17. For a more developed account of innocence in relation to defining terrorism, see C. A. J. Coady, "Terrorism and Innocence," *Journal of Ethics* 8, no. 1 (2004): 37–58.
18. This remark might reflect a deep moral bias, one anchored in the "individualism" of Western conceptions of morality. Other cultures might have a conception of guilt that is at its most fundamental level communal. On this conception, there is simply guilt by association. I fully recognize that there is this bias in my thinking, and I grant that perhaps some of the "others" who participate in what I would want to call terrorism do not share this bias. They, then, would regard all relevant members or the pertinent targeted community as morally guilty and not innocent *merely by virtue of their membership within the targeted group*. Hence, the actions would not be acts of terrorism under the definition I offer. They would be acts of moral retaliation, retribution, self-defense, or maybe legitimate acts of war against an assumed aggressor, especially in cases in which there is an extreme asymmetric balance of power. (I am indebted to two of my former Ithaca College colleagues for this consideration, Asma Barlas and Naeem Inayatullah.)

    I fear that there is in some cases this gulf in conceiving of guilt and innocence that explains how far apart "we" and "they" are. I have no easy way to resolve this dispute, though I think that my bias is well founded and rationally grounded. But I also think that it is too easy and, frankly, unkind of a

move to simply object that the opposing conception of guilt and innocence is not well founded and rationally grounded. Are we at an impasse, philosophically, culturally, morally, or politically? I hope not. Surely a first step at moving past this gargantuan roadblock is acknowledging that there are these differences.

19. Saul Smilansky, "Terrorism, Justification, and Illusion," *Ethics* 114 (2004): 790–805, see page 791.
20. Alison Jaggar, "What Is Terrorism, Why Is It Wrong and Could It Ever Be Morally Permissible?" *The Journal of Social Philosophy* 36, no. 2 (Summer 2005): 202–217.
21. Walzer, *Just and Unjust Wars*, 256.
22. Ibid., 259–260.
23. Ibid., 253.

18

The Just War Tradition Faces the Remnants of War

*Mark Douglas**

The most obvious change wrought by 9/11 has been the initiation by the United States of two international wars in Afghanistan and Iraq. The two wars share noticeable similarities (the inculcating of an international force prior to invasion, the overthrow of an oppressive government, the *casus belli* involving rogue countries giving support to terrorists); but there are also important differences between the two wars, including the size of the force involved, the comparative political instability of Afghanistan prior to invasion, and the degree to which the earlier invasion was widely supported by proponents of the just war tradition (henceforth "just warriors") whereas those same proponents were deeply divided over decision to invade Iraq.

Perhaps these differences reveal the continuing viability of the tradition. Not only were just warriors consulted—both by the Bush administration and, almost constantly, by the media—in the buildup to both wars, but the existence of such differences suggests that the tradition has both the depth of resources to treat different wars differently and the breadth of perspectives to avoid extinction when times and war-making change.

Yet these differences also may reveal the struggle that just warriors face in making the tradition relevant. War is changing, and one of the problems this creates for just warriors—indeed for all persons concerned about war—is how changing patterns in and understandings of war can be coherently addressed.

Perhaps no one has given more thought to the changing nature of war than political scientist John Mueller of Ohio State University, a contributor to the war and politics volume of this series. First in his 1989 book *Retreat*

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from Doomsday: The Obsolescence of Major War[1] and, more centrally, in his 2004 book *The Remnants of War*,[2] Mueller makes the case that the institution of conventional war, which has been in existence for over 5,000 years[3] has been in decline for over a century and is now all but obsolete. It has been replaced, Mueller argues, by unconventional civil wars and "policing wars," of which those in Afghanistan and Iraq *may be* representative. This change in war, though perhaps as significant a change as any in human history, has gone significantly overlooked, including by just warriors. If Mueller is right and if the wars in Afghanistan and Iraq become models for rethinking war more generally, the repercussions of 9/11 will extend in ways that are both farther-reaching and more surprising than anyone, including just warriors, would anticipate.

This essay takes up the challenges posed by Mueller's arguments and their implications for just warriors in light of the events following 9/11, asking three consecutive questions. First—and assuming that the credibility of his arguments turns on their usefulness in making sense of contemporary wars—can Mueller's thesis help make sense of the wars in Afghanistan and Iraq? Second, if Mueller's thesis is helpful, what can just warriors learn from it (and, *vice versa*, what can those who would follow Mueller learn from traditional just warriors)? And, third, how might this new knowledge help just warriors think about future wars? Along the way, I also suggest that even as just warriors are relearning about war from Mueller, they can also use the resources of the tradition to add caveats, clarity, and specificity to Mueller's thesis.

Mueller and the Post–9/11 Wars

The central thesis of Mueller's work is that war is an idea; that "[u]nlike breathing eating, or sex, war is not something that is somehow required by the human condition or by the forces of history."[4] Because it is neither natural nor inevitable war can fade into nonexistence, much as state-supported slavery has done. And as war-making states have found it more horrific than they once did and less helpful in resolving their conflicts and extending their power—at least in comparison to other forms of engagement—war has become increasingly rare over the past 100+ years. Indeed, Mueller argues, because it is an idea, its displacement is largely the product of the growing power of ideas that can be loosely gathered under the sociocultural umbrella of antiwar movements. In Mueller's analysis, significant percentages of the citizens in most (Western) countries treated war as generally justifiable and often desirable; after 1918, however, war might be necessary but was always horrible, normally immoral, and generally futile.

Yet even if disciplined or conventional warfare has receded from prominence, war itself has not disappeared from human history. There have always been some—Mueller labels them "criminals—robbers, brigands, freebooters, highwaymen, hooligans, thugs, bandits, pirates, gangsters, outlaws"[5]—who

benefit from the chaos and social instability of war. These groups, war's remnants, continue either to promote war or to be used by weak governments as mercenaries in irregular wars.

As a result, wars since the end of the cold war have been almost exclusively of two kinds. The first and most common has been civil war, though civil wars of the sort that tend toward the unconventional and terroristic in the means by which they are fought and the criminal in regard to the "soldiers" who are their primary combatants. Examples include those wars fought in the former Yugoslavia, Sierra Leone, and Colombia. The second, often in response to the first, has been the increasing prevalence of policing wars that are aimed at inhibiting or eliminating the excesses of contemporary civil wars. Examples include the first Gulf War, Somalia between 1992 and 1994, and Kosovo in 1999. Such policing wars aim at stabilizing conflict-torn countries in order to make humanitarian assistance possible, containing or overturning dangerous regimes, and punishing the misbehavior of tyrants.

If Mueller is right that not only the goals and tactics of war are different but the very nature of war, itself, is changing, then those trying to evaluate war in general or specific wars in particular (whether via moral, historical, or strategic forms of reasoning), must now rethink the very assumptions about war that shaped their thought. What counts as "war"? Do the same rules of conduct apply? Do the historic purposes of war still drive military and political decisions? What would count as victory in a battle or success in a campaign? Do terms such as "rules of conduct," "purposes of war," "battle," or "campaign" mean the same things they used to? Such questions are particularly acute for just warriors, who take as their work the projects of distinguishing more and less moral causes for and behaviors in war. And since the best way to test such questions is to apply them to particular events, it would be helpful to have particular wars to turn to as test cases. Events since 9/11 have provided such test cases.

The post–9/11 wars in Afghanistan and Iraq were, if anything, policing wars. The former was intended to displace the Taliban, a regime that had never been recognized by the United States and its allies and had provided material support and safe harbor to the terrorist group al Qaeda; the latter to overthrow Saddam Hussein's regime, eliminate its ability to continue in its presumed development of WMDs, and punish it for earlier violations of human rights, resistance to international sanctions, and alleged ties to terrorist networks including al Qaeda.

Already, then, one begins to see the way policing wars—which, one would suppose, would at least be more likely to find moral support than Mueller's "civil wars"—are forcing just warriors to restructure their moral categories. Where just warriors have traditionally paid close attention to the distinctions between aggressive, defensive, preemptive, and preventive wars in the age of conventional warfare (after all, conventional wars, fought for conventional reasons such as state expansion easily admit to the moral differences between initiating attack, responding to being attacked, preventing an imminent attack, and preventing the possibility of attack),[6] these distinctions

begin to fall apart when one engages in policing wars.[7] After all, the moral questions involved in initiating policing wars can as meaningfully be asked about intervention in internal state matters as they can about interstate conflict: in policing wars, the obligation to prevent a state from mistreating its own citizens springs from the same assumptions as the obligation to punish a state for attacking another state and the obligation to promote global stability by inhibiting trafficking in WMDs (especially among non-state actors being sheltered by rogue states) springs from the same assumptions used to defend preemptive attacks. So while some just warriors were opposed to invading Iraq as a means of preventing Iraq from initiating possible future actions,[8] others believed that the same motives that gave rise to legitimizing other kinds of just wars (e.g., punishment for prior misconduct—whether the Taliban's material support of al Qaeda or Saddam Hussein's attempted genocide against the Kurds—and protection of threatened communities and states: the Kurds, Israel) could be applied to legitimize a preventive war.[9]

One also begins to see the ways that justifying policing wars carries with it some peculiarly modern glosses on the longer traditions of morally justifying war. Where the just war tradition tended to advocate violence as a way of mitigating evil, policing wars are premised on the possibilities of progress: war can lead to a more just society through regime change. Where the just war tradition tended to emphasize the coherence of the state over freedom of its subjects, policing wars are premised on the limits of a state's right to exert coercive power over its citizens because of their inalienable rights as human beings: the horrific treatment of Afghani women provoked deep international antipathy toward the Taliban. Where the just war tradition tended to reinforce state sovereignty, policing wars are premised on the power of the international community to reinforce universal human rights: NATO is the expression of Western military power *par excellence*, the United Nations is the courtroom in which arguments for and against war are made, and war is more likely to be legitimated by appeal to the establishment of a coalition of forces. Modern notions of progress, inalienable human rights, and internationalism constitute the deep grammar of contemporary justifications for war.

Indeed, given Mueller's emphasis on war as an idea (thereby admitting it to moral evaluation) whose remnants express themselves principally through civil and policing wars, one might helpfully interpret Mueller's work as the product of traditional just war reasoning refitted to accommodate modern interpretations of history, human beings, and the state.[10] And if this is the case, one might also interpret at least some of the debates over the wars in Afghanistan and Iraq as debates between two breeds of just warriors. The first breed—call them "traditionalists"—relied on classical just war criteria (e.g., legitimate authority, just cause, right intent, last resort, etc.) weighted in established ways and concluded that although Afghanistan might admit to the moral use of violent force, Iraq had not yet reached that threshold. The second breed—the "moderns"—argued that the presumptions and reasons that gave rise to those criteria would, when viewed through the lenses

of modernity, make both invasions defensible as fronts on a new, larger, and necessary policing war against terrorism.[11]

So described, Mueller's thesis sheds light on the wars in Afghanistan and Iraq in two ways. First, it locates them as representatives of a new kind of war—the policing war—that has come into existence only as conventional war has, itself, faded from view. Second, by viewing policing wars as, themselves, the products of the just war tradition as it is shaped by a particularly modern vision of human beings and their relation to states, it not only locates this new kind of war in a larger tradition of thinking about war but, in the process, helps locate arguments about these particular wars. This may, in turn, help make sense of the failure of those arguments to move forward: the disagreements have seemed so intransigent not because those engaged in them were approaching the matter from contending political positions but because the traditionalists and the moderns each believed that their positions were representative of applied just war reasoning (or, rather, traditionalists and moderns were approaching the matter from contending political positions in part because they each believed their thought represented the wisdom of the just war tradition as applied to Afghanistan and Iraq).[12]

Toward moving those arguments forward, we turn to the question of what Mueller's moderns and traditional just warriors can learn from each other.

Modern and Traditional Just Warriors in Conversation

The first and most obvious thing that traditional just warriors can teach modern ones in light of the wars in Afghanistan and Iraq is that "policing war" is a category in need of specificity. Some policing wars (Panama in 1989, East Timor in 1999, perhaps the first Gulf War) went fairly well; others (Somalia between 1992 and 1994, Bosnia in 1995) were less successful. And at least in the cases of Afghanistan and Iraq, one type of policing war (removing rogue regimes) that went fairly smoothly only led to other types of policing wars (dealing with insurgencies, addressing civil wars, creating the conditions for political stability) that have gone far less smoothly.

Wars are freighted with implications for the future of those who engage in and come after them. Those implications almost always include the unexpected and usually include continued cycles of unrest and disruption. As such, a good intent, even when combined with the ability to wage a successful policing war, is insufficient as a *casus belli*. Ending tyranny, establishing social stability, and punishing iniquity may be good reasons to favor a police war but they cannot be the only moral factors weighed in determining whether to go to war. For this very reason, traditional just warriors maintain *jus ad bellum* criteria such as *last resort* in order to avoid pursuing even seemingly just wars and *proportionality* to minimize the scale of such wars. They are aware that consequences follow from intentions but seldom in a straightforward or proportionate manner: the consequences of wars may overlap with the intentions of those who initiate wars, but they almost never

mesh that closely. Sitting behind the traditional just warriors' approach is the assumption that increasing the quality of the criteria—both deontological and consequentialist—one can use in evaluating whether and how to initiate a war and the stringency with which those criteria are applied may help bring intentions and consequences into closer proximity with each other.

Second, traditional just warriors can teach modern ones that moral appeals to a democratic public about the goodness of a particular war may, under some circumstances, shape the moment but they seldom carry the day. They can do this because of a complex anthropology that recognizes that the same human beings can behave in both laudable and execrable ways. People can be rational but also rationalizing. They can be moral but also moralizing. They can be righteous but also self-righteous. And whether they are citizens arguing about foreign policy, political leaders shaping that policy, or military strategists carrying out that policy, people are often likely to be doing all these at once.

Traditional just warriors do recognize the possibility of people making morally coherent decisions that are genuinely in the interest of other persons: some wars can do good and some actions, no matter how out of place they may be in a nonwar setting, can be praiseworthy. But they also recognize that people seldom behave only in the interest of others and the best of intentions can still lead to foul results, especially in those cases in which human life is at stake. As such, it is not simply the lack of political will to pursue the prevention of tyranny and the punishment of significant structural injustice that makes effective policing wars unlikely; it is that such political will, given its impurity and malleability, is likely to inhibit their success.

Take the wars in Afghanistan and Iraq as examples. At least in the United States, a kind of bellicose internationalism directed toward regime change had broad public backing after 9/11—almost overwhelmingly so in the context of invading Afghanistan and with a solid two-thirds majority in the context of invading Iraq. Yet over time public opinion has changed as those wars became more protracted and changed in scope and nature.

Undoubtedly part of the reason for the change in public opinion toward the wars had to do with the fact that U.S. citizens' cathartic energies after 9/11 had been significantly reduced. Immediately after the events of that day, Americans were looking for something to do with their continued public anger at what had happened and their substantial public fear that something like those events—or worse—might recur. Absent either something else about which to be angrier and more fearful of some force that would make expressing that anger, fear, mourning, or desire for revenge prohibitive, popular support, in itself, became a *casus belli*—perhaps the principal one. And as the world's only true superpower, there were not other military forces to make such cathartic actions prohibitive.

This cathartic enthusiasm was able to be maintained for so long because it was supported by the conjoining of "American values" such as promoting democracy with "American interests" such as preventing further terrorist attacks. But over time, those values and interests diverged and, partly as a

result, that cathartic enthusiasm waned. Opinion polls in the United States suggest that the two wars, both popular and viewed as moral at their inception, have increasingly been seen as a series of strategic blunders that were not in American interests.

It is a truism that public support is both too fickle and too faint to determine foreign policy. This power of this truism is magnified in the context of policing wars. In democratic societies, public opinion may be a necessary component for shaping effective international activity—especially, perhaps, the more bellicose forms of such activity—but it lacks sufficient power either to determine or shape such activity. It is, moreover, malleable, as likely to be influenced by political systems as to influence them. As long as policing wars remain a conceptually coherent possibility in a nation's approach to foreign policy, public opinion of such policies lacks the political power and sustainability necessary to shape or evaluate their use.

Any turn to policing wars will, however, be born of a peculiar mix of international benevolence and national self-interest. As a result, those foreign policies that will admit to the possible benefits of policing wars will continue to link values and interests. Thus, over seven years since the invasion of Afghanistan and five years after the start of the war in Iraq, U.S. Secretary of State Condoleezza Rice continues to link the two: "[O]ur goal must be to use the tools of foreign assistance, security cooperation, and trade together to help countries graduate to self-sufficiency. We must insist that these tools be used to promote democratic development. It is in our national interest to do so."[13]

Those espousing *Realpolitik* would argue that Rice should unlink values and interests. Traditional just warriors, on the other hand, would argue that they cannot be unlinked because human beings are the types of creatures for whom questions of self- and other-interest are always connected for both good and sinister reasons. Instead, decisions to pursue policing wars should be made after attending to the way both altruistic and self-centered motives are shaping policy. To do this, though, one needs a rich enough anthropology to account for the way human beings, as individuals and as groups, are likely to behave. Said differently, traditional just warriors could have helped advocates of the wars in Afghanistan and Iraq avoid both the undue optimism that shaped the initial invasions and the untoward pessimism that has followed their dissatisfying prolongation.

At the same time, though, the advocates of policing wars—those I have labeled modern just warriors—can teach traditional just warriors something. Traditional just war theorists have seldom paid adequate attention to the larger social and political contexts that surround war. The moderns' emphases on inviolable human rights and the legitimacy of international bodies to interfere in the actions of sovereign states when such rights are being violated, however, leads them to attend to such contexts quite closely. These emphases are more likely to lead moderns to treat military and nonmilitary forms of coercion as continuous in the project of creating a free and just world: the obligation to defend human rights trumps the distinction between acts that might prevent war and acts of war.

Traditional just war theorists, on the other hand, tend to treat nonmilitary forms of coercion such as sanctions, embargoes, inspections, and economic incentives as outside their purview.[14] Thus, traditional and modern just warriors differed on how to weigh the cost of sanctions on Iraq after the first Gulf War and before 2003. Most traditional just warriors favored the continuation or tightening of sanctions as a step that would help avoid war. Many modern just warriors, on the other hand, used the claim that hundreds of thousands of the most vulnerable members of Iraqi society were casualties of a decade of sanctions as a reason to go to war: sanctions were not only hurting the wrong people, but Saddam Hussein's regime was using those sanctions to bolster its own case among the people of Iraq and to hurt those who dissented from the regime.

And although they have not yet done so to any appreciable extent, modern just warriors *could* use this same emphasis on social and political contexts to help traditional just warriors develop ways of thinking about some of their more intractable questions. How are acts of terrorism related to war? How should irregular forces be treated when captured? What conditions need to be in place for the possibilities of achieving *jus post bellum?* Traditional just war theorists may not accept the solutions that the advocates of policing wars provide to these problems (indeed, they ought not), but more developed conversations between the two groups might stimulate either of them toward better insights into addressing the questions.

After Afghanistan and Iraq

Up to this point, I have suggested some ways that two different streams of thought about what makes a war just are taking shape in light of Afghanistan and Iraq and offered some thoughts about how those two streams might inform each other. In the remaining paragraphs, I want to raise one question that has, in various guises, become pressing for both the traditional and modern just warriors. It is this: When do they think they are?

Traditional just warriors are working with a tradition that had been significantly codified by the middle of the sixteenth century when Francisco de Vitoria described the criteria that could be used to determine whether a war was just and how to fight justly in war. Those criteria (legitimate authority, just cause, right intent, last resort, proportionality, discrimination, etc.) continue to guide traditional just warriors to this day. Yet the world has changed dramatically since the days of Vitoria: technological, political, economic, religious, and philosophical developments have all changed the way the world is viewed and wars are fought. Perhaps the time has come to raise questions about the underlying assumptions that have lent coherence to traditional just war thinking and to modify the criteria for evaluation in light of revisions to these assumptions.

Likewise, modern just warriors have been shaped by a distinctly modern worldview, as their emphases on human rights over state sovereignty and

progress over social stability suggests.[15] But the age of modernity—or at least part of the worldview that has been used to demarcate that age—is ending. As questions about the shape and scope of human rights expand, as the power of internationalism is increasingly defined in economic rather than political and military terms, and as the projects of both colonialism and postcolonial sovereignty come to a close, the assumptions about both the power and the efficacy of policing wars are likely to be called into question. Modern just warriors, no less than traditional ones, need to think about their place in history.

Perhaps a starting point for addressing such questions is to pursue the lines of questioning raised by this series of books. Religious, political, economic, cultural, and philosophical approaches to the question of how things changed after 9/11 may guide such reflection. For just warriors—whether traditional or modern—9/11 may prove to be less of the starting point than the points at which the wars in Afghanistan and Iraq reach some type of settlement. Much as we may wish it otherwise, the owl of Minerva still flies at dusk. My suspicion, though, is that as the two streams of the just war tradition learn from each other, both of them are likely to be chastened: traditional just warriors will be chastened out of their methodological rigidity and modern ones out of their confidence in their abilities. Time has a way of upending the foundations of traditional ways of thinking and blunting the edges of new ones.

Notes

1. John Mueller, *Retreat from Doomsday: The Obsolescence of Major War* (New York: Basic Books, 1989).
2. John Mueller, *The Remnants of War* (Ithaca, NY: Cornell University Press, 2004).
3. See Azar Gat, *War in Human Civilization* (Oxford: Oxford University Press, 2006) for a broad historical and interdisciplinary examination of war.
4. Mueller, *Remnants*, 4.
5. Ibid., 17.
6. Though these moral distinctions are made, they can get tricky. For instance, the Just War tradition, at least since St. Augustine, has allowed punishing states for their misconduct to constitute a legitimate *casus belli*. This just cause—unlike Augustine's other two causes (self-defense and defense of another aggrieved state)—may leave conceptual space to legitimize policing wars such as that in Iraq. As applied, though, the just cause of punishment has almost always been used to justify war after an act of international aggression.
7. Where wars of aggression are initiated in an attempt to gain some unattained good beyond that of security, defensive wars are responses to the initiation of war by another party, preemptive wars attempt to ward off an imminent and initial act of war by another party, and preventive wars are initiated in order to prevent another party from being able to make war.

8. See Michael Walzer, *Arguing about War* (New Haven, CT: Yale University Press, 2004), esp. 143–151.
9. See Jean Bethke Elshtain, *Just War against Terror: The Burden of American Power in a Violent World* (Cambridge, MA: Basic Books, 2003), esp. 182–192.
10. Lest he be accused of taking positions that are not his, I would hasten to add that Mueller has not pursued this line of reasoning. Nor do his pragmatic/evaluative arguments necessarily lead in this direction. Indeed, Mueller is explicitly suspicious about the possibilities of policing wars and their benefits, claiming that moral arguments in defense of policing wars are unlikely to carry much political clout in the face of the usual political reluctance of states getting involved in other peoples' business. (Apparently, for Mueller *war* may be an idea but *real politic* is a natural category.) See Mueller, *Remnants*, 141–160.
11. It is not the intent of this essay to rehearse those arguments or to pick a side in them. Nor do I wish to take a side in the argument about whether one can wage a war on "terrorism," which is a misplaced debate about semantics that detracts from the larger debate about whether and under what conditions one might think of such a thing as waging a war on terrorists. At this point, at least, the primary purpose of the essay is descriptive, not evaluative. I would also hasten to add that I am not equating Mueller's position with that of those who defended the wars in Afghanistan and Iraq (he certainly did not); only that such a defense turns on many of the same categories that Mueller helpfully describes.
12. I do not mean to minimize the degree to which the shock of 9/11 unbalanced such arguments. Indeed, that shock undoubtedly played an important role in the shaping of the various moral arguments about war. Instead, I would argue that that shock did not so much displace thought as cause it to be redirected. For an exploration of the way emotion and reason interact (rather than stand in opposition to each other), see Antonio R. Damasio, *Descartes' Error: Emotion, Reason, and the Human Brain* (New York: Avon Books, 1994).
13. Condoleezza Rice, "Rethinking the National Interest: American Realism for a New World," *Foreign Affairs* 87, no. 4 (July/August 2008): 12.
14. For an exception, see Oliver O'Donovan, *The Just War Revisited* (Cambridge, MA: Cambridge University Press, 2003).
15. Nearing a conclusion (or whatever passes for one), I can hardly do justice to the range or depth of thought on the idea of "modernity" as an age. I leave, instead, a short bibliography: For the philosophies of modernity, see Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. Frederick G. Lawrence (Cambridge, MA: MIT Press, 1993); for the concept and promotion of the self in modernity, see Charles Taylor, *Sources of the Self: The Making of Modern Identity* (Cambridge, MA: Harvard University Press, 1989); for the politics of modernity, see Sheldon S. Wolin, *Politics and Vision* (Princeton, NJ: Princeton University Press, 2004); for the impact of modernity on the concepts of war, see Hans Joas, *War and Modernity*, trans. Rodney Livingstone (Malden, MA: Blackwell, 2003).

19

Pacifism and Just War Theory after 9/11

*Andrew Fiala**

The events of September 11, 2001, challenge us to reassess our thinking about war and peace. Pacifists have to consider whether military force is a permissible option in response to catastrophic terrorist attack. And defenders of the just war ideal have to ask how terrorism and a war on terrorism fit within the purview of the traditional just war theory. Pacifists and just war theorists both condemn terrorism, since terrorists deliberately attack innocent persons. But pacifists and just war theorists differ in their understanding of how best to respond to the evil of terrorism.

Just war theorists claim that terrorism creates a just cause for war. And the just war theory condemns terrorism as a means of warfare: innocent persons cannot be deliberately attacked, according to the principle of *jus in bello* that requires discriminate use of force. After 9/11, just war theorists agreed, for the most part, that the war on terrorism is a just war that seeks to destroy terrorist threats. There was less consensus, however, about whether the war on terrorism could justifiably be expanded to prevent terrorist threats from emerging in the first place and about whether preemptive wars aiming at regime change were morally acceptable. Pacifists, on the other hand, claim that war is the wrong method for responding to terrorism. Pacifists worry that the war on terrorism has become terroristic, insofar as it has killed innocent civilians. Pacifist opponents of the wars in Afghanistan and Iraq also worry that the invasion and occupation of these countries produces that kind of terror that is associated with absolutism, as the foreign occupying forces have used mass arrests, torture, and intimidation to create order. And they argue that these sorts of excesses exacerbate the situation and antagonize

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people, thereby radicalizing people and creating a more committed terrorist opposition. Defenders of these wars will argue that these wars can be justified either as retaliatory or preemptive wars and that the occupations of Afghanistan and Iraq can be justified on humanitarian grounds. Just war theorists maintain that some innocents may be killed in a just war, so long as this killing is not directly intended as a means. And they will argue that the solution to the problem of radicalizing the enemy is to fight more justly and to be more efficient at establishing a just and tranquil political order.

Despite these disagreements, pacifists and just war theorists both agree that terrorism is wrong because it deliberately targets innocent civilians. In this sense, terrorists use innocent persons as a means toward their ends. For anyone who is serious about human rights—whether pacifist or just war theorist—this makes terrorism wrong. Just war theorists will defend the war against terrorism by claiming that it seeks to protect innocent persons by eliminating terrorist threats, while also aiming to create political stability. Just war theorists thus see terrorist threats as creating a just cause for retaliatory and preemptive wars. And humanitarian interventions can be employed against regimes that use terroristic methods against their own people. The challenge for just war theorists in the post–9/11 world is to defend the idea that a war against terrorism can live up to its own principles. The wars in Afghanistan and Iraq make us wonder whether intervening and occupying forces can fight justly without themselves becoming terroristic. Since 9/11, just war theorists have been interested in clarifying basic principles for just interventions and occupations.

Pacifists claim that the war on terrorism has failed to respect basic human rights. Absolute pacifists are averse to any and all killing. Committed absolute pacifists will never support any war. Less absolutist versions of pacifism will argue that even though it may be permissible to hunt down and destroy terrorist threats, the war against terrorism has created the same sorts of violence and destruction that terrorism causes, while also exacerbating the terrorist threat. From this perspective, we must be extremely critical of the negative consequences of a war against terrorism The challenge for pacifists in the post–9/11 world—whether focused on basic principles of nonviolence or on the negative consequences of war—is to defend pacifism in light of the threat of committed and organized terrorists with access to weapons of mass destruction.

Pacifism

Pacifism is a family resemblance term that holds together a broad variety of views.[1] Absolute pacifism can extend to a rejection of all sorts of violence from war and the death penalty to meat eating. Less stringent sorts of pacifism might focus only on the immorality of war and thus be considered specifically as "antiwarism." Antiwar pacifism often results from a skeptical interpretation of the just war ideal. Skeptical pacifists claim that in reality no

war lives up to the strictures of the just war tradition, especially the principles of *jus in bello*, which mandate noncombatant immunity. In the twentieth century, a well-developed version of skeptical pacifism focused on the horrors of nuclear war. This sort of "just war pacifism" claims that nuclear war cannot be just because nuclear war strategy involved the deliberate targeting of major population centers and thus violated the principle of noncombatant immunity.

Although nuclear weapons were only used twice in history (against Hiroshima and Nagasaki), warfare in the twentieth century was conducted with widespread use of indiscriminate weapons of mass destruction: land mines, cluster bombs, incendiary bombs, carpet bombing, and other high-altitude bombing, defoliants such as Agent Orange, napalm, depleted uranium weapons, as well as other chemical and biological weapons. These horrible weapons led to a version of skeptical pacifism that could be described as "prima facie pacifism." This approach holds that war should be presumed on the face of it to be unjust and that the burden of proof rests upon the proponent of war to show that a given war would not violate just war principles, especially the prohibition against using indiscriminate weapons of mass destruction. The wars in Afghanistan and Iraq have been subject to this same sort of skeptical criticism. These wars made use of "shock and awe" strategies, cluster bombs, and other weapons of mass destruction. And these wars have also resulted in prisoner abuses and have made use of torture and other practices that are in violation of basic just war and human rights principles.

The pacifist critique of post–9/11 warfare is widespread; and it has been articulated by important figures in the global mainstream. Pope John Paul II, for example, claimed prior to the American invasion of Iraq in 2003: "NO TO WAR! War is not always inevitable. It is always a defeat for humanity."[2] It is a quite important cultural and historical fact that Catholicism developed in the direction of pacifism, since the just war idea is itself a legacy of the Catholic tradition. Catholic and secular thinkers in the later half of the twentieth century reached the conclusion that there was a long train of abuses in which wars exceeded just war principles.

In Christian thought, this critique of war is tied to a more positive emphasis on love and forgiveness. Again Pope John Paul II provides an important example. In his World Peace Day message of January 1, 2002, the Pope condemned the atrocity that occurred on September 11, 2001, while offering love and forgiveness as the solution. John Paul claims that terrorism cannot be excused by claims that terrorists are oppressed or pushed into a corner. And he claims that nations do have a right to self-defense against terrorism. But he also maintains that the use of force against terrorism must be restrained by the idea that terrorists are criminals whose guilt is personal. It is legitimate to pursue the terrorists themselves. But a wider war cannot be justified, since the guilt of the terrorists does not extend to any larger group, whether national, ethnic, regional, or religious. Despite this, John Paul claims that the larger solution is love and forgiveness, which begins with a personal spiritual transformation. In his World Peace Day address of 2002, John Paul reiterates

several times the idea that forms the theme of his speech: "no peace without justice, no justice without forgiveness." While justice gives us the right to pursue the terrorists who are guilty of committing atrocities, John Paul claims that forgiveness is "the higher road." He concludes that forgiveness is more important and powerful than violence on both pragmatic and theological grounds:

> Forgiveness always involves an *apparent* short-term loss for a *real* long-term gain. Violence is the exact opposite; opting as it does for an apparent short-term gain, it involves a real and permanent loss. Forgiveness may seem like weakness, but it demands great spiritual strength and moral courage, both in granting it and in accepting it. It may seem in some way to diminish us, but in fact it leads us to a fuller and richer humanity, more radiant with the splendor of the Creator.[3]

Catholic thinking about pacifism and terrorism develops out of the historical connection between Catholicism and the just war tradition. Other versions of Christian pacifism avoid the just war tradition entirely by claiming that the idea of fighting war is antithetical to the basic teachings of Christianity. Quakers, Mennonites, and others hold that the original teachings of Jesus require a sort of absolute pacifism. In the Sermon on the Mount, Jesus states, for example: "You have heard that it was said, 'an eye for an eye and a tooth for a tooth.' But I say to you, Do not resist one who is evil. But if anyone strikes you on the right cheek, turn to him the other also" (Matthew 5:38–39). Passages such as this led Tolstoy in the nineteenth century to develop a sort of nonresistant pacifism. Prominent recent defenders of original Christian pacifism include John Howard Yoder and Stanley Hauerwas. Yoder argued in the 1960s and 1970s that the development of just war ideas in the thought of Augustine and his followers was part of what he calls the "Constantinian Heresy" in which Christians wrongly accommodated themselves to political power.[4] After 9/11 the chief proponent of this sort of antipolitical pacifism is Stanley Hauerwas. In a sermon on the first anniversary of 9/11, Hauerwas claimed, following Yoder, that Christians do not require revenge nor do they require the use of violence to make the world safe from terrorists.[5] Rather, for Hauerwas, the Christian view that death is overcome should lead to liberation from the need to use violence as a response to death. And Hauerwas claims that the desire to fight a war against terrorism is grounded in a basic fear of death—a fear that is abolished by true Christian faith. "At the heart of the American desire to wage endless war is the American fear of death. . . . Americans are determined to be safe, to be able to get out of this life alive."[6] For a Christian pacifist such as Hauerwas, 9/11 is yet another reminder of the ubiquity and inevitability of death; and pacifism is a way of affirming that Christianity provides an alternative to death.

A significant problem for this sort of nonresistant pacifism is that it can seem to end up simply allowing evil and injustice to persist. For this reason, other varieties of pacifism move beyond mere nonresistance toward active

but nonviolent resistance. The most important proponent of this approach was Mohandas Gandhi, who based his idea of *satyagraha* on the ideal of *ahimsa* or nonviolence. Although Gandhi was familiar with Tolstoy's idea of nonresistance, Gandhi's approach draws more deeply on the common thread of *ahimsa* that is found in Hinduism, Jainism, and Buddhism. In Eastern traditions, a commitment to *ahimsa* is an essential part of the process of Enlightenment insofar as violence binds us to the world via karma and prevents us from seeing the interdependence of life. But this sort of pacifism is not simply a religious doctrine. Rather, it is also based on a pragmatic insight that sees a vicious circle in using violence to fight violence. After 9/11, the Dalai Lama put it this way: "Terrorism cannot be overcome by the use of force because it does not address the complex underlying problems. In fact the use of force may not only fail to solve the problems, it may exacerbate them and frequently leaves [*sic*] destruction and suffering in its wake. Human conflicts should be resolved with compassion. The key is non-violence."[7]

The point here is that any solution to terrorism must look toward larger solutions that have to do with political, economic, social, and religious transformation. The Dalai Lama claims that this larger solution begins with compassion, which implies that one is able to put oneself into the perspective of the other and that one is able to imagine the needs and the suffering of others. The perspective opened by compassion provides another reason for claiming that war is wrong, that is, when we see the suffering caused by war. But compassion also helps us imagine all sorts of practical nonviolent actions that can be taken as a response to violence.

In the United States, nonviolent social activism is most closely associated with Martin Luther King Jr., who developed, following Gandhi, his own more Western and Christian approach to nonviolent social protest. After 9/11, King's own opposition to the Vietnam War was looked to as an inspirational model for opposition to the war on terrorism. And King's model for how nonviolent activism can be connected to a positive response to terrorism was developed by a number of organizations and individuals such as the September Eleventh Families for Peaceful Tomorrows. This organization of family members of victims of 9/11 takes as its motto an aphorism from Martin Luther King: "Wars are poor chisels for carving out peaceful tomorrows." Groups and activists such as these acknowledge the senseless horror of terrorism but promote nonviolent solutions as the only morally appropriate response to the terrorist threat.

Pacifist responses to 9/11 thus seek to combine a commitment to nonviolence with a call for radical social, cultural, and economic transformation aimed at combating the root causes of terrorism. One variety of this approach is found in the work of the Reverend Jim Wallis.[8] After 9/11, Wallis called, in the spirit of Martin Luther King, for a radical reassessment of our values. And Wallis emphasized the need for mutual understanding and conflict resolution as the morally appropriate response to 9/11. Wallis argued that "the solutions to terrorism are not primarily military." Rather he suggests that "dealing with root causes is the best strategy of all." And he also claims that the time is ripe

for moving "beyond the old debates of pacifism vs. just war." Wallis's point is that the threat of terrorism and the global environment is such that we must reassess both the use of unilateral military force and the otherworldly turn of some versions of absolute pacifism. For Wallis and others, the post–9/11 world requires us to think creatively about conflict resolution in a way that would strengthen international solidarity while making terrorism less and less likely.

Just War Theory

The events of September 11 remind us of the massive number of casualties that terrorists can inflict with relatively modest means. September 11 and other terrorist attacks in Madrid, London, and Mumbai, as well as ongoing terrorist threats in Israel, Pakistan, Indonesia, and elsewhere remind us that there are groups of committed individuals who are willing to kill innocent persons where they live, work, and play. Since September 11, security officials have taken seriously the large number of casualties that could be inflicted by terrorists with access to weapons of mass destruction: from biological and chemical agents to dirty bombs and nuclear weapons. With these sorts of threats in mind, pacifism can appear to be simply wishful thinking that does not deal with the reality and seriousness of the terrorist threat. One critic of pacifism in the post–9/11 era, Jan Narveson, has gone so far as to claim that pacifists simply have too many friends.[9] And like the terrorists themselves, pacifists appear to be willing to sacrifice innocent persons—since they are unwilling to take the necessary steps to protect the innocent from these sorts of threats. Pacifists appear to be willing to tolerate, forgive, and even work with terrorists who are guilty of atrocity. And pacifists are averse to humanitarian interventions that could defend the innocent and remedy human rights transgressions. Just war theorists after 9/11 sought to clarify appropriate military responses to terrorism, the possibility of using preemptive wars to prevent terrorism, and the appropriate use of humanitarian intervention. Most just war theorists defended the war against Afghanistan as an appropriate retaliatory response to 9/11. But there was significant division among just war thinkers about whether the invasion of Iraq was justified on either preemptive or humanitarian grounds.

The most significant indication of consensus about the need for a military response to 9/11 was found in a document entitled "What We're Fighting For." This document was authored primarily by Jean Bethke Elshtain and signed in February of 2002 by a variety of important scholars who write about politics and the just war tradition including Francis Fukuyama, William Galston, Samuel Huntington, James Turner Johnson, Michael Walzer, and George Weigel. The basic idea expressed in this document is grounded in the just war tradition. It holds that war is a terrible and tragic event. But it also claims: "Reason and careful moral reflection also teach us that there are times when the first and most important reply to evil is to stop it. There are times when waging war is not only morally permitted, but morally necessary, as a response to calamitous acts of violence, hatred, and injustice. This is one of those times."[10]

The document goes on to explain that "the primary moral justification for war is to protect the innocent from certain harm." It grounds this idea in the just war tradition that has developed since Augustine. And it also argues that a just war against terrorism must be a restrained war inspired by a desire for justice and by the need to defend the innocent; it should not be inspired by hatred, racism, a sense of religious superiority, or a primitive desire for vengeance. The just war tradition establishes a moral justification for war that is connected with the need to restrain war and prevent it from becoming atrocious and terroristic. If the primary justification for war is to protect the innocent from harm, then war must not also cause harm to the innocent.

Just war thinkers such as Elshtain, Walzer, and Weigel saw 9/11 as one of the reasons to reject the sort of pacifism that had developed in the late twentieth century. Elshtain admits that just war thinkers share with pacifists "a strong presumption against violence and force"; but she argues that events such as 9/11 show us that "peace may sometimes be served by the just use of force."[11] Walzer argued that the pacifist interpretation of just war theory is a "doctrine of radical suspicion." And that this radical position is only for the intellectual elite: "This is the radicalism of people who do not expect to exercise power . . . by contrast, just war theory, even when it demands a strong critique of particular acts of force, is the doctrine of people who do expect to exercise power and use force."[12] And Weigel argued that after 9/11 it was time to return to a sort of "moral realism" that recognized that in the real world it was sometimes necessary to use force to combat evil. Weigel's argument was explicitly directed toward what he called the Catholic "default position" or the "de facto pacifism" found in the stringent reading of the just war tradition that developed in the later half of the twentieth century, including most prominently the skeptical pacifism of John Paul II.[13] Weigel links pacifism to relativism, since he claims that pacifists are unwilling to condemn terrorists and are unwilling to take any action to oppose the evil of terrorism. And he argues that after 9/11 we no longer have the luxury of being relativists or pacifists. In short, for Weigel, the Augustinian just war tradition reminds us that it is necessary to fight against evil in pursuit of a just and tranquil social order; and terrorism is exactly the sort of evil we should be fighting against.

The invasion of Afghanistan was viewed by many just war thinkers as a just war because the terrorists who attacked the United States on 9/11 were based in Afghanistan and the United States was seen as having a right to pursue and destroy this terrorist threat. Moreover, the Taliban regime in Afghanistan was not only harboring terrorists, it was also a totalitarian regime that denied rights to women and religious and ethnic minorities. And so there were humanitarian arguments made in favor of a war against Afghanistan. While there was broad consensus that the war against Afghanistan was a just war, there was also some critical reflection on the way that the war on terrorism represented a new sort of model in which the *de facto* global hegemon—the United States—used military force to pursue law and order. David Luban called this the "hybrid war-law approach," the basic idea of which is that the United States is entitled to "maximize its ability

to mobilize lethal force against terrorists while eliminating most traditional rights of a military adversary, as well as the rights of innocent bystanders caught in the crossfire."[14] The problem for Luban is symbolized in the plight of the detainees at Guantanamo Bay: they lack the legal rights of ordinary criminals; but they are not considered as ordinary prisoners of war either. And this extraordinary status shows us that the war on terrorism represents a novel development of just war ideas. It is important to note as well that just war language was used to criticize the use of torture in the war on terrorism, which violates just war principles of respect for prisoners.

Despite the problem of the status and abuse of the unlawful enemy combatants at Guantanamo Bay, the consensus about Afghanistan among just war thinkers held for the most part. This was true even if there were some collateral damage done by the bombing campaign against Afghanistan. Michael Walzer—the most important contemporary defender of the just war idea—admitted that there may have been some collateral damage in Afghanistan.[15] Walzer recognized that this fact could be used by pacifists to condemn the war in Afghanistan. But from Walzer's perspective, the problem of collateral damage cannot make war impossible. For Walzer, we must do our best to avoid killing innocent civilians in a just war. War is a messy business and the tragic fact is that some civilians may be harmed in pursuit of a just cause. The just war tradition allows civilians to be harmed in this way by employing the "doctrine of double effect," which says that some foreseen but unintended harms can be permitted, if the primary intention is good. In Afghanistan, the primary intention—the just cause for war—was to destroy the terrorists who attacked the United States and to dismantle a totalitarian regime; so some unintended civilian casualties could be permitted as a side-effect, so long as civilian death was not intended as the means for winning the war. Despite consensus among just war thinkers about Afghanistan, some just war theorists saw Afghanistan as an opportunity to clarify the stringent requirements for humanitarian intervention. George R. Lucas Jr., of the U.S. Naval Academy, argued that humanitarian intervention should be understood on analogy with domestic law enforcement. He concludes that "in humanitarian interventions, as in domestic law enforcement, we cannot and we do not forsake our laws and moral principles in order to enforce and protect them."[16] This means, for example, that intervening forces may have to take substantial risks in order to avoid collateral damage and that prisoners must be treated well.

The consensus among just war theorists about Afghanistan broke down soon after 9/11, however, with regard to the invasion of Iraq. The invasion of Iraq was grounded on a claim about the need for preemptive war in light of the threat of terrorists with weapons of mass destruction. The just war tradition does allow for preemptive war.[17] And the Bush administration used just war arguments to support the idea of preemptive war as expressed in the National Security Strategy of 2002—the document that laid the intellectual groundwork for the 2003 invasion of Iraq. In the post–9/11 milieu it was possible to believe that the traditional preemptive war idea could be extended beyond grave and immediate threats toward preventing more speculative threats. The possibility

that Saddam Hussein had access to chemical or biological weapons, the possibility that he was interested in developing nuclear weapons, and the possibility that these weapons could be launched on missiles or transferred into the hands of terrorists—all of this was thought to be sufficient to justify the war against Iraq. Some just war theorists such as Elshtain, Johnson, and Weigel defended the idea of a just war against Iraq.[18] But Michael Walzer argued that it would have been better to contain Iraq. And he concluded that a war aimed at regime change cannot be justified.[19] Speculative threats are not a sufficient cause for war in Walzer's view; nor, according to Walzer, should we invade a country that has been contained and deterred simply because the regime has in the past been a substantial threat. Moreover, Walzer argued that even the humanitarian argument about the invasion of Iraq was insufficient, since Saddam Hussein's worst atrocities were committed in the past and since the containment and inspection regime was sufficient to prevent further atrocities.

Conclusion

Pacifists and just war theorists after 9/11 must deal not only with the threat of terrorist attacks but also with questions about the justness of war that have resulted from the invasions of Afghanistan and Iraq. The fateful attacks of September 11 show us the significance of the terrorist threat. Just war thinkers believe war is a just response to the terrorist threat, even if they disagree about the particulars of the wars in Afghanistan and Iraq. Some just war thinkers claim that preemptive wars to prevent terrorism are justified. Others worry that the use of torture and the extraordinary status of prisoners taken in the war against terror show that these wars do not entirely live up to the paradigm. Still others worry that the trigger for war that occurred on 9/11 led to an excuse for more expansive war in pursuit of regime change. Pacifists will argue that these problems show us why pacifism is to be preferred. Pacifists also argue that the just war paradigm encourages us to resort to force when there are other nonviolent alternatives, including fostering social, cultural, and economic changes that can help to change the root causes of terrorism. Pacifists also remind us that there are key values such as love, compassion, and forgiveness that should act as a brake on our natural and understandable desire for revenge, security, and justice. But just war theorists will argue that the events of 9/11 show us that we cannot give up force as an option in response to terrorism.

Notes

1. I elucidate the variety of pacifisms in "Pacifism," *Stanford Encyclopedia of Philosophy*. http://plato.stanford.edu/entries/pacifism/. This discussion is repeated in abbreviated form in Andrew Fiala, *The Just War Myth: The Moral Illusions of War* (Lanham, MD: Rowman and Littlefield, 2008). For further arguments in favor of pacifism see Andrew Fiala, *Practical Pacifism* (New York: Algora Press, 2004).

2. John Paul II, "Address to the Diplomatic Corps," January 13, 2003. http://www.vatican.va/holy_father/john_paul_ii/speeches/2003/january/documents/hf_jp-ii_spe_20030113_diplomatic-corps_en.html.
3. John Paul II, "Message for World Peace Day," January 1, 2002. http://www.vatican.va/holy_father/john_paul_ii/messages/peace/documents/hf_jp-ii_mes_20011211_xxxv-world-day-for-peace_en.html.
4. John Howard Yoder, *The Original Revolution* (Scottdale, PA: Herald, 2003; originally published 1971).
5. Reprinted in Stanley Hauerwas, *Performing the Faith* (Grand Rapids, MI: Brazos, 2004), 211–214.
6. Ibid., 208.
7. Dalai Lama, "Comments Subsequent to the September 11, 2001 Terrorist Attack on the U.S." http://www.dalailama.com/page.44.htm.
8. Jim Wallis, *God's Politics* (San Francisco, CA: HarperSanFrancisco, 2005), esp. Chs. 7 and 8. Quotations in this paragraph are from page 106.
9. Jan Narveson, "Terrorism and Pacifism: Why We Should Condemn Both," *International Journal of Applied Ethics* 17, no. 2 (2003): 157–172.
10. Jean Bethke Elshtain, *Just War against Terror* (New York: Basic Books, 2003), 189. This is a reprint of the document "What We're Fighting For," which was originally published on the Institute for American Values website: www.americanvalues.org.
11. Elshtain, *Just War against Terror*, 56.
12. Michael Walzer, *Arguing about War* (New Haven, CT: Yale University Press, 2004), 14.
13. George Weigel, "The Just War Tradition and the World after 9/11," *Logos: A Journal of Catholic Thought* 5, no. 3 (Summer 2002): 16.
14. David Luban, "The War on Terrorism and the End of Human Rights," in *The Morality of War: Classical and Contemporary Readings*, ed. Larry May, Eric Rovie, and Steve Viner (Pearson/Prentice Hall, 2006), 414. Originally published in Verna V. Gehring, ed., *War after September 11* (Lanham, MD: Rowman and Littlefield, 2003).
15. This paragraph is based upon Walzer, *Arguing about War*, esp. Ch. 1.
16. George R. Lucas, Jr., "From Jus ad Bellum to Jus ad Pacem," in *The Morality of War*, ed. May, Rovie, and Viner, 379.
17. I discuss this in "Citizenship and Preemptive War: The Lesson from Iraq," *Human Rights Review* 7, no. 4 (July–September 2006); this is reprinted as Chapter 6 of Fiala, *The Just War Myth*.
18. Elsthain, *Just War against Terror*; James Turner Johnson, *The War to Oust Saddam Hussein: Just War and the New Face of Conflict* (Lanham, MD: Rowman and Littlefield, 2005); George Weigel, "Iraq: Then and Now," *First Things*, April 2006, issue no. 162.
19. Michael Walzer, "Regime Change and Just War," *Dissent* 53, no. 3 (Summer 2006): 103–108.

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To Debate or Not to Debate: The Question of Torture

*Pauline M. Kaurin**

> Do you think that the use of torture against suspected terrorists in order to gain important information can be often, sometimes, rarely, or never justified?[1]

In Chapter 2 "Of Thought and Discussion" of John Stuart Mill's *On Liberty,* he considers various objections to his argument for freedom of speech, including the following: "There are, it is alleged, certain beliefs so useful, not to say indispensable, to well-being that it is as much the duty of the government to uphold those beliefs as to protect any other of the interests of society."[2] The objection goes on to argue that the state might limit speech to protect these ideas for the well-being of society. Mill argues against this objection, but the question still echoes through to our own time: Are there ideas that are simply too important, too dangerous to allow public debate on?

The attacks on September 11, 2001, and the ensuring Global War on Terror (GWOT) catapulted the question of torture into the public debate in a previously unprecedented manner. Some, like lawyer Alan Dershowitz, have argued that we need a vigorous public debate about and systems of accountability for the practices of torture that are allegedly occurring,[3] but others have argued that to even discuss the topic is to invite erosion of the moral and legal prohibitions of torture. Before beginning his discussion of the topic, philosopher Henry Shue notes the following standard objection: "Whatever

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one might have to say about torture, there appear to be good moral reasons for not saying it... if practically everyone is opposed to all torture, why bring it up, start people thinking about it, and risk weakening the inhibitions against what is clearly a terrible business?"[4] More recently philosopher Bob Brecher, who claims that to raise the issue is to give publicity to something so abhorrent as to be beyond discussion, echoes other authors who insist that introducing torture as a legitimate topic for debate is more dangerous even than an explicit endorsement of torture.[5]

This chapter addresses the nature of the debate on torture since 9/11, arguing that there is currently *not* a full-blown debate on the subject for reasons that must be understood and addressed before more substantive debate and discussion can be (and *should* be) attempted. My discussion focuses on four main points: (1) that there is significant support for torture as a response to 9/11; (2) there is a strong desire to keep the torture debate, and thus torture itself, within certain carefully prescribed boundaries; (3) that the strongest proponents of torture come from within the civilian community, while the military communities produce some of the strongest opposition; and (4) there is a great deal of public avoidance and aversion to the debate over torture. In the last section I address these elements of the current "debate" and sketch out some directions for future work and discussion.

The first aspect of the torture debate to be noted is that there is significant support for torture, at least under certain kinds of scenarios, even as there is some condemnation of certain practices (water boarding), but little public will to act. The current public "debate" on torture in the United States is, oddly enough, well captured in a scene from the short film (ca. 1970) *Notes on Torture and Other Forms of Dialogue* based upon a script by Jorge Diaz. Early in the scene, the representative advocating the new torture machine "American Hit" insists, "We can offer you, for the first time, a humane form of torture, applicable to every climate, to every country, to every level of development."[6] He goes onto to sing the praises of the machine and then to demonstrate it, with similar exchanges repeating (with neither resolution nor action) throughout the scene accompanied by the offstage screams of the victim.

Actor 2: They are still torturing him.
Actress 1: We must intervene immediately!
Actor 3: That's exactly what I have been saying all along.

Prior to 9/11, serious discussions of torture in the public realm were rare and confined largely to the intelligence community, military, and academia. Soon after 9/11 Alan Dershowitz was advocating "torture warrants," other academics and lawyers were arguing the validity of torture in at least some circumstances (notably the Ticking Time Bomb scenario, which is also a frequent premise in popular culture portrayals of the topic), while a significant segment of the American public advocated (and still does) torture under at least some circumstances. The post–9/11 "saturation" of popular torture

images (*24*, the *Saw* films) echo the administration position that "rough" treatment is justified and necessary, that it shows toughness and is nearly always in terms of the Ticking Time Bomb–like scenario. The scenario typically runs along the following (highly) hypothetical lines: a terrorist has planted a bomb somewhere and when it goes off it will kill lots of people, the authorities have said terrorist in custody, know she knows where the bomb is, they have tried other means to figure out where the bomb is (including the usual interrogation techniques) and conclude the only way to get the information and save the lives is to torture the terrorist into revealing the bomb's location. Proponents argue (as we shall see later) that authorities are justified in using torture in exceptional circumstances such as this to save "innocent" lives and that failing to act (read: failing to torture) is morally irresponsible.

In November of 2001 only 32 percent of the American public believed that torture was justified or sometimes justified; it rose to 44 percent by 2003 and fell back to 35 percent in 2004 (soon after the Abu Ghraib scandal broke), but since then has remained fairly constant around 45 percent.[7] While polls on torture are notoriously sensitive to phrasing, the general trend of a small majority opposing torture, with a significant minority in favor of it, especially under circumstances related to terrorism has remained largely constant. In looking at popular culture in the United States since 9/11, one sees a corresponding and marked increase in the incidents involving torture portrayed on television and changes in the nature of the portrayal. Prior to 1997 there were no prime-time scenes featuring torture, but by 2003 there were 228 such scenes and over 100 in the 2004–2005 time period.[8] One should also note that prior to this period when torture was portrayed, it was typically the villain who tortured the "good" guys; after 2001 such scenes typically featured the "good" guys torturing the villain, typically in the standard "ticking time bomb" cases. One commentator echoed social psychology literature in observing that this was an expression of "our anger and helplessness" relative to terrorism and the war in Iraq.[9] Another author noted that the use of torture by characters such as Jack Bauer, "is a heroic act of defiance, often of petty bureaucratic limitations or of conceited liberals whose personal conscience means more to them than the safety of their fellow citizens."[10]

According to social psychologists, a change of policy that might have limited impact in "normal" times can have much greater impact in times of great stress, because it sends the message that this kind of behavior is morally legitimate given the "extreme" context.[11] It seems clear that this is happening in the public debate on torture, the portrayal of torture in popular culture, as well as in the actions of the legal and political communities. This "torture" saturation and "normalization" is combined with a collective amnesia about the prior history of torture in and used by the United States; the narrative runs that "this all began after 9/11" and "9/11 changed everything." In fact, what has changed is not the fact of the use of torture but the willingness of politicians to be "out there" with the policies.[12] In terms of the public debate, all of this naturally pushes the discussion toward a narrow focus on interrogational torture (IT) in extraordinary circumstances, rejecting or ignoring

issues of other modes of torture, torture as a system of practices, especially the institutionalization, professionalization, and monitoring of torture.

The second aspect to the public debate on torture is this very restriction to interrogational torture in specific (largely hypothetical) circumstances, as if this is the only kind of torture one might consider. David Luban summarizes this view aptly, terming it the Liberal Ideology of Torture (LIT),

> [T]he whole purpose of torture must be intelligence gathering to prevent a catastrophe; that torture is necessary to prevent the catastrophe; that torture is the exception, not the rule, so that it has nothing to do with state tyranny; that those who inflict the torture are motivated solely by the looming catastrophe, with no tincture of cruelty, that torture in such circumstances is, in fact, little more than self-defense.[13]

Most of the current discussion, both in academic/legal discussions and the more public debate, centers around "interrogational torture": Should torture be used to acquire information that cannot be achieved in other ways if it will save lives? The debate about the practice of "water boarding" and whether or not it constitutes torture, or is simply a "harsh" interrogation technique necessary to extract information from suspected terrorists, fits into this larger framework. This form of torture, following philosopher Henry Shue, might be distinguished from "terroristic" torture, which is more typically oriented at intimidating persons other than the victim or is designed to stifle political, religious, and ideological dissent against the state.[14] Part of the reasoning for restricting this discussion in this way is to circumvent the usual flood of victim and perpetrator testimony about the ills of torture; Posner and others argue that these kinds of testimonies are not relevant to the discussion of IT since it is a fundamentally different category altogether.[15] This is also a way to argue that all the absolute prohibitions against torture and similar discussions are so much "hysteria." Further, such arguments claim that it is irresponsible to condemn IT (if it will save lives) merely on the grounds of the track record of its black sheep cousins' "terroristic torture" or "political torture."

Even if one argues that torture is only justified in the most extreme, extraordinary of circumstances (something like Michael Walzer's "Supreme Emergency"), this restriction is difficult to maintain. It seems that, once breaching the initial prohibition and taboo against torture, it is easier and easier to claim that a given situation is "close enough" to warrant torture. How close does it have to be to be "close enough"? This ends up potentially normalizing torture and thereby making it easier to engage in it. In this vein, there is reason to believe that interrogation techniques that were originally only approved for high-level detainees at Guantanamo Bay then were used in Iraq and other places in the War on Terror. So, opponents argue, even if IT is a different category of torture (which is debatable), it leads to other forms of torture, causes all the problems historically associated with torture, and therefore, all the arguments and criticisms that apply to other forms of torture apply to IT as well.

To understand how this dynamic (of support, but restriction) has evolved, we have to look at the third aspect, the nature of the torture debate itself. The most notable aspect is that it is the *civilians*, whether in the Bush administration (note the so-called Torture memos in 2002/2003), academics, lawyers, judges, and media commentators, who have been the primary proponents of practicing torture, while the strongest opposition has come from *military* and *law enforcement* communities.

The first major line of thought—often called the absolutist position—argues for a complete and absolute prohibition on torture, regardless of aim or circumstances. There are different versions of this argument: one arguing that torture by its intrinsic nature uses persons merely as means and violates their basic autonomy, while others make the case that torture violates the basic rights of the victim and that interference with individual rights—especially on the part of the state or its representatives—cannot be justified. A second, consequentialist, line of argument, centers around the "Ticking Time Bomb" scenario already elucidated. Alan Dershowitz famously argued for "torture warrants" to control the circumstances in which torture is used and to provide oversight in exactly these types of cases. Others such as Jean Elshtain and Michael Walzer argue for a form of official civil disobedience where torture is prohibited, but where officials break the law by engaging in "official disobedience," and commit torture for the greater good (in selected, and presumably rare, cases). Further arguments insist that if torture is morally acceptable in some cases on consequentialist grounds, it can be morally acceptable in general. A final line of argument could be characterized either as a centrist position or "Don't ask, Don't tell." This position recognizes that torture may be and probably is pragmatically desirable, effective, and necessary, but also recognizes its unsavory nature. So torture may need to be practiced, but one would prefer to avert their gaze and even disavow any knowledge of its practice.[16] (I say more about this position, which I argue is widely held by the American public, later.)

The striking thing here is that the strongest talk in terms of the need of torture, of it even being a moral imperative in certain circumstances, is not coming from expected quarters. If one thinks about torture, and the concern that refraining from torture makes democracies "soft" (since their opponents know that they will self-limit in these ways), one would expect to find those segments most concerned with manly virtues and toughness to champion it, but in the current debate this is not what we find at all. Notably since 9/11, we find that the civilian administration of Bush, the Justice department (or at least some lawyers within its precincts), and various academics, lawyers, and commentators to be the strongest proponents, while some of the strongest opposition and dissent has come from the FBI and the military (especially military lawyers).

This seems odd since these are two segments that one would think to stand to benefit the most from loosening the restrictions against torture: Surely it makes the job of an FBI interrogator or soldier interrogating a detainee much simpler to be able to "take the gloves off"? However, these two groups typically raise two lines of concern: (1) that torture is inconsistent with the most fundamental, democratic values held and defended by these groups and

(2) that such techniques could have adverse consequences for American service members, who would carry out these techniques and then might also have them used against them.[17] So what accounts for this cultural difference on the question of torture?

In order to answer this question, we must delve into the final aspect of this debate: the implicit and usually subtle "Don't Ask, Don't Tell" agreement between the government and the public that the 9/11 attacks solidified. There is a significant amount of evidence that large segments of the public endorse the idea that torture is illegal, immoral, unsavory, at odds with certain American values, but that in certain circumstances it may be necessary or expedient. To deal with the contradiction between the two parts of this perspective, many have settled on the idea that torture may have to be practiced, but it would only be in "extreme" situations and on those who "deserve" it; even so, they would rather not know about it—out of sight gives me as Jane Q. Public plausible deniability. Unfortunately, the revelations and, worse yet, the pictures of the torture at Abu Ghraib raised problems with this implicit agreement:

> First, there is an aversion to directly addressing this issue in the American media. In a retrospective analysis of recent media coverage, Eric Umansky observes that there was newsroom ambivalence about covering the "torture" story. "Congress has shown a studied lack of interest in torture. There have been no sustained Congressional hearings and a proposed independent investigation has long been blocked by the Congressional leadership;...after Abu Ghraib, the question was not (like in Watergate) whether allegations were true, but whether they were significant."[18]

Scott Horton similarly notes that when he had media interviews on torture and used the word "torture" the passage would not be used and in fact was informed that "we cannot use *that word* on the domestic feed."[19] This ambivalence existed despite articles containing official denials of the use of torture, which also contained quotes from officials all but boasting of "abuse" and insisting that the use of violence was just and would be backed by the American public. After Abu Ghraib, there was a change of tack by the administration, "With the Administration now refusing to acknowledge its policies of coercive interrogations, the debate on torture was reframed as a debate about whether there was a need for a debate."[20] (If we do not torture, then why is there a need for a debate?)

Second, there may be a preference for not *wanting* to know. While the lack of sustained debate and even media coverage, even after the revelations of Abu Ghraib (where there were pictures that were shocking and hard to ignore, but which produced only a moderate level of public reaction and outrage) seems odd, Darius Rejali notes that:

> It is difficult for people to complain or protest—not simply because of indifference..., but because we are often uncertain whether violence has

> occurred at all. What are we to believe?...even after Abu Ghraib, lawyers for Guantanamo detainees doubted allegations until uncovered FBI emails confirmed them. And today Americans still have trouble with the T-word preferring instead *abuse, moderate physical pressure, enhanced interrogation, highly coercive interrogation* and *pushed interrogation*.[21]

Further, one must consider that torture, precisely because it is so shocking to the human conscience, is seen by significant portions of the American public as a proportional response to the 9/11 attacks. What would have the equivalent shock value to 9/11 attacks and demonstrate that there is nothing the United States will not do in combating enemies and protecting the American people? Overthrowing the Taliban? Not quite. Invading Iraq? Better, but "the inhumane and degrading treatment of randomly assembled prisoners was also well suited to send the message."[22] Another author notes that torture had a measure of public acceptability because it was viewed as "an equivalent" response to 9/11 and that "the Bush Administration is not torturing prisoners because it is useful, but because of the symbolism."[23] Torture is not just about the information gathered, but sends a message about the resolve of the United States to deal with terrorism, thus providing symbolism and deterrence for one price.

Once again, recent research in social psychology echoes these perspectives. Ronnie Janoff-Bulman points out that "people may erroneously assume that information from cruel, bad, harsh enemies can only be produced by similarly cruel, bad, harsh techniques."[24] Further support for this view is reflected by conservative commentator Charles Krauthammer's claim that there are some human beings that actually *deserve* torture; "they are entitled to no humane treatment."[25] Since the terrorists allegedly do not observe the rules of war (they behead their captives and post the video and pictures on the Internet), they are not civilized; therefore they do not deserve to be treated as such. Torture then, is something much more existential—a moral judgment against the "humanity" of those that are being tortured.

In addition, efficiency (whether torture "works" or not) comes to be measured not in terms of the intelligence collected, but rather, "in terms of 'deserved' punishment and harm imposed upon the suspected enemy" because the aim is now to humiliate the enemy and assure the dominant group of their power and control.[26] Fathali Moghaddam argues that there is also a larger psycho-political dynamic of displaced aggression when a group is frustrated; "such groups might be unaware of the real reasons they are using torture—reasons more to do with attempts to harm particular targets and instill fear."[27] In short, whether intentionally or not, torture comes to be viewed as a proper expression of and outlet for social frustration, fear, and vengeance. "What mattered was that the blood debt was satisfied."[28] Here torturing shows toughness and resoluteness since we are risking morality for the safety of the public; Jack Bauer is making the ultimate personal sacrifice: his conscience. Why is this so satisfying? How do we factor this into the public debate? Clearly it needs to be directly acknowledged and addressed in the

public debate, which it is not at this time precisely because of the "Don't Ask, Don't Tell" dynamic.

At the present time, there is a lack of serious and sustained debate on torture in the United States for the very reasons outlined earlier. However, such a national debate is long overdue and crucial. This debate must occur not just in terms of our general philosophical and political commitments (Is the United States the kind of country that wishes to engage in torture and be known to do so? How does that square with our other moral, political, and philosophical commitments?) but also in practical terms of how we are to fight the Global War on Terror (GWOT). If it is the case, as some claim, that torture is a necessary tool in the GWOT, then are we comfortable with institutionalized and professional torture? Under what circumstances and with what constraints, oversights, and review processes? Or will we insist that torture is a war crime? If it is, then what measures will be taken to ensure its enforcement?

I agree with Bob Brecher that if we are to have a serious and sustained debate, then it must be intellectually and politically responsible. In my view, this means that the following issues must be honestly and directly addressed in all aspects and by all participants in the public debate. First, there *has* to be a serious and sustained look at the Ticking Time Bomb scenario and what real-world implications there are to this example. Brecher insists that "Any justificatory power they have comes from the real world, not from the thought experiment alone."[29] If this scenario has no or very limited real-world application, then how do we cash out what value it *does* have for the debate on torture, *if any*? At present uncritical acceptance of the Ticking Time Bomb (TTB) scenario is driving current discussion, and effectively shutting down (in unjustifiable ways) serious examination of the concerns and problems with torture. This uncritical view of the TTB is driven to a large degree by fears of terrorism and a desire to "do something" to avoid more terrorist attacks, regardless of the costs—a fact that must also find explicit voice in the debate.

Second, we have to acknowledge that the limitation of discussion only or even largely to IT is artificial and problematic. The debate must be broadened to deal with a myriad of uncomfortable questions around preemptive and preventative torture, torture as revenge, torture as punishment, torture for social engineering, and the connections between various types and understandings of torture. In a related vein, it is necessary to come to terms with the implications of the institutionalization and professionalization of torture, with *specific* policy proposals and specific implications for those specific proposals. Philosopher William Casebeer has done some important work in directly raising and advancing these questions among academics and military professionals; this is precisely the kind of work that needs to be amplified and extended to be a central part of the public debate.[30]

Finally, if we decide that torture is a nonstarter then it is necessary to seriously example what legal remedies and social apparatus will be necessary to maintain this commitment as more than window dressing and empty lip service. This is especially urgent and will be increasingly difficult given the

spate of torture representations in the popular culture, representations that make the kind of public debate I have in mind challenging to engage in and maintain.

Notes

1. Pew Center Poll, August 2004. Thirty-one percent sometimes justified, 12 percent often justified, for a total of 43 percent agreement there is some justification for the use of torture.
2. John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN: Hackett Publishing, 1978), 21.
3. See, e.g., the third volume of this series. Alan M. Dershowitz, "The Preventative State: Uncharted Waters after 9/11," in *The Impact of 9/11 and the New Legal Landscape: The Day That Changed Everything?*, ed. Matthew J. Morgan (New York: Palgrave Macmillan, 2009).
4. Henry Shue, "Torture," in *Torture: A Collection*, ed. Sanford Levinson (New York: Oxford University Press, 2004), 47.
5. Bob Brecher, *Torture and the Ticking Time Bomb.* (Malden, MA: Blackwell Publishing, 2007), 2. Brecher goes on to say that while he is concerned about the "normalizing" of discourse about torture, recent events and what he calls "careless philosophizing" about torture have prompted him to go on record on the topic.
6. Jorge Diaz, "Man Does Not Die by Bread Alone: Notes on Torture and Other Forms of Dialogue," *The Drama Review: TDR* 14, no. 2 (Winter 1970): 88ff. http://www.jstor.org/stable/1144532.
7. Patrick Flavin, "Reciprocity and Public Opinion on Torture," Table 2 (page 21). http://www.nd.edu/~dnickers/working/Nickerson.Torture.pdf.
8. "Group: TV Influencing Iraq Interrogators," MSNBC.com, February 15, 2007. http://www.msnbc.msn.com/id/17120768/.
9. Ibid.
10. Scott Horton, "How Hollywood Learned to Stop Worrying and Love the (Ticking) Bomb," *Harpers Magazine*, March 2008, 4. http://harpers.org/archive/2008/03/hbc-90002531.
11. Robin Vallacher, "Local Acts, Global Consequences: A Dynamic Systems Perspective on Torture," *Peace and Conflict* 13, no. 4 (2007): 447.
12. See Naomi Klein, "'Never Before!' Our Amnesiac Torture Debate," *The Nation*, December 9, 2005.
13. David Luban, "Liberalism, Torture and the Ticking Time Bomb," in *The Torture Debate in America*, ed. Karen J. Greenberg (New York: Cambridge University Press, 2006), 43.
14. Henry Shue, "Torture," in *Torture: A Collection*, ed. Sanford Levinson (New York: Oxford University Press, 2004), 53.
15. Brecher, *Torture and the Ticking Time Bomb* 82.
16. Andrew McCarthy, "Torture: Thinking about the Unthinkable," in *The Torture Debate in America*, ed. Greenberg 99.

17. Neil A. Lewis, "Military's Opposition to Harsh Interrogation Is Outlined," *New York Times*, July 28, 2005. http://www.nytimes,com/2005/01/28/politics/28abuse.html.
18. Eric Umansky, "Failures of Imagination," *Columbia Journalism Review* 45, no. 3 (September/October 2006): 20.
19. Horton, "How Hollywood Learned to Stop Worrying and Love the (Ticking) Bomb," 2.
20. Ibid., 11.
21. Darius Rejali, *Torture and Democracy* (Princeton, NJ: Princeton University Press, 2007), 443.
22. Stephen Holmes, "Is Defiance of Law a Proof of Success? Magical Thinking in the War on Terror," in *The Torture Debate in America*, ed. Greenberg 130.
23. Ibid.
24. Ronnie Janoff-Bulman, "Erroneous Assumptions: Popular Belief in the Effectiveness of Torture Interrogations," *Peace and Conflict* 13, no. 4 (2007): 432.
25. Ibid., 432.
26. Ibid., 433.
27. Fathali Mogahaddam, "Interrogation Policy and American Psychology in the Global Context," *Peace and Conflict* 13, no. 4 (2007): 438–439.
28. Rejali, *Torture and Democracy*, 543–545.
29. Ibid., 85–86.
30. See his article "Torture Interrogation of Terrorists: A Theory of Exceptions (with Notes, Cautions, and Warnings). www.usafa.edu/ISME (JSCOPE 2003).

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