Simple Truths, Hard Problems: Some thoughts on terror, justice, and self-defence*

NOAM CHOMSKY

To dispel any false expectations, I really am going to keep to very simple truths, so much so that I toyed with suggesting the title 'In Praise of Platitudes,' with an advance apology for the elementary character of these remarks. The only justification for proceeding along this course is that the truisms are widely rejected, in some crucial cases almost universally so. And the human consequences are serious, in particular, with regard to the hard problems I have in mind. One reason why they are hard is that moral truisms are so commonly disdained by those with sufficient power to do so with impunity, because they set the rules.

We have just witnessed a dramatic example of how they set the rules. The last millennium ended, and the new one opened, with an extraordinary display of self-adulation on the part of Western intellectuals, who praised themselves and their leaders for introducing a 'noble phase' of foreign policy with a 'saintly glow,' as they adhered to 'principles and values' for the first time in history, acting from 'pure altruism,' following the lead of the 'idealistic new world bent on ending inhumanity,' joined by its loyal partner who alone comprehends the true nobility of the mission, which has now evolved even further into the 'Bush messianic mission to graft democracy onto the rest of the world'—all quoted from the elite press and intellectuals. I am not sure there is any counterpart in the non-too-glorious history of modern intellectual elites. The noblest achievement was a 'normative revolution' in the 1990s, which established a 'new norm in international affairs': the right of the self-designated 'enlightened states' to resort to force to protect suffering people from evil monsters.[1]

* Talk at Royal Institute of Philosophy, London, May 19, 2004.

[1] For sources, see my *New Military Humanism* (Common Courage, 1999), *A New Generation Draws the Line* (Verso, 2000), and *Hegemony or Survival* (Metropolitan, 2003, updated 2004). I will keep here to citations not easy to locate in fairly standard work, or in recent books of mine, including these.

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As anyone familiar with history knows, the normative revolution is not at all new; it was a constant refrain of European imperialism, and the rhetorical flights of Japanese fascists, Mussolini, Hitler, Stalin and other grand figures were no less noble, and quite possibly just as sincere, so internal documents reveal.

The examples given to justify the chorus of self-acclaim collapse on the slightest examination, but I would like to raise a different question, bearing on how rules are established: why was the 'normative revolution' in the decade of the 1990s, not the 1970s, a far more reasonable candidate?

The decade of the 1970s opened with the Indian invasion of East Pakistan, saving probably millions of lives. It closed with Vietnam's invasion of Cambodia, ousting the Khmer Rouge just as their atrocities were peaking; before that, State Department intelligence, by far the most knowledgeable source, was estimating deaths in the tens or hundreds of thousands, not from 'mass genocide' but from 'brutal rapid change,' awful enough, but not yet approaching the predictions of high US officials in 1975 that a million might die as a result of the carnage of the earlier years of bombing and atrocities. Their effects have been discussed in the scholarly literature, but perhaps the simplest account is the orders that Henry Kissinger transmitted, in the usual manner of the obedient bureaucrat, from President Nixon to the military commanders: 'A massive bombing campaign in Cambodia. Anything that flies on anything that moves.'[2] It is rare for a call for war crimes to be so stark and explicit, though it is normal for it to be considered entirely insignificant among the perpetrators, as in this case; publication elicited no reaction. By the time of the Vietnamese invasion, however, the charges of genocide that had aroused mass fury from the moment of the Khmer Rouge takeover in April 1975, with a level of fabrication that would have impressed Stalin, were finally becoming plausible. So the decade of the 1970s was indeed framed by two authentic cases of military intervention that terminated awesome crimes.

Even if we were to accept the most extreme claims of the chorus of adulation for the leaders of the 'enlightened states' in the 1990s, there was nothing that comes close to the humanitarian consequences of the resort to force that framed the decade of the 1970s. So why did that decade not bring about a 'normative revolution' with the foreign policy of the saviours basking in a 'saintly glow'?

[2] Elizabeth Becker, 'Kissinger Tapes Describe Crises, War and Stark Photos of Abuse,' *New York Times*, May 27, 2004.

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The answer is simplicity itself, but apparently unstateable; at least, I have never seen a hint of it in the deluge of literature on this topic. The interventions of the 1970s had two fundamental flaws: (1) They were carried out by the wrong agents, *them*, not *us*; (2) Both were bitterly denounced by the leader of the enlightened states, and the perpetrators of the crime of terminating genocide were harshly punished, particularly Vietnam, subjected to a US-backed Chinese invasion to teach the criminals a lesson for bringing Pol Pot's crimes to an end, then severe sanctions, and direct US-UK support for the ousted Khmer Rouge. It follows that the 1970s could not have brought about a 'normative revolution,' and no one has ever suggested that it did.

The guiding principle is elementary. Norms are established by the powerful, in their own interests, and with the acclaim of responsible intellectuals. These may be close to historical universals. I have been looking for exceptions for many years. There are a few, but not many.

Sometimes the principle is explicitly recognized. The norm for post-World War II international justice was established at Nuremberg. To bring the Nazi criminals to justice, it was necessary to devise definitions of 'war crime' and 'crime against humanity.' Telford Taylor, chief counsel for the prosecution and a distinguished international lawyer and historian, has explained candidly how this was done:

> Since both sides in World War II had played the terrible game of urban destruction—the Allies far more successfully—there was no basis for criminal charges against Germans or Japanese, and in fact no such charges were brought... Aerial bombardment had been used so extensively and ruthlessly on the Allied side as well as the Axis side that neither at Nuremberg nor Tokyo was the issue made a part of the trials.[3]

The operative definition of 'crime' is: 'Crime that you carried out but we did not.' To underscore the fact, Nazi war criminals were absolved if the defence could show that their US counterparts carried out the same crimes.

Taylor concludes that 'to punish the foe—especially the vanquished foe—for conduct in which the enforcer nation has engaged, would be so grossly inequitable as to discredit the laws themselves.' That is correct, but the operative definition also discredits the laws themselves, along with all subsequent tribunals.

[3] Taylor, *Nuremberg and Vietnam: an American Tragedy* (Times Books, 1970).

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Taylor provides this background as part of his explanation of why US bombing in Vietnam was not a war crime. His argument is plausible, further discrediting the laws themselves. Some of the subsequent tribunals are discredited in perhaps even more extreme ways, such as the Yugoslavia vs. NATO case now being adjudicated by the International Court of Justice. The US was excused, correctly, on the basis of its argument that it is not subject to the jurisdiction of the Court in this case. The reason is that the US signed the Genocide Convention (which is at issue here) with a reservation stating that it is inapplicable to the United States.

In an outraged comment on the efforts of Justice Department lawyers to demonstrate that the president has the right to authorize torture, Yale Law School Dean Howard Koh—who, as Assistant Secretary of State, had presented Washington's denunciation of all forms of torture to the international community—said that 'The notion that the president has the constitutional power to permit torture is like saying he has the constitutional power to commit genocide.'[4] The same legal advisers should have little difficulty arguing that the president does indeed have that right.

The Nuremberg Tribunal is commonly described by distinguished figures in the field of international law and justice as 'the birth of universal jurisdiction.'[5] That is correct only if we understand 'universality' in accord with the practice of the enlightened states, which defines 'universal' as 'applicable to others only,' particularly enemies.

The proper conclusion at Nuremberg and since would have been to punish the victors as well as the vanquished foe. Neither at the postwar trials nor subsequently have the powerful been subjected to the rules, not because they have not carried out crimes—of course they have—but because they are immune under prevailing standards of morality. The victims appear to understand well enough. Wire services report from Iraq that 'If Iraqis ever see Saddam Hussein in the dock, they want his former American allies shackled beside him.'[6] That inconceivable event would be a radical revision of the fundamental principle of international justice: tribunals must be restricted to the crimes of others.

[4] Edward Alden, 'US INTERROGATION DEBATE: Dismay at attempt to find legal justification for torture,' *Financial Times*, 10 June 2004.

[5] Justice Richard Goldstone, 'Kosovo: An Assessment in the Context of International Law,' Nineteenth Morgenthau Memorial Lecture, Carnegie Council on Ethics and International Affairs, 2000.

[6] Michael Georgy, 'Iraqis want Saddam's old U.S. friends on trial,' *Reuters*, Jan 20, 2004.

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There is a marginal exception, which in fact underscores the force of the rule. Punishment is permissible when it is a mere tap on the wrist, evading the real crimes, or when blame can be restricted to minor figures, particularly when they are *not like us*. It was, for example, considered proper to punish the soldiers who carried out the My Lai massacre, half-educated half-crazed GPs in the field, not knowing who was going to shoot at them next. But it was inconceivable that punishment could reach as far as those who planned and implemented Operation Wheeler Wallawa, a mass murder operation to which My Lai was a very minor footnote.[7] The gentlemen in the air-conditioned offices are like us, therefore immune by definition. We are witnessing similar examples right now in Iraq.

We might return in this connection to Kissinger's transmission of Nixon's orders on bombing Cambodia. In comparison, the widely reported admission by Serbia of involvement in the Srebrenica massacre does not merit much attention. The prosecutors at the Milosevic Tribunal face difficulties in proving the crime of genocide because no document has been discovered in which the accused directly orders such a crime, even lesser ones. The same problem has been faced by Holocaust scholars, who of course have no doubt of Hitler's responsibility, but lack conclusive direct documentation. Suppose, however, that someone were to unearth a document in which Milosevic orders the Serbian air force to reduce Bosnia or Kosovo to rubble, with the words 'Anything that flies on anything that moves.' The prosecutors would be overjoyed, the trial would end, and Milosevic would be sent off to many successive life sentences for the crime of genocide—a death sentence, if it followed US conventions. One would, in fact, be hard put to find such an explicit order to carry out genocide—as the term is currently employed with regard to crimes of enemies—anywhere in the historical record. In this case, after casual mention in the world's leading newspaper, there was no detectable interest, even though the horrendous consequences are well-known. And rightly, if we adopt, tacitly, the overriding principle that we cannot—by definition—carry out crimes or have any responsibility for them.

One moral truism that should be uncontroversial is the principle of universality: we should apply to ourselves the same standards we apply to others—in fact, more stringent ones. This should be

[7] On this and other such operations, based in part on unpublished investigations of *Newsweek* Saigon bureau chief Kevin Buckley, see Chomsky and Edward Herman, *The Political Economy of Human Rights*, vol. I (South End, 1979).

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uncontroversial for everyone, but particularly so for the world's most important citizens, the leaders of the enlightened states, who declare themselves to be devout Christians, devoted to the Gospels, hence surely familiar with its famous condemnation of the Hypocrite. Their devotion to the commandments of the Lord is not in question. George Bush reportedly proclaims that 'God told me to strike at al Qaida and I struck them, and then He instructed me to strike at Saddam, which I did,' and 'now I am determined to solve the problem of the Middle East,'[8] also at the command of the Lord of Hosts, the War God, whom we are instructed by the Holy Book to worship above all other Gods. And as I mentioned, the elite press dutifully refers to his 'messianic mission' to solve the problem of the Middle East, in fact the world, following our 'responsibility to history to rid the world of evil,' in the president's words, the core principle of the 'vision' that Bush shares with Osama bin Laden, both plagiarizing ancient epics and children's fairy tales.

I am not sufficiently familiar with the sayings of Tony Blair to know how closely he approaches this ideal—which is quite familiar in Anglo-American history. The early English colonists in North America were following the word of the Lord as they slaughtered the Amalekites in the 'New Israel' that they were liberating from the native blight. Those who followed them, also Bible-waving God-fearing Christians, did their religious duty by conquering and possessing the promised land, ridding it of millions of Canaanites, and proceeding to war against the Papists in Florida, Mexico, and California. Throughout they were defending themselves from the 'merciless Indian savages'—unleashed against them by George III, as the Declaration of Independence proclaims—at other times from the 'runaway negroes' and 'lawless Indians' who were attacking innocent Americans according to John Quincy Adams in one of

[8] Arnon Regular, *Ha'aretz*, 24 May 2003, based on minutes of a meeting between Bush and his hand-picked Palestinian Prime Minister, Mahmoud Abbas, provided by Abbas. See also *Newsweek*, 'Bush and God,' March 10, 2003, with a cover story on the beliefs and direct line to God of the man with his finger on the button. Also 'The Jesus Factory,' PBS Frontline documentary, on the 'religious ideals' that Bush has brought to the White House, 'relevant to the Bush messianic mission to graft democracy onto the rest of the world'; Sam Allis, 'A timely look at how faith informs Bush presidency,' *Boston Globe*, 29 April 2004. White House aides report concern over Bush's 'increasingly erratic behavior' as he 'declares his decisions to be "God's will"'; Doug Thompson, publisher, *Capitol Hill Blue*, 4 June 2004.

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the most celebrated State Papers in American history, written to justify Andrew Jackson's conquest of Florida in 1818, and the opening of the murderous Seminole wars. The event was of some significance for other reasons: it was the first executive war in violation of the constitutional requirement that only Congress can declare war, by now so fully the norm that it is scarcely noted—norms being established in the conventional way.

In his later years, long after his own grisly contributions were past, Adams did deplore the fate of 'that hapless race of native Americans who we are exterminating with such merciless and perfidious cruelty.' This is 'among the heinous sins of this nation, for which I believe God will one day bring [it] to judgement,' Adams believed. The first US Secretary of War had warned many years earlier that 'a future historian may mark the causes of this destruction of the human race in sable colours.' But they were wrong. God and the historians are slow in fulfilling this task. Unlike Bush and Blair, I cannot speak for God, but historians speak to us in mortal tongues. In a typical example, two months ago one of the most distinguished American historians referred in passing to 'the elimination of hundreds of thousands of native people' in the conquest of the national territory—off by a factor of ten, apart from the interesting choice of words. The reaction was null; it would be somewhat different if we were to read a casual comment in Germany's leading newspaper that hundreds of thousands of Jews were eliminated during World War II. There is also no reaction when a highly regarded diplomatic historian explains in a standard work that after their liberation from English rule, the colonists 'concentrated on the task of felling trees and Indians and of rounding out their natural boundaries.'[9] It is all too easy to multiply examples in scholarship, media, school texts, cinema, and elsewhere. Sports teams use victims of genocide as mascots, usually with caricatures. Weapons of destruction are casually given similar names: Apache, Blackhawk, Comanche helicopters; Tomahawk missiles; and so on. How would we react if the Luftwaffe named its lethal weapons 'Jew' and 'Gypsy'?

The British record is much the same. Britain pursued its divine mission in the evangelization of Africa, while exercising in India 'a trusteeship mysteriously placed in their hands by Providence,' easy

[9] Gordon Wood, '"Freedom Just Around the Corner": Rogue Nation,' *New York Times Book Review*, March 28, 2004; Thomas Bailey, *A Diplomatic History of the American People* (Appleton-Century-Crofts, 1969).

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to comprehend in a country 'where God and Mammon seemed made for each other.'[10] Figures of the highest moral integrity and intelligence gave a secular version of the creed, strikingly John Stuart Mill in his extraordinary apologetics for British crimes, written just as they peaked in India and China, in an essay now taken to be a classic of the literature of 'humanitarian intervention.' It is only fair to note that there were different voices. Richard Cobden denounced Britain's crimes in India and expressed his hope that the 'national conscience, which has before averted from England, by timely atonement and reparation, the punishment due for imperial crimes, will be roused ere it be too late from its lethargy, and put an end to the deeds of violence and injustice which have marked every step of our progress in India'—echoing Adam Smith, who had bitterly condemned 'the savage injustice of the Europeans,' particularly the British in India. Cobden hoped in vain It is hardly much of a relief to recognize that their continental counterparts were even worse, in deed, denial, and self-adulation.

While quoting Cobden we might recall another of his maxims, highly pertinent today, and also qualifying as a moral truism: 'no man had a right to lend money if he knows it to be applied to the cutting of throats'[11] or, a fortiori, to sell the knives. It does not take an extensive research project to draw the appropriate conclusions with regard to the regular practice of the leading enlightened states.

The common response of the intellectual culture, some memorable exceptions aside, is entirely natural if we abandon the most elementary of moral truisms, and declare ourselves to be uniquely exempt from the principle of universality. And so we do, constantly. Every day brings new illustrations. The US Senate has just lent its consent to the appointment of John Negroponte as Ambassador to Iraq, heading the world's largest diplomatic mission, with the task of handing over sovereignty to Iraqis to fulfill Bush's 'messianic vision' to bring democracy to the Middle East and the world, so we are solemnly informed. The appointment bears directly on the principle of universality, but before turning to that, we might raise some questions about other truisms, regarding evidence and conclusions.

That the goal of the Iraq invasion is to fulfill the president's mes-

[10] Historians Thomas Pakenham and David Edwards , cited by Clifford Langley, 'The Religious Roots of American Imperialism,' *Global Dialogue*, Winter-Spring 2003.

[11] Cited by Pier Francesco Asso, 'The "Home Bias" Approach in the History of Economic Thought,' in J. Lorentzen and M. de Cecco, (eds.), *Markets and Authorities* (Elgar: UK, 2002).

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sianic vision is simply presupposed in news reporting and commentary, even among critics, who warn that the 'noble' and 'generous' vision may be beyond our reach. As the London *Economist* poses the problem a few weeks ago, 'America's mission' of turning Iraq into 'an inspiring example [of democracy] to its neighbours' is facing obstacles.[12] With considerable research, I have not been able to find exceptions in the US media, and with much less research, elsewhere, apart from the usual margins.

One might inquire into the basis for the apparently near universal acceptance of this doctrine in Western intellectual commentary. Examination will quickly reveal that it is based on two principles. First, our leaders have proclaimed it, so it must be true, a principle familiar in North Korea and other stellar models. Second, we must suppress the fact that by proclaiming the doctrine after other pretexts have collapsed, our leaders are also declaring that they are among the most accomplished liars in history, since in leading their countries to war they proclaimed with comparable passion that the 'sole question' was whether Saddam had disarmed. But now we must believe them. Also obligatory is the dispatch deep into the memory hole of the ample record of professed noble efforts to bring democracy, justice, and freedom to the benighted.

It is, again, the merest truism that pronouncements of virtuous intent by leaders carry no information, even in the technical sense: they are completely predictable, including the worst monsters. But this truism also fades when it confronts the overriding need to reject the principle of universality.

The doctrine presupposed by Western commentary is accepted by some Iraqis too: one percent agreed that the goal of the invasion is to bring democracy to Iraq according to US-run polls in Baghdad last October—long before the atrocities in April and the revelations of torture. Another five percent felt that the goal is to help Iraqis. Most of the rest took for granted that the goal is to gain control of Iraq's resources and use Iraq as a base for reorganizing the Middle East in US interests[13]—a thought virtually inexpressible in enlightened Western commentary, or dismissed with horror as 'anti-Americanism,' 'conspiracy theory,' 'radical and extremist,' or some other intellectual equivalent of four-letter words among the vulgar.

[12] 'Another intifada in the making,' 'Bloodier and sadder,' *Economist*, April 17, 2004.

[13] Walter Pincus, 'Skepticism About U.S. Deep, Iraq Poll Shows, Motive for Invasion Is Focus of Doubts,' *Washington Post*, Nov. 12, 2003. Richard Burkholder, 'Gallup Poll of Baghdad: Gauging U.S. Intent,' Government & Public Affairs, Oct. 28, 2003.

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In brief, Iraqis appear to take for granted that what is unfolding is a scenario familiar from the days of Britain's creation of modern Iraq, accompanied by the predictable and therefore uninformative professions of virtuous intent, but also by secret internal documents in which Lord Curzon and the Foreign Office developed the plans to establish an 'Arab facade' that Britain would rule behind various 'constitutional fictions.' The contemporary version is provided by a senior British official quoted in the *Daily Telegraph*: 'The Iraqi government will be fully sovereign, but in practice it will not exercise all its sovereign functions.'[14]

Let us return to Negroponte and the principle of universality. As his appointment reached Congress, the *Wall Street Journal* praised him as a 'Modern Proconsul,' who learned his trade in Honduras in the 1980s, during the Reaganite phase of the current incumbents in Washington. The veteran *Journal* correspondent Carla Anne Robbins reminds us that in Honduras he was known as 'the proconsul,' as he presided over the second largest embassy in Latin America, with the largest CIA station in the world—perhaps to transfer full sovereignty to this centrepiece of world power.[15]

Robbins observes that Negroponte has been criticized by human rights activists for 'covering up abuses by the Honduran military'—a euphemism for large-scale state terror—'to ensure the flow of US aid' to this vital country, which was 'the base for Washington's covert war against Nicaragua.' The main task of proconsul Negroponte was to supervise the bases in which the terrorist mercenary army was armed, trained, and sent to do its work, including its mission of attacking undefended civilian targets, so the US military command informed Congress. The policy of attacking such 'soft targets' while avoiding the Nicaraguan army was confirmed by the State Department and defended by leading American liberal intellectuals, notably *New Republic* editor Michael Kinsley, who was the designated spokesman for the left in television commentary. He chastised Human Rights Watch for its sentimentality in condemning US international terrorism and failing to understand that it must be evaluated by 'pragmatic criteria.' A 'sensible policy,' he urged, should 'meet the test of cost-benefit analysis,' an analysis of 'the amount of blood and misery that will be poured in, and the likelihood that democracy will emerge at the other end'—

[14] Anton La Guardia, Diplomatic Editor, 'Handover still on course as UN waits for new leader to emerge,' *Daily Telegraph*, May 18, 2004.

[15] Robbins, 'Negroponte Has Tricky Mission: Modern Proconsul,' *Wall Street Journal*, April 27, 2004.

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'democracy' as US elites determine, their unquestionable right. Of course, the principle of universality does not apply: others are not authorized to carry out large-scale international terrorist operations if their goals are likely to be achieved.

In this case the experiment was a grand success, and is indeed highly praised. Nicaragua was reduced to the second-poorest country in the hemisphere, with 60% of children under two afflicted with anaemia from severe malnutrition and probable permanent brain damage,[16] after the country suffered casualties during the terrorist war that in per capita terms would be comparable to 2.5 million dead in the US—a death toll 'significantly higher than the number of US persons killed in the US Civil War and all the wars of the twentieth century combined,' in the words of Thomas Carothers, the leading historian of the democratization of Latin America, who writes from the standpoint of an insider as well as a scholar, having served in Reagan's State Department in the programmes of 'democracy enhancement.' Describing himself as a 'neo-Reaganite,' he regards these programmes as 'sincere,' though a 'failure,' because the US would tolerate only 'top-down forms of democracy' controlled by traditional elites with firm ties to the US. This is a familiar refrain in the history of pursuit of visions of democracy, which Iraqis apparently comprehend, even if we choose not to. It is worth stressing the word 'choose,' because there is no shortage of evidence.

Negroponte's primary task as proconsul in Honduras was to supervise the international terrorist atrocities for which the US was condemned by the World Court in a judgment that reached well beyond Nicaragua's narrow case, shaped by its Harvard legal team to avoid factual debate, since the facts were conceded. The Court ordered Washington to terminate the crimes and pay substantial reparations—all ignored on the official grounds that other nations do not agree with us so we must 'reserve to ourselves the power to determine' how we will act and which matters fall 'essentially within the domestic jurisdiction of the United States, as determined by the United States,' in this case the actions that the Court condemned as the 'unlawful use of force' against Nicaragua; in lay terms, international terrorism. All consigned to the ashcan of history by the educated classes in the usual manner of unwanted truths, along with the two supporting Security Council resolutions vetoed by the US, with Britain loyally abstaining. The international terrorist campaign received passing mention during Negroponte's

[16] *Envío* (UCA, Jesuit University, Managua), Nov. 2003.

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confirmation hearings, but is considered of no particular significance, thanks to the exemption of our glorious selves from the principle of universality.

On the wall of my office at MIT, I have a painting given to me by a Jesuit priest, depicting the Angel of Death standing over the figure of Salvadoran Archbishop Romero, whose assassination in 1980 opened that grim decade of international state terrorist atrocities, and right before him the six leading Latin American intellectuals, Jesuit priests, whose brains were blown out in 1989, bringing the decade to an end. The Jesuit intellectuals, along with their housekeeper and her daughter, were murdered by an elite battalion armed and trained by the current incumbents in Washington and their mentors. It had already compiled a bloody record of massacres in the US-run international terrorist campaign that Romero's successor described as a 'war of extermination and genocide against a defenseless civilian population.' Romero had been killed by much the same hands, a few days after he pleaded with President Carter not to provide the junta with military aid, which 'will surely increase injustice here and sharpen the repression that has been unleashed against the people's organizations fighting to defend their most fundamental human rights.' The repression continued with US aid after his assassination, and the current incumbents carried it forward to a 'war of extermination and genocide.'

I keep the painting there to remind myself daily of the real world, but it has turned out to serve another instructive purpose. Many visitors pass through the office. Those from Latin America almost unfailingly recognize it. Those from north of the Rio Grande virtually never do. From Europe, recognition is perhaps 10 percent. We may consider another useful thought experiment. Suppose that in Czechoslovakia in the 1980s, security forces armed and trained by the Kremlin had assassinated an Archbishop who was known as 'the voice of the voiceless," then proceeded to massacre tens of thousands of people, consummating the decade with the brutal murder of Vaclav Havel and half a dozen other leading Czech intellectuals. Would we know about it? Perhaps not, because the Western reaction might have gone as far as nuclear war, so there would be no one left to know. The distinguishing criterion is, once again, crystal clear. The crimes of enemies take place; our own do not, by virtue of our exemption from the most elementary of moral truisms.

The murdered Jesuits were, in fact, doubly assassinated: brutally killed, and unknown in the enlightened states, a particularly cruel fate for intellectuals. In the West, only specialists or activists even know their names, let alone have any idea of what they wrote. Their

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fate is quite unlike that of dissident intellectuals in the domains of official enemies, who are well-known, widely published and read, and highly honoured for their courageous resistance to repression—which was indeed harsh, though it did not begin to compare with what was endured by their counterparts under Western rule in the same years. Again, the differential treatment makes good sense, given our principled exemption from moral truisms.

Let us move on to some hard problems. Perhaps none is more prominent today than 'the evil scourge of terrorism,' particularly state-backed international terrorism, a 'plague spread by depraved opponents of civilization itself' in a 'return to barbarism in the modern age.' So the plague was described when the 'war on terror' was declared—not in September 2001 when it was *re-declared*, but 20 years earlier, by the same people and their mentors. Their 'war on terror' instantly turned into a murderous terrorist war, with horrifying consequences in Central America, the Middle East, southern Africa, and elsewhere, but that is only history, not the history crafted by its custodians in the enlightened states. In more useful accepted history, the 1980s are described by scholarship as the decade of 'state terrorism,' of 'persistent state involvement, or "sponsorship," of terrorism, especially by Libya and Iran.' The US merely responded with 'a "proactive" stance toward terrorism,'[17] and the same was true of its allies: Israel, South Africa, the clandestine terror network assembled by the Reaganites, and others. I will put to the side the radical Islamists organized and trained for the cause—not to defend Afghanistan, which would have been a legitimate goal, but to bloody the official enemy, probably prolonging the Afghan war and leaving the country in ruins, soon to become much worse as Western clients took over, with subsequent consequences that we need not mention. Gone from acceptable history are millions of victims of the real 'war on terror' of the 1980s, and those seeking to survive in what is left of their devastated lands. Also out of history is the residual 'culture of terror,' which 'domesticates the aspirations of the majority,' to quote the survivors of the Jesuit intellectual community in El Salvador, in a conference surveying the actual but unacceptable history.

Terrorism poses a number of hard problems. First and foremost, of course, the phenomenon itself, which really is threatening, even keeping to the subpart that passes through the doctrinal filters: *their* terrorism against *us*. It is only a matter of time before terror and WMD are united, perhaps with horrendous consequences, as has

[17] Martha Crenshaw, *Current History, America at War*, Dec. 2001.

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been discussed in the specialist literature long before the 11 September atrocities. But apart from the phenomenon, there is the problem of definition of 'terror.' That too is taken to be a hard problem, the subject of scholarly literature and international conferences. At first glance, it might seem odd that it is regarded as a hard problem. There are what seem to be satisfactory definitions—not perfect, but at least as good as others regarded as unproblematic: for example, the official definitions in the US Code and Army Manuals in the early 1980s when the 'war on terror' was launched, or the quite similar official formulation of the British government, which defines 'terrorism' as 'the use, or threat, of action which is violent, damaging or disrupting, and is intended to influence the government or intimidate the public and is for the purpose of advancing a political, religious, or ideological cause.' These are the definitions that I have been using in writing about terrorism for the past twenty years, ever since the Reagan administration declared that the war on terror would be a prime focus of its foreign policy, replacing human rights, the proclaimed 'soul of our foreign policy' before.[18]

On closer look, however, the problem becomes clear, and it is indeed hard. The official definitions are unusable, because of their immediate consequences. One difficulty is that the definition of terrorism is virtually the same as the definition of the official policy of the US, and other states, called 'counter-terrorism' or 'low-intensity warfare' or some other euphemism. That again is close to a historical universal, to my knowledge. Japanese imperialists in Manchuria and North China, for example, were not aggressors or terrorists, but were protecting the population and the legitimate governments from the terrorism of 'Chinese bandits.' To undertake this noble task, they were compelled, reluctantly, to resort to 'counter-terror,' with the goal of establishing an 'earthly paradise' in which the people of Asia could live in peace and harmony under the enlightened guidance of Japan. The same is true of just about every other case I have investigated. But now we do face a hard problem: it will not do to say that the enlightened states are officially committed to terrorism. And it takes little effort to demonstrate that the US engages in large-scale international terrorism according to its own definition of the term, quite uncontroversially in a number of crucial cases.

[18] See, inter alia, my *Pirates and Emperors* (1996; updated edition. South End-Pluto, 2002). For review of the first phase of the 'war on terror,' see Alexander George, (ed.), *Western State Terrorism* (Polity, Blackwell, 1991).

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There are related problems. Some arose when the UN General Assembly, in response to Reaganite pressures, passed its strongest condemnation of terrorism in December 1987, with a call on all states to destroy the plague of the modern age. The resolution passed 153 to 2, with only Honduras abstaining. The two states that opposed the resolution explained their reasons in the UN debate. They objected to a passage recognizing 'the right to self-determination, freedom, and independence, as derived from the Charter of the United Nations, of people forcibly deprived of that right..., particularly peoples under colonial and racist regimes and foreign occupation.' The term 'colonial and racist regimes' was understood to refer to South Africa, a US ally, resisting the attacks of Nelson Mandela's ANC, one of the world's 'more notorious terrorist groups,' as Washington determined at the same time. And 'foreign occupation' was understood to refer to Washington's Israeli client. So, not surprisingly, the US and Israel voted against the resolution, which was thereby effectively vetoed—in fact, subjected to the usual double veto: inapplicable, and vetoed from reporting and history as well, though it was the strongest and most important UN resolution on terrorism.

There is, then, a hard problem of defining 'terrorism,' rather like the problem of defining 'war crime.' How can we define it in such a way as to violate the principle of universality, exempting ourselves but applying to selected enemies? And these have to be selected with some precision. The US has had an official list of states sponsoring terrorism ever since the Reagan years. In all these years, only one state has been removed from the list: Iraq, in order to permit the US to join the UK and others in providing badly needed aid for Saddam Hussein, continuing without concern after he carried out his most horrifying crimes. There has also been one near-example. Clinton offered to remove Syria from the list if it agreed to peace terms offered by the US and Israel. When Syria insisted on recovering the territory that Israel conquered in 1967, it remained on the list of states sponsoring terrorism, and continues to be on the list despite the acknowledgment by Washington that Syria has not been implicated in sponsoring terror for many years and has been highly cooperative in providing important intelligence to the US on al-Qaeda and other radical Islamist groups. As a reward for Syria's cooperation in the 'war on terror,' last December Congress passed legislation calling for even stricter sanctions against Syria, nearly unanimously (the Syria Accountability Act). The legislation was recently implemented by the president, thus depriving the US of a major source of information about radical Islamist terrorism in

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order to achieve the higher goal of establishing in Syria a regime that will accept US-Israeli demands—not an unusual pattern, though commentators continually find it surprising no matter how strong the evidence and regular the pattern, and no matter how rational the choices in terms of clear and understandable planning priorities.

The Syria Accountability Act offers another striking illustration of the rejection of the principle of universality. Its core demand refers to UN Security Council Resolution 520, calling for respect for the sovereignty and territorial integrity of Lebanon, violated by Syria because it still retains in Lebanon forces that were welcomed there by the US and Israel in 1976 when their task was to carry out massacres of Palestinians. The congressional legislation, and news reporting and commentary, overlook the fact that Resolution 520, passed in 1982, was explicitly directed against Israel, not Syria, and also the fact that while Israel violated this and other Security Council resolutions regarding Lebanon for 22 years, there was no call for any sanctions against Israel, or even any call for reduction in the huge unconditional military and economic aid to Israel. The silence for 22 years includes many of those who now signed the Act condemning Syria for its violation of the Security Council resolution ordering Israel to leave Lebanon. The principle is accurately formulated by a rare scholarly commentator, Steven Zunes: it is that 'Lebanese sovereignty must be defended only if the occupying army is from a country the United States opposes, but is dispensable if the country is a US ally.'[19] The principle, and the news reporting and commentary on all of these events, again make good sense, given the overriding need to reject elementary moral truisms, a fundamental doctrine of the intellectual and moral culture.

Returning to Iraq, when Saddam was removed from the list of states supporting terrorism, Cuba was added to replace it, perhaps in recognition of the sharp escalation in international terrorist attacks against Cuba in the late 1970s, including the bombing of a Cubana airliner killing 73 people and many other atrocities. These were mostly planned and implemented in the US, though by that time Washington had moved away from its former policy of direct action in bringing 'the terrors of the earth' to Cuba—the goal of the Kennedy administration, reported by historian and Kennedy adviser Arthur Schlesinger in his biography of Robert Kennedy, who was assigned responsibility for the terror campaign and

[19] Zunes, 'U.S. Policy Towards Syria and the Triumph of Neoconservatism,' *Middle East Policy*, Spring 2004.

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regarded it as a top priority. By the late 1970s Washington was officially condemning the terrorist acts while harbouring and protecting the terrorist cells on US soil in violation of US law. The leading terrorist, Orlando Bosch, regarded as the author of the Cubana airline bombing and dozens of other terrorist acts according to the FBI, was given a presidential pardon by George Bush Number 1, over the strong objections of the Justice Department. Others like him continue to operate with impunity on US soil, including terrorists responsible for major crimes elsewhere as well for whom the US refuses requests for extradition (from Haiti, for example).

We may recall one of the leading components of the 'Bush doctrine'—now Bush Number 2: 'Those who harbour terrorists are as guilty as the terrorists themselves,' and must be treated accordingly, the president's words when announcing the bombing of Afghanistan because of its refusal to turn over suspected terrorists to the US, without evidence, or even credible pretext as later quietly conceded. Harvard International Relations specialist Graham Allison describes this as the most important component of the Bush Doctrine. It 'unilaterally revoked the sovereignty of states that provide sanctuary to terrorists,' he wrote approvingly in *Foreign Affairs*, adding that the doctrine has 'already become a de facto rule of international relations.' That is correct, in the technical sense of 'rule of international relations.'

Unreconstructed literalists might conclude that Bush and Allison are calling for the bombing of the United States, but that is because they do not comprehend that the most elementary moral truisms must be forcefully rejected: there is a crucial exemption to the principle of universality, so deeply entrenched in the reigning intellectual culture that it is not even perceived, hence not mentioned.

Again, we find illustrations daily. The Negroponte appointment is one example. To take another, a few weeks ago the Palestinian leader Abu Abbas died in a US prison in Iraq. His capture was one of the most heralded achievements of the invasion. A few years earlier he had been living in Gaza, participating in the Oslo 'peace process' with US-Israeli approval, but after the second Intifida began, he fled to Baghdad, where he was arrested by the US army and imprisoned because of his role in the hijacking of the cruise ship Achille Lauro in 1985. The year 1985 is regarded by scholarship as the peak year of terrorism in the 1980s; Mideast terrorism was the top story of the year, in a poll of editors. Scholarship identifies two major crimes in that year: the hijacking of the Achille Lauro, in which one person, a crippled American, was brutally

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murdered; and an airplane hijacking with one death, also an American. There were, to be sure, some other terrorist crimes in the region in 1985, but they do not pass through the filters. One was a car-bombing outside a mosque in Beirut that killed 80 people and wounded 250 others, timed to explode as people were leaving, killing mostly women and girls; but this is excluded from the record because it was traced back to the CIA and British intelligence. Another was the action that led to the Achille Lauro hijacking in retaliation, a week later: Shimon Peres's bombing of Tunis with no credible pretext, killing 75 people, Palestinians and Tunisians, expedited by the US and praised by Secretary of State Shultz, then unanimously condemned by the UN Security Council as an 'act of armed aggression' (US abstaining). But that too does not enter the annals of terrorism (or perhaps the more severe crime of 'armed aggression'), again because of agency. Peres and Shultz do not die in prison, but receive Nobel prizes, huge taxpayer gifts for reconstruction of what they helped destroy in occupied Iraq, and other honours. Again, it all makes sense once we comprehend that elementary moral truisms must be sent to the flames.

Sometimes denial of moral truisms is explicit. A case in point is the reaction to the second major component of the 'Bush Doctrine', formally enunciated in the National Security Strategy of September 2002, which was at once described in the main establishment journal *Foreign Affairs* as a 'new imperial grand strategy' declaring Washington's right to resort to force to eliminate any potential challenge to its global dominance. The NSS was widely criticized among the foreign policy elite, including the article just cited, but on narrow grounds: not that it was wrong, or even new, but that the style and implementation were so extreme that they posed threats to US interests. Henry Kissinger described 'The new approach [as] revolutionary,' pointing out that it undermines the 17th century Westphalian system of international order, and of course the UN Charter and international law. He approved of the doctrine but with reservations about style and tactics, and with a crucial qualification: it cannot be 'a universal principle available to every nation.' Rather, the right of aggression must be reserved to the US, perhaps delegated to chosen clients. We must forcefully reject the most elementary of moral truisms: the principle of universality. Kissinger is to be praised for his honesty in forthrightly articulating prevailing doctrine, usually concealed in professions of virtuous intent and tortured legalisms.

To add just one last example that is very timely and significant, consider 'just war theory,' now undergoing a vigorous revival in the

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context of the 'normative revolution' proclaimed in the 1990s. There has been debate about whether the invasion of Iraq satisfies the conditions for just war, but virtually none about the bombing of Serbia in 1999 or the invasion of Afghanistan, taken to be such clear cases that discussion is superfluous. Let us take a quick look at these, not asking whether the attacks were right or wrong, but considering the nature of the arguments.

The harshest criticism of the Serbia bombing anywhere near the mainstream is that it was 'illegal but legitimate,' the conclusion of the International Independent Commission of Inquiry headed by Justice Richard Goldstone. 'It was illegal because it did not receive approval from the UN Security Council,' the Commission determined, 'but it was legitimate because all diplomatic avenues had been exhausted and there was no other way to stop the killings and atrocities in Kosovo.'[20] Justice Goldstone observed that the Charter may need revision in the light of the report and the judgments on which it is based. The NATO intervention, he explains, 'is too important a precedent' for it to be regarded 'an aberration.' Rather, 'state sovereignty is being redefined in the face of globalization and the resolve by the majority of the peoples of the world that human rights have become the business of the international community.' He also stressed the need for 'objective analysis of human rights abuses.'[21]

The last comment is good advice. One question that an objective analysis might address is whether the majority of the peoples of the world accept the judgment of the enlightened states. In the case of the bombing of Serbia, review of the world press and official statements reveals little support for that conclusion, to put it rather mildly. In fact, the bombing was bitterly condemned outside the NATO countries, facts consistently ignored.[22] Furthermore, it is hardly likely that the principled self-exemption of the enlightened states from the 'universalization' that traces back to Nuremberg would gain the approval of much of the world's population. The new norm, it appears, fits the standard pattern.

Another question that objective analysis might address is whether indeed 'all diplomatic avenues had been exhausted.' That conclusion is not easy to maintain in the light of the fact that there were

[20] The Independent International Commission on Kosovo, 'The Kosovo Report,' 23 October, 2000, http://www.palmecenter.se/printuk_asp?Article_Id=873. Oxford University Press, 2000.

[21] Goldstone, op. cit.

[22] For review see *New Military Humanism*.

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two options on the table when NATO decided to bomb—a NATO proposal and a Serbian proposal—and that after 78 days of bombing, a compromise was reached between them.[23]

A third question is whether it is true that 'there was no other way to stop the killings and atrocities in Kosovo,' clearly a crucial matter. In this case, objective analysis happens to be unusually easy. There is vast documentation available from impeccable Western sources: several compilations of the State Department released in justification of the war, detailed records of the OSCE, NATO, the UN, a British Parliamentary Inquiry, and other similar sources.

There are several remarkable features of the unusually rich documentation. One is that the record is almost entirely ignored in the vast literature on the Kosovo war, including the scholarly literature.[24] The second is that the substantive contents of the documentation are not only ignored, but consistently denied. I have reviewed the record elsewhere, and will not do so here, but what we discover, characteristically, is that the clear and explicit chronology is reversed. The Serbian atrocities are portrayed as the cause of the bombing, whereas it is uncontroversial that they followed it, virtually without exception, and were furthermore its anticipated consequence, as is also well documented from the highest NATO sources.

The British government, the most hawkish element of the alliance, estimated that most of the atrocities were attributable not to the Serbian security forces, but to the KLA guerrillas attacking Serbia from Albania—with the intent, as they frankly explained, to elicit a disproportionate Serbian response that could be used to mobilize Western support for the bombing. The British government assessment was as of mid-January, but the documentary record indicates no substantial change until late March, when the bombing was announced and initiated. The Milosevic indictment, based on US and UK intelligence, reveals the same pattern of events.

The US and UK, and commentators generally, cite the Racak massacre in mid-January as the decisive turning point, but that plainly cannot be taken seriously. First, even assuming the most

[23] For details, see my *A New Generation Draws the Line* (Verso, 2000), which also reviews how NATO instantly overturned the Security Council resolution it had initiated. Goldstone, op. cit., recognizes that the resolution was a compromise, but does not go into the matter, which aroused no interest in the West.

[24] The only detailed reviews I know of are in my books cited in the two preceding notes, with some additions from the later British parliamentary inquiry in *Hegemony or Survival*.

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extreme condemnations of the Racak massacre to be accurate, it scarcely changed the balance of atrocities. Second, much worse massacres were taking place at the same time elsewhere but aroused no concern, though some of the worst could have easily been terminated merely by withdrawing support. One notable case in early 1999 is East Timor, under Indonesian military occupation. The US and UK continued to provide their military and diplomatic support for the occupiers, who had already slaughtered perhaps one-fourth of the population with unremitting and decisive US-UK support, which continued until well after the Indonesian army virtually destroyed the country in a final paroxysm of violence in August-September 1999. That is only one of many such cases, but it alone more than suffices to dismiss the professions of horror about Racak.

In Kosovo, Western estimates are that about 2000 were killed in the year prior to the invasion. If the British and other assessments are accurate, most of these were killed by the KLA guerrillas. One of the very few serious scholarly studies even to consider the matter estimates that 500 of the 2000 were killed by the Serbs. This is the careful and judicious study by Nicholas Wheeler, who supports the NATO bombing on the grounds that there would have been worse atrocities had NATO not bombed.[25] The argument is that by bombing with the anticipation that it would lead to atrocities, NATO was preventing atrocities, maybe even a second Auschwitz, many claim. That such arguments are taken seriously, as they are, gives no slight insight into Western intellectual culture, particularly when we recall that there were diplomatic options and that the agreement reached after the bombing was a compromise between them (formally at least).

Justice Goldstone appears to have reservations on this matter as well. He recognizes—as few do—that the NATO bombing was not undertaken to protect the Albanian population of Kosovo, and that its 'direct result' was a 'tremendous catastrophe' for the Kosovars—as was anticipated by the NATO command and the State Department, followed by another catastrophe particularly for Serbs and Roma under NATO-UN occupation. NATO commentators and supporters, Justice Goldstone continues, 'have had to console themselves with the belief that "Operation Horseshoe," the Serb plan of ethnic cleansing directed against the Albanians in Kosovo, had been set in motion before the bombing began, and not in con-

[25] Nicholas Wheeler. *Saving Strangers: Humanitarian Intervention and International Society* (Oxford 2000).

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sequence of the bombing.' The word 'belief' is appropriate: there is no evidence in the voluminous Western record of anything having been set in motion before the international monitors were withdrawn in preparation for the bombing, and very little in the few days before the bombing began, and 'Operation Horseshoe' has since been exposed as an apparent intelligence fabrication, though it can hardly be in doubt that Serbia had contingency plans, at present unknown, for such actions in response to a NATO attack.

It is difficult, then, to see how we can accept the conclusions of the International Commission, a serious and measured effort to deal with the issues, on the legitimacy of the bombing.

The facts are not really controversial, as anyone interested can determine. I suppose that is why the voluminous Western documentary record is so scrupulously ignored. Whatever one's judgment about the bombing, not at issue here, the standard conclusion that it was an uncontroversial example of just war and the decisive demonstration of the 'normative revolution' led by the 'enlightened states' is, to say the least, rather startling—unless, of course, we return to the same principle: moral truisms must be cast to the flames, when applied to us.

Let us turn to the second case, the war in Afghanistan, considered such a paradigm example of just war that there is scarcely even any discussion about it. The respected moral-political philosopher Jean Bethke Elshtain summarizes received opinion fairly accurately when she writes approvingly that only absolute pacifists and outright lunatics doubt that this was uncontroversially a just war. Here, once again, factual questions arise. First, recall the war aims: to punish Afghans until the Taliban agree to hand over Osama bin Laden without evidence. Contrary to much subsequent commentary, overthrowing the Taliban regime was an afterthought, added after several weeks of bombing. Second, there is quite good evidence bearing on the belief that only lunatics or absolute pacifists did not join the chorus of approval. An international Gallup poll after the bombing was announced but before it began found very limited support for it, almost none if civilians were targeted, as they were from the first moment. And even that tepid support was based on the presupposition that the targets were known to have been responsible for the 11 September attacks. They were not. Eight months later, the head of the FBI testified to the Senate that after the most intensive international intelligence inquiry in history, the most that could be said was that the plot was 'believed' to have been hatched in Afghanistan, while the attacks were planned and financed elsewhere. It follows that there was no detectable popular

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support for the bombing, contrary to confident standard claims, apart from a very few countries; and of course Western elites. Afghan opinion is harder to estimate, but we do know that after several weeks of bombing, leading anti-Taliban figures, including some of those most respected by the US and President Karzai, were denouncing the bombing, calling for it to end, and charging the US with bombing just to 'show off its muscle' while undermining their efforts to overthrow the Taliban from within.

If we also adopt the truism that facts matter, some problems arise, but there is little fear of that.

Next come the questions of just war. At once, the issue of universality arises. If the US is unquestionably authorized to bomb another country to compel its leaders to turn over someone it suspects of involvement in a terrorist act, then, a fortiori, Cuba, Nicaragua, and a host of others are entitled to bomb the US because there is no doubt of its involvement in very serious terrorist attacks against them: in the case of Cuba going back 45 years, extensively documented in impeccable sources, and not questioned; in the case of Nicaragua, even condemned by the World Court and the Security Council (in vetoed resolutions), after which the US escalated the attack. This conclusion surely follows if we accept the principle of universality. The conclusion of course is utterly outrageous, and advocated by no one. We therefore conclude, once again, that the principle of universality has a crucial exception, and that rejection of elementary moral truisms is so deeply entrenched that even raising the question is considered an unspeakable abomination. That is yet another instructive comment on the reigning intellectual and moral culture, with its principled rejection of unacceptable platitudes.

The Iraq war has been considered more controversial, so there is an extensive professional literature debating whether it satisfies international law and just war criteria. One distinguished scholar, Michael Glennon of the Fletcher School of Law and Diplomacy, argues forthrightly that international law is simply 'hot air' and should be abandoned, because state practice does not conform to it: meaning, the US and its allies ignore it. A further defect of international law and the UN Charter, he argues, is that they limit the capacity of the US to resort to force, and such resort is right and good because the US leads the 'enlightened states' (his phrase), apparently by definition: no evidence or argument is adduced, or considered necessary. Another respected scholar argues that the US and UK were in fact acting in accord with the UN Charter, under a 'communitarian interpretation' of its provisions: they were carrying

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out the will of the international community, in a mission implicitly delegated to them because they alone had the power to carry it out.[26] It is apparently irrelevant that the international community vociferously objected, at an unprecedented level—quite evidently, if people are included within the international community, but even among elites.

Others observe that law is a living instrument its meaning determined by practice, and practice demonstrates that new norms have been established permitting 'anticipatory self-defense,' another euphemism for aggression at will. The tacit assumption is that norms are established by the powerful and that they alone have the right of anticipatory self-defence. No one, for example, would argue that Japan exercised this right when it bombed military bases in the US colonies of Hawaii and the Philippines, even though the Japanese knew very well that B-17 Flying Fortresses were coming off the Boeing production lines, and were surely familiar with the very public discussions in the US explaining how they could be used to incinerate Japan's wooden cities in a war of extermination, flying from Hawaiian and Philippine bases.[27] Nor would anyone accord that right to any state today, apart from the self-declared enlightened states, which have the power to determine norms and to apply them selectively at will, basking in praise for their nobility, generosity, and messianic visions of righteousness.

There is nothing particularly novel about any of this, apart from one aspect. The means of destruction that have been developed are by now so awesome, and the risks of deploying and using them so enormous, that a rational Martian observer would not rank the prospects for survival of this curious species very high, as long as contempt for elementary moral truisms remains so deeply entrenched among educated elites.

Massachusetts Institute of Technology

[26] Carston Stahn, 'Enforcement of the Collective Will after Iraq,' *American Journal of International Law*, Symposium, 'Future Implications of the Iraq Conflict,' 97:804–23, 2003. For more on these matters, including Glennon's influential ideas and his rejection of other moral truisms, see my article and several others in *Review of International Studies* 29.4, October 2003, and *Hegemony or Survival*.

[27] See Bruce Franklin, *War Stars* (Oxford, 1988).

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