THE WAR ON TERRORISM AFTER SEPTEMBER 11: A PERSPECTIVE FROM AMERICA'S HEARTLAND *1

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For much of the world, the threat of terrorism is eerily woven into the fabric of every day life. The people and the territory of the United States, on the other hand, have been largely insulated from the direct effects of this reign of terror. Until September 11, many average Americans lived under the illusion that they were exempt — or at least mostly exempt — from this international phenomenon.

The assumption was naive on two fronts. First, as the world knows, we are not immune from growing our own terrorists. In fact, my first personal encounter with terrorism occurred on April 19, 1995. My four children, sitting in their classrooms in south Oklahoma City, were close enough to hear and feel the blast as Timothy McVeigh detonated a bomb that killed 168 people and three unborn children at the Alfred P. Murrah Federal Building. The Oklahoma City bombing captured the nation's attention for a time. We strengthened our laws against terrorism — directing, ironically, much of the effort toward foreign terrorists, but in the long run the memory seemed to fade from the national consciousness.

Second, the threat of a major foreign terrorist attack within the United States should have been obvious for at least three reasons: 1) terrorist

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2 Gene and Elaine Edwards Family Chair in Law and Professor of Law, The University of Oklahoma College of Law, B.A., J.D., University of Texas. Although this essay is written from a singular voice, Matt Kane has served well as my research assistant and prepared me for this seminar. He therefore merits recognition as a co-author of this essay. I would like to thank my fellow panelists M.J. Albar, Narzana Coissoró, Mikhail Gorbachev, Zafar Iqbal, and Defense Minister Rui Pena for their insights; Professor Coissoró and his staff for the invitation and generous hospitality; Gene and Elaine Edwards for their support of the College of Law; and Dean Andrew Coats for his support of my scholarship.

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organizations had made known their desire to attack U.S. targets as a means of exploiting their own goals; 2) they had struck inside the U.S. before, bombing the World Trade Center in 1993; and 3) our borders are extremely porous. As Stephen Flynn pointed out, "[i]n 2000 alone, 489 million people, 127 million passenger vehicles, 11.6 million maritime containers, 11.5 million trucks, 2.2 million railroad cars, 829,000 planes, and 211,000 vessels passed through U.S. border inspection systems." (Flynn 2002: 64). Thousands of others slipped into the United States undetected.

The naivety is over. Even as the events of September 11 fade into history, the images of those planes flying into the World Trade Center are seared into the national memory. We were awakened from slumber on September 11. Before that infamous day, there was a general consensus in the United States that terrorism was a great evil haunting the world, but addressing the problem was low priority for many, even when American interests - bombing of U.S. embassies, for example - were involved, because the problem was still remote from the everyday life experiences of most Americans. It took getting hit square between the eyes to pay attention to this international problem. Now that we have been awakened, how should we respond?

The United States has the opportunity, in cooperation with the rest of the world, to be a force for good in the face of adversity. Will we seize that opportunity? Or, will we squander our present energy on misguided strategies motivated by our baser interests? Employing the rhetoric of war, President Bush said: "Now that war has been declared on us, we will lead the world to victory." (Washington Post, 2001). In fighting this "war," President Bush resolved to "direct every resource at our command - every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war." (Bush, September 20, 2001: xvi-xvii). He also warned the American people that this war would involve a "lengthy campaign, unlike any other we have ever seen." (ibid: xvii).

In the months after September 11 and in the years to come, much will be written about various aspects of the terrorist's motives and activities and our response. "Why do they hate us so much?" was a question that rose above the tears of more than one mourner. Scholars and commentators have and will continue to explore the economic, political, and religious motivations behind these despicable acts. In analyzing the United State's response, some will criticize the line drawn in the inevitable trade-off between security and civil liberties. Others will explore the complex web of federal and state laws, which provide legal boundaries for U.S. action domestically and abroad. Still others will examine the international legal and diplomatic obligations and strategies involved in the "war" on terrorism.
This essay will focus on one aspect of this campaign against terror; namely, the cultural setting. The economic, political, and military aspects are each important, but it is my thesis that this “war” cannot be won without careful attention to culture. In many Islamic countries there is a dangerous estrangement between the people and their governments. This disconnect has economic, political, and religious dimensions. This sense of alienation runs so deep that hundreds and thousands of men have abandoned their families (and dare we say, their humanity) to embrace a life devoted to causing death, destruction, and fear among innocent men, women, and children halfway around the world. And, thousands and maybe even hundreds of thousands of others stand in solidarity with these bands of terrorists. How do we respond to this deep-seeded cultural alienation? The short answer: The United States must use its position in the world to facilitate the development of authentic freedom within the region.

The United States has always engaged the enemy employing the rhetoric of freedom. And, this “war” is no different. In declaring that this is not “just America’s fight [a]nd what is at stake is not just America’s freedom,” President Bush declared that “[t]his is the world’s fight. This is civilization’s fight. This is the fight of all who believe in progress and pluralism, tolerance and freedom.” (Ibid: xviii). If this is truly a fight for freedom, not just a temporary, illusory, and utopian quest for freedom from evil acts committed by terribly misguided individuals, but true freedom to live and develop as individuals within communities - in short, freedom for excellence (Weigel: 14), 4 - and if our quest for freedom realistically extends to the alienated peoples of Saudi Arabia, Pakistan, Egypt, and other Islamic countries, then we have a chance to win this war.

In this essay, I will sketch the cultural setting, offer a modest proposal for implementing freedoms that may resonate in the hearts and minds of those who currently are attracted to the Osama’s of the world, and conclude by offering four words of caution.

Terrorism’s Cultural Breeding Ground: The Backdrop

Violence should surprise none of us. The century just past, which began with the war to end all wars, bore undeniable witness to this defect in human nature. Terrorism, as it manifested itself in the late 20th century, is a particular
form of violence often utilized by those who lack the conventional means of waging war. Bruce Hoffman defines “terrorism as the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change.” (Hoffman 1998: 43). David Fromkin characterized it as “violence used in order to create fear; but it is aimed at creating fear in order that the fear, in turn, will lead somebody else - not the terrorist - to embark on some quite different program of action that will accomplish whatever it is that the terrorist really desires.” (quoted in Doran: 31). Only those who lack a certain connection with reality believe that human progress will lead to the end of war, oppression, exploitation, and terrorism. Violence is and will remain a part of the human condition. Terrorists of one form or another will always be with us. In light of this reality, how should we respond?

We must respond with the tools of war and eliminate the present threat. As the Editors of First Things said, “This is war. Call it a sustained battle or campaign, if you will, but the relevant moral term is war. It is not, as some claim, a metaphorical war. Metaphorical airplanes flown by metaphorical hijackers did not crash into metaphorical buildings leaving thousands of metaphorical corpses. This is not virtual reality; this is reality. This is, for America and those who are on our side, a defensive war. The aggressor leaves no doubt that this is a war.” (First Things, December 2001: 11). In the near term, fighting an unrelenting defensive war is necessary for the safety and security of America and its allies.

Military victory alone, however, will not secure a lasting peace. Beefing up our intelligence capabilities and/or pursuing a course of economic aid will not secure a lasting peace. In the long run, this war will be fought primarily in the realm of culture – as different groups compete for the heart and souls of those longing for hope while living under oppressive regimes. The best hope for securing peace in the long term is to assess and respond to the cultural factors that make the concept of jihad attractive to so many in the Islamic world. What causes a core group of people to feel so alienated from their own governments and from the larger world that they will dedicate their lives to destroying the status quo? What causes a much larger group of people to sympathize and support - implicitly or explicitly - the core group in its reign of terror?

In the case of Al Queda and the other Islamic networks of terror, we can hazard a few broad generalizations regarding the cultural fertilizer spreading disaffection among tens of thousands of people. First, the governments in Muslim dominated countries are authoritarian, not democratic, in structure. Second, the governments of these countries are perceived as secular or apostate. Third, these states are perceived as supported in power by the American infidels. Fourth, American power is viewed as purely motivated by
strategic self-interest. And, fifth, American culture is viewed as corrupt and decadent.

Michael Doran’s insightful essay, Somebody’s Else’s War: Ideology, Rage, and the Assault on America, convincingly makes this case. (Doran:31). The fanatical fringe (in America members of this amorphous group are popularly and perhaps inaccurately referred to as Islamic Fundamentalists) “regard modern Western civilization as a font of evil, spreading idolatry around the globe in the form of secularism.” (Ibid: 36). They view many of the leaders of Muslim majority countries as apostates. Their “non-Islamic behavior demonstrates that such leaders actually serve the secular West, precisely as an earlier generation of Muslim rulers had served the Mongols.” (Ibid: 41). Although the “fanatics of Al Queda ... advance a particularly narrow view of Islam” and constitute only “a tiny minority among Muslims,” (Ibid: 38) their message “resonates beyond the community of committed extremists ... reaching ... a broad range of disaffected citizens experiencing poverty, oppression, and powerlessness across the Muslim world.” (Ibid: 47). Doran concludes that “Osama bin Laden’s rhetoric dividing the world into two camps - the umma [universal Islamic community] versus the United States and puppet regimes - has deep resonance because on some levels it conforms, if not to reality, then at least to appearances.” (Ibid: 51).

Bin Laden and his ilk have been able to capitalize on the widespread sense of alienation to advance their objectives because the very regimes they wish to topple have unwittingly ceded these fanatics major portions of the society’s culture forming institutions. The fanatics, “while failing to capture state power, have nevertheless succeeded in capturing much cultural ground in Muslim countries.” (Ibid: 48). With respect to Pakistan, Lieven observes that “[t]ogether, Pakistan’s Islamist parties have never garnered as much as six percent of the vote in a general election. They remain deeply divided by personal allegiances, political opportunism, regional origins, and doctrinal differences. Still, the Islamists have managed to exert a political and ideological influence in excess of their numbers, largely because, absent Islam, Pakistan has little else in ideological terms to keep the country together.” (Lieven: 108).

Incredibly and unfortunately, many governmental policy analysts view the world solely through the prism of military, economic, and political power relationships, failing to attend to the more nuanced ways in which cultures are formed and regimes undermined. As Martin Indyk, who served the Clinton administration as a high level specialist on the Near East and South Asia, admitted “[l]ess noticed by the administration, because it seemed less important to U.S. interests, was a new development in the partnership that had long existed between the House of Saud and the Wahhabi religious sect, which practiced a puritanical and intolerant form of Islam.” (Indyk: 81).
According to Indyk, "[t]his partnership had already resulted in the ceding of control over social, religious, and educational affairs to the Wahhabis in return for the burnishing of the Islamic legitimacy of the royal family." (Ibid.) After the Gulf War, this partnership was solidified with the Saudi regime financing "the export of Wahhabism through the building of hundreds of mosques and madrasas (religious schools) abroad." (Ibid.)

Ceding this cultural space to the extremists in exchange for short-term peace is a serious long-term gamble. When the state apparatus is controlled by a representative form of government, independent culture forming institutions provide a healthy buffer between the individual and the state, and the state's policies are often shaped by the needs and desires of its people as expressed in these voluntary communities. As T. William Boxx said, in a "well ordered society; ... the key spheres and institutions of society work harmoniously and effectively in consort with the highest qualities of human nature, including the promotion of responsible freedom. It follows that no one part can be allowed to encroach upon and diminish the other parts ... This, the concept of subsidiarity, proposes and a vital system of mediating structures presumes." (Boxx: 257). This harmony between sectors of society disintegrates under authoritarian regimes that alienate the governed. Under these conditions, the independent culture forming institutions will tend to subvert the regime's authority as the disenfranchised identify increasingly with those non-governmental institutions that are meeting their needs and connecting with their hearts and minds. As Karol Wojtyla, no stranger to alienating ideologies employed harshly by oppressive regimes, observed:

_The structures of the social existence of human beings in the conditions of modern civilization ... absolutely must be evaluated in the light of this basic criterion: Do they create the conditions - for this is there only real function - for the development of participation? Do they enable and help us to experience other human beings as other Is? Or do they do just the opposite? Do they obstruct participation and ravage and destroy this basic fabric of human existence and activity, which must always be realized in common with others? The central problem of life for humanity in our times, perhaps in all times, is this: participation or alienation?_ (Wojtyla: 206). Many Muslim regimes, by building barriers to participation, have reaped a harvest of alienation. Capitalizing on this

Doran makes the same point: "[m]any authoritarian regimes (such as Mubarak's Egypt) have cut a deal with the extremists: in return for an end to assassinations, the regime acquiesces in some of the demands regarding implementation of the shari'a. In addition, it permits the extremist groups to run networks of social welfare organizations that often deliver services more efficiently than [the] state." (Doran: 48).
dehumanizing reality, extremist elements within Islam offer a grotesque hope in the form of actual or vicarious participation in the clash of civilizations, with the possibility that the apostate might be vanquished and the infidel banished.

Tightly controlling the purveyors of culture may provide a short-term solution for the authoritarian government and its allies. As one commentator said, "although Islamabad's attempts to gain greater control over Pakistan's radical madrassas (Islamic schools) made little progress before September 11, efforts are now being intensified. These include imposing a broad, modern curriculum on the schools, registering all their foreign affairs students, and forcing them to cut their ties with militant training camps. Washington should keep the pressure on to ensure that Islamabad follows through on these efforts." (Lieven: 110). Does a government policy of cracking down on independent culture forming institutions have long-term feasibility?

In the long-term, authoritarian oppression of a society's culture forming institutions is a) unjust and b) unwise. It is unjust because the nature of the human person is to develop freely, nourished by family and community, and protected by the state.6 Authoritarian regimes, which presume to control the community's culture forming apparatus, stunt the development of those mediating institutions that are vital for the formation of a vibrant society. In addition to being unjust, such a strategy is also unwise. It is unwise because it requires diverting tremendous resources to military and security forces with little chance of long-term success. The heart's desire will not allow the state to crowd out all other human allegiances. Culture will develop outside of state control. Given the alienation of the people living under an oppressive regime and the absence of healthy state cooperation with a society's mediating institutions in aiding human flourishing, there is an increased likelihood that the underground cultures will take on a radical and extreme flavor, which, in the end, will challenge the state for control.

**Toward Authentic Freedom: A Modest Proposal**

Both justice and enlightened self-interest counsel the authoritarian regimes to develop new structures, opening up markets and the political arena to broader participation where authentic culture can flourish and inform the policies of the state. If this course were heeded, the government would still be forced to suppress terrorist groups, but with a populace less alienated from the
governing elite, these groups will garner less public support. Bin Laden's message resonates with the disenfranchised, but his offerings are only relatively more enticing than that of the oppressive state. His message of hate and destruction will fail in the face of a sincere effort to build a participatory civilization. "Extremist Islam is profoundly effective in mounting a protest movement: ... it can galvanize people to fight oppression. But it has serious difficulties when it comes to producing institutions and programs that can command the attention of diverse groups in society over the long haul." (Doran: 44). In the face of reform, the fanatics will lose their appeal as the ordinary people wrapped up in a quotidian existence focus on raising families and making a living.

The United States can use its power and influence to encourage these governments to move toward reform and to hold them accountable if they refuse. It would be both just and wise for us to take this course. And, while the United States could succumb to its baser instincts and continue to support oppressive regimes, the "better angels of our nature" require a just and lasting solution. After all, our foundational document proclaims that "[w]e hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness." In a speech given on June 20, 1857, Abraham Lincoln expanded on this theme, saying that the framers "did not mean to assert the obvious untruth, that all were then actually enjoying that equality. They meant simply to declare the right, so that the enforcement of it might follow as fast as circumstances should permit. They meant to set up a standard maxim for free society, which should be familiar to all, and reverenced by all; perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere." (Lincoln 1953: 406). Will we build, at home and abroad, independently as a nation and together as a community of nations, a world that values the inherent dignity of each human being - a world that works toward creating cultures, political institutions, and economic structures that contribute positively to human flourishing, developing infrastructures to allow individuals to reach their full potential in community? It is still too early to tell if we will have the courage and the foresight to make or sustain this effort. If we do make the effort, two things are certain. First, we will fail at times - we will abuse our power at times, acting in our own selfish interest to the exclusion of the common good. This is a reality of the human condition. Separation of powers and checks and balances in democratic governments are a testament to human weakness. Second, it is also certain that we will be opposed by those with destructive world views, whether secular or religious. They will prey upon our failures to
exploit their followers, and while they will trumpet freedom, it will be a gross and distorted freedom.

The risks and the obstacles associated with the task should not deter our effort. As George Weigel observed:

Evil is not the last word about the human condition, and an awareness of the pervasiveness of evil is not the place to start thinking about freedom, or indeed about the political life in general. We are made for excellence. Developed through the four cardinal virtues - prudence (practical wisdom), justice, courage, and temperance (perhaps better styled today, "self-command") - freedom is the method by which we become the kind of people our noblest instincts incline us to be: the kind of people who can, among other possibilities, build free and virtuous societies in which the rights of all are acknowledged, respected, and protected in law.

(Weigel:16). Whether we like it or not, we are engaged in a “war.” Winning the war and not just the military battles requires this to be a war fought for civilization, for freedom, and for human development. From the American perspective, the words of the Declaration of Independence provide a beacon of light for navigating the treacherous waters of statecraft.

Four Words of Caution

In closing, I offer four words of caution: sincerity, modesty, truth, and humility. Sincerity. If U.S. actions are solely an instrumental means to our self-interested goals in the region, our insincerity will be ferreted out, leaving the people of the region legitimately more cynical about our intentions. Even though our motives may be mixed, we must operate from a sincere belief in the development and freedom of all peoples. Modesty. Wealth accumulation as an end in itself is an alienating feature of early 21st century American life, with the accumulator treating those around him as objects to be used for gain. If American freedom is defined merely as an empty materialism, then it is bankrupt, and the people in the Islamic world are likely to reject it. While embracing the freedoms inherent in capitalism - freedoms which we cherish - we must confront the materialistic excesses present in our advanced state of economic development, and we must confront the structures separating the rich from the poor, the first world from the third. Truth. The U.S. is currently engaged in a dangerous domestic experiment by attempting to detach freedom from its only secure foundation - universal transcendent truth. If American freedom is reduced to merely a relativistic notion that licenses the individual to pursue empty hedonistic pleasures, many in the Islamic world are likely to
say “no thanks.” Humility. As the world’s moralizing big brother, the U.S. may not be listened to by a people who have learned to distrust and even hate us. Therefore, our power might best be utilized behind the scenes, allowing others to take the limelight and the credit for helping to cultivate the ideals of freedom and open society.

If we put our power and prestige to work promoting the ideals expressed in the Declaration; if we put our power and prestige in the service of developing cultures, political institutions, and economic structures that recognize the inherent dignity of every human being - be they Christian, Muslim, Hindu, or Jew; if we are willing to recognize and promote throughout the world, the religious, political, and economic freedoms necessary for human development and flourishing; and if we are willing to critically assess our own shortcomings and failings and attempt to overcome them, then, and only then, do we have a fighting chance to emerge from this struggle victorious.

References


“A society without ‘oughts’ tethered to truths cannot defend itself against aggressors motivated by distorted ‘oughts.’ That is the truth of which we should have been reminded when reading those chilling letters from the hijackers the week after September 11. The answer to a distorted concept of the good cannot be radical relativism about the good. It must be a nobler concept of the good.” (Weigel: 19).


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