



‘The evil scourge of terrorism’ reality, construction, remedy

Erich Fromm Lecture 2010

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The president could not have been more justified when he condemned “the evil scourge of terrorism.” I am quoting Ronald Reagan, who came into office in 1981 declaring that a focus of his foreign policy would be state-directed international terrorism, “the plague of the modern age” and “a return to barbarism in our time,” to sample some of the rhetoric of his administration. When George W. Bush declared a “war on terror” 20 years later, he was *re*-declaring the war, an important fact that is worth exhuming from Orwell’s memory hole if we hope to understand the nature of the evil scourge of terrorism, or more importantly, if we hope to understand ourselves. We do not need the famous Delphi inscription to recognize that there can be no more important task. Just as a personal aside, that critical necessity was forcefully brought home to me almost 70 years ago in my first encounter with Erich Fromm’s work, in his classic essay on the escape to freedom in the modern world, and the grim paths that the modern free individual was tempted to choose in the effort to escape the loneliness and anguish that accompanied the newly-discovered freedom – matters all too pertinent today, unfortunately.

The reasons why Reagan’s war on terror has been dispatched to the repository of unwelcome facts are understandable and informative – about ourselves. Instantly, Reagan’s war on ter-

ror became a savage terrorist war, leaving hundreds of thousands of tortured and mutilated corpses in the wreckage of Central America, tens of thousands more in the Middle East, and an estimated 1.5 million killed by South African terror that was strongly supported by the Reagan administration in violation of congressional sanctions. All of these murderous exercises of course had pretexts. The resort to violence always does. In the Middle East, Reagan’s decisive support for Israel’s 1982 invasion of Lebanon, which killed some 15-20,000 people and destroyed much of southern Lebanon and Beirut, was based on the pretense that it was in self-defense against PLO rocketing of the Galilee, a brazen fabrication: Israel recognized at once that the threat was PLO diplomacy, which might have undermined Israel’s illegal takeover of the occupied territories. In Africa, support for the marauding of the apartheid state was officially justified within the framework of the war on terror: it was necessary to protect white South Africa from one of the world’s “more notorious terrorist groups,” Nelson Mandela’s African National Congress, so Washington determined in 1988. The pretexts in the other cases were no more impressive.

For the most part, the victims of Reaganite terror were defenseless civilians, but in one case the victim was a state, Nicaragua, which could



respond through legal channels. Nicaragua brought its charges to the World Court, which condemned the US for “unlawful use of force” – in lay terms, international terrorism – in its attack on Nicaragua from its Honduran bases, and ordered the US to terminate the assault and pay substantial reparations. The aftermath is instructive.

Congress responded to the Court judgment by increasing aid to the US-run mercenary army attacking Nicaragua, while the press condemned the Court as a “hostile forum” and therefore irrelevant. The same Court had been highly relevant a few years earlier when it ruled in favor of the US against Iran. Washington dismissed the Court judgment with contempt. In doing so, it joined the distinguished company of Libya’s Qaddafi and Albania’s Enver Hoxha. Libya and Albania have since joined the world of law-abiding states in this respect, so now the US stands in splendid isolation. Nicaragua then brought the matter to the UN Security Council, which passed two resolutions calling on all states to observe international law. The resolutions were vetoed by the US, with the assistance of Britain and France, which abstained. All of this passed virtually without notice, and has been expunged from history.

Also forgotten – or rather, never noticed – is the fact that the “hostile forum” had bent over backwards to accommodate Washington. The Court rejected almost all of Nicaragua’s case, presented by a distinguished Harvard University international lawyer, on the grounds that when the US had accepted World Court jurisdiction in 1946, it added a reservation exempting itself from charges under international treaties, specifically the Charters of the United Nations and the Organization of American States. Accordingly, the US is self-entitled to carry out aggression and other crimes that are far more serious than international terrorism. The Court correctly recognized this exemption, one aspect of much broader issues of sovereignty and global dominance that I will put aside.

Such thoughts as these should be uppermost in our minds when we consider the evil scourge of terrorism. We should also recall that although the Reagan years do constitute a chapter of unusual extremism in the annals of terrorism, they

are not some strange departure from the norm. We find much the same at the opposite end of the political spectrum as well: the Kennedy administration. One illustration is Cuba. According to long-standing myth, thoroughly dismantled by recent scholarship, the US intervened in Cuba in 1898 to secure its liberation from Spain. In reality, the intervention was designed to *prevent* Cuba’s imminent liberation from Spain, turning it into a virtual colony of the United States. In 1959, Cuba finally did liberate itself, causing consternation in Washington. Within months, the Eisenhower administration planned in secret to overthrow the government, and initiated bombing and economic sanctions. The basic thinking was expressed by a high State Department official: Castro would be removed “through disenchantment and disaffection based on economic dissatisfaction and hardship [so] every possible means should be undertaken promptly to weaken the economic life of Cuba [in order to] bring about hunger, desperation and [the] overthrow of the government.”

The incoming Kennedy administration took over and escalated these programs. The reasons are frankly explained in the internal record, since declassified. Violence and economic strangulation were undertaken in response to Cuba’s “successful defiance” of US policies going back 150 years; no Russians, but rather the Monroe Doctrine, which established Washington’s right to dominate the hemisphere.

The concerns of the Kennedy administration went beyond the need to punish successful defiance. The administration feared that the Cuban example might infect others with the thought of “taking matters into their own hands,” an idea with great appeal throughout the continent because “the distribution of land and other forms of national wealth greatly favors the propertied classes and the poor and underprivileged, stimulated by the example of the Cuban revolution, are now demanding opportunities for a decent living.” That was the warning conveyed to incoming President Kennedy by his Latin America advisor, liberal historian Arthur Schlesinger. The analysis was soon confirmed by the CIA, which observed that “Castro’s shadow looms large because social and economic conditions throughout Latin America invite opposition to ruling au-



thority and encourage agitation for radical change,” for which Castro’s Cuba might provide a model.

Ongoing plans for invasion were soon implemented. When the invasion failed at the Bay of Pigs, Washington turned to a major terrorist war. The president assigned responsibility for the war to his brother, Robert Kennedy, whose highest priority was to bring “the terrors of the earth” to Cuba, in the words of his biographer, Arthur Schlesinger. The terrorist war was no slight affair; it was also a major factor in bringing the world to the verge of nuclear war in 1962, and was resumed as soon as the missile crisis ended. The terrorist war continued through the century from US territory, though in later years Washington no longer undertook terrorist attacks against Cuba, but only provided the base for them, and continues to provide haven to some of the most notorious international terrorists, with a long record of these and other crimes: Orlando Bosch, Luis Posada Carriles, and numerous others whose names would be well-known in the West if the concerns about terrorism were principled. Commentators are polite enough not to recall the Bush doctrine declared when he attacked Afghanistan: those who harbor terrorists are as guilty as the terrorists themselves, and must be treated accordingly, by bombing and invasion.

Perhaps this is enough to illustrate that state-directed international terrorism is considered an appropriate tool of diplomacy across the political spectrum. Nevertheless, Reagan was the first modern president to employ the audacious device of concealing his resort to “the evil scourge of terrorism” under the cloak of a “war on terror.”

The audacity of Reaganite terrorism was as impressive as its scale. To select only one example, for which events in Germany provided a pretext, in April 1986 the US Air Force bombed Libya, killing dozens of civilians. To add a personal note, on the day of the bombing, at about 6:30 pm, I received a phone call from Tripoli from the Mideast correspondent of ABC TV, Charles Glass, an old friend. He advised me to watch the 7pm TV news. In 1986, all the TV channels ran their major news programs at 7pm. I did so, and exactly at 7, agitated news anchors

switched to their facilities in Libya so that they could present, live, the US bombing of Tripoli and Benghazi, the first bombing in history enacted for prime time TV – no slight logistical feat: the bombers were denied the right to cross France and had to take a long detour over the Atlantic to arrive just in time for the evening news. After showing the exciting scenes of the cities in flames, the TV channels switched to Washington, for sober discussion of how the US was defending itself from Libyan terror, under the newly devised doctrine of “self-defense against future attack.” Officials informed the country that they had certain knowledge that Libya had carried out a bombing of a disco in Berlin a few days earlier in which a US soldier had been killed. The certainty reduced to zero shortly after, as quietly conceded well after its purpose had been served. And it would have been hard to find even a raised eyebrow about the idea that the disco bombing would have justified the murderous assault on Libyan civilians.

The media were also polite enough not to notice the curious timing. Commentators were entranced by the solidity of the non-existent evidence and Washington’s dedication to law. In a typical reaction, the *NYT* editors explained that “even the most scrupulous citizen can only approve and applaud the American attacks on Libya... the United States has prosecuted [Qaddafi] carefully, proportionately – and justly,” the evidence for Libyan responsibility for the disco bombing has been “now laid out clearly to the public,” and “then came the jury, the European governments to which the United States went out of its way to send emissaries to share evidence and urge concerted action against the Libyan leader.” Entirely irrelevant is that no credible evidence was laid out and that the “jury” was quite skeptical, particularly in Germany itself, where intensive investigation had found no evidence at all; or that the jury was calling on the executioner to refrain from any action.

The bombing of Libya was neatly timed for a congressional vote on aid to the US-run terrorist force attacking Nicaragua. To ensure that the timing would not be missed, Reagan made the connection explicit. In an address the day after the bombing Reagan said: “I would remind the House [of Representatives] voting this week that



this arch-terrorist [Qaddafi] has sent \$400 million and an arsenal of weapons and advisers into Nicaragua to bring his war home to the United States. He has bragged that he is helping the Nicaraguans because they fight America on its own ground” – namely America’s own ground in Nicaragua. The idea that the “mad dog” was bringing his war home to us by providing arms to a country we were attacking with a CIA-run terrorist army based in our Honduran dependency was a nice touch, which did not go unnoticed. As the national press explained, the bombing of Libya should “strengthen President Reagan’s hand in dealing with Congress on issues like the military budget and aid to Nicaraguan ‘contras’.”

This is only a small sample of Reagan’s contributions to international terrorism. The most lasting among them was his enthusiastic organization of the jihadi movement in Afghanistan. The reasons were explained by the CIA station chief in Islamabad, who directed the project. In his words, the goal was to “kill Soviet Soldiers,” a “noble goal” that he “loved,” as did his boss in Washington. He also emphasized that “the mission was not to liberate Afghanistan” – and in fact it may have delayed Soviet withdrawal, some specialists believe. With his unerring instinct for favoring the most violent criminals, Reagan selected for lavish aid Gulbuddin Hekmatyar, famous for throwing acid in the faces of young women in Kabul and now a leader of the insurgents in Afghanistan, though perhaps he may soon join the other warlords of the western-backed government, current reports suggest. Reagan also lent strong support to the worst of Pakistan’s dictators, Zia ul-Haq, helping him to develop his nuclear weapons program and to carry out his Saudi-funded project of radical Islamization of Pakistan. There is no need to dwell on the legacy for these tortured countries and the world.

Apart from Cuba, the plague of state terror in the Western hemisphere was initiated with the Brazilian coup in 1964, installing the first of a series of neo-Nazi National Security States and initiating a plague of repression without precedent in the hemisphere, always strongly backed by Washington, hence a particularly violent form of state-directed international terrorism.

The campaign was in substantial measure a war against the Church. It was more than symbolic that it culminated in the assassination of six leading Latin American intellectuals, Jesuit priests, in November 1989, a few days after the fall of the Berlin wall. They were murdered by an elite Salvadoran battalion, fresh from renewed training at the John F. Kennedy Special Forces School in North Carolina. As was learned last November, but apparently aroused no interest, the order for the assassination was signed by the chief of staff and his associates, all of them so closely connected to the Pentagon and the US Embassy that it becomes even harder to imagine that Washington was unaware of the plans of its model battalion. This elite force had already left a trail of blood of the usual victims through the hideous decade of the 1980s in El Salvador, which opened with the assassination of Archbishop Romero, “the voice of the voiceless,” by much the same hands.

The murder of the Jesuit priests was a crushing blow to liberation theology, the remarkable revival of Christianity initiated by Pope John XXIII at Vatican II, which he opened in 1962, an event that “ushered in a new era in the history of the Catholic Church,” in the words of the distinguished theologian and historian of Christianity Hans Küng. Inspired by Vatican II, Latin American Bishops adopted “the preferential option for the poor,” renewing the radical pacifism of the Gospels that had been put to rest when the Emperor Constantine established Christianity as the religion of the Roman Empire – “a revolution” that converted “the persecuted church” to a “persecuting church,” in Küng’s words. In the post-Vatican II attempt to revive the Christianity of the pre-Constantine period, priests, nuns, and laypersons took the message of the Gospels to the poor and the persecuted, brought them together in “base communities,” and encouraged them to take their fate into their own hands and to work together to overcome the misery of survival in brutal realms of US power.

The reaction to this grave heresy was not long in coming. The first salvo was Kennedy’s military coup in Brazil in 1964, overthrowing a mildly social democratic government and instituting a reign of torture and violence. The campaign ended with the murder of the Jesuit intel-



lectuals 20 years ago. There has been much debate about who deserves credit for the fall of the Berlin wall, but there is none about the responsibility for the brutal demolition of the attempt to revive the church of the Gospels. Washington's School of the Americas, famous for its training of Latin American killers, proudly announced as one of its "talking points" that liberation theology was "defeated with the assistance of the US army" – given a helping hand, to be sure by the Vatican, using the gentler means of expulsion and suppression.

As you recall, last November was dedicated to celebration of the 20th anniversary of the liberation of Eastern Europe from Russian tyranny, a victory of the forces of "love, tolerance, non-violence, the human spirit and forgiveness," as Vaclav Havel declared. Less attention – in fact, virtually zero – was devoted to the brutal assassination of his Salvadoran counterparts a few days after the Berlin wall fell. And I doubt that one could even find an allusion to what that brutal assassination signified: the end of a decade of vicious terror in Central America, and the final triumph of the "return to barbarism in our time" that opened with the 1964 Brazilian coup, leaving many religious martyrs in its wake and ending the heresy initiated in Vatican II – not exactly an era of "love, tolerance, nonviolence, the human spirit and forgiveness."

We can wait until tomorrow to see how much attention will be given to the 30th anniversary of the assassination of the Voice of the Voiceless while he was reading mass, a few days after he wrote a letter to President Carter pleading with him – in vain – not send aid to the military junta, who "know only how to repress the people and defend the interests of the Salvadoran oligarchy" and will use the aid "to destroy the people's organizations fighting to defend their fundamental human rights." As happened. And we can learn a good bit from what we are unlikely to see tomorrow.

The contrast between the celebration last November of the fall of the tyranny of the enemy, and the silence about the culmination of the hideous atrocities in our own domains, is so glaring that it takes real dedication to miss it. It sheds a somber light on our moral and intellectual culture. The same is true of the retrospective

assessments of the Reagan era. We can put aside the mythology about his achievements, which would have impressed Kim il-Sung. What he actually did has virtually disappeared. President Obama hails him as a "transformative figure." At Stanford University's prestigious Hoover Institution Reagan is revered as a colossus whose "spirit seems to stride the country, watching us like a warm and friendly ghost." We arrive by plane in Washington at Reagan international airport – or if we prefer, at John Foster Dulles international airport, honoring another prominent terrorist commander, whose exploits include overthrowing Iranian and Guatemalan democracy, installing the terror and torture state of the Shah and the most vicious of the terrorist states of Central America. The terrorist exploits of Washington's Guatemalan clients reached true genocide in the highlands in the 1980s while Reagan praised the worst of the killers, Rioss Montt, as "a man of great personal integrity" who was "totally dedicated to democracy" and was receiving a "bum rap" from human rights organizations.

I have been writing about international terrorism ever since Reagan declared a war on terror in 1981. In doing so, I have kept to the official definitions of "terrorism" in US and British law and in army manuals, all approximately the same. To take one succinct official definition, terrorism is "the calculated use of violence or threat of violence to attain goals that are political, religious, or ideological in nature...through intimidation, coercion, or instilling fear." Everything I have just described, and a great deal more like it, falls within the category of terrorism, in fact state-directed international terrorism, in the technical sense of US-British law.

For exactly that reason, the official definitions are unusable. They fail to make a crucial distinction: the concept of "terrorism" must somehow be crafted to include *their* terrorism against *us*, while excluding *our* terrorism against *them*, often far more extreme. To devise such a definition is a challenging task. Accordingly, from the 1980s there have been many scholarly conferences, academic publications, and international symposia devoted to the task of defining "terrorism." In public discourse the problem does not arise. Well-educated circles have inter-



nalized the special sense of “terrorism” required for justification of state action and control of domestic populations, and departure from the canon is generally ignored, or if noticed, elicits impressive tantrums.

Let us keep, then, to convention, and restrict attention to the terror *they* commit against *us*. It is no laughing matter, and sometimes reaches extreme levels. Probably the most egregious single crime of international terrorism in the modern era was the destruction of the World Trade Center on 9/11, killing almost 3000 people, a “crime against humanity” carried out with “wickedness and awesome cruelty,” as Robert Fisk reported. It is widely agreed that 9/11 changed the world.

Awful as the crime was, one can imagine worse. Suppose that al-Qaeda had been supported by an awesome superpower intent on overthrowing the government of the United States. Suppose that the attack had succeeded: al-Qaeda had bombed the White House, killed the president, and installed a vicious military dictatorship, which killed some 50-100,000 people, brutally tortured 700,000, set up a major center of terror and subversion that carried out assassinations throughout the world and helped establish “National Security States” elsewhere that tortured and murdered with abandon. Suppose further that the dictator brought in economic advisers who within a few years drove the economy to one of the worst disasters in its history while their proud mentors collected Nobel Prizes and received other accolades. That would have been vastly more horrendous even than 9/11.

And as we all should know, it is not necessary to imagine, because it in fact did happen: in Chile, on the date that Latin Americans sometimes call “the first 9/11,” 11 September 1973. The only change I have made is to per capita equivalents, an appropriate measure. But the first 9/11 did not change history, for good reasons: the events were too normal. In fact the installation of the Pinochet regime was just one event in the plague that began with the military coup in Brazil in 1964, spreading with similar or even worse horrors in other countries and reaching Central America in the 1980s under Reagan – whose South American favorite was

the regime of the Argentine generals, the most savage of them all, consistent with his general stance on state violence.

Putting all of this inconvenient reality aside, let us continue to follow convention and imagine that the war on terror re-declared by George W. Bush on 9/11 2001 was directed to ending the plague of international terrorism, properly restricted in scope to satisfy doctrinal needs. There were sensible steps that could have been undertaken to achieve that goal. The murderous acts of 9/11 were bitterly condemned even within the jihadi movements. One constructive step would have been to isolate al-Qaeda, and unify opposition to it even among those attracted to its project. Nothing of the sort ever seems to have been considered. Instead, the Bush administration and its allies chose to unify the jihadi movement in support of Bin Laden and to mobilize many others to his cause by confirming his charge that the West is at war with Islam: invading Afghanistan and then Iraq, resorting to torture and rendition, and in general, choosing violence for the purposes of state power. With good reason, the hawkish Michael Scheuer, who was in charge of tracking bin Laden for the CIA for many years, concludes that “the United States of America remains bin Laden’s only indispensable ally.”

The same conclusion was drawn by US Major Matthew Alexander, perhaps the most respected of US interrogators, who elicited the information that to the capture of Abu Musab al-Zarqawi, the head of al-Qa’ida in Iraq. Alexander has only contempt for the harsh interrogation methods demanded by the Bush administration. Like FBI interrogators, he believes that the Rumsfeld-Cheney preference for torture elicits no useful information, in contrast with more humane forms of interrogation that have even succeeded in converting the targets and enlisting them as reliable informants and collaborators. He singles out Indonesia for its successes in civilized forms of interrogation, and urges the US to follow its methods. Not only does Rumsfeld-Cheney torture elicit no useful information: it also creates terrorists. From hundreds of interrogations, Alexander discovered that many foreign fighters came to Iraq in reaction to the abuses at Guantánamo and Abu Ghraib, and that they



and their domestic allies turned to suicide bombing and other terrorist acts for the same reason. He believes that the use of torture may have led to the death of more US soldiers than the toll of the 9/11 terrorist attack. The most significant revelation in the released Torture Memos is that interrogators were under “relentless pressure” from Cheney and Rumsfeld to resort to harsher methods to find evidence for their fantastic claim that Saddam Hussein was cooperating with al-Qaida.

The attack on Afghanistan in October 2001 is called “the good war,” no questions asked, a justifiable act of self-defense with the noble aim of protecting human rights from the evil Taliban. There are a few problems with that near-universal contention. For one thing, the goal was not to remove the Taliban. Rather, Bush informed the people of Afghanistan that they would be bombed unless the Taliban turned bin Laden over to the US, as they might have done, had the US agreed to their request to provide some evidence of his responsibility for 9/11. The request was dismissed with contempt, for good reasons. As the head of the FBI conceded 8 months later, after the most intensive international investigation in history they still had no evidence, and certainly had none the preceding October. The most he could say is that the FBI “believed” that the plot had been hatched in Afghanistan and had been implemented in the Gulf Emirates and Germany.

Three weeks after the bombing began, war aims shifted to overthrow of the regime. British Admiral Sir Michael Boyce announced that the bombing would continue until “the people of the country...get the leadership changed” – a textbook case of international terrorism.

It is also not true that there were no objections to the attack. With virtual unanimity, international aid organizations vociferously objected because it terminated their aid efforts, which were desperately needed. At the time it was estimated that some 5 million people were relying on aid for survival, and that an additional 2.5 million would be put at risk of starvation by the US-UK attack. The bombing was therefore an example of extreme criminality, whether or not the anticipated consequences took place.

Furthermore, the bombing was bitterly condemned by leading anti-Taliban Afghans, including the US favorite, Abdul Haq, who was given special praise as a martyr after the war by President Hamid Karzai. Just before he entered Afghanistan, and was captured and killed, he condemned the bombing that was then underway and criticized the US for refusing to support efforts of his and others “to create a revolt within the Taliban.” The bombing was “a big setback for these efforts,” he said, outlining them and calling on the US to assist them with funding and other support instead of undermining them with bombs. The US, he said, “is trying to show its muscle, score a victory and scare everyone in the world. They don’t care about the suffering of the Afghans or how many people we will lose.”

Shortly after, 1000 Afghan leaders gathered in Peshawar, some of them exiles, some coming from within Afghanistan, all committed to overthrowing the Taliban regime. It was “a rare display of unity among tribal elders, Islamic scholars, fractious politicians, and former guerrilla commanders,” the press reported. They had many disagreements, but unanimously “urged the US to stop the air raids” and appealed to the international media to call for an end to the “bombing of innocent people.” They urged that other means be adopted to overthrow the hated Taliban regime, a goal they believed could be achieved without further death and destruction. The bombing was also harshly condemned by the prominent women’s organization RAWA – which received some belated recognition when it became ideologically serviceable to express concern (briefly) about the fate of women in Afghanistan.

In short, the unquestionably “good war” does not look so good when we pay some attention to unacceptable facts.

It should not be necessary to tarry on the invasion of Iraq. Keeping solely to the effect on jihadi terror, the invasion was undertaken with the expectation that it would lead to an increase in terrorism, as it did, far beyond what was anticipated. It caused a seven-fold increase in terror, according to analyses by US terrorism experts.

One may ask why these attacks were under-



taken, but it is reasonably clear that confronting the evil scourge of terrorism was not a high priority, if it was even a consideration.

If that had been the goal, there were options to pursue. Some I have already mentioned. More generally, the US and Britain could have followed the proper procedures for dealing with a major crime: determine who is responsible, apprehend the suspects (with international cooperation if necessary, easy to obtain), and bring them to a fair trial. Furthermore, attention would be paid to the roots of terror. That can be extremely effective, as the US and UK had just learned in Northern Ireland. IRA terror was a very serious matter. As long as London reacted by violence, terror, and torture, it was the “indispensable ally” of the more violent elements of the IRA, and the cycle of terror escalated. By the late ‘90s, London began to attend to the grievances that lay at the roots of the terror, and to deal with those that were legitimate – as should be done irrespective of terror. Within a few years terror virtually disappeared. I happened to be in Belfast in 1993. It was a war zone. I was there again last fall. There are tensions, but at a level that is barely detectable to a visitor. There are important lessons here. Even without this experience we should know that violence engenders violence, while sympathy and concern cool passions and can evoke cooperation and empathy.

If we seriously want to end the plague of terrorism, we know how to do it. First, end our own role as perpetrators. That alone will have a substantial effect. Second, attend to the griev-

ances that are typically in the background, and if they are legitimate, do something about them. Third, if an act of terror occurs, deal with it as a criminal act: identify and apprehend the suspects and carry out an honest judicial process. That actually works. In contrast, the techniques that are employed enhance the threat of terror. The evidence is fairly strong, and falls together which much else.

This is not the only case where the approaches that might well reduce a serious threat are systematically avoided, and those that are unlikely to do so are adopted instead. One such case is the so-called “war on drugs.” Over almost 40 years, the war has failed to curtail drug use or even street price of drugs. It has been established by many studies, including those of the US government, that by far the most cost-effective approach to drug abuse is prevention and treatment. But that approach is consistently avoided in state policy, which prefers far more expensive violent measures that have barely any impact on drug use, though they have other consistent consequences.

In cases like these, the only rational conclusion is that the declared goals are not the real ones, and that if we want to learn about the real goals, we should adopt an approach that is familiar in the law: relying on predictable outcome as evidence for intent. I think the approach leads to quite plausible conclusions, for the “war on drugs,” the “war on terror,” and much else. That, however, is work for another day.