

Was There an Alternative? Looking Back on 9/11 a Decade Later

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We are approaching the 10th anniversary of the horrendous atrocities of September 11, 2001, which, it is commonly held, changed the world. On May 1st, the presumed mastermind of the crime, Osama bin Laden, was assassinated in Pakistan by a team of elite US commandos, Navy SEALs, after he was captured, unarmed and undefended, in Operation Geronimo.

A number of analysts have observed that although bin Laden was finally killed, he won some major successes in his war against the U.S. “He repeatedly asserted that the only way to drive the U.S. from the Muslim world and defeat its satraps was by drawing Americans into a series of small but expensive wars that would ultimately bankrupt them,” Eric Margolis writes. “‘Bleeding the U.S.’ in his words.” The United States, first under George W. Bush and then Barack Obama, rushed right into bin Laden’s trap... Grotesquely overblown military outlays and debt addiction... may be the most pernicious legacy of the man who thought he could defeat the United States” — particularly when the debt is being cynically exploited by the far right, with the collusion of the Democrat establishment, to undermine what remains of social programs, public education, unions, and, in general, remaining barriers to corporate tyranny.

That Washington was bent on fulfilling bin Laden’s fervent wishes was evident at once. As discussed in my book 9-11, written shortly after those attacks occurred, anyone with knowledge of the region could recognize “that a massive assault on a Muslim population would be the answer to the prayers of bin Laden and his associates, and would lead the U.S. and its allies into a ‘diabolical trap,’ as the French foreign minister put it.”

The senior CIA analyst responsible for tracking Osama bin Laden from 1996, Michael Scheuer, wrote shortly after that “bin Laden has been precise in telling America the reasons he is waging war on us. [He] is out to drastically alter U.S. and Western policies toward the Islamic world,” and largely succeeded: “U.S. forces and policies are completing the radicalization of the Islamic world, something Osama bin Laden has been trying to do with substantial but incomplete success since the early 1990s. As a result, I think it is fair to conclude that the United States of America remains bin Laden’s only indispensable ally.” And arguably remains so, even after his death.

The First 9/11

Was there an alternative? There is every likelihood that the Jihadi movement, much of it highly

critical of bin Laden, could have been split and undermined after 9/11. The “crime against humanity,” as it was rightly called, could have been approached as a crime, with an international operation to apprehend the likely suspects. That was recognized at the time, but no such idea was even considered.

In 9-11, I quoted Robert Fisk’s conclusion that the “horrendous crime” of 9/11 was committed with “wickedness and awesome cruelty,” an accurate judgment. It is useful to bear in mind that the crimes could have been even worse. Suppose, for example, that the attack had gone as far as bombing the White House, killing the president, imposing a brutal military dictatorship that killed thousands and tortured tens of thousands while establishing an international terror center that helped impose similar torture-and-terror states elsewhere and carried out an international assassination campaign; and as an extra fillip, brought in a team of economists — call them “the Kandahar boys” — who quickly drove the economy into one of the worst depressions in its history. That, plainly, would have been a lot worse than 9/11.

Unfortunately, it is not a thought experiment. It happened. The only inaccuracy in this brief account is that the numbers should be multiplied by 25 to yield per capita equivalents, the appropriate measure. I am, of course, referring to what in Latin America is often called “the first 9/11”: September 11, 1973, when the U.S. succeeded in its intensive efforts to overthrow the democratic government of Salvador Allende in Chile with a military coup that placed General Pinochet’s brutal regime in office. The goal, in the words of the Nixon administration, was to kill the “virus” that might encourage all those “foreigners [who] are out to screw us” to take over their own resources and in other ways to pursue an intolerable policy of independent development. In the background was the conclusion of the National Security Council that, if the US could not control Latin America, it could not expect “to achieve a successful order elsewhere in the world.”

The first 9/11, unlike the second, did not change the world. It was “nothing of very great consequence,” as Henry Kissinger assured his boss a few days later.

These events of little consequence were not limited to the military coup that destroyed Chilean democracy and set in motion the horror story that followed. The first 9/11 was just one act in a drama which began in 1962, when John F. Kennedy shifted the mission of the Latin American military from “hemispheric defense” — an anachronistic holdover from World War II — to “internal security,” a concept with a chilling interpretation in U.S.-dominated Latin American circles.

In the recently published Cambridge University *History of the Cold War*, Latin American scholar John Coatsworth writes that from that time to “the Soviet collapse in 1990, the numbers of political prisoners, torture victims, and executions of non-violent political dissenters in Latin America vastly exceeded those in the Soviet Union and its East European satellites,” including many religious martyrs and mass slaughter as well, always supported or initiated in Washington. The last major violent act was the brutal murder of six leading Latin American intellectuals, Jesuit priests, a few days after the Berlin Wall fell. The perpetrators were an elite Salvadorean battalion, which had already left a shocking trail of blood, fresh from renewed training at the JFK School of Special Warfare, acting on direct orders of the high command of the U.S. client state.

The consequences of this hemispheric plague still, of course, reverberate.

From Kidnapping and Torture to Assassination

All of this, and much more like it, is dismissed as of little consequence, and forgotten. Those whose mission is to rule the world enjoy a more comforting picture, articulated well enough in the current

issue of the prestigious (and valuable) journal of the Royal Institute of International Affairs in London. The lead article discusses “the visionary international order” of the “second half of the twentieth century” marked by “the universalization of an American vision of commercial prosperity.” There is something to that account, but it does not quite convey the perception of those at the wrong end of the guns.

The same is true of the assassination of Osama bin Laden, which brings to an end at least a phase in the “war on terror” re-declared by President George W. Bush on the second 9/11. Let us turn to a few thoughts on that event and its significance.

On May 1, 2011, Osama bin Laden was killed in his virtually unprotected compound by a raiding mission of 79 Navy SEALs, who entered Pakistan by helicopter. After many lurid stories were provided by the government and withdrawn, official reports made it increasingly clear that the operation was a planned assassination, multiply violating elementary norms of international law, beginning with the invasion itself.

There appears to have been no attempt to apprehend the unarmed victim, as presumably could have been done by 79 commandos facing no opposition — except, they report, from his wife, also unarmed, whom they shot in self-defense when she “lunged” at them, according to the White House.

A plausible reconstruction of the events is provided by veteran Middle East correspondent Yochi Dreazen and colleagues in the Atlantic. Dreazen, formerly the military correspondent for the Wall Street Journal, is senior correspondent for the National Journal Group covering military affairs and national security. According to their investigation, White House planning appears not to have considered the option of capturing bin Laden alive: “The administration had made clear to the military’s clandestine Joint Special Operations Command that it wanted bin Laden dead, according to a senior U.S. official with knowledge of the discussions. A high-ranking military officer briefed on the assault said the SEALs knew their mission was not to take him alive.”

The authors add: “For many at the Pentagon and the Central Intelligence Agency who had spent nearly a decade hunting bin Laden, killing the militant was a necessary and justified act of vengeance.” Furthermore, “capturing bin Laden alive would have also presented the administration with an array of nettlesome legal and political challenges.” Better, then, to assassinate him, dumping his body into the sea without the autopsy considered essential after a killing — an act that predictably provoked both anger and skepticism in much of the Muslim world.

As the Atlantic inquiry observes, “The decision to kill bin Laden outright was the clearest illustration to date of a little-noticed aspect of the Obama administration’s counterterror policy. The Bush administration captured thousands of suspected militants and sent them to detention camps in Afghanistan, Iraq, and Guantanamo Bay. The Obama administration, by contrast, has focused on eliminating individual terrorists rather than attempting to take them alive.” That is one significant difference between Bush and Obama. The authors quote former West German Chancellor Helmut Schmidt, who “told German TV that the U.S. raid was ‘quite clearly a violation of international law’ and that bin Laden should have been detained and put on trial,” contrasting Schmidt with U.S. Attorney General Eric Holder, who “defended the decision to kill bin Laden although he didn’t pose an immediate threat to the Navy SEALs, telling a House panel... that the assault had been ‘lawful, legitimate and appropriate in every way.’”

The disposal of the body without autopsy was also criticized by allies. The highly regarded British barrister Geoffrey Robertson, who supported the intervention and opposed the execution largely on pragmatic grounds, nevertheless described Obama’s claim that “justice was done” as an “absurdity” that should have been obvious to a former professor of constitutional law. Pakistan law “requires a

colonial inquest on violent death, and international human rights law insists that the 'right to life' mandates an inquiry whenever violent death occurs from government or police action. The U.S. is therefore under a duty to hold an inquiry that will satisfy the world as to the true circumstances of this killing."

Robertson usefully reminds us that "[i]t was not always thus. When the time came to consider the fate of men much more steeped in wickedness than Osama bin Laden — the Nazi leadership — the British government wanted them hanged within six hours of capture. President Truman demurred, citing the conclusion of Justice Robert Jackson that summary execution 'would not sit easily on the American conscience or be remembered by our children with pride... the only course is to determine the innocence or guilt of the accused after a hearing as dispassionate as the times will permit and upon a record that will leave our reasons and motives clear.'"

Eric Margolis comments that "Washington has never made public the evidence of its claim that Osama bin Laden was behind the 9/11 attacks," presumably one reason why "polls show that fully a third of American respondents believe that the U.S. government and/or Israel were behind 9/11," while in the Muslim world skepticism is much higher. "An open trial in the U.S. or at the Hague would have exposed these claims to the light of day," he continues, a practical reason why Washington should have followed the law.

In societies that profess some respect for law, suspects are apprehended and brought to fair trial. I stress "suspects." In June 2002, FBI head Robert Mueller, in what the Washington Post described as "among his most detailed public comments on the origins of the attacks," could say only that "investigators believe the idea of the Sept. 11 attacks on the World Trade Center and Pentagon came from al Qaeda leaders in Afghanistan, the actual plotting was done in Germany, and the financing came through the United Arab Emirates from sources in Afghanistan."

What the FBI believed and thought in June 2002 they didn't know eight months earlier, when Washington dismissed tentative offers by the Taliban (how serious, we do not know) to permit a trial of bin Laden if they were presented with evidence. Thus, it is not true, as President Obama claimed in his White House statement after bin Laden's death, that "[w]e quickly learned that the 9/11 attacks were carried out by al-Qaeda."

There has never been any reason to doubt what the FBI believed in mid-2002, but that leaves us far from the proof of guilt required in civilized societies — and whatever the evidence might be, it does not warrant murdering a suspect who could, it seems, have been easily apprehended and brought to trial. Much the same is true of evidence provided since. Thus, the 9/11 Commission provided extensive circumstantial evidence of bin Laden's role in 9/11, based primarily on what it had been told about confessions by prisoners in Guantanamo. It is doubtful that much of that would hold up in an independent court, considering the ways confessions were elicited. But in any event, the conclusions of a congressionally authorized investigation, however convincing one finds them, plainly fall short of a sentence by a credible court, which is what shifts the category of the accused from suspect to convicted.

There is much talk of bin Laden's "confession," but that was a boast, not a confession, with as much credibility as my "confession" that I won the Boston marathon. The boast tells us a lot about his character, but nothing about his responsibility for what he regarded as a great achievement, for which he wanted to take credit.

Again, all of this is, transparently, quite independent of one's judgments about his responsibility, which seemed clear immediately, even before the FBI inquiry, and still does.

Crimes of Aggression

It is worth adding that bin Laden's responsibility was recognized in much of the Muslim world, and condemned. One significant example is the distinguished Lebanese cleric Sheikh Fadlallah, greatly respected by Hizbollah and Shia groups generally, outside Lebanon as well. He had some experience with assassinations. He had been targeted for assassination: by a truck bomb outside a mosque, in a CIA-organized operation in 1985. He escaped, but 80 others were killed, mostly women and girls as they left the mosque — one of those innumerable crimes that do not enter the annals of terror because of the fallacy of "wrong agency." Sheikh Fadlallah sharply condemned the 9/11 attacks.

One of the leading specialists on the Jihadi movement, Fawaz Gerges, suggests that the movement might have been split at that time had the U.S. exploited the opportunity instead of mobilizing the movement, particularly by the attack on Iraq, a great boon to bin Laden, which led to a sharp increase in terror, as intelligence agencies had anticipated. At the Chilcot hearings investigating the background to the invasion of Iraq, for example, the former head of Britain's domestic intelligence agency MI5 testified that both British and U.S. intelligence were aware that Saddam posed no serious threat, that the invasion was likely to increase terror, and that the invasions of Iraq and Afghanistan had radicalized parts of a generation of Muslims who saw the military actions as an "attack on Islam." As is often the case, security was not a high priority for state action.

It might be instructive to ask ourselves how we would be reacting if Iraqi commandos had landed at George W. Bush's compound, assassinated him, and dumped his body in the Atlantic (after proper burial rites, of course). Uncontroversially, he was not a "suspect" but the "decider" who gave the orders to invade Iraq — that is, to commit the "supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole" for which Nazi criminals were hanged: the hundreds of thousands of deaths, millions of refugees, destruction of much of the country and its national heritage, and the murderous sectarian conflict that has now spread to the rest of the region. Equally uncontroversially, these crimes vastly exceed anything attributed to bin Laden.

To say that all of this is uncontroversial, as it is, is not to imply that it is not denied. The existence of flat earthers does not change the fact that, uncontroversially, the earth is not flat. Similarly, it is uncontroversial that Stalin and Hitler were responsible for horrendous crimes, though loyalists deny it. All of this should, again, be too obvious for comment, and would be, except in an atmosphere of hysteria so extreme that it blocks rational thought.

Similarly, it is uncontroversial that Bush and associates did commit the "supreme international crime" — the crime of aggression. That crime was defined clearly enough by Justice Robert Jackson, Chief of Counsel for the United States at Nuremberg. An "aggressor," Jackson proposed to the Tribunal in his opening statement, is a state that is the first to commit such actions as "[i]nvasion of its armed forces, with or without a declaration of war, of the territory of another State" No one, even the most extreme supporter of the aggression, denies that Bush and associates did just that.

We might also do well to recall Jackson's eloquent words at Nuremberg on the principle of universality: "If certain acts in violation of treaties are crimes, they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would not be willing to have invoked against us."

It is also clear that announced intentions are irrelevant, even if they are truly believed. Internal records reveal that Japanese fascists apparently did believe that, by ravaging China, they were laboring to turn it into an "earthly paradise." And although it may be difficult to imagine, it is conceivable that Bush and company believed they were protecting the world from destruction by

Saddam's nuclear weapons. All irrelevant, though ardent loyalists on all sides may try to convince themselves otherwise.

We are left with two choices: either Bush and associates are guilty of the "supreme international crime" including all the evils that follow, or else we declare that the Nuremberg proceedings were a farce and the allies were guilty of judicial murder.

The Imperial Mentality and 9/11

A few days before the bin Laden assassination, Orlando Bosch died peacefully in Florida, where he resided along with his accomplice Luis Posada Carriles and many other associates in international terrorism. After he was accused of dozens of terrorist crimes by the FBI, Bosch was granted a presidential pardon by Bush I over the objections of the Justice Department, which found the conclusion "inescapable that it would be prejudicial to the public interest for the United States to provide a safe haven for Bosch." The coincidence of these deaths at once calls to mind the Bush II doctrine — "already... a de facto rule of international relations," according to the noted Harvard international relations specialist Graham Allison — which revokes "the sovereignty of states that provide sanctuary to terrorists."

Allison refers to the pronouncement of Bush II, directed at the Taliban, that "those who harbor terrorists are as guilty as the terrorists themselves." Such states, therefore, have lost their sovereignty and are fit targets for bombing and terror — for example, the state that harbored Bosch and his associate. When Bush issued this new "de facto rule of international relations," no one seemed to notice that he was calling for invasion and destruction of the U.S. and the murder of its criminal presidents.

None of this is problematic, of course, if we reject Justice Jackson's principle of universality, and adopt instead the principle that the U.S. is self-immunized against international law and conventions — as, in fact, the government has frequently made very clear.

It is also worth thinking about the name given to the bin Laden operation: Operation Geronimo. The imperial mentality is so profound that few seem able to perceive that the White House is glorifying bin Laden by calling him "Geronimo" — the Apache Indian chief who led the courageous resistance to the invaders of Apache lands.

The casual choice of the name is reminiscent of the ease with which we name our murder weapons after victims of our crimes: Apache, Blackhawk... We might react differently if the Luftwaffe had called its fighter planes "Jew" and "Gypsy."

The examples mentioned would fall under the category of "American exceptionalism," were it not for the fact that easy suppression of one's own crimes is virtually ubiquitous among powerful states, at least those that are not defeated and forced to acknowledge reality.

Perhaps the assassination was perceived by the administration as an "act of vengeance," as Robertson concludes. And perhaps the rejection of the legal option of a trial reflects a difference between the moral culture of 1945 and today, as he suggests. Whatever the motive was, it could hardly have been security. As in the case of the "supreme international crime" in Iraq, the bin Laden assassination is another illustration of the important fact that security is often not a high priority for state action, contrary to received doctrine.

Noam Chomsky

P.S.

* From TomDispatch.com, September 6, 2011 and later the Nation :

<http://www.tomdispatch.com/archive/175436/>

<http://www.thenation.com/article/163158/looking-back-911-decade-later?rel=emailNation>

* Noam Chomsky is Institute Professor emeritus in the MIT Department of Linguistics and Philosophy. He is the author of numerous bestselling political works, including 9-11: Was There an Alternative? (Seven Stories Press), an updated version of his classic account, just being published this week with a major new essay — from which this post was adapted — considering the 10 years since the 9/11 attacks.