

KROEBER ANTHROPOLOGICAL
SOCIETY, 102(1): 20-24

Reply to Joseba Zulaika

Ralph Nader

Transcribed from a talk given March 8, 2012 at the
Anthropology in the World Symposium
in honor of Laura Nader

Introduction

Thank you very much Joseba, and thank you all for coming in celebration of Professor Laura Nader's work and the Department of Anthropology here at Berkeley, as well as all of those far flung students who did their PhDs and other fieldwork all over the world and are extending the next generation.

The subject I was asked to discuss today is really very, very broad. It comes under the overall rubric of terrorism and empire, and then Joseba's theme on mythologies of terror, drones, fantasy and self-fulfilling prophesy in US counterterrorism. I don't want to fall prey to an easy technique that I was mistaught when I was at Princeton. My professor developed a theory of structural functionalism and he asked me to write a paper in the course, applying this theory to the Chukchi Tribe off the Aleutians. I almost twisted myself into a mental pretzel trying to do it. So, in connecting anthropology to what I want to say, there are easily transferred techniques from the study of other societies, myths, rituals, interrelationships, and taboos that move very conveniently into what we have been experiencing certainly in the last 10 years. But they also reflect certain resistances based on our ethnocentrism (which is now called exceptionalism). And I don't deny our country's exceptionalism; we have more people in jail per capita than anybody else, the highest child poverty in the Western world, and the most absurdly two-party tyranny (if you'll beg my indulgence on this). And [we have] areas where we're really at the bottom—for example in health care, universal health care in Western countries and the like.

But exceptionalism is really another form of ethnocentrism, and if you ever use the words "taboo", "myth", "ritual," etc., you evoke mocking laughter, certainly in non-academic circles. But if you take these concepts down the abstraction ladder, they are no longer mockable—even though you have to change the language a bit. When you heard Joseba talk about rituals and myths, think how they apply; I mean, we were alerted to this by President Dwight Eisenhower in his farewell address warning us about the military-industrial complex. Understand [that] in its early draft it was a military-industrial-congressional complex, but he didn't want to go quite that far. It was an astonishing caution by a five-star general, and it turned out to be incredibly prescient because it

Ralph Nader is a political activist, consumer advocate, author, lawyer, and five-time presidential candidate.

was more than a collection of lobbyists offering jobs to people in the Pentagon to come join them and the merry-go-round from Lockheed or Boeing to Washington and back. It was basically an allocation of resources and values in a dictatorial fashion. And so we have right now a corporate security state where the issue of myths is a spectacularly successful controlling process. There is nobody in the world that has developed a controlling process that is so brilliantly internalized and accepted, passively, by the masses of people—even though the polls will show they don't want some of these wars.

With all of the propaganda on the invasion of Iraq, it was still about 50 percent opposition, and there was no opposing party exposing the Bush-Cheney prevarications and the cover-ups—weapons of mass destruction in connection to Saddam and al-Qaeda and the threat to the US, etc. It was just a one-sided soliloquy on the mass media day after day, if you remember, before March 2003. But still half of the people opposed it. There was a poll of the soldiers in Iraq—that was a representative poll, it wasn't challenged by the Pentagon—that came out in January 2005, where slightly over 70 percent of the soldiers themselves in the field (including a plurality, a slight majority of the marines) declared that they wanted the US to get out of Iraq in between six and twelve months. However, that is not inconsistent with internalizing this mythology that operates and is such an effective controlling process. Here's why. I think it was illustrated by Richard Clarke's book (he was the anti-terrorist advisor to George W. Bush, who left the White House and wrote a book). In one passage of the book, he said—I'm not quoting it exactly but it's very close—somewhere in the redoubts of Afghanistan and Pakistan, Osama bin Laden must be pleading with George W. Bush saying “please invade Iraq, please invade Iraq.” That was basically the predicate of a belief by a lot of national security people in Washington in their private moments: that they actually needed each other. The al-Qaeda attackers needed the kind of backlash and vast exaggeration of their power by George W. Bush and his cohorts; and George W. Bush needed a vastly exaggerated al-Qaeda, which was after all a very minimal criminal gang that got lucky on 9/11 largely because there weren't enough functionally alert people in Washington that could have prevented it, as Joseba mentioned. The value these two groups had for one another was really extraordinary.

I'm sure that Osama bin Laden figured that his work was done long before he was eliminated last year. He basically imploded our society. Far more than Hitler did, far more than Japan did in WWII, far more than anything in our history. How could he have done that? The British were bombed every night for nine months in 1939 and 1940 and they didn't begin to freak out the way that our society did. How could that happen? It happened because it locked in four incentives by the then-President and Vice President. It fit in very well with their desires to stifle dissent and neutralize the opposing party by exaggerating al-Qaeda and saying that they have secret sleeper cells all over the country—they hate us, they're well-funded, and they are suicidal. And of course they have never struck back in this country, so they never existed. But the myth persisted because it was so functionally rewarding to Bush and Cheney who a) silenced the opposing party into complicity, b) silenced a lot of the dissent around the country—it was very hard to speak out, c) distracted from the president's needed attention to problems here at home like poverty, unemployment, healthcare, and crumbling public works and so forth that he wasn't really interested in, and d) he made his corporate benefactors

enormously rich because it was a huge sub-industry—the anti-terrorism industry, as Joseba pointed out. It's a *huge* industry. We're talking hundreds of hundreds of billions of dollars. And finally, it concentrated enormous power in the executive branch at the expense of the legislative and judiciary.

Now, what's not to like? Of course the continual exaggeration of al-Qaeda produced a larger al-Qaeda, it produced branches; and now it's in 15-20 countries and it produced a virulent form of al-Qaeda in Iraq that helped kill and injure a lot of American soldiers. As one national security expert interviewed after 9/11 said—I think it was on "60 Minutes"—you just don't want to pursue an anti-terrorist policy in a way that creates more terrorists. Of course the myth had enormous enforcement legs deep into the American fabric, but it wasn't just the myth. It was backed up by a whole series of consequences when myths are entrenched. In this case, this was probably the most gigantic interlineal type myth that we've ever constructed. It exceeded even the myths surrounding international communism in the sense that we were 25 minutes away from being obliterated by the Soviet Union, and the Soviet Union was 25 minutes away from being obliterated by us with nuclear subs, missiles, etc. And still we didn't implode. We spent a lot of money on budgets, but we still didn't implode because it was a mutual deterrence.

When you have an asymmetry of power you can build a lot of myths, and myths have always been a form of controlling people. If you look at primitive societies—and many of you have in great detail—what is the function of myths? It is to control elements in the tribes, in the networks, in the clans, in few hands. Every society has the problem of concentration of power in a few hands. Myths have to have rituals, and rituals are accompanied by censorship—they're accompanied by media smash-mouths. That is, it was impossible even to raise the question, *Why did they attack us?* What is it about our being in their backyards for decades; what is it about our supporting their despots for decades; what is it about our, together with the British and French, carving up their areas after WWI for decades of consequences? Why would they ever think of attacking us? You could never raise that issue on national TV. You were immediately denounced as trying to open up a possible explanation of their motives—even though the SEALs, who would never be accused of a lack of militancy, are trained to study the writings and explanations of their adversaries [in order to] understand their behavior. So, we have these rituals and they're associated with enormous secrecy. We are now living in a country where the President of the United States can declare that he has the authority, without relying on Congress or the judiciary, to kill any American citizen. He, supplemented by his advisors, in his own judgment as prosecutor, judge, jury, and executioner, can make that decision. That is as far an exposition of executive so-called authority, under our constitution, as we have experienced to date. It was, shall we say, less than continentally explained by the Attorney General a few days ago at Northwestern University Law School. The taboos of course are part of the secrecy, and the definition of victory itself becomes a possession of state secrecy until the soldiers come home.

So, what is the definition of the war in Iraq—was it really a victory as our executive officials declared? The society was subjected to a socio-cide—it was blown apart. Over a million people died; almost a fifth of the population [was] displaced. There was a horrendous collapse of what was then a structure that was servicing people—however

dictatorially—in terms of food and water and street security (tension but not revenge between sectarian forces). Even the very definition of victory is one that proceeds from this concentration of power, and of course language is part of it. There are all kinds of euphemisms—*pacification*, do you remember that? In Vietnam, *defoliation*—remember that? Pacification is when you wipe out a village; defoliation is chemical warfare. And they even went to the extent that when that famous hammer was disclosed that cost you the taxpayer \$450—I couldn't believe anybody in Washington would pay \$450 for a \$9 claw-hammer, so I went to look at the invoices—it was described by the subcontractor as a “unidirectional impact generator” for 450 bucks.

Now, dropping some of the transitional metaphors or analogies here, what we have is a system of control that has no discernible boundaries. There is no such thing as law without boundaries. There is no such thing as constitutions without boundaries. And when you have unbridled executive discretion using the word “terror” indiscriminately, you don't have any boundaries—and you don't have a rule of law. Law, as one of its functions, is to constrain power—raw power, brute power, economic power—[in order to] weaken it, channel it in a more productive direction. Power is always in a contest with law, and when power aggregates and advances, law recedes until there is a myth of the rule of law. Can we really say that there is a myth of the rule of law in this country? The answer is overwhelmingly yes. Apart from inadequate access to justice by poor people, we have thousands of people who were rounded up after 9/11 and thrown in jail without charges—no habeas corpus, no lawyers. They were mistreated. We have millions of Americans subjected to illegal surveillance—that's a five year jail term, that's a felony under the FISA Act. We have wars that are never declared—that's a gross violation of the Founding Fathers' view that that was the most important restraint on another King George, plunging the country into war. We have indefinite detention; we have secret courts; we have extraordinary rendition. We have extortion of war crimes that are unprosecuted, and indeed are covered by immunity by recent Presidents for government officials engaged in war crimes like torture. We have a plethora of new developments such as Congress giving the president recently the authority to arrest anybody and detain them indefinitely in military brigs—and though he has waived that, they are still able to be detained in civil courts indefinitely.

This is simply an atrocity to any concept of due process, which is the total essence of anything that Western civilization can claim title to. There is no idea that has ever come out of Western civilization more important than the intricate pattern of due process, which involves not just probable cause, not just open charges, not just habeas corpus, not just your day in court, not just your right of trial by jury, but the establishment of independent tribunals outside the hierarchy of authority in the executive branch that can overrule the executive branch. So we have secret evidence, and to this day we are not able to get the administration's legal analysis justifying many of its extraordinary transgressions.

It all comes down to, I think, a couple of really important points. One is there is no society that can declare that it adheres to laws or constitutions or international conventions, that is not willing to have its asserted legal behavior be reciprocated. For example, if Putin decided that there were people in the United States that were actively plotting with insurrectionists in Russia to undermine or terrorize the Russian govern-

ment, under the authority that is now exercised by our White House, he would have a claim to send drones over here and wipe out suspects. He would have a claim to, in effect, apply military power here. In this fabricated assertion that we are still proceeding lawfully—which makes a lot of law professors laugh hysterically—we know that we do not allow the same reciprocal type of behavior with the same reciprocal rationalization by an executive overseas.

The second point is that empire itself always rationalizes its expansion; so if al-Qaeda is damaged in Pakistan or Afghanistan and it goes elsewhere or has other recruits, then we rationalize the expansion to Yemen, to Iraq, to North Africa, to Somalia, etc.

Third, are we ready for the counterattack? When we don't pursue international law or constitutional practices, we are endangering ourselves. We have far more to lose than those who we call terrorists, who are suicidal. They have decided they have nothing to lose. We have everything to lose by abandoning the rule of law. The constant provocation of invasions, incursions, drone attacks, surveillance, spies, assassination squads, support for dictators (*our* dictators) to destroy and massacre their people—can we really assume that there will not be a retribution? The answer to that is no, because we have such asymmetrical superiority that they will never be able to come close; we have asymmetrical superiority in the weaponry of physics but not in the weaponry of biology and chemistry. And so this whole deal of empire and terrorism—which is often discussed as exceptionalism by the yahoos, or by more prudent types as “pull back before it's too late”—it's just expanding more hatred and more organization against us.

This practice of terrorism has to be analyzed in terms of the implosion in our society—the enormous damage done to our public budget allocations in 10 years, the enormous damage done to our priorities to address the problems of our people, the enormous damage done to our civil liberties and our civil rights, the enormous damage done to our tranquility, and the enormous hyping of our anxiety day-after-day on talk radio and TV. Those are enormous costs, in addition to the bloodshed on all sides—their side and our side. But it has to be analyzed from the point of view—what is the likelihood of this provocation instead of trying to extend the rule of law? We had a great opportunity to do this right after 9/11, as almost everybody was on our side and we had a potential of a great peace dividend of this extension. What is the provocation if we don't lead with the rule of law?

The rule of law is not a luxury; it is not naivety congealed. It is a survival strategy, and I want to thank Joseba for pointing this out in his books, which I urge you to read, because he does transfer the type of anthropological inquiries that are so important to use in this country. And, by my book, the most important value that I ever derived from studying my course in anthropology at Princeton was that the method of anthropological inquiry is the technique to lift the suppression of self-censorship. Self-censorship is the mother or father of censorship, and what anthropology does by examining cultures and comparing cultures is to connect more with reality by lifting self-censorship. Because the acceptance of myth is only possible by living a life of self-censorship.

Thank you.