

# THE RHETORIC OF RESISTANCE: ISLAMISM, MODERNITY, AND GLOBALIZATION

---

*Aliya Haider\**

## INTRODUCTION

Theorizing rebellion seems a self-contradictory task. The moment one encapsulates, staticizes, and, in effect, institutionalizes rebellion in academized walls of theory, is the moment at which one has stripped rebellion of its dignity and, in some respects, of its purpose. Rebellion, as Albert Camus defines it, is the right to determine one's own boundaries. It is the right to assert the truth about one's self. When individual identities are incorporated into a group for purposes of rebellion, there is always a risk that the "truth" the group asserts is not the same truth about one's self. When the group obfuscates the individual's potential to be heard, then the international community has a responsibility to question the veracity, representative quality, and legitimacy of the demonstrated rebellion. This is especially true in the modern era of integrated cultures, economies, and political decisions, where discrete group identities are increasingly difficult to uphold. However, even if the demonstrated rebellion by a group mischaracterizes the voice of disenfranchised individual members of the global community, the very presence of these groups is a signal that there are persons who do not have any purchase on or commitment to the emerging international legal normativity.

There is a natural rebellious impulse in many individuals, regardless of their geographic or cultural location. That idea lies at the root of this Article. The modern phenomenon of Islamism has enjoyed increasing success in the past twenty years precisely because individual discontent in developing economies is rampant. Individuals in Islamist groups commit acts of political violence, often on behalf of those groups. This has led to the pandemonium we call "terrorism." However, individual rebellious impulses are often co-opted by Islamist groups and this complicates unearthing the character of discontent. "Terrorism," as a word, quickly becomes a bloated idea that ceases to communicate very much. This is a

---

\* J.D. candidate, Harvard Law School, 2003; M.Sc., London School of Economics and Political Science, 2000; B.A., Columbia University, 1999. I would like to thank Paul Kelly for acting as my advisor on my dissertation (now this Article) at the London School of Economics. I would also like to thank Rachel Adams, Robert Amdur, Hamid Dabashi, Kathleen McDermott, and Gayatri Spivak for all they taught me beyond any text. I am especially grateful to Aaron Bloom for his tireless effort in editing this Article.

problem precisely because the moment at which we cannot understand what is being said is the moment at which our response becomes equally as garbled. This Article is about individual rebellion, Islamism, and the perceptions and place of violence between the two. The following introduction presents a frame of the current international legal normativity and global institutions in which the theoretical observations in this Article operate.

International legal frameworks are increasing in number and significance. They exist at the supranational level, such as the International Court of Justice, and at the transnational level, such as the European Economic Council. They exist in constitutional, regulatory, and legislative form, exemplified in documents and institutions such as the Universal Declaration of Human Rights, the World Trade Organization (WTO), and the European Union respectively.

An unacknowledged benefit of international legal frameworks is not simply the framework itself, but the agency to decide to enter these agreements and the trajectory of integration reflected by the decision itself. The instruments of globalization integrate states into an emerging set of legal norms in three ways. First, the international legal landscape offers political legitimacy. The United Nations is the paradigmatic embodiment of such political legitimacy, polishing its Security Council Resolutions with a supranational authority that elevates those resolutions above any one state's opinion. The new international normativity asserts that there is an international opinion that counts.

Second, the international legal frame offers the promise of economic security. This occurs primarily through one of two ways. The first is through global financial architecture, borne out of World War II, such as the International Monetary Fund, the International Bank of Reconstruction and Development, and the International Finance Corporation. There is much criticism of this financial architecture as outdated and unable to perceive and respond to the needs of developing countries. Critical to note for this Article is that with the fall of colonialism after the second World War, there was a general consensus among the developed nations that the economic health of post-colonial states would be an imperative for a stable world order. The second and more modern approach is through the new free trade regimes, asserted in the WTO and regional agreements like the North American Free Trade Agreement. The logic of free trade regimes suggests that even states that do not participate in crafting international laws regulating economic development are still accounted for in international law which regulates the flow of goods and services. The free trade defenders have a robust argument, economically. But as this Article will point out, even free trade regimes withhold something from groups that lack state representation: the ability to bargain when crafting those agreements.

Finally, the most elusive, yet perhaps most powerful echo of an increasingly strong international legal regime is an emerging moral stability. The evolving International Criminal Court reveals the powerful appeal of a moral accountability for states that transcends any one state's jurisdiction. Many scholars contest the legitimacy of a moral stability, arguing

that morality is relative to specific cultures.<sup>1</sup> However, the presence of the debate alone evidences that universal moral norms is an idea which is on the international table in a way that previous eras have not experienced. Moral stability should not be confused with a universal morality (a topic outside the scope of this Article). Rather, moral stability refers to a set of moral norms that anchor state actors. These norms emerge from states' behavior and interaction.<sup>2</sup> In that sense, the moral dimension of international legal normativity should be viewed as a reinforcement for international legal frameworks rather than a contentious issue which challenges those frameworks.

This picture appears quite rosy. However, the critical failure of the modern international legal establishment has been a failure to recognize three classes of persons. First, there are the externally dispossessed: the refugees. Second, there are the internally displaced refugees: those still living within the borders of their state but living under such internal conflict that there is no meaningful tie between them and the state apparatus. Finally, there are persons who are so poor that their state apparatus does not have an interest in adequately representing them. These three classes of persons do not benefit from a strong international legal normativity. Indeed, a disruption to markets and political stability is not a deterrent to those who have nothing to lose and everything to gain from such a disruption. These persons fall between the cracks. Some argue that this is an unfortunate but necessary effect of globalization. I argue that such dismissive attitudes are dangerous to the health of globalization itself.

The point of this Article is to assert that that the wave of violent Islamist movements concomitant with the tidal wave of integrated legal networks is a warning. To the extent that specific groups and persons are left out of the benefits these legal networks undoubtedly offer, the projected benefits of these networks are undermined for everyone.

State status and representative state governments are of paramount importance. I argue that the unit of a state is a critical one in order for any group to participate meaningfully in international legal institutions. Second, I posit that many post-colonial state regimes fail to address the vast majority of their citizens' needs and concerns. In fact, these very regimes exacerbate the poverty of persons within their states' boundaries. Consequently, the contemporary moment exposes a situation of frustration ripe for reactionary regimes. There are some reactionary regimes, most notably in Iran, which have entrenched themselves in legitimated seats of power. More frequently, though, we see insurgent groups within states fighting against state regimes accused of ill-representation. Within the sphere of violent nationalisms, I focus on the insurgent groups who adopt usage of terror and an Islamist rhetoric to legitimate that use. This raises the question of what distinguishes and defines the notion of an Islamist rhetoric and ideology. This Article is not a detailed cataloguing of every Islamist movement and its party features. It is a theoretical consideration of Is-

---

1. See, e.g., ALASDAIR C. MACINTYRE, *WHOSE JUSTICE? WHICH RATIONALITY?* (1988); Samuel Huntington, *The Clash of Civilizations*, *FOREIGN AFF.*, Summer 1993.

2. See *The Paquete Habana*, 175 U.S. 677 (1900).

lamism, as a theory of political thought and action, as related to contemporary history.

The focus of the discussion is not international relations, but a substantial discussion of global dynamics is necessary to come to any useful conclusions about the rise and potential fall of Islamism. That said, I reject the notion that movements can occur outside of their material and political circumstances. Cultural relativism and communitarian separatism fail as explanations because they isolate groups from their global context. This Article rejects conflation of the political and economic space with the cultural and religious. While these matrices of social life often overlap, pointing to their boundaries within the overlaps offers a nuanced and precise understanding of Islamism's position in political thought.

Within the spectrum of Islamism, there is a focus on explicit demonstrations of violence often called "terrorism."<sup>3</sup> I temporarily suspend the term "terrorism" as it carries an implicit assumption about what it represents. The use of violence to invoke terror is examined as a political act through its relationship to Islamism. I do not intend to serve as a defender of or apologist for violent acts. I suspend value judgements only because they interfere with an understanding of what drives, legitimates, and sustains Islamist groups. Consequently, value-laden terms interfere with halting, delegitimizing, and disabling Islamist groups.

Finally, I argue that the co-optation of the previously discussed three classes of silenced persons by a radical right wing employing a religious rhetoric is dangerous for three reasons. First, these radical regimes are primarily interested in delegitimizing the emerging international legal normativity. Second, they do not represent the interests of those whose frustration they exploit and therefore violate the dispossessed's human rights. Finally, this violation does not only hurt those persons who are immediately affected, but also individuals in those states which may think themselves immunized from harm by participation in international normativity. Where political voices are co-opted, economic benefits are denied, and moral stability is challenged, the entire strength of the new internationalism is debilitated and stunted.

The first step in an effective foreign policy response to Islamist terrorism is to understand the frustration in "Islamic" societies at an individual level. Second, we must assess how resistance operates at the collective level, keeping in mind the unit of the individual. Decision-makers and international public opinion must perceive the split-level nature of these societies. This entails listening amidst the raging voices of mullahs for the reasonable disenchantment of moderate voices. If we listen effectively, we may be able to reach out to the moderates, address their disenfranchisement from the international system, and effectively disconnect their rebellious impulse from that of Islamists. Finally, the architects of the new legal normativity must seriously reconsider how to make space at the international table for stateless persons. Without these structural adjustments, the security of integrated legal networks is seriously threatened.

---

3. There is a wide spectrum of motivations in terrorism per se. It cannot be stressed enough that terrorism exists in many forms and many instances outside of the realm of Islamism. These variations of terrorism, though, lie outside the scope of this Article.

## I. POLITICIZING NATION: THEORETICAL PERSPECTIVES

Nation and her often ill-reputed sister, nationalism, receive relentless attention in academia. Scholars dissect and study these ideas in the hopes of unearthing a clue that makes rational their seeming irrational potency. If the “nation” is assumed to be a material reality, then theorizing its construction and potential deconstruction is ostensibly paradoxical. Language, religion, culture, and kinship ties are only a few of the concrete matters the term “nation” addresses. Theory is often perceived as too abstract and overarching to sense the disruptive details of a given nation and its specific place within the tides of history. Ultimately, though, theories that relate to and are derived from material reality offer understanding of a present condition and allow insights into its future potential.

Ernest Gellner theorizes the twin notions of nation and nationalism by explaining their evolution in a material context. Despite the disagreements one may have with Gellner, his arguments are more salient and less inconsistent than those of others, such as David Miller, who refuse to offer a material explanation for their assertions. The tension between Gellner and Miller comes from their oppositional stances regarding the place of materialism. This section begins by noting some fundamental problems with Miller’s argument. It then explores Gellner’s theory as paradigmatic for what I term “first wave nationalism.” Identifying what works within Gellner’s formulations allows the logical slips of Miller’s thesis to emerge more clearly. Finally, the differences between the implications of Gellner’s and Miller’s theories foreshadow charged contemporary debates about national self-determination.

Miller’s text, *On Nationality*, spends a long time acknowledging how dangerous it may be to assume the notion of nation as a given. For him, we “repress”<sup>4</sup> nationalist sentiments. This verb choice implies a pre-existent given, which is pushed away. According to Miller, we engage in this repression because we disdain the “raucous form that nationalism often takes in countries that are less developed and less liberal.”<sup>5</sup> However, in the same breath Miller condemns liberals for wanting to reject what “[t]he nationalist celebrates [as] his attachment to an historic community.”<sup>6</sup> There are a number of contradictions at play here. First, does Miller support liberalism’s commitment to equal rights (as he claims to) or does he not? Perhaps he is a middle-of-the-road relativist, akin to Michael Walzer, who will not go so far as to say, outright, that his theories imply exclusivity, but will dance around the issue and talk of “cultural spheres.”<sup>7</sup> Second, the most heinous nationalism of the twentieth century, one of the nationalisms that makes the term so loaded, did not come out of the developing world, but took place in the heart of Europe in Hitler’s Germany. Third, Miller further cements his position that a nation (and, implicitly, a nationalist) is almost an *a priori* historical fact, paying no mind to the inventive nature of history. In sum, while Miller spends his

---

4. DAVID MILLER, *ON NATIONALITY* 15 (1995).

5. *Id.*

6. *Id.*

7. See MICHAEL WALZER, *SPHERES OF JUSTICE: A DEFENSE OF PLURALISM AND EQUALITY* (1983).

entire introduction paying homage to liberal academia by acknowledging the dangers of nationalist sentiments, he quickly moves on to laud the nationalist for his self-cognizant honesty.

Miller aspires to make the case for a nation without a state. In his opinion a state is little more than a set of political institutions. Miller borrows a reduced version of Weber's definition of the state,<sup>8</sup> referring only to the famous proviso that the state has monopoly over the legitimate use of violence in a given territory. Following from this, he asserts that some "states . . . exercise their rule over several discrete nations."<sup>9</sup> This reveals an assumption of a nation as an *a priori* entity that precedes the modern state. For Miller, a nation is a group of persons with shared beliefs, which he likens to the less "emotive" idea of a team.<sup>10</sup> Unfortunately, likening the belief systems of groups of persons to a team is not less emotive at all. Miller utilizes this comparison in an attempt to propound an objective truth in the notion of nation, thereby strengthening the subtext of exclusivity. His analogy cuts against his own point; the team metaphor reinforces the sense that nations are exclusive entities that do not arise naturally but are, in fact, created. It is precisely for this reason that the constructions of nations require critical examination, which Miller fails to provide.

The principal flaw in Miller's argument rests on his assertion that there can be a divide between the national and the political. Taken one step further, he says that on the spectrum of national-isms there are some nations that require only cultural expression and others that necessitate political expression. For Miller, there are many nations, not all of whom seek self-determination. He asserts that while self-determination is worth seeking, it is not for everyone. Even more troubling is his assertion that not all nations *require* self-determination in the political arena. If some groups do require national self-determination, but not all, then the key question becomes: which ones? Miller tries to make a distinction between the cultural and the political, yet he fails to demarcate when a nation stops being merely a cultural association and begins to necessitate political organization.

Contemporary global institutions use political organization as the unit of measure (for instance, the United Nations). Miller does not address what the differences are between those nations that require political organization and representation in global institutions and those nations that should remain content to sit quietly and enjoy the metaphysical honor Miller has accorded them as a nation. Interestingly, it is his opinion that the Kurds and the Palestinians exemplify two groups of dispossessed persons who do not have a state and do not necessarily need one because they are tied by their transcendent bond of nationality. For Miller, then, perhaps the millions of Palestinian refugees and wandering Kurds looking for a safe haven are not dispossessed persons at all. His decision to

---

8. See MAX WEBER, *Politics as a Vocation*, in FROM MAX WEBER: ESSAYS IN SOCIOLOGY 77 (H. H. Gerth & C. Wright Mills eds. and trans., 1946). See *id.* at 77-78 for a more complete definition and, subsequently, more rich understanding of Weber's definition of the modern state.

9. MILLER, *supra* note 4, at 19.

10. *Id.* at 17.

cite Palestinians as a nation that does not require a state implicitly draws attention to Israel—the state that exists on the land where the Palestinians would have theirs. Miller implicitly asserts that other nations, such as the Jews, do have a right to have states, such as Israel. The distinction between these two cases is one that Miller fails to provide. Miller’s argument does not address why some nations (as he defines nation) do not need a mechanism for political expression. This leads to a more pressing problem when determining which groups get a state and which groups do not. He seems content to rely on a hollow “some do, some don’t” methodology that neglects any substantive criterion other than his own opinion.

Miller is critical of Gellner when Gellner writes: “Not all nationalisms can be satisfied, at any rate, not at the same time.” But unlike Miller, Gellner provides a common sense material reason for why some nations have states and others do not: there is a limited amount of land on this earth. The example of conflict between the self-identified nations of Palestinians and Jews is a clear example of a struggle over land. The Jews, thus far, have a state and name it Israel. The Palestinians wave a flag about to express a seemingly futile hope for access to a form of state power over that same piece of land. Gellner’s explanation reasons that all nations do not have states because there are a limited number of states that can exist at a given moment. This is in sharp contrast to Miller’s proposal that some nations simply do not need states. Gellner’s reasoning seems a little more honest because it acknowledges practical, material limitations. Miller’s solution to these limitations is to invoke an undefined assertion that some national groups, such as the Kurds and the Palestinians, simply do not need states. However, Miller acts as if this assertion is a primary fact rather than an *ex post facto* rough solution to a more complicated problem. In making this leap, he fails to address the parameters of what the term “nationalism” means, and therefore cannot possibly understand how it operates.

To be fair, Miller does well to suggest that national identity is something many groups cling to, especially in the advent of modernity. Yet there is a significant difference between a necessary fiction and a fiction taken as truth. Indeed, there is little in Miller to suggest that he gives any currency to what Benedict Anderson calls our “imagined community.”<sup>11</sup> Even so, the problem with Miller is not only his mutation of fiction into truth, but also his unwillingness to own up to what he is doing. If Miller appreciates the nationalist who celebrates his “attachment to an historic community,”<sup>12</sup> then why does he spend so much time debunking nationalism? One of the principal attributes of Gellner’s analysis is his clear definition of terminology and his willingness to stick to those terms.

Gellner’s seminal book, *Nations and Nationalism*, devotes the entire first chapter to definitions. This chapter is the necessary foundation for the rest of his text. Gellner’s definition of the state builds atop of Weber’s. Unlike Miller, Gellner embraces the full form of Weber’s definition, stat-

---

11. See BENEDICT R. O’G. ANDERSON, *IMAGINED COMMUNITIES: REFLECTIONS ON THE ORIGIN AND SPREAD OF NATIONALISM* (rev. ed. 1991) (1983).

12. MILLER, *supra* note 4, at 15.

ing that simply referring to the proviso about the legitimate use of violence “is not entirely satisfactory.”<sup>13</sup> Gellner points out that underlying Weber’s definition there is a “tacit assumption of the well-centralized Western state” and though it may be “strangely ethnocentric” it is still a useful definition.<sup>14</sup> The existence of a state, then, is contingent upon a host of material factors that allow a complex bureaucracy. The contingency of nation is more subtle than the state’s, yet equally important, according to Gellner. A nation’s contingency is harder to identify because it is embedded in our consciousness and fictive in character, suggesting that its strength rests in its irrationality. This strength from irrationality stands in stark contrast to the state, whose strength is maintained in the institutionalization and rationalization of its authority.<sup>15</sup> A nation requires two components: a cultural association<sup>16</sup> and a recognition of that association by two or more persons. This definition is important because it reveals that there is no minimum or maximum amount of “culture” needed to qualify for legitimate “nation”-hood. Rather, it is the idea of self-recognition in an other that generates an adequate notion of nation.

Gellner writes, “Nationalism is primarily a political principle, which holds that the political and the national unit should be congruent.”<sup>17</sup> Nationalism is that which connects the potentially unconnected ideas of state and nation; it is the crux of the matter. This definition of nationalism challenges any potential distinction between nation and state in a modern setting. Gellner understands his definitions of nation and state as distinct; he maintains that “[t]hese definitions must . . . be applied with common sense.”<sup>18</sup> In short, because there is a finite amount of land, there can be a limited number of nation-states at any one time.

A nationalist sentiment is a “feeling of anger aroused by a violation of the [nationalist] principle . . . or the feeling of satisfaction aroused by its fulfilment.”<sup>19</sup> A nationalist movement is actuated by a nationalist sentiment. In both the post-colonial regimes in “Islamic” societies and in con-

---

13. ERNEST GELLNER, *NATIONS AND NATIONALISM* 3 (R. I. Moore ed., 1983).

14. *Id.* at 4.

15. See WEBER, *supra* note 8.

16. See GELLNER, *supra* note 13, at 7. Gellner defines culture as “a system of ideas and signs and associations and ways of behaving and communicating.” *Id.* It is important to note here that Gellner moves on to discuss the problematics and complications within the term “culture” alone. He suggests that we use the term culture in the “anthropological rather than the normative sense,” *Id.*, but quickly moves on to say that even that does not mean too much. He stresses, in his materialist fashion, that the best way to identify what a culture is, is to look at what a culture does. This is important because it leaves culture open to the molding force of contemporary history, whereby many cultures are identified or defined in opposition to other ones. A modern example is the Aligarh movement in Pakistan, which appealed to Muslim culture in opposition to Hindu hegemony. Another, more blatant example is the advent of “Arab culture” and pan-Arab rhetoric in the face of an Israeli threat. Prior to the first *Aliya*, the first major wave of Jewish immigration to Palestine in the 1880s, a sense of Arab identity was almost non-existent. There were Palestinians, which encompassed Muslims, Jews, and Christians. With the mass migration of Jews, though, it was Arab culture, and its Muslim “system of ideas” that presented itself in opposition to the Israelis.

17. *Id.* at 1.

18. *Id.* at 2.

19. *Id.* at 1.



temporary Islamist movements, it is a political principle that triggers a movement. This movement assumes a nationalistic fervor. Its goal is to hold the political and the cultural congruent.

Gellner's principle of nationalism provides a necessary challenge to the depoliticization of the contemporary nationalistic impulse that Miller proffers. Miller's depoliticization is a dangerous one. A depoliticized theory of nation leads to analyses of ideological, cultural, and religious nationalisms, all the while begging the question of why, then, are these nationalisms at all? Where is the line between the political and the national when we are speaking of nationalism? Furthermore, if we are going to make this distinction, how are we going to identify who gets representation in spheres of power and who does not? Finally, the issue of political representation in international arenas raises the question of whether the political and the cultural can remain distinct in a post-World War II era, with international political and financial architecture becoming more potent than it has ever been.

As modernity progresses in its global manner, dragging the rich and poor with it, there has been an increase in the "-stans," meaning literally, "land of." Pakistan, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, the hope for a stable Afghanistan, the movement for a Kurdistan, and yet still the persistent call for a Pashtunistan are a few examples of the rebellious secessionist impulse that wants independence. These few instances alone reveal that the principle holding the national and the political congruent has never been more true than it is in the contemporary moment.

## II. THE EMPIRE SPEAKS BACK: SECOND WAVE NATIONALISM AND THE REBELLIOUS IMPULSE

### A. *Second Wave Nationalism*

First wave nationalism, as seen through the prism of Gellner's theorizations, is a by-product of material, economic forces. This nationalism is a direct result of industrialization and the shift away from an agrarian, feudal society to an urban, capitalist society. With capitalism came three principles. First, there was its intellectual extension: egalitarian democracy. Second, there was its ideological justification: nationalism. Finally, there was capitalism's logical conclusion: imperialism. Keenly observing imperialism, Lenin notes the "transformation of capitalism into capitalist imperialism."<sup>20</sup> Lenin's observations of capitalism can be appreciated for their insight, without swallowing either the Leninist mutation of Marx, or Marx himself, uncritically. Lenin is simply a figure caught in the midst of imperializing Europe, observing the mad dash of his European counterparts to carve up the world around them following the first World War.

After World War II, the modern world changed her countenance. There were new countries to be reckoned with, new boundaries drawn, and new boundaries soon to be drawn. If the British, the French, and the Dutch left any legacy to the contemporary moment, it is the myriad of tensions that arise when drawing lines and creating nation-states without

---

20. VLADIMIR IL'ICH LENIN, *IMPERIALISM, THE HIGHEST STAGE OF CAPITALISM: A POPULAR OUTLINE* 31 (International Publishers rev. trans. 1977) (1920).

paying heed to the material reality that informs social life outside of a map in London. The new jargon was one of nationalism, the new apparatus was a centralized state,<sup>21</sup> and the new *modus operandi* was one of international institutional dialogue. International recognition and international engagement required nation-state garb; it was a necessary tool. Many groups without nation-state status clamored for recognition as nation-states so that they would not fall between the cracks, left unheard.

However, as Gellner observes, “we cannot in any case reproduce all the circumstances of early modern Western Europe.”<sup>22</sup> “[T]he event was unique.”<sup>23</sup> Nationalism, as understood in post-colonial societies, was not the same nationalism that occurred in Europe one hundred years prior. First wave nationalism was, in part, spurred by the outgrowth of industrialization: imperialism. Second wave nationalism is a rebellious impulse against first wave nationalism. This second wave assumes the ideological rhetoric of industrialized societies without the material reality of industrialization in the country itself. Essentially, these second wave nationalists operate without a material base. As a result, in the early years of these countries’ governance, confusion arose as to how to adopt the intellectual extensions and ideological justifications of capitalism without the industrial base from which to launch a successful capitalist economy. For example, Bhutto’s Pakistan and Nasser’s Egypt both stumbled through a period of “socialized nationalism.” The hybridity of this term alone reveals a confusion as to the conventional meaning of either component.

### B. *The Rebellious Impulse*

Ostensibly, second wave nationalism is identical to first wave, in garb and rhetoric. However, it is a rejection and subversion of first wave nationalistic tendencies, such as colonialism. The irony of second wave nationalism lies in that it is, essentially, a rebellion against first wave nationalism. First wave nationalism allowed industrialized states the arrogance to believe in their right to colonize. Colonialists viewed the potential subjects of colonialism as natives who had no connection to the colonizer’s systems of states and politics. Once colonization occurred, however, there was no going back to this artificially conceived “native.”

The colonized are not in a uni-dimensional relationship with those in power. Colonization creates second wave nationalism; it creates backlash

---

21. See generally JOEL S. MIGDAL, *STRONG SOCIETIES AND WEAK STATES: STATE-SOCIETY RELATIONS AND STATE CAPABILITIES IN THE THIRD WORLD* (1988). Migdal furnishes a modern transcription of the classic Weberian framework that constructs an avenue through which to analyze internal state-society relations. He points out that many Third World governments lack the capabilities to reach beyond the metropole of their own country and effectively govern distant, rural regions of their country. This weak centralized power, he concludes, is the result of weak state institutions. He limits his time frame to 1947 to 1965. His central thesis rests on the principle that emerging states are weak when examined in relation to the societies they seek to govern. While these states may possess the symbols of authority and legitimacy, such as “huge armies, police forces, and civil agencies,” they have “been so ineffective in accomplishing what their [founding] leaders . . . expected of them.” *Id.* at 9.

22. GELLNER, *supra* note 13 at 19.

23. *Id.*

nationalism. In *The Wretched of the Earth*, Frantz Fanon writes: “The look the native turns on the settler’s town is a look of lust, a look of envy; it expresses his dreams of possession . . . [T]here is no native who does not dream at least once a day of setting himself up in the settler’s place.”<sup>24</sup> It is not the settler’s place, exactly, which the once “native” covets. Rather, the desire is for the position of freedom and power that the settler’s place represents.

Fanon is often cited as a principal theoretician of second wave nationalism. A psychiatrist by trade, Fanon is most famous for his insights into the political condition of Algerians during French occupation. Though not explicitly stated, a sense of the rebellious impulse is a thematic undercurrent in his writings. In *The Wretched of the Earth* and his other books,<sup>25</sup> Fanon explores the colonized and otherwise subjugated person’s process to self-reclamation and self-definition. Commenting on Fanon’s work, Jean-Paul Sartre writes:

[Fanon] shows clearly that this irrepressible violence is neither sound and fury, nor the resurrection of savage instincts, nor even the effect of resentment; it is man recreating himself . . . . When [the “native’s”] rage boils over, he rediscovers his lost innocence and comes to know himself in that he himself creates his self.<sup>26</sup>

The decision to “thrust out”<sup>27</sup> the colonizer is an active one. Applying Gellner’s “common sense,” second wave nationalism could not have fully materialized into state governance without the withdrawal of colonizing forces, precisely because there was limited land. Important here is the existence of an instinct that rejects the colonial power. There is a connection between the instinct to reject domination and the seemingly self-reflective nationalism, but they are not one and the same. Regardless of whether or not all of the British presence was out of the Middle East by 1947, the rebellious impulse, translated into the rhetoric of nationalism as a vehicle, evidenced itself even while the last Europeans were packing up for home. The movement towards self-reclamation had begun.

Albert Camus theorizes rebellion from the perspective of internal psychological development in a manner akin to Fanon. Camus, like Fanon, uses his own experiences in Algeria as a laboratory from which he draws his conclusions. He writes:

From the moment that the rebel finds his voice—even though he says nothing but “no”—he begins to desire and to judge . . . . The rebel, in the etymological sense, does a complete turnabout.<sup>28</sup>

---

24. FRANTZ FANON, *THE WRETCHED OF THE EARTH* 39 (Constance Farrington trans., Grove Press 1991) (1961).

25. FRANTZ FANON, *BLACK SKIN, WHITE MASKS* (Charles Lam Markmann trans., Grove Press 1991) (1967); FRANTZ FANON, *A DYING COLONIALISM* (Haakon Chevalier trans., Grove Press 1988) (1967); FRANTZ FANON, *TOWARD THE AFRICAN REVOLUTION* (Haakon Chevalier trans., Grove Press 1988) (1967).

26. Jean-Paul Sartre, *Preface to FANON*, *supra* note 24, at 7, 21.

27. *See FANON*, *supra* note 24.

28. ALBERT CAMUS, *THE REBEL: AN ESSAY ON MAN IN REVOLT* 14 (Anthony Bower trans., Vintage Books 1954) (1951).

Implicit in the act of rebellion, then, is not only a rejection of a master, but also an affirmation of a self. It represents the decision to reclaim and redefine the parameters of one's own identity.

With colonizers removed from the territory and colonization formally out of the way, second wave nationalism can flourish. Unfortunately, since second wave nationalism is, at best, a survival mechanism for the newly free colonized country, it can do little more than bat its paws at the goal of rebellion: self-definition. There is little hope for full emancipation when there is no economic self-sufficiency. As noted earlier, second wave nationalism lacks the material base of industrialization. Without industrialization or development for which it can serve as the ideological justification, nationalism remains merely ideology.

The depressing irony of the rebellious impulse as transcribed through the vehicle of second wave nationalism, is that it remains contingent. Its independent sound rings hollow. With a borrowed lexicon and a borrowed conception of the state, the Third World flails in the face of modernity into which it is thrust. No longer can agrarian societies with once patrilineal authority structures remain so. Their arms are inextricably intertwined with modern societies. Indeed, it is because of this undeniable relation that they have earned the position of "third" in relation to a "first" world. Well-intentioned political correctionists replace these terms with "developing" and "developed," but the concept remains the same: an unequal power dynamic which plays itself out on a field where the rhetorical mantle of nationalism is foreign and ill-fitted to those who have borrowed it. It is foreign not because nationalism, democracy, or capitalism are inherently Western notions; ideas are not spatially limited. It is a foreign and ill-fitting mantle because nationalism, as understood in a first wave paradigm, is a principle grounded in the material realities that were not present for second wave nationalists. Second wave nationalism inadvertently comes to represent something distinct from first wave, but this is not always a self-conscious process.

To be fair to second wave nationalists, they had little choice when assuming the nationalist rhetoric of advanced societies. As stated throughout, it would be not only an artificial distillation, but also a futile wish to return to an untouched condition similar to that which preceded European colonization. Furthermore, the way in which social, political, and economic dynamics increasingly affect and interlock all societies makes it foolish to assume that any part of the world can ever be untouched. Afghanistan, for example, was the stomping ground for many empires, before it became a strategic pawn for the British. Nationalism provided a vocabulary that served as a tool of resistance during the period of decolonization. Even the anti-capitalist Iranian revolution to overthrow the Shah necessitated nationalist rhetoric in order to mobilize a collective society. Initially, Marxist students were principally operative in the Revolution, but the Islamic clerical establishment (led by Khomeini) eventually co-opted it. Both groups, though, needed modern tools to address the populace. Morteza Motahhari, the Islamist ideologue who was instrumental in the Revolution, made clever usage of Iranian fables over national broadcast to reconstitute an entirely new "common folklore" based

not on the experiences of the wider public, but on those of Shi'i jurists.<sup>29</sup> All Iranians, then, could participate in a "carefully reconstructed collective memory."<sup>30</sup> The creation of "The Islamic Republic of Iran" relied on a modern notion of nationalism, even though the entire premise of the Revolution was a rejection of modern, i.e., Western, values. This exemplifies how all societies, Western or Eastern (if those boundaries can be delineated in any intellectually cohesive way), are enmeshed in the grander scheme of modernity.

The role of collective consciousness<sup>31</sup> in nationalism and rebellion (as we have seen, they often can overlap) cannot be underestimated. Camus posits that it is an incredibly Western notion to see rebellion in an individual alone. Camus delineates a type of rebellion that is individual in form, but he points out that there exists another form of rebellion that relies on the notion of the collective. While "hope is awakened . . . by solitary individuals," it relies on the fact that these solitary individuals "speak to one another."<sup>32</sup> This definition does not require an entire nation or a single person, but relies, rather, on the communication that can exist between a minimum of two persons. This resonates with Gellner's definition of a nation wherein a nation is legitimated by self-recognition in another. Similarly, according to Camus, hope can be legitimated when one identifies similar struggle and need for resistance in another. In this way, the collective aspect of rebellion is reliant on but not limited to the individual. The collective aspect spurs resistance onward.

Camus associates the collective form of rebellion with non-Western societies and the individual form of rebellion with Western societies. Delineating the collective and the individual forms of rebellion along cultural or spatial lines reflects the limiting angle Camus' historical position afforded him. Instead, the point at which rebellion is collective or individual should be seen as situational rather than cultural. After metaphysical rebellion is understood as a simultaneous negation of master and affirmation of self, there is another layer to rebellion that is just as fundamental. Essentially, there need be a mood of rebellion: a common sentiment that allows one's own desire for self-consciousness to be mirrored in another's consciousness. This is an ironic twist on the notion of rebellion. For while one seeks self-creation and self-definition, one is simultaneously seeking validation through a collective.

### C. *Timing Matters*

Second wave nationalism struggles to make sense without the material base of an advanced economy. It therefore seems logical to ask what prevents development in post-colonial countries. It appears that if devel-

---

29. See HAMID DABASHI, *THEOLOGY OF DISCONTENT: THE IDEOLOGICAL FOUNDATION OF THE ISLAMIC REVOLUTION IN IRAN* 160 (1993).

30. *Id.*

31. See generally EMILE DURKHEIM, *SUICIDE: A STUDY IN SOCIOLOGY* (John A. Spaulding & George Simpson trans., George Simpson ed., The Free Press 1st paperback ed. 1966) (1897).

32. ALBERT CAMUS, *RESISTANCE, REBELLION AND DEATH* 272 (Justin O'Brien trans., Vintage Books 1961) (1960).

oping countries could just develop, nationalism would fit better and they could avoid all the complications of rebellion. Any comprehensive account of development theory lies outside of the scope of this Article. It is important to note here, though, that industrialization is not so simple as building a few factories, precisely because of the embedded nature of each state in the global context. There are a range of theories, from modernization theory<sup>33</sup> to dependency theory,<sup>34</sup> that try to address the development question. Most agree that there is not a simple answer. Alexander Gerschenkron, an economic historian, explains it best when he says that, essentially, timing matters.

Gerschenkron refutes the Hegelian teleology of modernization theory stating that “the prophetic fervor was bound to vanish with the child-like faith in a perfectly comprehensible past whose flow was determined by some exceedingly simple and general historical law.”<sup>35</sup> Yet Gerschenkron also acknowledges that the grandiose generality of Marxian theory, which informs dependency theory, contains a “half truth that . . . is likely to conceal the existence of the other half.”<sup>36</sup> Indeed the specificities of any socio-economic situation cannot mold to generalized or ideological theories.

Gerschenkron provides a framework of early and late developers for nation-states. The moment at which an economy enters the order of industrialized economies is critical to the way in which it develops. The later a state enters the process of industrialization relative to other states, the more difficulty it will face in developing industrially. Though a state begins industrializing to shift its status from a backward economy to an advanced one, its competitive condition is affected by its late entry. Gerschenkron understands backwardness as a relative term so that “the industrial history of Europe appears not as a series of mere repetitions of the ‘first’ industrialization but as an orderly system of graduated deviations from that industrialization.”<sup>37</sup>

The number of “industrialization[s],” as he puts it, between a backward economy and an advanced one serve as the obstacles to industrialization. There are three main points to take from Gerschenkron for purposes of understanding this Article’s ideas. First, there is no simple explanation for why a country does not develop. Second, the time at which a state tries to industrialize, relative to other states, matters for that state’s

---

33. Walter Rostow, a former U.S. Secretary of State, best represents the school of thought known as modernization theory. Rostow outlined a seven-stage plan by which developing states were to modernize. The seventh step of Rostow’s plan was “take-off,” which indicated the point at which a state’s economy would function independently as a result of rapid industrialization. Aside from being simplistically ambitious, Rostow’s plan also neglects historical factors (such as those addressed by Gerschenkron).

34. Dependency theory developed mostly in the late 1960s and 1970s. Most dependency theorists are referred to as *dependistas* because their work focused mainly on Latin America. Almost all dependency theory is Marxist or informed by Marxian postures. Some of the more influential *dependista* theorists are Theotonio Dos Santos, Joseph Schumpeter, and Peter Evans.

35. ALEXANDER GERSCHENKRON, *ECONOMIC BACKWARDNESS IN HISTORICAL PERSPECTIVE* 5 (Harvard University Press 1966) (1962).

36. *Id.* at 7.

37. *Id.* at 44.

own efforts. Finally, there is no denying that the global economic context affects individual states. While many political scientists flirt with analysis that burgeons on ethnography, they should not overlook the fact that no social or political dynamic is shielded from the global economic condition. Any account that tries to explain a socio-political phenomenon must explain it in relation to its material global context if it is to be an account of any depth.

Second wave nationalism, then, is a rebellious response to first wave nationalism. It is the struggle for liberation from hegemonic colonizers. Because of the historical intermingling between the colonized and the colonizer, liberation movements take the form of *national* liberation. Empowerment through development is often stunted precisely because development is stunted. This is a result of a host of facts, primarily arising out of a developing economy's position in the global context. Embedded in the global economy and impoverished in relation to other states, developing nations experience significant frustration. As decades wear on, mounting economic frustration is concomitant with corrupt governments which have abandoned the populations they purport to represent. A new form of insurgency arises to take arms against the initial national liberation movements and regimes of the post-World War II era.

### III. ISLAMISM, TERRORISM, AND COLLECTIVE REBELLION: STUMBLING TOWARD RESISTANCE

*The Satanic Verses* celebrates hybridity, impurity, intermingling, the transformation that comes of the new and unexpected combinations of human beings, cultures, ideas, politics, movies and songs. It rejoices in mongrelization and fears the absolutism of the Pure. I am a bastard child of history. Perhaps we all are, leaking into one another *like flavours when you cook*.

—Salman Rushdie<sup>38</sup>

#### A. Definitions

Often, Islam is politicized as rhetoric of resistance. The forces, such as a religious establishment, that politicize a theoretical ideal seek power. If effective in their politicization, they give birth to a new entity: political Islam. Political Islam has nothing to do with religion and everything to do with religious rhetoric. It derives its legitimacy from the symbolism and rhetorical suasion of Islam. With this legitimacy, it transforms its once power into authority and institutionalizes itself in society. John Esposito affirms that "governments have appealed to Islam to enhance their legitimacy and authority, . . . legitimate policies and programs, and mobilize popular support."<sup>39</sup>

38. SALMAN RUSHDIE, *In Good Faith*, in *IMAGINARY HOMELANDS: ESSAYS AND CRITICISM* 1981–1991 394 (1991).

39. John L. Esposito, *Introduction* to *POLITICAL ISLAM: REVOLUTION, RADICALISM, OR REFORM?* 1, 3 (John L. Esposito, ed. 1997).

Islamism is the sentiment that expresses the movement, politicized Islam. Islamists are those persons who use the tool of Islamism to propagate an ideology and justify a political goal through religion. Islamist is also an adjective that describes features of Islamism. This Article distinguishes Islamism from Islam and Islamists from Muslims. It might be too lofty to propose that Islamism cannot be linked with Islam because Islam is a theoretical ideal that finds only mutated stains of itself in theology, philosophy, or even in a mosque. It might be even loftier still to say that if a Muslim is a believer and actuary of Islam, then the existence of a true Muslim is equally as vain as the existence of ideal Islam. The mullah and his toy, religion, are rendered impotent as they are seen as shadows of their Forms, in the imagery of Plato. It is true, Islam, as a theoretical ideal of the Pure, cannot be enacted in full. It follows, then, that there cannot be a perfect Muslim. These arguments may strike some as trivial bantering that ignores an understanding of these terms in a practical sense. However, these distinctions are important components to building a foundational knowledge upon which to disentangle more complicated distinctions. The focus on the terms Islamism and Islamist highlights an absent value, purity, and a present value, politicization.

It is dangerous to confuse Islam with Islamism and Muslims with Islamists. This confusion misleads analysis. Failing to identify and distinguish one from the other allows for a misreading of Islamist goals and, therefore, Islamist incentives. When a phenomenon is misidentified, it makes an appropriate response to that phenomenon all the more difficult, if not impossible. In contemporary history, there is a preoccupation with Islam, often seen as the replacement for Communism; both alleged threats serve as a magnified other, so as to unify a self. However, to treat Islam as a monolith and to merge its boundaries with Islamism undermines the project of developing an effective response to the political force of Islamism.

#### *B. Islamism: Third Wave Nationalism*

Islamism is easily understood in the framework of first wave nationalism set out by Gellner, wherein a nationalist sentiment is aroused when the principle of nationalism is violated. As stated above, a nationalist sentiment is aroused to actuate a nationalist movement when the political and national are not held congruent. In short, when there is a sense of lacking political representation, nationalist sentiments stir up nationalist movements. Islamism replaces what Gellner terms a nationalist sentiment and Islamist movements fill in for Gellner's nationalist movements. The rhetoric of Islam replaces the rhetoric of nation. The strength of ideology and ideologues remains. Islamism is aroused in order to actuate an Islamist movement. Islamism lashes back against failed national liberation movements, i.e., second wave nationalism. Though Islamism serves as a form of resistance throughout history, especially in Soviet-occupied Central Asia,<sup>40</sup> Islamism in this discussion is limited to its role from 1979 onwards.

---

40. See generally SOVIET CENTRAL ASIA: THE FAILED TRANSFORMATION (William Fierman ed. 1991).



The Iranian Revolution, which occurred in 1979, serves as a benchmark date for modern Islamism. By narrowing the view through which we analyze Islamism, it becomes clear that it is not a variant of second wave nationalism. The definitions of Islamism and Islamists fit within Gellner's framework for first wave nationalism, but Islamism is not first wave nationalism. It is a new, third wave of nationalism. Islamism and Islamists face the dual challenge of responding to the neglect of the international community and to the inadequacies of their country's internal corruption. Islamists say "no," in Camus' formulation, twice. They reject neocolonialism and they reject the domestic elite who perpetuate impoverished stagnation. All the while, these movements affirm the rights and dignity of the general populace. Islamism fights with the same rage as communism<sup>41</sup> (though it is not the "new Communism"), feverishly resisting domination by rejecting imperialism and state power.

Modernization in developing regions, including those societies that identify as Muslim, often equated development with secularization. Leaders of developing, Muslim societies were often the Western educated elite: Kamal Ataturk in Turkey and Muhammad Ali Jinnah in Pakistan, for example. Fanon calls these leaders "native intellectuals" and condemns them as persons "who ha[ve] exchanged [their] own culture for another."<sup>42</sup> Camus, Gellner, Esposito, and Fanon all make a similar mistake of either creating, or subscribing to the artificial bifurcation of East and West.

There is no intellectually cohesive way to substantively separate and catalogue an East from a West. Indeed, the East/West distinction distinguishes very little and forces analysis and critique into a paralyzing dichotomy. This is not to say that cultural differences do not exist from one society to another; they do. Furthermore, the industrialized and industrializing worlds have followed different developmental trajectories. (Though differing developmental trajectories is still a different phenomenon than a dichotomy between East and West). At a minimum, the terms, East and West, serve as useful spatial indicators.

Development often failed in the de-colonizing world.<sup>43</sup> Contrary to cultural relativist opinion, though, its failure was not due to a distinctive, transcendent nature of the East, which was forced to follow a Western model of development. Rather, it is precisely because of the developing world's embedded nature in the global economy, as pointed out by Gerschekron, that developing economies failed and still fail to modernize with the same ease and at the same pace as their European counterparts. The combination of obstacles to development in the global context and the corruption of the domestic elite perpetuates a dynamic wherein the profits from trade, however limited, entrench the elite's hegemonic position internally. This occurs frequently in rentier states,<sup>44</sup> such as the oil-

---

41. Note—with a lower case "c," as opposed to the Leninist brand, Communism, operative in the former Soviet Union.

42. FANON, *supra* note 24, at 219.

43. The failure of economic and political development, for various reasons, is discussed briefly in Part II.

44. See generally KIREN A. CHAUDHRY, *THE PRICE OF WEALTH: Economies and Institutions in the Middle East* (1997).

producing states in the Middle East and Central Asia, or economies lacking any diversity or complex infrastructure, such as Palestine, Lebanon, and Syria. The result is a weak or corrupt (or both) state that is unable to provide any social services to the populace in a meaningful way.

The government structure in these countries is unstable; regimes range from "nationalist socialist" to "socialist nationalist," from "liberation parties" to the "people's liberation party." In short, there is a string of oft-touted phrases that come to lack any substantive meaning precisely because the function of each government remains essentially the same. The differences in governments lie in the slogan alone, perhaps in the intentions at best. But because there is such a weakened economy, the state often has little power to effect much change. Furthermore, an air of dependency and poverty creates a survival of the fittest mentality that encourages those who finally do win office to partake in the corruption that ails the society in the first instance.<sup>45</sup> The result is a frustrated populace that seeks a method of subverting the existing power relations. The goal of the aggravated populace is rebellion.

Islamism is both an expression and a manifestation of this frustration. In a society lacking development and technological progress, Islamism signifies dissatisfaction with that society's place in modernity's food chain. Islamism satisfies this societal aggravation by suggesting an alternative solution to the problem of modernity: instead of development, why not abandon the project of modernity altogether and "return" to Islam? The ostensible return to Islam is, in theory and in fact, a progression towards Islamism. The seemingly atavistic goals of Islamist movements cannot be viewed outside the context of modernity, as they are, by definition, embedded within it and a reaction to it.

Throughout the Middle East, Islamist groups, such as Hamas and Hezbollah, provide social services for persons in rural villages who have no other education or health care system. Identifying a gap in government control, these Islamist groups step in and provide services in exchange for legitimacy and dependency. It does not hurt their campaign that they have a more revolutionary agenda than the repetitious governments which represent the status quo and seem to provide their constituents no reason to hope for change. This Article does not downplay what may be sincere religious beliefs on the part of individuals who compose the populace. Regardless of individual religious beliefs and regardless of collective religious custom, a significant part of Islamist groups' success is

---

45. Interview with Moeen Quereshi, former Interim Prime Minister of Pakistan (Summer 1998). Moeen Quereshi served as the interim Prime Minister of Pakistan between the regimes of Benazir Bhutto and Nawaz Sharif. Commenting on his brief tenure in the post, he relates: "The corruption in these systems is so deep you can't imagine. Even in the position of leading a new government, you are faced with two options: join the corruption or get out. I got out." Quereshi, a former vice-president of the International Monetary Fund, seemed to many at the time an easy target to blame for their frustrations over economic deprivation. The principle applies in the former Soviet Union as well. The transition to a free market economy has failed for a host of reasons, many of them having to do with internal corruption, many more still having to do with Russia's late entry into the global economy. In Pakistan, the Middle East, and the former Soviet republics, referred to by the U.S. Treasury Department as the "-stans," there is a resentment of those who have, by a society of those who have not.

their political skill at organization and mobilization. Islamist groups have a political goal by definition. The ideology of a particular Islamist group and the beliefs of a community are not necessarily congruent simply because that group receives the community's support. There is much room for friction. Islamist groups, however, are often the only available alternative to the hegemonic weight of the status quo regime.

If we value Camus' and Durkheim's theories of the collective value of consciousness, then Islamist groups can be seen as a mouthpiece for a collective frustration. There is frustration with poverty and victimization. The victimization is due to internal government neglect and external global amnesia for the international community's responsibilities to those beyond the borders of developed economies. There are three examples of collective frustration that was easily co-opted by Islamist movements. The first *Intifada* (the Arabic meaning of which is "uprising") was organized, in large part, by secular students under the title of the United Leadership of the Intifada. Seeing a chance to be in the spotlight, however, Islamist groups, such as Hamas and the Muslim Brotherhood, soon took credit for the collective uprising. Similarly, the momentum behind the Iranian Revolution was generated principally by Marxist students, but was co-opted by the religious establishment. The same pattern occurred in the newly independent Pakistan, whose secular Aligarh movement was overpowered by the Islamist politics of Maulana Maududi and the Ja'miat-i-Islami party. A pattern that emerges throughout the decolonizing world is that the rhetoric of Islamism easily co-opts resistance movements. Yet this alone is too simple.

The real question is why Islamist groups are so successful in co-opting resistance movements. Societies in which Islamist groups are successful are not fundamentalist as they are not returning to the fundamentals of religion. So it is unsatisfactory to match Islamist political control with religious sentiments in a society. Unorganized social networks do value, though, the ability of Islamist groups to mobilize and organize masses and systematize goals. Religious rhetoric has an impressive ability to widen the spectrum of the political through the illusion that rebellion is not a political goal, but a moral imperative. Through this turn of phrase, religious authority masks its political positions and crouches beneath the veil of Qur'anic verse to defend its agenda. The ultimate goal, though, is to dismantle the status quo.

The problem with Islamism is that it can never achieve its goals. Islamism's goal is not Islam. The defining feature of Islamism is its manipulation of religious rhetoric in order to achieve power and political ends. Islamism and its Islamist leaders posit the goal as dismantling the hegemonic presence of "the West" and restoring purity to Muslim societies. In Islamist formulations, this occurs by wresting power from the king of modernity, global capitalism, and returning power to a patrilineal system in which Islamists figure as the head. But Islamism is hobbled by the very fact that global capitalism is what enables its ascent to power. This occurs in material ways; for example, arms are always imported from an industrialized country. Islamism is also hobbled on an ideological level. In asserting itself as a movement that is devoid of any relation to the West, i.e., advanced economies, it omits the fact that its very assertion is a *reaction* to those advanced economies. If it were not for a position of insecurity

rity, resentment, and hostility that is generated, understandably, out of poverty (both absolute and in relation to advanced economies), then the resurgence of Islamism most likely would not have occurred. It is always problematic to argue ahistorical possibilities. Still, there is a good deal of scholarly agreement that Islamism is a by-product of post-colonial insecurity and frustrated powerlessness.<sup>46</sup>

This paradoxical tension between what Islamism is and what it purports to be does not necessarily undermine its validity. Islamism cannot achieve its stated goal, a freedom from the West, precisely because it is embedded in and generated by that which it seeks to refute. However, the existence of Islamism still has important functions. The essence of Islamism is collective rebellion. Its use of rhetoric in order to manipulate sentiments towards a political goal may be seen either as a repugnant power play, or as an acceptable defense mechanism against repressive regimes. However one may feel about the manipulative powers of Islamists, they certainly speak to an impulse within society to say "no." This impulse simultaneously rejects a hegemonic government and reclaims autonomy and self-governance. In many ways, the impulse represents a call for democracy in regions that suffer from tyranny after tyranny. It is, as Sartre observed of second wave nationalism, a call for self-definition. Unfortunately, many Islamist movements themselves are forms of tyranny, or at least become so once they achieve power, as in the case of the Iranian government and the Taliban. However, the fact remains that these movements initially represent a call for change.

### C. *The View from the West: A Refracting Glass*

A spatial division of geography that refers to East and West seems benign. After all, it is impractical to get so bogged down in technicalities that dialogue feels stifled. But this seemingly benign spatial reference quickly assumes a more dangerous meaning than geography alone once its usage enters media and policy discourse. It soon becomes *the East and the West*. An artificially divided East/West paradigm lays a foundation for perceptions of distilled cultures, divided civilizations, distinct moralities, and disparate standards for human expectations. In theory and in fact, a model in which civilizations inevitably clash into one another is responsible for generating and sustaining the rhetorical strength of Islamist movements. It is easy for an Islamist movement to convince moderates within a developing country that the current situation pits Islam against the West when all the diplomacy, policy, and media vocabularies in America reaffirm these categories. It is a most ironic alliance between America and the Islamist regimes.

There is no intellectually cogent way to catalogue and divide an East from a West. Nevertheless, this has not stopped countless persons, think

---

46. See, e.g., DABASHI, *supra* note 29; THOMAS W. LIPPMAN, UNDERSTANDING ISLAM: AN INTRODUCTION TO THE MUSLIM WORLD (Meridian 2d rev. ed. 1995) (1982); FATIMA MERNISSI, THE FUNDAMENTALIST OBSESSION WITH WOMEN (1987); EDWARD W. SAID, PEACE AND ITS DISCONTENTS: ESSAYS ON PALESTINE IN THE MIDDLE EAST PEACE PROCESS (Vintage Books 1996) (1995). These are just a few names of scholars from a variety of cultural and academic backgrounds who all agree on this fundamental point.

tanks, and governments from trying to do so. This section addresses three central questions. First, how is this artificial division constructed? Second, why is it created and why do those who create it have so much invested in maintaining the division? This fragmented mentality affects both those who are scripted and those who write the script. The final question, then, is what happens as a result of this fragmented mentality?

Michel Foucault conducts a series of studies of Enlightenment society's attempt to define and isolate the irrational in an effort to delineate the parameters of the rational.<sup>47</sup> Foucault creates a fundamental paradigm through which he investigates how a norm is constructed by identifying and encasing a deviant. He applies this model to a host of institutions emergent during the Enlightenment project: the prison, the clinic, and the asylum. The deviations identified are criminality, mental illness, and sexual perversion. But there is another great Enlightenment establishment Foucault does not treat: colonialism. Edward Said's seminal text *Orientalism* admittedly "employ[s] Michel Foucault's notion of discourse"<sup>48</sup><sup>49</sup> to inform Said's project of identifying the Orient. Said's *Orientalism* follows the way in which a given discourse dictates knowledge and leads to a certain form of power through constituting a subject.

Said considers the discoloration that discourse leaves on the deviant. This discourse leads the newly identified deviant to maintain an image of self as deviant, thereby sustaining the very power that originally imposed the "deviant" label. Knowledge, then, is a tool that is sought after, created, and used (often) to enable those defining the terms to constitute a subject. Said notes that "texts can *create* not only knowledge, but also the very reality they appear to describe. . . . [K]nowledge and reality produce a tradition, or what Michel Foucault calls a discourse, whose material presence or weight, not the originality of a given author, is really responsible for the texts produced out of it."<sup>50</sup> The production and subsequent internalization of a stabilizing otherness is a critical factor in maintaining the very existence of the other and, consequently, the norm.

Through a historical catalogue, Said's *Orientalism* details the way in which not only political and economic events, but also more subtle cultural products construct the notion of the Orient. He asserts that without these cultural products, the Orient, as an artificially created space, would not exist. Creating the mythical space of the Orient, and littering it with orientalist pseudo-scholarship, is necessary to the project of staticizing a cultural division between the colonized and the colonizing. A desire to

---

47. *E.g.*, MICHEL FOUCAULT, *MADNESS AND CIVILIZATION: A HISTORY OF INSANITY IN THE AGE OF REASON* (Richard Howard trans., Vintage Books 1988) (1965); *THE ORDER OF THINGS: AN ARCHAEOLOGY OF THE HUMAN SCIENCES* (Vintage Books 1994) (1971); *THE BIRTH OF THE CLINIC: AN ARCHAEOLOGY OF MEDICAL PERCEPTION* (Alan M. Sheridan trans., Vintage Books 1994) (1973); *DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON* (Alan M. Sheridan trans., Vintage Books 2d ed. 1995) (1977).

48. Discourse means, literally, talk. However, for Foucault, discourse is anything that carries meaning. Therefore, action, institutions, speech, and the written word all fall within the parameters of discourse. This is precisely what makes discourse so dangerous: its instability and ability to hide within the garb of what is commonly thought of as non-discursive space. This space is discursive for Foucault.

49. EDWARD SAID, *ORIENTALISM* 3 (Vintage Books 1994) (1978).

50. *Id.* at 94.

create the Occident drove the creation of this mythical space. Therefore, the division between the Orient and the Occident comes to represent more than simply the division between the colonized and the colonizer. It signifies the space between the uncivilized and the civilized, the insane and the sane, the irrational and the rational, the exotic and the norm. In short, the division distinguishes the other to identify the self. A discourse is built, a power is established, and the colonized person becomes ever more constituted as object and subjected to power.

A potential problem with Said's Foucauldian conception of culture and art as produced by power (and therefore little more than an affirmation of hegemonic power) is its overdetermination of subject. By alluding to Foucault's notion of culture and discourse, Said backs himself into a fatalist trap from which it is ostensibly difficult to escape. On the one hand, he wants to assert that the Orient is constructed through cultural products in the West. This is true. Printed texts, such as *Heart of Darkness*,<sup>51</sup> and film texts, such as *The Sheik*,<sup>52</sup> are only two of many examples that embody the production of Oriental myth. However, as Dennis Porter rightly notes, "Foucauldian discourse theory does not raise the possibility of the relative autonomy of aesthetic production."<sup>53</sup> Taken *ad absurdum*, *Orientalism's* theory can inadvertently lead to understanding non-Western actors as little more than a *tabula rasa*. It would be a mistake, however, to read *Orientalism* this way. Said, along with other post-colonial theorists, emphasizes art as a means of resistance. Indeed, as Herbert Marcuse suggested, art has the potential to be more than simply a means, but in fact the central tool of resistance.<sup>54</sup>

The distinction between Said and Foucault is critical. While Said "employ[s] Foucault,"<sup>55</sup> he is not Foucault. The agenda of *Orientalism* is to point to a constructed myth in order to remove the handcuffs from "Eastern" culture so that those contained within that label may speak freely and represent themselves. Indeed, it is atop of Said's work in 1979, that Salman Rushdie was so empowered to assert: "The empire writes back." Said notes the conspicuous construction of myth in order to affirm the Occident, the rational, and, transitively, the master of modernity. The central master *Orientalism* faces is similar to that which Camus' rebel faces. Said himself represents a theorist who embodies Camus' rebel. With his text he simultaneously says "no" to a "truth" that has been pushed upon Asia and, specifically, Islamic cultures, while saying "yes" in an affirmation that these cultures have their own identity to assert.

The characteristic mark of modernity is its will to truth. The will to truth underlies a creation and subsequent division of truth and falsity. In this way, modernity silently controls discourse while purporting to free it through the study of the human sciences. This will to truth is at once a

---

51. JOSEPH CONRAD, *HEART OF DARKNESS* (Paul O'Prey ed., Penguin Books 1989) (1920).

52. *THE SHEIK* (Famous Players-Lasky 1921).

53. Dennis Porter, *Orientalism and Its Problems*, in *COLONIAL DISCOURSE AND POSTCOLONIAL THEORY: A READER* 150, 153 (Patrick Williams & Laura Chrisman eds., Columbia University Press 1994) (1993).

54. See HERBERT MARCUSE, *THE AESTHETIC DIMENSION: TOWARD A CRITIQUE OF MARXIST AESTHETICS* (1978).

55. SAID, *supra* note 49, at 3.

will to power. Through dictating forms of knowledge, modernity channels what can be known and how. In so doing, it derives its own power whereby it constitutes a given subject and entraps that subject within the parameters of its newly developed lexicon of expertise. With a bible in one hand and a gun in the other, colonialists stripped supposedly illiberal societies of any agency, and told them to turn the other cheek in the face of pillage. The colonized world became a new object of study and the orientalists who entered proceeded to study that “exotic” other. At the end of the day, if seventeenth century liberalism is understood as the intellectual justification of capitalism, then orientalism can be seen as the intellectual arm of colonialism.

The absurdity of classification and objectification, cloaked by purported rationality and objectivity, lays an ironic backdrop for the goals of modernity. Acutely, Horkheimer and Adorno note: “What men want to learn from nature is how to use it in order wholly to dominate it and other men. That is the only aim. Ruthlessly, in despite of itself, the Enlightenment has extinguished any trace of its own self-consciousness.”<sup>56</sup> In a manner similar to what Gellner calls the “conspicuous, fundamentalist trend in Islam,”<sup>57</sup> Enlightenment dogmatism has lost any trace of its own embedded subjectivity and how this might prevent any success in reaching a truth. If an understanding of self is obscured by the very definition of modernity as an age of rationality (i.e., if persons believe themselves to be wholly rational and objective), then the potential for an understanding of self in situation has dismal chances at success. Modern rationality, which is the engine of journalism, academia, policy-creation, and the like, has blinded itself with its own beliefs in scientific objectivity. This flawed vision is at the heart of orientalist pseudo-scholarship and, correspondingly, at the root of the way Europe justified colonialism.

Said concentrates on “the willed imaginative and geographic divide made between the East and West.”<sup>58</sup> Specifically, he addresses the scope of thought and action the word “orientalism” implies and the “limitations on thought and action imposed by orientalism itself.”<sup>59</sup> Orientalism aided in creating a mythology of truths in centuries preceding the nineteenth and twentieth centuries. These truths include a network of revived languages and civilizations which orientalism reconstructs. Here, Said realizes the weight of language in establishing truth. Language is critical for Said. He identifies with Nietzsche’s assertion that the truth of language is:

A mobile army of metaphors, metonyms, and anthropomorphisms—in short, a sum of human relations, which have been enhanced, transposed, and embellished poetically and rhetorically, and which after long use seem firm, canonical, and obligatory to a

---

56. MAX HORKHEIMER & THEODOR W. ADORNO, *DIALECTIC OF ENLIGHTENMENT* 3–4 (John Cumming trans., Continuum Press 1995) (1947).

57. Ernest Gellner, *Foreword to ISLAM, GLOBALIZATION AND POSTMODERNITY* xi, xiii (Akbar S. Ahmed & Hastings Donnan eds., 1994).

58. SAID, *supra* note 49, at 94.

59. *Id.* at 3.

people: truths are illusion about which one has forgotten that this is what they are.<sup>60</sup>

The intersection of language and meaning forms a new truth, which, interpreted in a Nietzschean paradigm, establishes the artificial foundations of an identity. But although the identification of an Orient may be a fictive creation of “Western” imaginations, the Orient still materializes because language concretizes a power relationship between the person studied and the person who studies. Through the structures of language and meaning that orientalist scholarship erects, relations of domination and submission between the newly demarcated East and West are unmistakably present, with the West as the strong partner and the East as the weak. In short, the reification of boundaries, even if those boundaries are artificial, has material consequences.

#### *D. Islamism: Mythical Misrepresentations*

In a manner similar to orientalists, Islamists also rely on a fictitiously distilled other (“the West” in this case) to reaffirm the boundaries of their own identity. Modern Islamism benefits tremendously from the assertion that there are discrete civilizations which must clash. Without this notion, it would make more sense to negotiate with opposing parties. Extreme factions can only recruit from the moderate middle if they can convince the moderates that developed countries will not include those moderates in their own norms. Modern Islamism emerges against the backdrop of neocolonialism and its intellectual arm, neo-orientalism. This historical position of modern Islamism is critical to note, lest we be continually mystified by a seemingly impenetrable extremism rooted in religion.

Unfortunately, Gellner falls into the trap of mystifying and misrepresenting Islam. Gellner understands the materialist basis of collective consciousness in modernizing Europe better than most do. But when he tries his skill at the world beyond Europe, he fails to apply the same materialist methodology to his arguments. Purporting that there actually exists a “choice between Westernizing and populism, between the recovery of dignity through emulation of the technologically superior outsider, or through the idealization of the local folk tradition,”<sup>61</sup> he cannot grasp why Muslims choose the latter option. After wrestling with the question for a few pages, Gellner concludes, “Durkheim was right: . . . men need . . . religion.”<sup>62</sup> This conclusion has three fundamental problems. First, it lacks a complex understanding of the development choices available to the developing world. It assumes that industrial “emulation” is a unidimensional course, unaffected by a country’s global context. (Gerschenkron’s contributions on this point are discussed above). Second, it fails to make a distinction between Islam and Islamism. In obfuscating the very idea of Islamism, Gellner neglects to see it as a political force whose func-

---

60. FRIEDRICH NIETZSCHE, *On Truth and Lie in an Extra-Moral Sense*, in *THE PORTABLE NIETZSCHE* 42, 46–47 (Walter Kaufmann ed., 1954).

61. Gellner, *supra* note 57, at xii.

62. *Id.* at xiii.



tion is similar to nationalism. Fred Halliday warns that “[g]iven the tendency of . . . those who write about ‘Islam’ to treat it as both a unitary and unique phenomenon, it would be prudent henceforth to check any generalization about Islam against the practices of those using other, non-Islamic, religions in a similar political manner.”<sup>63</sup>

The third problem with Gellner’s conclusions about Islam is that he does not understand Durkheim and, consequently, cannot understand Islamism (or Islam, for that matter) in a Durkheimian framework. Durkheim’s *Suicide* studies egoism and anomie in the context of Protestant and Catholic societies.<sup>64</sup> The point of this study in particular is to analyze the function of social integration and social structures. Therefore, Islamism in a Durkheimian framework is not a sign that “men need religion.” Maybe men do, but that was not Durkheim’s point. Rather, Durkheim’s frame, if anything, would identify Islamism as a response to social isolation from the wealth of modernity. Islamism allows anomic persons to join a collective that satisfies a necessary egoism by eliminating the anomie created by the gap between the haves and the have-nots within a national society and at the global level.

Whatever the rationalizations of advanced economies, there is a limit to how long one can expect another thinking being to turn the other cheek. The impulse to eject the master grows slowly within those who are constantly held down: the colonized. There is an element of self-actuation in rebellion not present in mere resentment. Resentment erodes a person who has not said “no” in an affirmative sense. It occurs within those who allow their own spirit to twist in decay in the face of that which they lack the strength to explicitly oppose. Resentment is passive; it is “a sealed vessel, of prolonged impotence,” whereas rebellion “breaks the seal and allows the whole being to come into play.”<sup>65</sup> It is only a matter of time before the rebellious impulse to say “no” to that which subjugates and “yes” to the life affirming core within oneself comes forth.

### E. Terrorism

The individual’s rebellious impulse often finds an imperfect reflection of itself in another. That reflection, however imperfect, reaffirms an identity of resistance. Often the impulse to say “no” to domination expresses itself through violent means. The form the rebellious impulse takes in

---

63. Fred Halliday, *The Politics of Islamic Fundamentalism: Iran, Tunisia and the Challenge to the Secular State*, in *ISLAM, GLOBALIZATION AND POSTMODERNITY*, *supra* note 57, at 91, 94.

64. See DURKHEIM, *supra* note 31. “Anomie” is a sociological term referring to personal disorientation that arises from social isolation. Conversely, “egoism” is a term that refers to an affirmed sense of self and identity that arises from social integration. Noting that there was a higher number of suicides within Protestant society, Durkheim concluded that this was because Protestant communities were more individuated and, as a result, those in Protestant societies experienced heightened anomie and deficient egoism. Catholics committed few suicides because their societal structure gave them a heightened sense of egoism and their community involvement made them feel too guilty to commit suicide. His overall goal, though, in conducting the research and completing the text of *Suicide*, is to show that sociological analysis can be done in the form of objective, statistical study.

65. CAMUS, *supra* note 28, at 17.

some Islamist movements is often labeled as “terrorism.” Once affixed, this label is nearly impossible to remove. Subsequently, all those trying to respond to the expressed violence can only see, hear, and talk about “terrorism.” This label makes analysis impossible precisely because the force of the word “terrorism” makes a phenomenon misleadingly simple.

Terrorism is the ideology of terror. It is a serious charge. Therefore, the term “terrorism” must be examined, with all of its assumptions, before we can engage with it freely. Like other “-isms,” terrorism suggests an entire ideological component of the noun, terror, to which it is attached. Acts of terror are performed by individuals and by groups. A third set of actors to consider are the individuals and groups who support terror acts, but are not directly committing those acts. All these persons may have different ideologies. The central question is whether or not individuals or groups who engage in acts of terror have an ideology of terror and violence.

There are two main types of terror acts: physical and psychological. Physical acts of terror are more discrete and identifiable than psychological ones. They include bus bombings, hijackings, or even militant harassment. Usually it is an act of violence towards the self or an other. The word “terrorism” commonly implies an act of terror directed at an other. But we can think of how “terrorist” acts can also be directed at one’s self. Physical terror directed at oneself can be blatant, like suicide. For example, in 2000, Kurdish supporters of their nationalist inspiration, Abdullah Ocalan, set themselves ablaze in public spaces to protest his arrest. Physical terror towards one’s self can also be implicit in an act of terror directed at others, such as suicide bombers. These acts of terror towards the self carry a message that words could not. An act of violence against one’s self is an act that occurs only when the actor believes no other statement can be heard or felt by those on the outside.

Words are as powerful as the institutional channels that carry them. Therefore, voices without access to institutional channels are right to feel that they are implicitly silenced by the global community. Terror against one’s self is a desperate act. That does not mean that those who commit these acts should necessarily be appeased. It does mean that there are deeper messages to these acts than the violence alone and that it would be strategically wise to try to understand what those messages are.

Psychological terror acts are often more difficult to identify than physical ones. This might be because they are less discrete. A psychological terror act is an act that injures the psyche. Psychological terror is not limited to the hegemonic power, but more often than not those in power use psychological terror to maintain that power and their position of dominance. Some might argue that the very assertion of dominance, in its various forms, is a psychological injury. Fanon, in *The Wretched of the Earth*, points out the psychological violence inherent in colonialism. In any case, psychological terror is a necessary feature of any act of terrorist violence whether the actor is powerful or subject to power and whether the act is directed at one’s self or an other.

Psychological terror directed at an other by those in power is the primary form. With time, psychological damage can be internalized and the victim of terror can reinforce psychological terror upon himself. Internalized psychological terror triggers motivation for rebellious acts. In this framework, physical terrorist violence is a reactionary form of violence that is predicated on

an initial psychological injury. Psychological injury comes from the appropriation of power over person. A great deal of hostility towards the West is, essentially, a transferred sense of anxiety about self. The victims of psychological terror, however, rarely have access to non-physical modes of reacting to this form of violence. As mentioned before, the source of the injury controls the terms of the discourse. Therefore, the only act which can shake off the shackles of a perceived West, reappropriate power, redefine a self, and, in so doing, subvert domination, is a violent act.

"The classic colonial era"<sup>66</sup> is no more. There is a more modern form of imperialism, which casts its shadow over the developing world. Anti-globalists often ask: Is McDonald's a symbol of American imperialism? Has Coca-Cola gone too far by painting its logo (in English) on the mountaintops of war-ravaged Afghanistan? Is Nike immoral for using sweatshop labor in developing countries? The answers to these questions are not so much the point. What is more important is the source of the questions and the preoccupation with asking and answering them. David Spurr notes:

To see non-Western peoples as having themselves become the standard-bearers of Western culture is in some ways a more profound form of colonization than that which treats them merely as sources of labor or religious conversion. In such cases the object of appropriation is no longer the human body nor even the individual soul, but the very nature of reality in the Third World, now seen in its potential as an image of the West. This form of appropriation gives rise to a curious phenomenon: the West seeks its own identity in Third World attempts at imitating it.<sup>67</sup>

The point here is not to decry the rise of multi-national corporations. Indeed, the globalization of capital can have previously unimaginable beneficial effects in developing a country (especially when compared to a series of successively corrupt regimes). The ethics of multi-nationals is not the problem at hand; the potential of corporations to serve as tools of development rather than destruction if led by well-scripted contracts is beyond the scope of this Article.

The problem to focus on here is the Western obsession with keeping the East, i.e., developing world (as we have to ask ourselves why Israel, a "Western" country, is stuck in the middle of the "Middle East"), pure and untainted by global capitalism. The developing world is integrated and interconnected with the developed world in the treadmill of global capitalism. How well the developing world is developing is another question; how fair is the power balance is another question still. The point here is the obsessive desire to gaze and the accompanying need to invent and maintain an exotic other to gaze at.

Acts of terror, motivated by psychological terror, shout: "Stop looking at me." Put differently, a psyche that is terrorized can commit reactionary acts of terror in its insistence on the right to define one's self. We survey,

---

66. DAVID SPURR, *THE RHETORIC OF EMPIRE: COLONIAL DISCOURSE IN JOURNALISM, TRAVEL WRITING, AND IMPERIAL ADMINISTRATION* 34 (1993).

67. *Id.* at 36.

we study, we investigate the other until there is very little of the other left but a heap of exhausted egos staring the academic turned examiner back in the face. At the same time, these acts of physical terror affirmatively state: "Look at me." Once a gaze falls upon a person, there cannot be a return to the moment prior to the act of looking. So while terror acts resist the gaze of the dominant power, they cannot change the fact that the CNN cameras are already there, they cannot turn back the clock to a time before colonialism, they cannot, as in the case of Palestine, revert to a circumstance prior to occupation.

Terror acts actively assert a message about one's self before the world view. These acts communicate anger and frustration with the consistent lack of agency over self. These acts of terror push away domination in power relations and simultaneously affirm the existence of a self through violent expression. Acts of political violence, which inspire terror, are moments of rebellion. The critical question, then, is to understand the forces which impose on the dignity of an individual, such that he would rebel so violently.

Terror-ism is the ideology of terror. As has been observed, though, it is not an ideology of terror that provokes acts of violence. Violence is a more complex reaction to a complicated phenomenon of surveillance, appropriation, classification, debasement and/or idealization, negation and/or affirmation, and subsequent insubstantiation that leads those who are the objects of these actions to say: "stop."

Understood in this light, the term "terrorism" obscures insight into what is actually happening in the moment of a violent act. An act of violence motivated by psychical terror indicates less an ideology of terror than it is an ideology of resistance. Subscribing to simplistic terminology, such as "terrorism," obscures a rich understanding of what the actor is trying to communicate. The problem with not hearing what is being said, of course, is that it makes it all the more difficult to develop an appropriate response.

#### *F. White Noise: Resistance Movements Distorted*

Acts of terror within the realm of Islamism begin as acts of resistance, inspired by an ideology of resistance. Terror, within the realm of collective rebellion, embodies Camus' notion of rebellion. He notes: "[Rebellion] liberates stagnant waters and turns them into a raging torrent."<sup>68</sup> The rebel draws a borderline, stating that this is where the spirit of the colonizer ends and where he, the rebel, begins. In this seemingly perverse way, a violent act becomes a self-actuating act. Fanon agrees here. What seems offensive to developed economies is a defensive move from the actor's point of view.

Two factors distort rebellion. The first is the media and its role in creating current misunderstandings. The second is the effect these misunderstandings have on the rebel's psyche when they are looped back to the resisting Islamist movement on radio and old televisions. The word "*ji-had*" itself signifies this tension. It means "struggle." The Western media,

---

68. CAMUS, *supra* note 28, at 17.

however, translates this word to mean “holy war.” The mistranslation reveals a critical misunderstanding of what is going on “over there” in the so-called hotbeds of Islamist unrest, such as Central Asia and the Middle East. It is not a War of God or Holy War as is often dramatized to the American public. Rather, the phrase and the event of *jihad* can signify a struggle of third wave nationalists for freedom and liberty, in the true sense of rebellion. This distinction is important because it makes the problem less intractable. Furthermore, it suggests that instead of routing out “evil” with a larger defense budget, U.S. foreign policy would be well served to increase its foreign aid budget.

Edward Said’s text *Covering Islam* builds upon *Orientalism*, responding to the “strange revival of canonical, though previously discredited, Orientalist ideas about Muslim, generally non-white people—ideas which have achieved a startling prominence at a time when racial or religious misinterpretations of every other cultural group are no longer circulated with such impunity.”<sup>69</sup> The chapter “Orientalism Now” [in *Orientalism*] and *Covering Islam* directly speak to each other about the misrepresentations of political Islam. Orientalists within the academy perpetuate these misrepresentations.<sup>70</sup> *Covering Islam* focuses on the specific way in which a West (its own construction examined in *Orientalism*) constructs a means by which an East is made to digest and internalize the identity of Muslim-as-terrorist.

*Covering Islam* describes the process of internalization as occurring through three principal mechanisms. The first mechanism is a displacement of news. News is produced in advanced industrial metropolises, almost always outside the Third World, and sent into the Third World. It feeds those societies an image of self as terrorist, fundamentalist, and impoverished—implicitly, a self suffering the ills of submission. As Said notes:

From being the source of news, the Third World generally and Islamic countries in particular have become consumers of news. For

---

69. EDWARD SAID, *COVERING ISLAM: HOW THE MEDIA AND THE EXPERTS DETERMINE HOW WE SEE THE REST OF THE WORLD* xi–xii (Vintage Books 1997) (1981). The first edition was published in 1981, only two years after *Orientalism*.

70. Others in the academy fight against these misrepresentations. For both Foucault and Said, the intellectual as an oppositional figure is a primary means of resistance. Foucault calls this questioning of the dominant paradigm, the “politics of truth.” Furthermore, the reversal and subversion of meanings is a primary way for intellectuals to challenge the hegemony of those academics who persist in excavating the “archaeology of knowledge” to present the “order of things.” For Said, the intellectual is one who maintains a critical edge, often in the form of Jeremy Waldron’s “cosmopolitan alternative,” Jeremy Waldron, *Minority Cultures and the Cosmopolitan Alternative*, 25 U. MICH. J.L. REF. 751 (1992), having no ties, necessarily, to the confines of the modern nation-state. And the intellectual serves as the force which can “speak truth to power,” EDWARD SAID, *REPRESENTATIONS OF THE INTELLECTUAL* 85 (Vintage Books 1996) (1994), through maintaining agency of thought. The “intellectual duty is the search for relative independence from,” *id.* at xvi, pressures such as “stereotypes and reductive categories that are so limiting to human thought and communication.” *Id.* at xi. Intellectuals can provide resistance to power relations by questioning representations, categories, and norms, thereby placing tension on the accepted institutions and power relations. This does not lead to an elimination of power, but rather a realigned discourse, which allows new meanings to come forth.

the first time in history (for the first time, that is, on such a scale) the Islamic world may be said to be learning *about itself* by means of images, histories and information manufactured in the West.<sup>71</sup>

The demarcation of a line between East and West through various international alliances is the second means of internalization of identity. The "Arab world" becomes an object and, furthermore, becomes the object necessary of containment, similar to the containment policy that guided the United States through its battle with Communism. The foreign other is a disease to be quarantined. In this way, the West reifies a "clash of civilizations,"<sup>72</sup> through its approach to international relations.

Finally, the third mechanism is the fragmentation of Islamic culture by academic "experts." These experts who set the discourse of relations "on Islam in the West today tend to know about jurisprudential schools in tenth-century Baghdad or nineteenth-century Moroccan urban patterns, but never (or almost never) about the whole civilization of Islam."<sup>73</sup> Yet these academics, in advanced industrial centers, are published more often and with wider circulation than academics in the Arab world. Persons with specialized knowledge, who write their texts in English, are a scarce commodity and their opinions have a reassuring air of legitimacy. Consequently, the histories and politics produced by specialists filter into universities in the developing world, producing a generation of persons within those regions who are steadily learning the terms of the discourse and the range of meanings available to them from sources in the developed world. These histories and explanations offer little but a fragmented and atavistic notion of identity. Within the Nietzschean framework (adopted by Foucault and Said), identity still exists as a powerful force, even though in theory identity is fictive.<sup>74</sup> As implied by the qualifier "Third," groups in the Third World will necessarily have an identity that places them in opposition to the "First" World.

To create, fragment, and confuse identity is to maintain relations of power. In fact, the process of fragmentation is often the very process of creation. Fragmentary mechanisms are akin to Foucault's notion of micro-powers because they routinize the psyche to accept beliefs of disempowerment and dominance. Understanding the way in which the cultural power of the West informs not only a Western consciousness, but also the consciousness of Muslim populations in developing economies is critical to an informed cognizance of how relations of domination and submission between the two are sustained. What was once an ideology of resistance may be mutated and transformed into an ideology of terror because of the imposition of flattened and distorted identities onto developing societies. An ideology of terror, though, is not the initial impulse. To treat what is called "terrorism" requires one to treat the terrorized psyche

---

71. SAID, *supra* note 69, at 56.

72. Huntington, *supra* note 1.

73. SAID, *supra* note 69, at 15.

74. Recall Foucault's schema of deconstructing while simultaneously reconstructing societal myths.

rather than admonish those in the Third World for committing acts of violence. This admonishment only furthers the problem.<sup>75</sup>

On April 30, 2000, the *New York Times* ran a cover story regarding unrest in South Asia under the headline "South Asia Called Major Terror Hub in a Survey by U.S."<sup>76</sup> The phrase "terror hub" alone suggests a fundamental problem in the portrayal of terrorism by Western media and, subsequently, the popular understanding of terrorism. As this Article emphasizes, the site of psychical violence cannot be localized to a geographical space. An act of physical violence can be localized, but to limit an understanding of the phenomenon labeled "terrorism" to the physical space of the act is to tragically misconstrue the dynamics of what is being communicated in that act. Secondly, the very act of the United States naming South Asia reifies and solidifies the United States as the dominant actor by its position as subject.

The *New York Times* article proceeds to reveal "new findings" by U.S. State Department experts; the article finds that terrorism is not confined within state boundaries, rather it is supported by a "loose network" of groups who are interconnected across state boundaries.<sup>77</sup> This "new finding" would have been foundational for a nuanced understanding of terrorism if the motivations for and roots of acts of terror were examined more closely than looking simply at the physical events that surface. Organized groups that are not limited to state boundaries arise because there is a weak sense of affiliation to a national state. The national government of Pakistan is precisely what disappointed the populace. A rhetoric that satisfies individual egoisms by supplying a collective consciousness that transcends or overlaps nation-state borders should not serve as a surprise to observers, but as a logical consequence. Those borders are mostly a colonial legacy anyway.

What is often called the politics of rage<sup>78</sup> may instead be understood as the post-colonial world's response to the unrelenting gaze of orientalists and the media, both of which attempt to classify, categorize, and contain "the Arab world." The gaze places would-be agents in a position of submission; the move is understood and resented, to say the least. Moving past a politics of rage model, terrorism can better be explained as a means of challenging the power relationship of domination and submission between the subject, those who create categories, and the object, those who are categorized. Acts of terror are a challenge to the very

---

75. An example of this dynamic can be found in President Clinton's five-day trip to India and Pakistan in March 2000. Clinton spent a total of four festive days in India and five hours in Pakistan, where Clinton scolded General Musharraf for his anti-democratic practices and "terrorist acts" in Kashmir. See Jane Perlez, *Ambition Turns to Crisis Control as Clinton Visits the Subcontinent*, N.Y. TIMES, Mar. 18, 2000, at A6; Jane Perlez, *Clinton Entreats Pakistan to Tread Lightly in Kashmir*, N.Y. TIMES, Mar. 26, 2000, at A1. In failing to promote a sense of inclusion, Clinton fostered Islamist nationalism, which increases in reaction to the combination of scoldings for Pakistan and empathy towards India.

76. Judith Miller, *South Asia Called Major Terror Hub in a Survey by U.S.*, N.Y. TIMES, Apr. 30, 2000, at A1.

77. *Id.*

78. See, e.g., BERNARD LEWIS, *ISLAM AND THE WEST* (1993); Fareed Zakaria, *The Politics of Rage: Why Do They Hate Us?*, NEWSWEEK, Oct. 15, 2001, at 22.

misrepresentative and reductivist discourse that pits “the West” and “the Islamic world,” as monolithic entities, against each other. As Foucault argues is the case with doctors and psychiatrists, orientalist academics’ own position as agents of “help” obscure their understanding of the role they play in creating the rage of which they speak.

By placing the subaltern<sup>79</sup> under the microscope of academe, academics, policy-specialists, and other “experts” hope to free her. But it is precisely this modern ethnography that silences the subaltern, keeping her position as such.<sup>80</sup> This is not to say that one cannot or should not study what lies beyond the boundaries of advanced economies. Rather it is a critique of a method of study that serves to disable rather than enable. Gayatri Chakravorty Spivak writes:

We should . . . welcome all the information retrieval in these silenced areas [gender in the Third World] that is taking place in anthropology, political science, history and sociology. Yet the assumption and construction of a consciousness or subject sustains such work and will, in the long run, cohere with the work of imperialist subject-constitution, mingling epistemic violence with the advancement of learning and civilization. And the subaltern woman will be as mute as ever.<sup>81</sup>

#### G. Co-opted Resistance: Impotent Islamism

In August 1998, the *Journal of the American Medical Association* published a study finding that eighty-six percent of Afghanistan’s women suffered from anxiety and ninety-seven percent evidenced severe depression.<sup>82</sup> Speaking at Columbia University in the fall of 1998, the Taliban representative to the United States, Abdul Hakeem Mujahid<sup>83</sup> spoke to a roomful of American oil executives and academics and said: “The people of Afghanistan are happier now that we have come. We have brought stability and peace to the country. We have rid the country of the *mujahed-*

79. I borrow this term from Antonio Gramsci, who uses it broadly to refer to the dispossessed. See ANTONIO GRAMSCI, SELECTIONS FROM THE PRISON NOTEBOOKS OF ANTONIO GRAMSCI (Quentin Hoare & Geoffrey Nowell Smith trans. and eds., 1971).

80. A December 1999 *Economist* cover exemplified this trend well. Placing a black and white photograph of an Indian girl crouched in a shawl with only her face and feet showing, its headline stated: “The Real Losers of Seattle.” *Leaders: The Real Losers*, *ECONOMIST*, Dec. 11, 1999, at 15. This cover story was in response to the riots against the World Trade Organization that occurred in Seattle, Washington. While the *Economist* made useful points about how freer markets could be beneficial to developing nations, it insisted on referring to its cover photo as “that Indian girl.” This insistence undermined its ostensible concern for enabling those who they referred to as “the real losers” to develop independence and expression.

81. Gayatri C. Spivak, *Can the Subaltern Speak?*, in COLONIAL DISCOURSE AND POST-COLONIAL THEORY, *supra* note 53, at 66, 90 (footnote omitted).

82. Zohra Rasekh et al., *Women’s Health and Human Rights in Afghanistan*, *JAMA*, Aug. 5, 1998, at 449.

83. Abdul H. Mujahid, *Why the Taliban Should Be Granted U.S. Recognition*, Speech at Columbia University (Sept. 1998).



*din*.”<sup>84</sup> It is unclear how Mujahid could know what the women of Afghanistan felt as he, a man, had no contact with the women, who were forcibly shrouded in full veils (*burqas*) and made to stay in their homes at all times unless accompanied by a male relative. Even then, there certainly was no forum or medium through which women in Taliban-occupied Afghanistan could express their views one way or another. When posed with this contradiction, Mujahid simply avoided the question by responding, “Have you ever been to Afghanistan?”<sup>85</sup> A roomful of white, male academics and policy-makers nodded their heads and jotted some notes. The contradiction remained unaddressed.

Islamism can serve as a form of third wave nationalism, a tool of resistance that says “no” twice; it negates the forces of neocolonialism and of corrupt state bureaucracies. Though imperfect in practice, theoretically it is a form of grassroots rebellion that speaks for a people too often muted by powers greater than their own. What happens, then, when this tool of resistance is co-opted? Co-opting powers can take the form of advanced economies, or of unrepresentative groups of an establishment that politicizes Islam for purposes of achieving power, or a combination of the two. Is co-opted Islamism resistance at all?

In the Middle East and in parts of Central Asia, Islamism and Islamist movements clearly still qualify as resistance movements. They continue to draw the twin lines against advanced economies and against state governments in order to affirm the general populace, which remains politically unaccounted for.

There are, however, some clear cases of co-opted resistance. The Taliban movement, for example, was bankrolled in part by advanced economies who are, theoretically, one of the objects to which Islamist rebellion directs its “no.” Furthermore, there was no state government in place for the Taliban to reject. The Taliban merely brought draconian measures to the country to institute a so-called peace in the wake of warlord infighting. But most Afghans did not identify with the Taliban or its movement, nor did they believe that it represented their discontent. The Taliban was considered an occupation force, not a representative resistance movement or state government, even when it controlled more than ninety percent of the country. Despite the Taliban’s control over Afghan

---

84. *Id.* Mujahid’s last name alone reflects a trend amongst many Talibs; they are the orphaned children of the resistance fighters who fought the Soviet Union (for the United States) during the 1980s. Growing up in religious-military camps along the border, they were sent into Afghanistan in 1994 by a host of foreign operatives in order to provide blanket stability to the region. Because the Caspian Basin pipeline routes were a key concern of the Clinton Administration’s foreign policy agenda, a stable Afghanistan was critical. Its geo-strategic positioning made Afghanistan the necessary player for the United States if they were to circumvent Iran when constructing a pipeline. For a more comprehensive analysis of this point, see Ahmed Rashid, *The New Great Game: Battle for Central Asia’s Oil*, FAR EASTERN ECONOMIC REV., 1997.

85. The point here is the deflection of the question and the circumventive nature of the response. Whether or not one “has been to” a region has little to do with the apparent contradiction. However, the assumption that this is a relevant criterion for authority is symptomatic of the disease that assumes visiting a society to be a necessary and sufficient criterion for evaluating it.

territory and despite its draconian and absolute rule over most Afghans, the United Nations did not accord the Taliban official recognition as the representative government of Afghanistan. Public international opinion and non-governmental organization activism are largely responsible for the Taliban not receiving official recognition. When the individuals within Afghanistan had their voices co-opted by the rhetoric of the Taliban, the international community listened carefully. In this instance, the international community heard Afghans express that the Taliban did not represent them or their discontent. This was not easy, given all the Islamist rhetoric that was shouting over individual voices. This case demonstrates the importance of the link between public international opinion and individual resistance in developing countries.

The case of Iran, however, presents a more complicated twist on the theoretical paradigm. In 1979, the Islamic Revolution to overthrow Reza Pahlavi Shah evidenced successful rebellion against a corrupt state regime that was backed by foreign advanced economies. With the passage of time and the necessary institutionalization of the once revolutionary, charismatic authority personified in Khomeini, the current Islamist regime in power has devolved into little more than a variant of second wave nationalism. This is important to note for two reasons. First, it highlights that various waves of nationalisms are not set chronologically. Rather, they are thematic. Therefore, although it succeeded the second wave nationalist regime of the Shah, the current Iranian clerical establishment is also a second wave form of nationalism, because of the conditions that characterize it. Focusing on the thematic and symptomatic elements of a given form of nationalism allows far greater insights into the character of its statement than looking at the timing alone.

Second, the example of Iran reinforces the notion that Islamist rhetoric is not enough to qualify a sentiment or movement as rebellious or representative of the collective will. The importance of this corollary cannot be underestimated. Internal co-optation of resistance is most dangerous because it signals to the rest of the world that there is leadership representative of the common will, when, in fact, the common will has been silenced and shackled. An observable, but co-opted "resistance" movement is more unsettling than no resistance movement at all because it creates the illusion of one. This illusion creates two problems. First, it makes it difficult for those on the inside to generate a rebellion of their own, as they suffocate underneath a farcical show of one. Second, it runs the risk that the international community will abandon these silenced persons, under the assumption that the internal populace is complicit in their political situation. It remains to be seen if there is anything left with which the general populace can resist.

Political Islam offers a tool of resistance. If Islamist movements are understood as tools of resistance for populist movements against corrupt regimes, what happens when the vessel of resistance, Islamism, is itself co-opted or, as in the case of Iran, mutated. This brings the cycle of rebellion full circle in a most ironic way—or does it? Are there means by which those persons and communities, whose main tool for social mobilization and political organization has been co-opted, can represent themselves?

The answers to these questions have implications for foreign policy and public response to international events. For example, how much can

we tell about a given ideology simply by the brandished call of *jihad*? We cannot infer much from that because the word, *jihad*, within the sphere of rhetoric, does not signify any ideology in particular. It is not simply useful, but imperative that those outside a given society listen carefully to hear what is really being said and by whom. An important clue in deciphering the meaning of a message is to learn who is speaking.

A potential solution is for those outside of a community to stop scrutinizing a given community in such a way that leaves the “subaltern . . . as mute as ever.”<sup>86</sup> At the same time, a retreat to cultural relativism is not an acceptable position. Rather, a more informed approach to the method of study allows for a more honest answer to questions one may have about an other. This approach does not artificially distill East and West, nor does it dabble in exoticizing an East. Consequently, it becomes increasingly difficult to dismiss human violation and subsequent human negation that does not take place in our culture. Increasingly, “our” culture is intermingling and interweaving with those of “others” in a seamless fashion that makes the boundaries between the self and the other porous.

The impulse to affirm one’s self and negate the subject that makes one the object, i.e., to fight that which enslaves the psyche, is a universal impulse. Human dignity neither knows the boundaries any colonizing mapmaker draws, nor is it culture-specific. Therefore, a solution to the co-optation of resistance is to stop categorizing the notion of resistance as belonging to a given rhetoric or a certain culture. Rather, the solution is to relieve our minds of the stereotypes that plague it and corrode the foundations of critical thought. We may entrust ourselves to allow others the chance to speak. In so doing, we may actually hear what is said. It is only when we know what an individual or a group of individuals is saying to us, that we can intelligently articulate a response.

## CONCLUSION

Resistance is at once a complicated and simple event. It is complicated because it involves precise understanding of a self and of an other. Superimposed on these two identities is a third element: the perception of one’s self in relation to the other. The matrices of resistance become more intricate when individual identities and the relationships between them become attached to a group. The singular identities and relations slip quickly and become entangled with group identification in opposition to a set of other groups.

On the other hand, resistance is a simple idea. The impulse to rebel seems a basic instinct. It is an impulse to say “no” to that which tries to dominate and, in that action, simultaneously to reaffirm the boundaries of one’s self. It makes sense that persons want to assert the truth about their own selves. Who else could? But there are steps between the impulse to say “no” and the acts of violence which constitute terrorizing others.

Imagine a path called resistance. At the beginning of the path is the decision to say “no” concomitant with the choice to assert one’s own voice. This is distinct from emulation. It is a desire to speak with one’s

---

86. Spivak, *supra* note 81.

own voice, not to adopt another's. Further along the path, rejection of the colonial imposition occurs. Ostensibly, this moment of rejection is the event of resistance. But colonialism is a sophisticated project with a diffuse and pervasive reach. Colonialism is more than a trading post in Karachi or an oil rig off the Arabian coastline. (In fact, the material signs of colonialism are sometimes the least offensive). Resisting these diffuse elements requires more than a moment. It is a process over time. Here, the edges of the path become less clear. In short, things get messy and voices get muddled. The intangible fortifications colonialism leaves behind are the most difficult to unearth from the psyche of colonized societies. What are these intangibles that are so difficult to uproot?

First, there is an international legal normativity that requires nation-state status for full international participation. The colonial powers created this legal regime after World War II in an effort to incorporate the former colonies into a stable world order. This seems harmless enough. Transnational and supranational structures often create a more level playing field between developed and developing countries. But some societies did not realize that in the modern world of international legal normativity, the national and the political are more congruent than ever before. These nations did not grasp the centrality of statehood in the new legal landscape and the future import of carving up land on which to establish a state. They now know too well the importance of nation-state status. I have not suggested that every group of stateless persons receive its own state. It is imperative, however, for non-nation-state groups to be included in this new legal regime in a meaningful way.

Even for those countries that have nation-state status, there is a deficient economic base from which they can develop materially. This introduces a problem of poverty and, inevitably, a malfunctioning national consciousness. The second colonial legacy, then, is the correlation between a fragile economy and a fragile nationalism. Without the centrifugal force of nationalism, the authority of a nation-state's central government is weakened because it is undermined by two factors. There are fractious groups who provide more for the populace, materially, than the central government itself. At the same time, impoverished states without a material base for nationalism are ripe for entrenched corrupt leadership. This corruption is a barrier to meaningful internal representation and undermines state control.

The relationship between corrupt domestic regimes and advanced economies creates a third intangible echo of colonialism: dysfunctional democracies. Whether or not the corruption of internal regimes in developing countries can be attributed to colonial powers is debatable. Nonetheless, these regimes are often seen as legacies of colonialism and a barrier to economic development and representative democracy. They are perceived to be kept in place because of their close ties to former colonial powers. Malfunctioning nationalism leaves the door dangerously open to Islamist groups to serve as the group voice in societies without other fora for representation.

A fourth impalpable outpost of colonialism is the latent gaze that is always upon the developing world. This gaze attaches labels to what it observes and comes up with distorting categories, such as Islamic, militant, fundamentalist Islam, fundamentalist, terrorists, holy warriors, *ji-*

*hadis*, and anti-Westerners. This gaze tries to make sense of individual discontent by looking at group identification rather than using an analysis that runs the other way. In short, instead of being approached as individuals and as equals, persons in societies that identify as Islamic are constantly dissected as sample soil of a group, such as Hamas or the Taliban.

This approach is problematic for three reasons. First, it angers many individuals in the developing world precisely because the inherent power imbalance enables their essentialization. This gives incentives to individuals in developing countries to engage in an unconscious barter with Islamist groups: individuals strengthen their ties to a group, and, in return, that group articulates something roughly resembling their own message but has the capacity to speak through a bigger microphone. Discontented individuals often experience Islamist groups as a means of being heard by those who are dominant in relations of power.

A second problem that results from the neocolonial gaze is a skewering of individual identities along group lines via a media loop. The news produced in and by advanced economies and disseminated in the developing world is a powerful form of the gaze. Ostensibly, it's "just news." However, it is clearly more than a record of events; it is a presentation of a simplified identity of "fundamentalists" and "terrorists." Thus, the media becomes another force against which those in the developing world attempt to rebel, in order to reclaim their own identity and define their own message. Unfortunately, rebellion against the media is not so simple precisely because the media loop is a sophisticated form of psychical colonialism. Effectively, a distorted media narrative sends the message of group identification to persons in the developing world, sometimes creating group identification where it had not previously existed.

The real losers of this approach, though, are developed powers themselves. Because the media and political elites in these countries constantly misidentify and mischaracterize the problem of terrorism, there is little chance they will excavate a meaningful solution to it. In fact, the misguided approach of media and political elites in advanced economies only adds to the problem.

The fifth and final colonial legacy is the perception in international opinion that there is an entity called "the West" and that it is a crucible for a discrete value system, unconnected to the rest of the world, particularly societies that identify as Islamic. It is destructive to the project of integrated legal networks to assert that there is a set of civilizations that speak different moral tongues and cannot understand one another precisely because culture has clogged their ears.

Much of this Article provides alternative methods for the media and state governments in advanced economies. But individuals who are not immediately connected to either the media or government are immensely important in maintaining global order. One could argue that public morality is, ultimately, the driving force behind the shape of the new internationalism. International opinion is a powerful force in an increasingly interconnected world.

The person who composes what is international opinion has immense power in the new international legal normativity. This person is not necessarily an academic, a journalist, or a political elite. But this person is someone who reads the daily paper, is the unit of consumption, and is the

issuer of political votes in liberalized democracies. In relatively free market economies, there is a choice over which brand of truth to consume and support.

This person can offer significant contributions to making the world a safer place. First, she can reject the notion of civilizations so isolated from and unintelligible to one another that they will inevitably clash. To be sure, there are different cultural and political groupings and there will not likely be a situation in which all groupings are in approval of actions another grouping takes. But disapproval and even resistance should not be equated with unintelligibility.

Second, she can reject the notion that cultural spheres are so discrete that they present different standards for human treatment.

Third, she can understand the intimate relationship that holds the national and the political congruent for many groups presently unacknowledged by the existing international legal regime. This does not mean that all groups will be accorded a state. But it will help correctly identify the grievances and motivations underlying individual discontent.

The first step to including an individual in integrated legal networks is to convince him that the legal order can offer him something. Essentially, we need to give the displaced, the refugees, and the ill-represented persons something to lose. This does not mean taking so much away from them that any small concession may be used as a carrot. Purchase on international infrastructure need be substantial if it is to secure commitment by these persons to upholding the frameworks of internationalism.

Public international opinion can and does affect the direction of supranational and transnational institutions. More specifically, public international opinion affects the choices of foreign policy establishments. Most importantly, though, international opinion drives markets. With so much power, it is critical for persons in this increasingly interwoven constituency to decide how to use that power. A strong public morality has immense bargaining power with political elites and global markets. Individuals can carry the international community close to a position in which all persons have access to human dignity. Each person who constitutes international public opinion can widen the opportunity for human dignity and international security simply by insisting that all individuals deserve to be heard.