

December 29, 2004

# *From Nottingham to Tora Bora*

## **Who's Feeding the Bin Laden Legend?**

LIAQUAT ALI KHAN

Professor of Law, Washburn University

**R**obin Hood and not Osama Bin Laden is the most celebrated outlaw in the English-speaking world. Part reality and part fantasy, Robin Hood has been written into children's stories and adult poems, portrayed on the stage and in movies, examined and reexamined in scholarly research. Even in the realm of law, Robin folk tales raise intriguing questions about law and lawlessness. Is Robin Hood a good lead to understanding Osama Bin Laden? At first blush, any comparison between (Ro)bin Hood and Bin Laden seems odd, most certainly to the English-speaking world for whom 'Bin Hood is a romantic robber whereas Bin Laden is a despised terrorist. The comparison might also displease Muslim militants who see Bin Laden as a spiritual sheikh fighting the crusaders. In the realm of manufacturing legends, however, the similarities between the two outlaws are so real and so fantastic that very little brush work is needed to draw them together.

The most bewildering similarity between Robin and Osama is their hidden presence. To this day, scholars who expended their entire intellectual capital on tracing Robin's historical whereabouts are unsure whether he operated from Sherwood forests in Nottingham or from Barnsdale parks in Yorkshire. This controversy muddles history but nonetheless furnishes texture to Robin's legend. Now cometh Osama! Despite technology and resources available to experts and spies and despite a \$25 million bounty placed on his head, Osama's whereabouts remain a deep mystery. Is he in Pakistan or Afghanistan? The tough mountains interweaving the borders of these two countries, captured in TV shots, add awesome scenery (a la American Western) to his inscrutable absence. And yet Osama is far from hidden. You can hear him on the internet and see him on Al-Jazeera broadcasts. The snippets from his old videos---him riding a stout white horse or him ambling down a rocky hill with a cane in his hand---are repeatedly shown on American television, adding fantasy to emerging tales of terror.

We know what makes Robin Hood a beloved outlaw and not a mere criminal. The romanticized distinction lies in the English folklore, generously expressed in ballads and poems written over the centuries, asserting that Robin's lawlessness had a redeeming value embodied in his egalitarian ethic of wealth redistribution. "Never poor man came for help/and went away denied." This non-conservative compassion for the poor sprang from Robin's systemic critique that "how (the poor) toiled without their share" under the then corrupt clerical/feudal alliance. Robin and his Merry Men, however, were by no means bespectacled revolutionaries devoted to social justice. They were hurly burly ruffians, hiding in the forest, having good time, robbing bishops, killing the forbidden deer, and deceiving the Sheriff of Nottingham. Wanted by the Sheriff dead or alive, Robin is nonetheless a real hero in English folk tales "for not a soul in Locksley town/would speak him an ill word."

Wanted dead or alive by the Sheriff of the World, Osama too is an outlaw. But he is not a thief; he is a master terrorist who strikes embassies, ships, and towers without mercy. One can build a legend around Osama, even a bigger legend than that of Robin, since the stakes Osama raises are high, the conflict he espouses is monumental, and his story, going far beyond the confines of a Nottingham, cuts across cultures, religions, and civilizations.

If the genius of an outlaw is to find law beyond law and to place justice at the core of criminality, Osama's claims that he is fighting against foreign occupation, neo-colonialism, and alien domination sound credible to Marxists, Palestinians, war critics, and anti-imperialists. And if the genius of an outlaw is to establish a popular constituency that roots for his breaches of law, Osama has done that too. Muslim militants see Osama as a righteous warrior, some have named their sons after him, some carry his picture in protest rallies. Under the American pressure, Islamic governments are prohibiting the sale of Osama posters, T-shirts, and other merchandise. Such suppressions, however, deepen his cult.

Ironically, Americans themselves are feeding the Bin Laden legend. There is something in the American spirit that celebrates the outlaws, even violent outlaws. If Osama's comparison with Robin seems grotesque or contrived, consider comparing him with Jesse James, Al Capone, George Musgrave, Terminator, Arnold Schwarzenegger. American fascination with outlaws and gratuitous violence, generously depicted in Hollywood movies and in the real time bombing of a romantically-lit Baghdad, seems benign, creative, stunning, fun---having nothing to do with real death or grief or loss or barbarism. And it is all legal. In this great tradition of violence starting with Cowboys against Indians, Osama is an exotic but a perfect fit. Produced in Washington D.C., directed by the CIA, and filmed in Afghanistan, Osama is cast as a millionaire hero, the 17th son from a family of 50, who speaks softly but carries a cane, who prays five times a day and inspires his Men to terminate Soviet helicopters flying low over the mud houses of a wretched Afghan population.

This alien hero, this entrepreneur of violence, this Osama, after successfully shooting the first movie against the Soviet evil empire---decides to go on his own. He moves the camera and the crew from an emptied Afghanistan to a city filled with skyscrapers. Planes hit the towers with real death and grief and loss and barbarism. This unprecedented though overly-familiar violence perpetrated in America against America, shown in real time, comes across as neither legal nor creative. 9/11 changes the world, the norms of reaction, the meaning of violence, the definition of

artistic expression, fun, the gulf between law and lawlessness. But has 9/11 changed the celebration of the outlaw?

While American soldiers, spies, bounty hunters, television, radio, magazines, and private conversations pursue Osama to bring him to justice for perpetrating the crime of the century, and while Muslim militants pray and fast and plot to kill the enemy under Osama's real or inspired leadership, the yearly festival at Nottingham recites the fifteenth-century ballads and later poems to keep alive the Robin Hood legend. One ballad opens with the words Attend and listen gentlemen/that be of freeborn blood/ I shall tell you of a good yeoman/ His name was Robin Hood. John Keats raises poetic scare by asking what if Robin should be cast/sudden from his turfed grave. Alfred Noyes makes an ecstatic call of Robin! Robin! Robin! All his merry thieves/Answer as the bugle-note shivers through the leaves. But the abbot and the Sheriff are in no frolicsome mood. "Seize him, seize him!" the Abbot cried/With his fat voice through the trees. And the Sheriff is mad as hell.