From the attacks on September 11, 2001, we know that targets are not always states. So should the response to protect national security be the exclusive domain of world leaders? Can they alone direct armies, impose sanctions, negotiate trade agreements, and orchestrate the other policy tools that fall easily into this domain? The fact is individual citizens can assume the role of economic actors imposing policies. Harnessing the energy and innovation of individuals toward a foreign policy can provide powerful tools to the policy maker. Leaders can choose a policy of simply getting out of the way and letting individuals take private actions; in turn, individual citizens acting in their own self-interests can advance the interests of the public.

In a secure and just world, I cannot get away with harming someone. Law-abiding states establish domestic laws, and the community of law-abiding states works together internationally to support this basic concept of law. Under the theory of a natural law—the theory that an objective standard underlies legal theories—certainly someone harmed has the right to redress. If you harm me, then I can use legal means to try to right the wrong. Beyond passing the common-sense test, the concept anchors the laws of nations around the world as well as principles of international law.
Think now about terrorism. Can private citizens seeking justice and redress under international law or internationally accepted legal standards, and for their own self-interests, advance the interests of a state? In addition to sanctions, trade, finance, and aid, what else can a policy do? It can get the government out of the way of private citizens pursuing claims against terrorists. This chapter will address the use of international law and courts as tools of security policy to impose economic costs on those who commit or support acts of terrorism, torture, or hostage-taking—gross violations of international human rights.

Up to this point, we have analyzed leaders as decision makers for states or for terrorist organizations. We have identified incentives as a driving force behind policy making. Good policies are directed toward the incentives of the leaders, as well as those of the population. This chapter is about nonelected decision makers—the individual citizen in possession of legal rights and an avenue to pursue these rights. In the scope of this book thus far we have addressed policies crafted by and directed toward leaders and people. Specifically, think of the following typology of policy, as illustrated in figure 11.2:

1. leaders craft policies aimed at other leaders—focusing on incentives, constraints, and institutions of the leaders;
2. leaders craft policies aimed at other populations—think of the wealth effect and the empowering of subjects to undermine the dictator;
3. leaders craft policies aimed at a domestic population—think of the leader, dictator, or democrat seeking legitimacy in order to stay in office;
4. individual people functioning as decision makers in an effort to influence the incentives of a leader, which is new to this chapter.

Figure 11.2