

Liberty

June 2003

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We Are the Borg

"Victory"

Why We Conquer

*by George W. Bush,
with annotations by George Harper*

Behind the Smoke & Mirrors

by R. W. Bradford

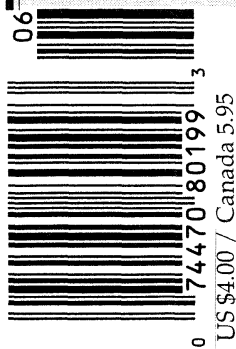
Michiganistan?

by Leon Drolet

The War Criminals in Our Midst

by Robert W. McGee

Also: Alan Ebenstein looks back at Roosevelt's Raw Deal, Veronica Menezes Holmes examines America's debt to the French, Jo Ann Skousen discovers how Hollywood extracted the conflict and drama from the Civil War . . . plus other articles, reviews & humor.



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Letters

The War on Self-Ownership

Timothy Sandefur stated that we "the people have a right of revolution" ("Freedom and the Wolves," March) and that "not even Lincoln denied that the right to revolution is a right which the people . . . possess at all time; it is inalienable. It is, however, a right of a certain nature. It can only be exercised in self-defense; otherwise it is not a revolution, but an initiation of force."

I quite agree with Sandefur. I would also like to point out that the so-called War on Drugs is, in fact, a war on the inalienable right of self-ownership. That evil and illegitimate policy violates the rights of otherwise non-violent, non-larcenous, consensually behaving adults. As such, we have the right of self-defense and a revolution is called for by the Declaration of Independence.

Sandefur goes on to say that "Americans, cherishing their libertarian founding, have long believed that freedom is sweeter than life, and I dearly hope they go on believing that." Sorry, Sandefur, but that is no longer true, if it ever has been. All the people in prison, serving years and years for not violating anyone's rights, because of the War on Drugs, proves me right. I, personally, am serving a 27-year sentence for a first-time, non-violent, drug conspiracy conviction in which there were no drugs. Not one. No one is marching on Washington demanding the end of this obscene travesty and violation of inalienable rights.

David A. Nichols
El Paso, Tex.

High on the Highway

Tim Slagle referred to an anti-drug ad which states that "one out of three people, stopped for reckless driving and tested for drugs, tests positive for marijuana" (Reflections, May).

While Slagle made some good points, he missed an opportunity to

point out the real misuse of statistics in this ad.

The purpose of the ad is to make people think that every time they see a reckless driver, there is a good chance the driver is high on marijuana. But take a closer look. There are numerous classes of drivers mentioned in the statistic.

The overall, encompassing group is "reckless drivers." The second-largest group is the people who are "stopped" for reckless driving which, in my experience, is a tiny fraction of the idiots who are cluttering the roadways. And the next sub-group, included in the "stopped" category, are those who are tested for drugs. What percentage of reckless drivers are tested for drugs? Most reckless drivers are drunken teenagers (a statement for which I can offer no corroborating evidence, but which I stand by nonetheless). Who would bother to give a drug test to a person who has already failed a sobriety test? Also take into consideration the point made by Slagle, that a marijuana test doesn't tell when you used the marijuana.

That actual number of drivers who are high on marijuana at any given time has got to be minuscule, even among that group labelled as reckless.

David Kirkpatrick
Klamath Falls, Ore.

Amendment from on High

In the April 2003 issue (Reflections), Alan Bock jumps on the feds for "[u]sing the military to enforce domestic laws." The executive branch has always had the power to defend our borders from invasions — without a declaration of war from Congress. Whether the flood of illegal Mexicans is an invasion, an incursion, or a mistake is debatable, but the reality is that Mexican military Humvees have crossed the border and fired on

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Reflections

I, nation — Individual sovereignty may be closer to reality than libertarians ever suspected. The U.S. 9th Circuit Court of Appeals, in *Inyo County v. Paiute-Shoshone Indians*, recently ruled that Indian tribes may have immunity from searches in criminal investigations. This is supported by the Bush Administration which said the tribe's immunity should be upheld to preserve "the dignity to which their sovereign status entitles them." Four states — Washington, Arizona, Montana and New Mexico — are siding with the tribe in this case.

In another development arising out of federal law on Indian gaming, a gambling permit has been issued to an Indian tribe that consists of one person. So, if a lone remaining member of an Indian tribe can claim sovereign status and immunity from searches in criminal investigations, when can the rest of us be entitled to the same equal protection, individual sovereignty and immunity? Or, is such status reserved only for those who meet the federal government's convoluted definition of sovereign? — Errol Nelson

Will someone please tell Salt Lake City the Olympics are over? — I visited Salt Lake City recently and was surprised to see that city and church officials have preserved their strict security measures long after the Winter Olympics ended. Here it is 15 months since the last Olympian left the "Crossroads of the West," and Salt Lake still randomly searches cars at the airport. (My son Tim refused to allow them to search his car when he came to pick me up. The police officer had never heard of the 4th Amendment. Amazingly, he let him go through.)

The Salt Lake Airport also continues to conduct random searches on people boarding airplanes, a policy abandoned in most other cities. Worse, the Mormon Church insists on having its own faithful go through security machines to attend its semiannual conference. It's bad enough being treated as a criminal every time you get on an airplane in this country. Now even the church treats its own as potential terrorists and heretics.

A spokesman for the church's conference center reportedly said, "We have these security machines held over from the Olympics — why not use them?" I can understand New York City or Washington, D.C. adopting a war-zone mentality, but Salt Lake City? Is this paranoia? Or hubris?

— Mark Skousen

Let's not be moronic — In a Reflection in the April *Liberty*, Doug Casey argued that President Bush is a "moron." Not a figurative "moron" who pursues foolish policies, but a literal moron — that is, someone with the mental age of an 8–12 year old, who is capable of performing routine work under supervision. It is unfortunate to see Casey succumbing to the same kind of ignorant snobbery about Bush that pervades much of the elite media. On the SAT, Bush

scored a 640 in math, and a 566 verbal. This puts Bush's verbal score in about 95th percentile of all high school juniors and seniors, and in about the 98th percentile for math. It is obviously impossible for someone with the mental age of an 8-to-12-year-old to achieve such scores.

People can have legitimate disagreements with Bush's foreign policy, or they can believe (as Brink Lindsey and I do) that Bush policies are generally wise; there are good arguments on both sides. But claiming that Bush is implementing his particular policies because he is stupid adds nothing to the argument. Substituting personal insult for serious argument has become a common tactic of the p.c. hard Left in universities, and a magazine such as *Liberty*, which aims to elevate political discourse, shouldn't stoop to such tactics.

— David Kopel

Somalia envy — The loving appreciation of "anarchy" in Somalia in the May *Liberty* reminds me of the last political tragedy of the 20th century: Al Gore's concession of the 2000 election. Not that I wanted him to win — heaven forbid — but repeated court challenges by his backers could have kept the White House empty and thus saved taxpayers a load of money, implicitly demonstrating that this country could survive without a president — that the United States could, in effect, realize the political sophistication of Somalia.

— Richard Kostelanetz

Santorum and the Sodomites — Just like Sen. Rick Santorum has "no problem with homosexuality," but just a "problem with homosexual acts," I have no problem at all with Sen. Santorum as long as he doesn't have sex. I personally respect him to the max and have even voted for him. I want to assure you that I have absolutely nothing, nothing against the man — as long as he remains celibate. He's right that he need not apologize to gays for saying homosexuality poses a threat to the family and to society in general. "In every society," said the senator, "the definition of marriage has not ever included homosexuality. That's not to pick on homosexuality. It's not, you know, man on child, man on dog, or whatever the case might be."

Man on dog! Man on dog is precisely the bone I want to pick with Sen. Santorum — that, and his orientation, which I see as a threat to America. I can't help it, those are my feelings. It's not just that he looks like a Basset hound, but I get nightmares about imagining what would happen when the sex police make their rounds and peer through the Santorum bedroom window and suddenly are confronted with the sight of the senator's wife having sex with what they believe is a dog!

I'm sorry, I can't help it, but it just looks bad, and I am personally disgusted by the thought of a woman having sex with a man who looks like a basset hound. Nowhere is it written that men who look like hush puppies can enter into

marriage contracts. Normally, I would argue feverishly against invasions of privacy that entail peeping in the bedroom window of consenting adults, but the senator himself assures us that he does not believe that anyone, and I stress, anyone, has the right to privacy. In fact, he tells us, a right to privacy doesn't exist at all! He can't find it in the Constitution, and it was just an erroneous concept stuck into law by some nutso Supreme Court ruling that struck down laws regulating contraception.

The Court's opinion in the contraception case, *Griswold v. Connecticut*, found that the right to privacy was unstated, but

The senator assures us that the right to privacy doesn't exist at all. He can't find it in the Constitution — it's just an erroneous concept stuck into law by some nutso Supreme Court ruling that struck down laws regulating contraception.

implicit, in the U.S. Constitution. How silly! Imagine the Supreme Court coming up with an idea like that!

If the senator hadn't borrowed his political orientation from the Taliban, he might have noticed the Fourth Amendment to the United States Constitution:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Maybe I'm nuts, but that paragraph screams out privacy to me. One can only imagine what things need to be searched and seized when the police kick in the door to check for contraceptive use or the possible occurrence of gay sex. But the senator could effectively and correctly argue that contraception is a threat to the propagation of the human race, and against biblical prescriptions to be fruitful and multiply.

"If the Supreme Court says that you have the right to consensual sex within your home," says the senator, "then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery, you have the right to anything." Why, you could kill people

in your bedroom! You would have the right to masturbate till you went blind! You could do a *ménage à trois*! Someone could hang on the chandelier! All those are just gateways to Dr. Johnson's sex toys, to Long Dong Silver, to *The Joy of Sex* and to Silicon Sally Love Dolls and lap dancers. Let's confiscate those jellies, and rubbers and pills that facilitate this lifestyle! If there's a city or town so decadent that it wants to legalize this junk, let them do it one by one, town after dirty town, so we can see who they are, these cities that should be turned to salt!

Senator, I'm sorry, it's not that I'm dissing you, but it's just how I feel. It comes down to the fact that I think your philosophy is totalitarian and stupid and I don't think people like you should be U.S. senators or be allowed to breed.

— Sarah J. McCarthy

We, the disingenuous — The staff attorney for the Ohio branch of the American Civil Liberties Union visited my university last week to report on the two University of Michigan affirmative action suits now before the U.S. Supreme Court. Although I suspected that he and I would differ concerning the merits of the dispute, I wanted to see whether there might nonetheless be some common ground between contemporary libertarians and the nation's most venerable organization dedicated to the protection of citizens' liberties. After all, I thought, even if the ACLU has decided that, on balance, the interests of the state in ameliorating a heritage of racial discrimination and disadvantage are compelling, it would acknowledge that the practice of affirmative action raises troubling issues concerning the constitutional guarantee to equal treatment under the law.

The fact that I've written this Reflection has probably tipped you off that my expectations were disappointed. The anti-affirmative action stance, we were told, need not be taken seriously. That is because when opponents of affirmative action talk the language of individual rights, they are being "disingenuous." What they really desire is preservation of privilege. The plaintiffs who contend that employment of racial criteria deprived them of access to the university are also being disingenuous. They are simply stalking horses for the radical right. And so the evening went. The presentation offered very little information concerning the legal issues being considered by the court — itself, according to the ACLU, being held hostage by a cabal of five crusading conservatives — but a continuing commentary on the opponents' discreditable motives.

The evening was drawn to a close with a pronouncement that the real agenda of those attempting to shut down affirmative action is no less than "to close the doors of higher education to minorities." Apparently the legal strategy of today's ACLU is to find disingenuity under every rock and crevice, and then to root it out with demagoguery and defamation.

— Loren Lomasky

Killing swarthy Muslims for Jesus — A year ago I wrote a newspaper column about Israel. It was addressed to conservatives, who have become Israel's most hard-core supporters in the United States. I asked them why they supported Israel in its war with the Palestinians. I argued that if either side could say the war was about its "right to exist," it was the Palestinians. Israel exists; the



"They are poached eggs, sir — we grabbed them when the chicken wasn't looking."

Palestinian state does not — and Israel already has about 78% of the land of Palestine.

I got more emails from that column than anything I have written. I also appeared on two radio talk shows, both conservative in which the host and the callers argued for Israel.

And now I have a better idea of that conservative sentiment.

In the column I had dealt briefly with two arguments: that Americans should side with Israel because it is a democracy and because it is in a war against terrorism. And I heard both of those arguments in the emails.

But also other ones. There is a belief among evangelical Christians that the Israelis are God's chosen people, and that all of Palestine belongs to them because the Bible says so. You don't see that in the mainstream press, because the mainstream press does not deal in religious arguments. Religious arguments are presented in a ghetto. Religious believers, when venturing out into the secular mainstream, use secular arguments. They talk about democracy, but that is not what is in their hearts.

In writing the column, I was dealing with their public argument, but not the argument they cared about.

That was the first thing. The second thing was that when people talk about Israel as a democracy, they are really engaging in identity politics. They are not saying, "This land should belong to whatever group has the most egalitarian voting system." It is saying, "I support the Israelis because they are like me." And the Israelis may be more like him, in religion, political ideas, wealth, style of living, dress, etc.

Is that how one should decide a claim between two foreigners? I didn't see why it should be.

The third thing was the argument about terrorism. Which boils down to, "I'm for Israel because suicide bombing, especially of civilians, is disgusting." And it is disgusting. But

There is a belief among evangelical Christians that the Israelis are God's chosen people, and that all of Palestine belongs to them because the Bible says so.

Israeli soldiers kill civilians. It is not suicide bombing; it is an organized activity of the Israeli state. One could call it a government program. Is that not disgusting?

What you find disgusting depends on which side you're on, and that depends on how you define the issue. A few humanitarians will say that all killing is equally bad, and feel it. But for most, the idea comes first, the disgust second, the arguments third.

— Bruce Ramsey

The supreme incentive — Let's not be intellectually lazy, nor verbally imprecise when we generalize about our government. Remember that all generalizations, including those about government, are false, including this one — unless you properly identify the bureaucratic sector under discussion.

But first consider the basic tenet that the problem lies in the coils of incentive and evaluation that envelop any organi-

zation. Obviously, in the private sector, if Jerry's Rug Shampoo Service ("We'll clean the cat for free") is not good at cleaning rugs and cats, profit will elude Jerry. The shop will close. The cat will be filthy. However, if the rug shampoo service is a government agency unmindful of profit — and even turns your rug emerald green — it will still roll on forever like the muddy Mississippi. No profit, no incentive. And no way to measure the effectiveness of the Department

If Jerry's Rug Shampoo Service ("We'll clean the cat for free") is not good at cleaning rugs and cats, profit will elude Jerry. The shop will close. The cat will be filthy.

of Rug Shampoo Service.

What isn't obvious is that there is a division of the government that depends on the supreme incentive. It is called the Department of Defense and the supreme incentive, of course, is life. If you make a mistake landing a tomcat on the careening deck of the *Theodore Roosevelt*, you'll lose your life. If the flight control office makes a judgmental error, death can result. If the mechanic who services the engine gets careless, the same. There are huge incentives involved in operating and maintaining weapons and explosives — not to mention the peril of the battlefield. The result of inefficiency, like the wages of sin, is death. Incentives far more powerful than profit drive the operation. This is not true of the SSA or the Bureau of Indian Affairs or the IRS. By the way, it is interesting to note that the public isn't so dumb. When they are polled about the departments of the federal government, the DOD usually leads in efficiency.

— Ted Roberts

Unhealthy skepticism — Michael Fumento has made a name for himself as the journalist who debunks health scares. In essence he argues that people tend to worry about the wrong things, from passive smoke to heterosexual AIDS, and not enough about the right ones. I usually agree with him. But not this time.

I had planned a family trip to China for early April. In late February, I began hearing about a strain of pneumonia in a Chinese province I planned to visit. Initially, I had the same reaction as Fumento: don't worry. It is a few cases out of millions. I booked tickets, reserved hotels, and paid the money.

And then the story got bigger, and bigger, and bigger.

By the time Fumento's piece was published in Canada's *National Post*, March 28, the disease had been given a name, Severe Acute Respiratory Syndrome, or SARS. It had broken out into Hong Kong, Singapore, the United States, and Canada. And it was a creepy disease. It began like the common cold, spread to the lungs, and in fatal cases puffed up the lungs until they burst.

It spread in the hospitals. The Italian doctor in Hanoi who first identified it died of it. The Hong Kong doctor who brought it from China checked himself into a hospital and died of it. The CEO of the Hong Kong Hospital Authority, who had been reassuring the public about the handling of it,

came down with the disease himself.

Hanoi closed its hospital. Singapore closed its government schools. Hong Kong closed its schools and made one of its public hospitals SARS-only. Hong Kong also quarantined a huge Kowloon condo complex, Amoy Gardens, when it found that the disease had spread from one unit to the unit directly above.

The Centers for Disease Control recommended that nurses and doctors treating SARS patients wear rubber gowns and gloves, eye protectors and respirators.

Not surgical masks. *Respirators.*

When Fumento wrote, the disease had killed 54 people out of almost 1,400 known infected worldwide; as I write (April 7) it is 89 out of 2,416. It is true, as he says, that this is less than 4 percent. But that assumes that the rest of the 2,416 will live. Consider the statistics as Hong Kong gives them: 883 cases, of which 127 recovered and 23 died. The rest are still in the hospital.

Subtract the ones in the hospital, and the death rate is 15 percent.

And I think: is "Why all the fuss" the right attitude? That was the attitude of the Chinese government for four months while it said almost nothing.

I say: raise the alarm!

And I did my part. I stayed home. — Bruce Ramsey

Roll film — Fortunately, the more telegenic moments of the war in Iraq ended before they could interfere with the blockbuster movie season of the spring and summer.

Let's see what's coming up. A new addition to the Rambo franchise is on deck, as is an utterly pointless and illogical sequel to *Terminator 2*. (I exempt the third installment of *The Lord of the Rings* from this category. *TLOTR* is a "saga," not a franchise.)

But I am looking forward to the two new installments in *The Matrix* series, one of which will open this month. In 1998, *The Matrix*, with its treatment of the classic story of good triumphing over impossible odds, galvanized a lot of libertarians, especially the younger generation. When libertarians

meet, the inevitable question (usually a variation on "What made you a libertarian, reading Mises or Rand?") is just as likely to be framed as "So, what made *you* take the red pill?"

Of course, the series may have lost some of its urgency. In 1998, there might have been some people who worried that self-aware machines might indeed try to take over the world, as they did in the backstory to *The Matrix*. I imagine that had something to do with the technology stock bubble. In 2003, everyone was worried about the Iraqis taking over the world. Which is probably why Stallone is working on another Rambo film.

Artificial intelligence inheriting the earth is a theme (or at least the contrivance) in the *Terminator* movies, in which world-dominating computers and human rebels take turns sending each other back in time to shoot up Los Angeles. In the *Terminator*, remember, the Pentagon's AI decided to stage a coup against the organics by starting a nuclear war. It will be interesting to see how the screenwriters tried to square their fictional time stream with the events that have changed the world since the first movie in 1984, or even since *T2* in 1991.

Come to think of it, rule by computers is a plot that does seem to surface in theaters fairly often. But I don't think it's really a fear that grips most ordinary people, but rather a projection of the rational fear of the Hollywood establishment. I mean, if you were a major American screenwriter or actor, wouldn't *you* be afraid of being replaced by a machine? — Brien Bartels

Word watch — Every modern war has its distinctive vocabulary, a set of words that is spread, multiplied, and in many cases originated by the popular media. In the Civil War it was "Old Abe" and the "secesh" and "hold the fort!", and ultimately "carpetbaggers" and "scalawags" and the "Lost Cause." In World War I it was "huns" and "dough-boys," "they shall not pass" and "over the top," "unrestricted submarine warfare" and "40 and 8," and ultimately "armistice," "reparations," "corridors," "partitions," and "open covenants, openly arrived at." World War II, a self-consciously plebeian war, popularized "grunts," "spam," "dog tags," "dog-faces," and a lot of other mostly down-at-the-heels words. While our soldiers in Vietnam engaged in "firefights" around "strategic hamlets," Walter Cronkite told hapless viewers of CBS News that the Pentagon was once again "beefing up American forces," proof that the war was being "escalated" instead of being "Vietnamized." And eventually, after the war was over, we got to hear a lot about "fragging."

All war words, appropriate or inappropriate, interesting or uninteresting, become tiresome with repeated use. The vocabulary of the current war took only hours to become so, despite the fact that some of it was effective, in carefully measured doses.

"Shock and awe" has a biblical solemnity, coupled with the little lilt, the little hint of conscious self-dramatization, that one often finds in the King James Version.

"Boots on the ground" is as sonorous as, well, boots on the ground; it has, besides, that small, invigorating whiff of S and M.

"Embedded," used in regard to media correspondents

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traveling with military units, must have been coined by some public-information officer who'd spent the past 20 years trying to get the drop on the media elite. The word worked its magic. Now, instead of pontificating in front of the Pentagon, with the associate producer making sure that everybody's got enough Sprite, the Dan Rather wannabes were fighting to be embedded in a Marine Corps platoon sweating its way across the Iraqi desert. That can't be bad. But even good words can be heard too often.

Here are some other expressions that can stand a rest:

"Harm's way." This one has been creeping up on us for a long time. When the war began, it crouched and sprang. Now it's everywhere. But after all, it's just War Lite, war talk for non-warlike people. To be "in harm's way" sounds as if you were standing someplace where you might possibly stub your toe or pick up a splinter or something. It doesn't suggest the idea of having to blast your way out of an ambush while a hundred other guys try to blow your head off.

"Regime change." Bernard Lewis, the Western world's (deservedly) most respected authority on Islam, denied being responsible for inventing this phrase. He pointed out that both "regime" and "change" have been in common speech for a long, long time. It might also be observed that the madcap Iraqi state was positively begging for the item in question. The thought of "regime change" just naturally goes together with the thought of "Saddam Hussein." Nevertheless, efforts are underway to make "regime change" go with a lot of other things. Prospective President John Kerry, for instance, has attempted to make it synonymous with "getting rid of George Bush." But whatever one thinks of Kerry's implied comparison of Bush with Saddam — and I think it's a classic revelation of the Democrats' most potent and reliable motivation, which is hatred of Republicans — "regime" really does mean more than "that guy I don't like." It means a whole system of things. By the time this reflection

"Boots on the ground" is as sonorous as, well, boots on the ground; it has, besides, that small, invigorating whiff of S and M.

is published, however, I'm sure that we will have reached the point where Little Leaguers are demanding a regime change whenever they're disappointed in their coach.

"Smoking gun." The popularity of this one dates to the Watergate era. It really is an evocative phrase, a phrase that's capable of all kinds of uses. What it means right now is, "Saddam's weapons of mass destruction." But the phrase is so overworked that, from the strictly linguistic point of view, it would be better if those weapons never got found. Let's not let the saying spread any farther. It might be funny, and it might solidify support for the Second Amendment, if people went around saying, "Is that a smoking gun you're carrying, or are you just happy to see me?" But I don't want to hear it.

"Fog of war," meaning a soldier's inability to know exactly what's going on while he's fighting, is a less happy

expression. It's one of those phrases that *smell of the lamp* — an old-fashioned way of saying that it's the kind of phrase that has to be found by searching late at night, with the lamp on. This one is always attributed to Clausewitz's *On War*, although Clausewitz didn't say it quite like that. He said it in a more complicated manner. If you ever happen to read Clausewitz, you'll get so sick of his trademarked method of saying obvious things in pompous ways that you'll quickly resort to someone else — maybe to someone like Mary

Saddam's information minister enjoyed a brief run as the Iraqi Jerry Lewis, but his success as an entertainer was largely dependent on the fact that everybody knew he would not have time to repeat his best lines.

Poppins, who was just as warlike, and much more perspicuous. But yes, Clausewitz was right: soldiers can't know everything; unpredictable things happen in battle. They also happen when I try to cook. There's something eerie about the fog of cuisine.

Well, if you like "fog of war," keep it. It's not patently offensive. Just don't say it all the time. But that's the problem. Only the rare television news show fails to include "fog," "boots," "embedded," and "smoking gun" in every one of its 15-minute segments. This is something that we have to live with. We're embedded. Our boots are on the ground.

Some wartime clichés are less innocent of purpose than the ones I've mentioned so far. "The Arab Street," consistently invoked by people who have never set foot outside the network limousine, is a conceptual hand grenade, used to annihilate everything in its vicinity. Whatever the United States does, short of mass conversion to Wahhabi fundamentalism, is certain to "arouse the Arab street," and the results are always "likely to be devastating." This "street" is dark and angry and oddly memorious. Tom Brokaw, observing the destruction of Saddam Hussein's statue in the center of Baghdad, registered dismay about the (shocking!) appearance of the American flag and its effects on Islamic hearts and minds. Casting himself as the Proust of the Arab street, Brokaw intoned: "Memories in this part of the world go back a long way, back to the Crusades in some cases." People must have very long lives on the Arab street. Or maybe they don't. Maybe they just believe everything their government tells them. Whatever. I can't see why we should worry much about (A) advanced geriatrics or (B) mind-numbed robots.

Speaking of (B), I could spend all day on the sayings of the former Iraqi government, although the numbness, in this case, was self-induced. Its great rhetorical achievement was a stupendous unity of tone. Goebbels and Hitler had much more tonal variation. When Saddam and his flacks were flapping, all their big effects came from the kind of imagery one associates with a delinquent eight year-old: "hit them with your shoe," "rattle their joints," "put a knife to their throats," "we were able to chop off their rotten heads," "God is grill-

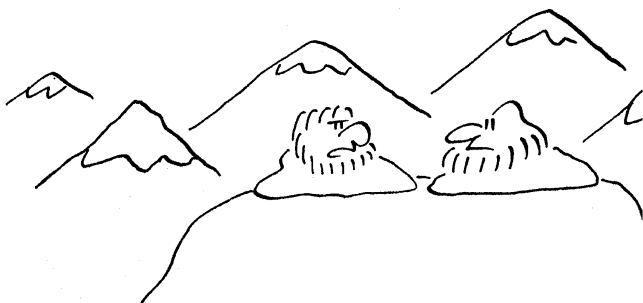
ing their stomachs in hell." Sad to say, nothing resonant emerged. Saddam was unable to repeat the success he once achieved with "the mother of all battles." His information minister enjoyed a brief run as the Iraqi Jerry Lewis, but his success as an entertainer was largely dependent on the fact that everybody knew he would *not* have time to repeat his best lines.

In the verbal war, no one laid a glove on America, except Americans. Our verbal losses resulted entirely from friendly fire. Among the most serious attacks by American forces on American speech were two prevalent and ridiculous mispronunciations: "ca-SHAY" for "cache," as in "a large ca-SHAY of weapons"; and "calvary," used of a military unit. I may be naive, but I am astonished to find that even senior military officials, let alone \$200,000-a-year media correspondents, have no idea that "cavalry" is the name of the military outfit, whereas "Calvary" is the name of the hill where Jesus died. Maybe these people are Muslims, after all. But even if they are, they should still learn how to read.

Confusion of sounds is nothing, of course, compared with confusion of concepts. The worst losses in this category occurred on Battle Ground America, in the thousands of newspaper and television reports that characterized antiwar demonstrations as "peaceful" and "nonviolent," no matter what happened, short of somebody actually getting lynched. Marvelous: all those hate-filled demonstrators, and nothing unpeaceful takes place! Unfortunately, it was a miracle like most other miracles. It was something that didn't happen.

I am looking at a picture of "demonstrators" in San Francisco, trashing a line of newspaper vending machines. What an homage to freedom of the press! What touching gratitude to the liberal media! But, to paraphrase the old poet: the heart, misgiving, asks, can this be peace? No, I don't think so. Neither is it peace when the "demonstrators" merely decide to immobilize the city, as they did in San Francisco, Los Angeles, Chicago, and New York. You can measure their sincerity by their choice of action. When in doubt about the means available to protest a foreign war, it was obvious to them that what you should do is prevent your neighbors from getting to work.

Suppose that my friends and I decided to protest the war by sitting down in your driveway and keeping you from leaving home. Would that be "peaceful"? Suppose I refused to budge, even when the cops came. Suppose I started smacking the cops with signs, vomiting on the pavement, and throwing things through your windows. Would that be "nonviolent"? Maybe I would call it that, but why should you? As antiwar battalions melted from The American Street, they left much of the media with gaping holes in its



"I just found out that the mantra you gave me is Pig Latin!"

credibility — damage incurred, in large part, because of inadequate defenses against "nonviolence" and other weapons from the demonstrators' massive arsenal of words.

As deep calls to deep, so the absurd calls to the absurd. My favorite absurdity on the military side is a remark delivered by General Montgomery Meigs, who on April 3 told MSNBC that such and such an attack on Baghdad would be a "blow to the solar system." The general had, of course, been aiming at the *solar plexus* — but his blow went wide.

— Stephen Cox

Getting the copyright — Reading William F. Buckley's undeservedly popular new novel, *Getting It Right*, which I review elsewhere in this issue, I noticed what is almost certainly a violation of copyright. The book includes a letter to the editor of *National Review* defending Ayn Rand against Whittaker Chambers' silly claim that she was a totalitarian. Fine. But until its inclusion in the novel, this letter was never published in *National Review*, or anywhere else. The notion that merely submitting a letter to a publication gives the publication's editor the right to use it as he sees fit — nearly a half century later — seems highly dubious, at the very least. The letter, by the way, was from Alan Greenspan.

— R. W. Bradford

You have mail — I confess that when I lived in New Jersey, I had a strong prejudice against the monopoly we call the U.S. Postal Service. It began when I asked our postman to estimate the delivery date of a parcel and he told me to "mind my own business." Obviously, a dog bite victim in the later stages of rabies. I got so paranoid that I continually tested him. My favorite was the "nonesuch" address trick. I'd pen a fictitious address on the envelope — then wait to see if the piece ever returned to me. And how long it took. Herb, my pal, had a variation on this theme. He used obscene or highly suggestive street names. He never got his stuff back. I would not stoop to that. Or he would test their honesty by noting on the envelope, "Handle With Care — Cash Inside."

Another much more subtle scheme used several levels of mistaken addresses to find the threshold of non-delivery. For example, 115 Cockamamie Lane (the correct address) would initially be penned as 115 Schlockamamie Lane. And if they got that right, the next letter said 115 Glockamamie Blvd. And if, amazingly, the boys and girls in blue deduced that one, he'd work on the zip code. But they were pretty clever and sometimes could make delivery with only the correct name and country.

Herb said the trouble was they were always criticizing his private life. "If my daughter," said the man in the red, white, and blue jeep, "only wrote once a month, I'd quit sending her kids presents." "And if you're so smart," said Herb, "why are you still driving a Jeep that I drove in the Korean War 40 years ago?" He hasn't gotten a real letter since — just bills.

Our post office people in Huntsville are spectacular — particularly the fella that works our block. I once mailed an anonymous letter — no return address — to "the luckiest girl in the world, Southeast Huntsville" — said the envelope — that's all. Just Southeast Huntsville. My mailman brought it right to our front door and handed it to my wife. — Ted Roberts

“Victory” in Iraq

We Are the Borg

by William E. Merritt

The War on Terror is a conflict that America can't win and can't stop fighting. Osama and company think they are fighting for the life of their civilization — and they're right.

Back when Uncle thought I was just the guy to bring peace and freedom to Vietnam, he shipped me overseas and gave me three days of what he called “in-country training” before actually setting me loose in the country. This gave him the chance, among other things, to show me how to use an M-16 rifle, which he hadn't bothered about in the six months before he sent me to 'Nam.

So late one afternoon I found myself, along with about 150 other guys, hiking to the rifle range out the back gate of the 25th Division base camp at Cu Chi.

The rifle range proved to be a footpath along the wrong side of the last string of concertina wire — where we straggled out until we were in a line about a quarter of a mile long, then turned and pointed our rifles across a field. It was a big field, and sloped away for hundreds of yards. There weren't any targets out there. Or trees or bushes or stumps or anything else to give Charlie something to sneak up behind. So, it came as a surprise when a green tracer sailed back the other way.

There was a lot of ineffectual scrambling around, then we all slunk back inside while gunships spent the rest of the evening using Vulcan miniguns to plow up the rifle range. It was quite a show, although I seriously doubt that whoever plinked off that tracer was still there. And since, as far as I know, nobody on either side was hurt, no equipment was busted up, and no real estate changed hands, what happened that evening had no military significance. Except, of course, it was the whole reason we lost the war.

Here we were, maybe 150 guys, all trained soldiers, all locked and loaded in the most free-fire of free-fire zones on a rifle range — all of us flown 10,000 miles for the one purpose of shooting at the very guy who had just shot at us and, yet, we never did because, in the meantime, we had managed to get ourselves so strung out in front of our own wire that we weren't soldiers anymore, just ducks lined up in a shooting gallery.

Now the problem with the Vietnam War wasn't that we stupidly chose the wrong tactics and foolishly relied upon inappropriate weapons. The problem was, there weren't any tactics we could have used, or weapons we could have

designed, that would have changed the outcome. We lost that war the moment we got into it, because there was not, and there never could have been, any way to win it.

I think something like this happened in 1941 to the Japanese. The United States could beat them with one hand tied behind our back, and we did — although it was more

The problem with the Vietnam War was that there weren't any tactics we could have used, or weapons we could have designed, that would have changed the outcome.

like one hand and three fingers, because 83 percent of our resources went to Europe. And the Japanese who thought about that kind of thing knew before they launched the first plane at Pearl Harbor exactly what was going to happen.

The Japanese didn't attack Pearl Harbor because they were stupid. They attacked Pearl Harbor because they were caught in a geopolitical trap. They were up to their eyeballs in a war with China when President Roosevelt cut off their oil and steel, and they had no choice but to fold — with unguessable political consequences at home — or go after the natural resources in Indonesia. And there wasn't any way to do *that* without getting it on with us, the Brits, the Dutch, the French, and the Aussies all at the same time — so they did. And hoped for the best.

When nothing at all will work, but you have to do something, whatever it is you do best can seem like the best thing to do, even if it won't work any better than anything else. It's the oncologist approach. Catch cancer, and some oncologist is going to fill you up with radiation and poisons, even though he knows you are going to die anyway. It's just that radiation and poisons are what oncologists know how to do.

In 1941, what the Japanese knew how to do was fight. Their soldiers may well have been the most loyal and most disciplined ever to go into battle. The Zero was the best fighter plane in the world and, by Pearl Harbor, the average Japanese aviator had been training since he was 13 years old, had 4,000 hours in the air before even being assigned to a combat unit, and had flown a lot of missions over China. Our guys went to flight school after college, had about 300 hours in the air before being assigned to a unit, and no time in combat at all.

In weeks, the Japanese had cleaned every clock from Honolulu to Hong Kong to Singapore to Bangkok, from Manchuria to New Guinea, and owned every island, oil well and rubber plantation in Malaysia, Indonesia, the Philippines, Wake, Guam, and every place in between. And none of it changed the fact they were going to lose because, in the end, there simply was no possible strategy to win.

I worry that we are in the same boat — that, from the moment that first plane slammed into the North Tower of the World Trade Center, we had lost, because we have no path that will lead us to any result we can live with.

We can seal our windows and doors, but the only way to keep poison out of our bedrooms is to use so much plastic

sheeting and duct tape that we smother.

We can seal our borders until we commit economic suicide, and as much cocaine as anybody wants to snort will still get through, as many Mexicans as anybody cares to hire will still slip across and, even in the midst of an Orange Alert, armed Cuban soldiers will still have to come ashore and hunt around Key West until they can find a Coast Guardsman to defect to.

Even if we could seal our borders, that wouldn't be enough. We live in a productive country. Everything it takes to do us in is already in here. Timothy McVeigh took down an office building, and a lot of people, with fertilizer and a rented truck. You can still buy box cutters down at Office Depot. And, with almost 300 million people in America, somebody is going to want to use them.

Or we can go goose-stepping into the future with John Ashcroft, and commit social suicide by enlisting the whole country into our very own Stasi, until we have no creativity and no freedom and no reason left to exist as a society anymore.

Or, we can kill ourselves the Japanese way. We can knock over Afghanistan and Iraq, and we will look pretty impressive doing it, although our tactics won't be as imaginative as the Japanese bicycle invasion of Singapore, or as daring as the hit on our battle fleet at Pearl. Then we can go after Syria and Iran and Arabia and Egypt and Pakistan and, maybe, Indonesia and Malaysia and Thailand and the Philippines, just like the Japanese did. And none of it will save what we want to save any more than anything the Japanese could do saved them.

When I think of the absurd, ineffectual scrambling around we do in the name of Homeland Security — mothers being forced to drink their own breast milk to prove they aren't sneaking dangerous liquids onto an airplane in baby bottles, people who are undergoing cancer therapy arrested

We can go goose-stepping into the future with John Ashcroft, and commit social suicide by enlisting the whole country into our very own Stasi, until we have no creativity and no freedom and no reason left to exist as a society anymore.

when they set off radiation detectors in New York subways, kids busted for making jokes at airport security checkpoints, federal guards feeling up 80-year-old women so we can pretend we don't have profiles on terrorists — it reminds me of that day at the rifle range 35 years ago when we didn't have a clue how to win that war, either. Then, like now, we were good at battles. In Vietnam, we won every single battle we fought. But battles weren't the point, and we wound up running in circles every time some guy with a green tracer bullet took a potshot at us. Because there wasn't anything better we could do.

Of course there is one other option. We could stop danc-

ing with dictators, stop defiling the sacred sands of Saudi Arabia with our infidel boots, shed ourselves of the murderous thugs who run Israel, start acting like we believe in our own ideals and, in general, quit bugging everybody else.

But I doubt that this would ever have worked — even if we hadn't already pissed off the rest of the planet by now. Because it's not just us Americans that the underdeveloped

"Victory" in Iraq

And they know it.

The thing is, like all those television Borg who are coming to assimilate Captain Janeway, we didn't start out as Borg. We just happened to get assimilated first. And, now, what

destroyed the culture of Locke and Jefferson is coming after them. And there's nothing more they can do to protect their heritage than we were able to do to protect ours.

Assimilation never goes down easy — and it always seems to be accompanied by violence and upheaval. For us, it was the Civil War where our ideals of individual freedom and limited government got strangled. In Europe, it was Napoleon and Nazis and Bolsheviks and a couple of World Wars. Japan went through firebombing and Hiroshima and foreign occupation until now, with their Pokemons and Hello-Kitties, they must be the most assimilated people on the planet.

All of which makes me very pessimistic that the Middle East is going to get off easier than anybody else. If anything, Muslims have a greater sense of their own history and culture than we and the Europeans ever did. And they are likely to kick the hardest to hang onto it. And kicking at us must look like the best way to protect themselves from what they think we represent. And there isn't anything we can do about that, no matter how fine a military we have. Because, when you come down to it, we do represent it. □

Of course there is one other option. We could stop dancing with dictators, stop defiling the sacred sands of Saudi Arabia with our infidel boots, and start acting like we believe in our own ideals.

parts of the world worry about. It's the whole modern, post-Enlightenment, industrial, consumer thing — what Middle-Easterners call Western Industrialization — that they hate and fear. And they hate it and fear it with good reason. It is destroying what they love.

We are the Borg.

And we are coming to assimilate them.

That dog won't hunt — I understand completely the arguments of libertarians who opposed the Iraqi War on isolationist grounds. Isolationism is the intelligent — and the idealistic — tradition of our country. There may be problems, of course, with a sudden isolationism. Once you've gotten yourself into a poker game, you have to insist that the other players abide by the rules. But the isolationist position is by no means silly or self-contradictory.

What I do not understand is libertarians who argued against the war, not simply because it was contrary to American traditions and interests, but because it represented "interference" with or "aggression" against another state. This is a bizarre phenomenon: people who have little or no respect for any state, as such, but have a pious reverence for the boundaries, constitutional provisions (if any), and self-determination of the Republic of Iraq.

That dog won't hunt. If I see my neighbor gassing his kids, I have a perfect right to walk into his house and kill him. Should I kill my own kids in order to do that? No. Would it be better to call the cops? Usually, yes. But that would not be the time to get pious about the neighbor's title to his city lot. And governments in general have much less claim to respect than property owners in American cities. When it comes to Iraq . . .

No, I'm sorry. You can't be a statist and a radical libertarian at the same time.

— Stephen Cox

Imperial gun control — Conservatives have almost always resisted even the first hint of gun control, which is

why for the life of me I can't figure out how come so many of them are so hungry for this war.

Even Floyd R. Turbo knew how ridiculous it is to attempt to stop violence by going after every gun: you'll never get them all. The law-abiding might be easily (though pointlessly) disarmed, but rogue individuals will always find a way to get a gun, thus creating the worst possible situation. So, the smart thing would be to forget gun control and allow the law-abiding to arm themselves — i.e., defense over disarmament.

It just seems so obvious to me that Bush's policy is nothing but gun control on an international scale. He wants to play Sarah Brady and disarm every rogue nation out there: first, Afghanistan; now, Iraq; next Iran, North Korea, and God knows who else. Can anyone claim that this is going to protect us from some nut unleashing anthrax (or whatever) in a major U.S. population center?

I like to think of this as the "conservative case against the war," but will any conservative actually buy it? I might have already answered myself: consistency has never been a conservative virtue. Be that as it may, what is prudent for a great nation, can scarce be folly for the entire world.

— Barry Loberfeld

Safety first — Whenever I hear that President Bush is addressing troops, I'm reminded that early in 1968 the only places where LBJ could securely appear in public were military bases. Soon afterwards, he withdrew from the Democratic primary.

— Richard Kostelanetz

Cleaning Up After the War Party

by Clark Stooksbury

As the debate over Iraq raged, members of the war party enjoyed rebutting the lame slogan, "war never solves anything." Mona Charen repeated a line in her syndicated column that has been making the rounds lately. "The answer to this argument, if you can call it an argument, could almost fit on a bumper sticker: Apart from securing American independence, ending slavery, and defeating Nazism and communism, war has never solved anything."

This response, although beguiling, is about as weak as the argument it supposedly rebuts. Of course, American independence was secured by a war. But what about the other items on Charen's list?

Slavery was indeed "solved" in the United States after a failed bloody war of secession; 620,000 Americans died in the process. Writing in the March, 2003 *Liberty*, Timothy Sandefur opined on the costs of that war: "It would have been cheap at a thousand times that price. It would have been cheap if the war lasted until the present day. It would have been cheap at the price of *oceans of blood and mountains of bones*." But a more rational person might notice that countries from Great Britain to Brazil managed to abolish slavery while avoiding fratricidal wars.

Nazism was also "solved" in a war, but that isn't the whole story. Great Britain and France went to war against Germany to guarantee Poland's sovereignty. What you would never learn from Charen is that, after the victory over Nazism in 1945, Poland was still not sovereign. That portion

of the war failed. In fact, eastern and central Europe came under the total domination of the Soviet Union.

There is a case to be made that certain allied policies helped to extend Hitler's reign. In January, 1943, Franklin Roosevelt announced that the only satisfactory conclusion to the war was an unconditional surrender by the Axis powers. This policy, when coupled with allied bombing of German cities, helped to stiffen German resolve and lengthen the war.

Mona Charen believes that communism was "solved" by war. The United States directly engaged in two wars against communist forces with mixed results. In Korea, we managed to keep the southern half out of communist hands. In Vietnam, the U.S. fought its longest war, but failed totally while causing a massive crisis of legitimacy for the government at home. It's hard to imagine anyone putting Vietnam on a bumper sticker for the benefits of war.

The collapse of the Soviet Union was the product of containment that allowed its internal weakness to destroy it from the inside. Ronald Reagan was determined to increase America's nuclear capability and aid anti-communist insurgencies around the world. He also wisely decided to stoke the fires of Islamic fundamentalism in Afghanistan, in order to defeat the Soviets. But even he — in spite of the occasional open-mike blunder — had no intention of directly attacking the Soviet Union.

After weakly rebutting the weakest argument against invading Iraq, Charen still needed to fill out her column, so she threw in a few reasons why we should invade. Charen tells us that, "Saddam has rewarded the families of suicide bombers in Israel with huge cash prizes. One of the plotters of the first World Trade Center bombing carried a phony Iraqi passport, another fled to Iraq after the terror attack and is believed to be there still." What she could not tell us is that Iraq has attacked the United States, or ever presented even the remotest threat to do so.

There is one instance of an Iraqi attack on America that Charen and other members of the war party never mention. In 1987 an Iraqi fighter jet attacked the *U.S.S. Stark* in the Persian Gulf, killing 37 Americans. Iraq claimed it was a mistake, and it probably was. But there is a more important reason why the attack has slipped down the memory hole. For the war party, Iraqi history must always begin in August, 1990. When the *Stark* was attacked, the Reagan administration had a policy of "tilting" towards Iraq against the enemy of the moment — Iran. When Hussein committed most of his acts that the war party constantly use to justify an invasion — invading his neighbors, using poison gas, etc. — Iraq was a U.S. client. If George W. Bush was terribly concerned about this, all he had to do was to call daddy, who was the vice president at the time, and let him know.

LET ME SEE IF I'VE GOT
THIS STRAIGHT: SLAUGHTER
INNOCENTS? OK. HAM ON
RYE? NOT OK?

BINGO.



SHCHAMBERS

“Victory” in Iraq

Behind the Smoke & Mirrors

by R.W. Bradford

The war on Iraq isn't about Osama bin Laden, weapons of mass destruction, liberation, or even oil.

Americans have long been extraordinarily gullible. They entered the Great War on behalf of Britain, France, and Russia on the belief that doing so somehow constituted “saving the world for democracy,” despite the fact that the countries it saved were no more democratic than Germany, whom they sought to destroy. They enacted Prohibition, on the conviction that simply outlawing alcohol would end a range of problems from public drunkenness to childhood poverty to the absenteeism of factory workers. They fought World War II in the belief that by allying themselves with the bloodiest dictator in history, a madman who without the slightest doubt actually sought to rule the world, they were saving the world from a madman who sought to dominate the world. They declared a War on Drugs in the belief that arresting users of recreational substances that were neither tobacco nor alcohol and incarcerating them for lengthy periods of time and running television commercials about the dangers of non-nicotine, non-alcohol drugs would end the harm done by drug use. They declared a War on Poverty in the belief that taking from the well-off and giving to the less well-off would end the sad state of affairs in which fully 25% of our population lived in poverty, which was defined as having to get by on less money than three quarters of the American populace.

Americans' reaction to the War on Iraq again illustrates this gullibility — indeed, it suggests that Americans have transcendent gullibility and have passed into the netherworld of those hopelessly addicted to bamboozery.

Consider why Americans have concluded that conquest of Iraq is such a Good Thing. The regime of Bush II has offered Americans three rationales for conquering Iraq:

1) *Saddam Hussein was behind the 9/11 terrorist attacks, and*

deserves to be punished.

The administration repeatedly suggested that Saddam was behind the terrorist attacks, despite the fact that the 9/11 terrorists were part of a fundamentalist Moslem revolutionary group that stood diametrically opposed to modern, secular socialist Moslems like Saddam — and despite the fact that there was not so much as a scintilla of evidence that Saddam was involved in the 9/11 attacks. And the campaign was successful: on the eve of the American invasion of Iraq, nearly half of all Americans believed Saddam had ordered the attacks of Sept. 11.

The patent falsity of the “Saddam-ordered-9/11” rationale for conquest, however, was apparent to a modest majority of Americans, and another explanation was plainly needed. So Bush and his staff came up with another rationale:

2) *Saddam Hussein had developed some weapons of mass destruction (WMD) and was working on others. This justified conquering them.*

The administration argued that Saddam was flouting an agreement to forswear development of “weapons of mass destruction,” i.e., the sort of sophisticated weapons that the United States possesses. He already has chemical and biological weapons, Bush said, and if we don't stop him quickly, he'll develop means of delivering them. And he's also working on nuclear weapons. Once he develops such weapons and the means to deliver them, we will be vulnerable to his aggressive ambitions, and can never be safe. If we don't attack him now, he will inevitably attack us, with damage even worse than what happened in the 9/11 terrorist attacks.

This rationale also was offered to the United Nations in hopes that it would convince the world's secondary powers

to support American conquest. The theory here was that Saddam's development of chemical and biological weapons violates his ceasefire agreement with the U.N. and therefore justifies collective international action (i.e., U.S.-led invasion) against Iraq. When it became evident that most U.N. members and members of the Security Council would reject the U.S. proposal, it was withdrawn.

It failed to convince many people outside the U.S., but *homo americanus* bought the theory lock, stock, and missile. Stop this madman before it's too late, they cried, else we will never be secure in our homes again.

And so the process of conquest was begun. But as the invasion proceeded, it became doubtful that Saddam possessed any usable chemical or biological weapons. Even

when facing annihilation, Saddam's forces never deployed the chemical or biological weapons that Bush had said they possessed and would use upon the slightest provocation.

Some Americans began vaguely to suspect that perhaps Saddam had never possessed any effective WMD in the first place. This impression has been reinforced by the failure of the conquering forces to discover any. Indeed, the only evidence that Iraq possessed weapons of mass destruction that the administration offered was that its armed forces found gas masks and poison antidotes in some Iraqi hospitals they had seized. These proved the Iraqis had chemical weapons because, well, why else would they have means of defending themselves against chemical weapons? So far as I can tell, no one seems to have noticed that this logic would suggest that

War crimes and popcorn — When I heard the president denounce the Iraqi soldier who donned a taxi-driver's uniform, loaded a bomb into a taxi, and blew it up while going through a U.S. checkpoint, I was reminded of one of my favorite movies.

Desperate Journey was made in the early days of World War II, when Hollywood wanted to build support for the war. It is the story of five flyers who are shot down after heroically abandoning the cover of clouds to take out a key target in Germany. After being shot down, the flyers are captured by German soldiers, but quickly escape and make their way across the country to the Netherlands, from which they hope to escape to Britain with critical information to help win the war. Like most war propaganda films of the era, this one draws its *dramatis personae* from varied backgrounds. Errol Flynn is the swashbuckling Aussie pilot, Ronnie Reagan the smart-mouthed, street-wise American, Arthur Kennedy the Canadian accountant who had volunteered to save civilization, Alan Hale the overage American who lied about his age to get into action against the Nazis, and Ronald Sinclair the son of an English ace from the first world war, who had to prove his mettle.

These characters escape the Germans by a remarkably simple means: when questioned by evil German officer Raymond Massey, Ronald Reagan speaks double-talk, thereby confusing Massey to the point where Reagan can sucker punch him right in Nazi headquarters. He leaves Massey's office and tells the soldiers guarding the other POWs that Massey wants to see Errol Flynn. Amazingly, they take Reagan (who is for some reason daintily drinking a cup of tea) at his word, and Flynn enters the office, where he imitates Massey's voice and uses Massey's intercom to call in a guard. They get the drop on the guard and have him order in the rest of the POWs. They knock out the guard and spend the next half hour ransacking Massey's office, looking for secrets. Finally another guard knocks on the door. Apparently Flynn's imitation of Massey's voice is no longer good enough to fool the other Germans, so all five jump out a window to freedom.

Before long, they're knocking out German soldiers, swiping their uniforms, and working their way across Germany. Between killing Germans and blowing up their factories, they learn that the war has been going very badly for the Axis, welcome news to moviegoers back home who were otherwise dependent on unreliable eyewitness accounts of

newspaper reporters. After an exciting chase, the heroes escape to Britain, where the information they've picked up turns the tide of the war. The movie is great fun, the sort of thing teenage boys of all ages (e.g., me) like to watch over and over again.

And here's the connection to current issues. In the incident I mentioned, Americans responded to the Iraqi soldier's attacking them while wearing a taxi driver's outfit by blasting a cannon into a van, carrying Iraqi women and children, that didn't halt promptly when ordered to do so at a checkpoint. In *Desperate Journey*, the Germans reacted to the allied soldiers donning German uniforms, blowing up factories and killing German soldiers by saying silly things with funny German accents and making fools of themselves in many different ways. All the times I've watched the film, it never occurred to me that Ronald Reagan was portraying a war criminal. But now I learn that he is one — at least if I believe George Bush, who thinks that the Iraqi soldier who donned a taxi driver uniform to attack American soldiers is a war criminal. In fact, Reagan, Flynn, et. al. were worse war criminals than this Iraqi guy. They were not content merely to disguise themselves as taxi drivers: they actually wore the uniforms of their enemy. And they were not content merely to attack members of the opposing army: they took out a chemical plant, killing civilians in the process.

Me? I still think *Desperate Journey* is fun, and Errol Flynn and Ronald Reagan are cool guys. War criminals? No, I can't see it.

— R. W. Bradford

War and weak stomachs — What a bellyacher cannot do is accept blame for unfortunate results of his own actions. Thus, the military complains that media around the world show footage of Americans held prisoners of war or dismembered. If you can't stand the heat, Harry Truman used to say, get out of the kitchen.

Once the bellyaching personality finds an audience, the stream of exculpatory fantasies will never stop. If, say, the current adventures into Iraq fail to pacify the entire country quickly or simply cost too much for voters to accept — if the Republican Party is dumped in 2004, as seems quite possible to me — don't be surprised if Republican bellyachers charge that the hot warriors among them were really Democrat provocateurs who intended to sabotage the G.O.P. One difference is that this time the bellyachers might be right.

— Richard Kostelanetz

every American family who built a fallout shelter during the Cold War must have possessed nuclear weapons.

President Bush possesses the finest, best financed, and most pervasive intelligence network in the world. It surely provided him accurate information on Saddam's arsenal, including whether it possessed any effective chemical or biological weapons. And it is evident that Saddam did not, else he would have deployed them against the invaders who in a few weeks destroyed his entire government, promised to kill him, and plainly possessed both the means and the will to do so. To believe that Bush actually believed the story his repre-

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and the missiles to deliver them. Yet the U.S. has made no move to conquer North Korea. The reason? No one in the Bush administration has given a credible answer to that question. But it seems safe to surmise that

the reason for attacking a country that seeks but does not possess WMD while not attacking a country armed with nuclear weapons is that Bush does not want to run the risk of Americans suffering the sort of death and destruction that Iraqis have suffered in the U.S. invasion. This provides a powerful incentive for other countries to accelerate their own development of WMD, as the one sure way to avoid U.S. attack. So the effect of an invasion to prevent the spread of WMD would be to provide powerful incentives for WMD to be developed by every country that cherishes its independence.

No, the threat of chemical and biological weapons was not a worry to the president. It was a propaganda tool that he hoped would help build support for the conquest of Iraq. It was credible to American boobs for a few weeks, but once the invasion began, it lost its credibility.

The Bush administration had foreseen this. It had another rationale for the invasion ready to go, one that it had already hinted at when it dubbed its invasion "Operation Iraqi Freedom."

3) *Saddam is a brutal dictator who oppresses his people, and we should liberate people from brutal dictators.*

As soon as American television networks began sending back pictures of some Iraqis welcoming American invaders (and asking them for food, water, and medical care, whose supply the invasion had interrupted), Bush and his minions proposed a new explanation to replace the newly discredited weapons-of-mass-destruction rationale: the U.S. was invading Iraq to liberate its people from their cruel dictator. This rationale had one virtue that the others lacked: it contains an

sentatives told the United Nations is to believe that American intelligence is grossly incompetent.

There is another problem with this rationale. Chemical and biological weapons are not particularly effective weapons. They are notoriously difficult to control, nearly as likely to kill your own forces as the enemy's. And they are much less destructive than the sophisticated weapons that the U.S. has developed. They would not be much of a threat to America or to Americans. Furthermore, even if Saddam possessed such weapons, he had no way to inflict them on us. (It is worth noting that the anthrax outbreak in the U.S. had its origin, not in Iraq or in any other foreign power, but in the anthrax program of the United States government.)

Indeed, the notion that chemical and biological weapons constitute some sort of uniquely destructive class of weaponry is merely a public relations ruse. In the entire history of warfare, chemical and biological weapons have killed about 100,000 people — approximately the same number of people killed by the conventional bombs U.S. airplanes dropped on Tokyo in a single day in 1945. And the U.S. development of the most destructive conventional bomb in history — a 21,000 ton monster the Bush administration dubbed the "Mother of All Bombs" — and the threat to use it against Iraq for its "psychological" impact suggests that the charge of "terrorism" is as applicable to Bush II's U.S. as it is to Saddam's Iraq.

Of course, the obvious falseness of the "weapons-of-mass-destruction" rationale was evident even before the invasion began. Despite its apparent failure to succeed in efforts to develop deployable WMD, Iraq was certainly not unique in trying to do so. Many other countries are doing the same. If the U.S. is to conquer them all, it has a very big job on its hands — a job too extensive and expensive for even America to undertake.

And what about North Korea? It has not merely sought WMD: it has actually obtained them. It has nuclear weapons

Any invasion designed to prevent the spread of WMD provides powerful incentives for WMD to be developed by every country that cherishes its independence.

element of truth: it is undeniable that Saddam was a brutal dictator who oppressed his people.

But this rationale also fails to make sense. If being a brutal, oppressive dictator is enough to bring on the wrath of the American military establishment, then the U.S. has a lot more countries to invade. According to Freedom House, a non-partisan group that evaluates political freedom and civil liberties of all 192 independent countries in the world, there are 42 countries other than Iraq that are "not free." If the U.S. is going to invade them all, it has a big job ahead: the 42 "not free" countries contain more than a third of the world's population and include three countries who possess nuclear weapons. Even if the U.S. were to leave those dictatorships alone, it would have to mount 39 other invasions.

While the United States certainly has the military might to conquer two relatively small countries like Iraq and Afghanistan, it should be remembered that doing so required a year and a half's time and more than \$100 billion. Mounting another 39 invasions would take much longer and cost much, much more. And if the U.S. also attacked unfree countries that possess nuclear weapons, the costs would escalate enormously.

If Americans were to take a look at America's allies in its invasion of Afghanistan and Iraq, they would notice that a good many are also dictatorships. Oman, Pakistan, Qatar, Saudi Arabia, Tadjikistan, Turkmenistan, the United Arab Emirates, and Uzbekistan all are identified by Freedom House as "not-free." Presumably, if the purpose of American invasions had actually been a desire to liberate oppressed people, the dictatorial governments of these countries would not have supported them.

Bush had never shown any particular affection for Iraqis, and there are dozens of other countries suffering under dictators comparable to Saddam. Surely, if Bush wanted to free the world's people from the thrall of lunatic dictators, he would have started someplace else, someplace where he and the United States had a stronger interest, such as Cuba.



Political decisions in America almost always have both a rationale and a reason. The rationale is the explanation that is palatable to the public but cannot stand logical scrutiny; the reason is the actual explanation. Bush II's decision to restrict steel imports was offered to the public as an effort to protect the jobs of American steelworkers. This protectionist measure will protect the jobs of steelworkers, all right, but at a huge cost exacted from every other American in the form of higher taxes and higher steel prices. It would be cheaper simply to give every displaced steelworker a cash payment from the U.S. treasury and to import the cheaper steel. But the president didn't make this proposal; voters simply wouldn't want to pay the direct cash subsidy to highly paid steelworkers. So the president offered the job-saving ratio-

If being a brutal, oppressive dictator is enough to bring on the wrath of America, then the U.S. has a lot more countries to invade.

nale to the public and bought the votes of steelworkers at an even higher cost. His rationale was protecting jobs; his reason was to get the political support of steelworkers and steel producers.

Of course, very few Americans have thought through any of this. Simply, most accepted one or another or even all of the president's rationales for conquering Iraq, despite the fact that they make no more sense than subsidizing steelworkers via import restrictions. Americans are far too busy wrapping themselves in the flag and celebrating victory over a tinpot dictator to give careful consideration to how it happened.

A few people — mostly those with a strong dislike for the president — have gone to the trivial effort needed to see past his flimflammy. Alas, almost without exception, they have settled on a theory of his "real" motivation that makes no more sense than the absurd explanations offered by the president himself.

I refer, of course, to the notion that the president and his administration are motivated by greed for oil.* These facts are offered in support of this theory: Iraq has a lot of oil. The

The supply of oil depends on how strongly holders of oil properties are motivated to sell. And Saddam was just about the most strongly motivated seller of oil around.

U.S. imports a lot of oil. Bush was once in the oil business. So was his vice president. Bush's father attacked Iraq a decade ago and cited the security of oil supplies as one of his reasons for doing so.

That's all true. But it doesn't provide anything resembling a sensible reason for invasion or conquest. Americans import a lot of oil and the lower the price of oil, the less the imports cost. This provides a rationale for the U.S. to try to keep the price of oil as low as possible. But will conquering Iraq lower the price of oil?

Certainly not. It will have the exact opposite effect. It will raise the price. For one thing, invasions run on gasoline and jet fuel, and increased demand means . . . well, unless the law of supply and demand was repealed when I wasn't looking, increased demand means higher prices. Furthermore, damage to Iraqi oil fields destroys oil and impedes the process of bringing it to market. For these reasons, the price of oil will increase, at least in the short term — as indeed, it has.

In the long term, the supply of oil depends on how strongly holders of oil properties are motivated to sell. And Saddam Hussein was just about the most strongly motivated seller of oil around. His dictatorship was cruel and not very popular, which meant two things:

1) He was strongly motivated to keep taxes low, in order to minimize domestic opposition. *The Wall Street Journal* reported that his government imposed only two taxes, one on inheritance and another on real estate. Iraqis suffered no income tax, no sales tax. The sale of oil paid for almost all government expenses.

2) He was strongly motivated to maximize his support by subsidizing all kinds of domestic efforts and providing a broad array of government benefits. This cost a lot of money — obtainable by selling oil.

Saddam was much more motivated to sell oil at low prices than was Kuwait's royal family. Saddam had more than 24 million mouths to feed, while the royal family of Kuwait had only about 860,000. The two countries have

*This theory has gained currency among some libertarians; see Stefan Herpel, "The Logic of War," *Liberty*, May 2003.

about the same amount of oil. Which had the incentive to sell it more quickly? It is in no way surprising that before the first Gulf War, Kuwait produced fewer than 2 billion barrels of oil per day, while Iraq produced an estimated 3.5 billion barrels per day. (CIA *World Factbook*, iraqresearch.com)

As difficult to understand as this sort of analysis may be to conspiracy theorists, it is pretty obvious to businessmen and economists — to the kind of men, that is, who made up the two Bush administrations. So why did Bush I float the idea that Kuwait had to be wrested back from Iraq to ensure our supply of low-priced oil?

Almost certainly, Bush I's minions floated the idea in 1991 for the same reason that Bush II and his minions provided its equally spurious rationales for conquering Iraq in 2003: it was a public relations ploy to build support for a war. When it turned out that most Americans were aghast at the notion of going to war for cheaper oil, the Bush I administration dropped the rationale and took up others. Today this rationale survives mostly in the minds of conspiracy thinkers and nitwit leftists, who remember how little public support it gained for Bush I.

So why did Bush II decide to conquer Iraq? I won't try here to provide a definitive answer to that question, but I will offer a few suggestions.

Bush's personality and public record suggest two hypotheses. He is a politician who values his popularity and is determined to remain very popular. He is well aware that presidents who start and win wars generally gain considera-

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ble popularity. In addition, he is a moralist of the sort who hasn't inhabited the White House since Woodrow Wilson. He has described his anti-Muslim activities as a "crusade," and his behavior is entirely

consistent with that of the moral crusader bent on destruction of his enemy. And he is the devoted son of a man who had invaded and defeated Saddam, but had withheld the coup de grâce, thereby disgracing himself and becoming only the second incumbent president in the 20th century to fail to be re-elected. I suspect his motivation can be found in some combination of these reasons.

Public choice theory is a method of analyzing political decisions as if political leaders were ordinary human beings, subject to the same incentives and motives as are other people. As Nobel laureate James Buchanan has observed, it is politics without the romance.

Unfortunately, public choice theory is all too often limited to analyzing policy decisions about government regulation of the economy, taxes and the like. But political scientists will find that it is also an important way of seeing through the preposterous rationales offered for foreign policy and other non-economic political decisions. Americans who seek to understand the world they live in, and rise above the gullibility and mass hysteria that characterizes so many of their fellow citizens, must examine political decisions without romance. They must attend, not to the motives that they wish to find, but to motives, conscious or unconscious, that have some plausible connection with the benefits that the decision-makers seek. □

No business like show business — Now that the war is essentially over, Hollywood antiwar protestors are casting themselves as victims of censorship. That's really funny, because during the troop deployment, they were allowed to say anything they wanted. They got plenty of air time being interviewed by sympathetic tele-journalists who listened to their opinions not because they were expert or eloquent, but because Hollywood stars are cute and famous and have really pretty clothes.

What Hollywood leftists mean when they claim to be victims of censorship is not that they were actually forbidden to speak, but that their fans are no longer interested in buying their DVDs and CDs.

Hollywood artists are learning that the First Amendment can be a double-edged sword. Yes, in America, you are allowed to say whatever you want, but nobody is forced to listen. In show business, the refusal to listen translates into lowered royalties and box office receipts. It's not censorship, just the free market. That gag you feel over your mouth is nothing more than the invisible hand of capitalism.

— Tim Slagle

Castles in the sand — After Saddam's statues starting falling, attention turned to how the rest of the Arab world was reacting to this turn of events.

One Egyptian commentator said that he wished the Iraqis had put up a longer fight "for the dignity of the Arabs."

Hmmm.

Another way they could regain their dignity would be to overthrow their own Ba'athist dynasties, sartorially absurd duchies, religious fanatics and democratic presidents for life, preferably without waiting for Bush and Blair to come knocking on the gates of their backward little plats of sand.

— Brien Bartels

Let Iraq play hookey — A warning to the powers who will be trying to influence the future of Iraq and its educational system. Trying to establish a school system by government, any government, is fraught with danger that the authorities in control may use it to create an ideological, religious, ethical, cultural, linguistic, political faction intolerant of all others. Remember what Mises said:

[T]he school is a political prize of the highest importance. It cannot be deprived of its political character as long as it remains a public and compulsory institution. There is, in fact, only one solution: the state, the government, the laws must not in any way concern themselves with schooling or education. Public funds must not be used for such purposes. The rearing and instruction of youth must be left entirely to parents and to private associations and institutions.

It is better that a number of boys grow up without formal education than that they enjoy the benefit of schooling only to run the risk, once they have grown up, of being killed or maimed. A healthy illiterate is always better than a literate cripple.

Tell that to the marines!

— Bettina Bien Greaves

Criminals in Our Midst

by Robert W. McGee

Criminals in our midst — Shortly after 9/11 Bush said that he wanted Osama bin Laden, dead or alive. Before the war began in Iraq, President Bush on several occasions said that he planned to "take out" Saddam Hussein during the first few days of the invasion. Bush later added Hussein's sons Qusay and Uday to the hit list. Apparently he has no qualms about assassinating people he labels as war criminals. Trials and due process can be thrown out the window, especially if the culprit had annoyed his daddy.

Saddam Hussein is not a nice man. A report by Human Rights Watch estimates that over a 15 year period, Hussein has displaced or killed more than 200,000 of the Marsh Arabs. Another Human Rights Watch report estimates total deaths caused by the Hussein regime over the last two decades at between 250,000 and 290,000. That doesn't include other atrocities that Hussein has committed, including torture, which do not always result in death. So it can be conceded that these acts, cumulatively, qualify Hussein as a war criminal.

Then there is Slobodan Milosevic, the former leader of Yugoslavia, who is accused of killing 10,000 Bosnians and deporting another 250,000, and committing additional war crimes in Croatia and Kosovo. If Milosevic is convicted on any of these charges, he will be recognized as another war criminal.

And let's not forget Osama bin Laden. If we add the deaths from the World Trade Center, plus the people who were on the airplanes and in the Pentagon, plus a few from other capers he might have been involved in, the total comes to about 4,000.

Do any other recent world leaders qualify as war criminals? Let's take a look at three recent U.S. presidents.



The U.S.-led economic sanctions that have been imposed against Iraq since August 1990 have killed somewhere between 1 and 2 million people, many of them children under the age of five. The International Action Center, founded by former U.S. Attorney General Ramsey Clark, estimates that the sanctions have killed 1.5 million Iraqis. UNICEF estimated

that between 1991 and 1998, sanctions and the resulting inadequate nutrition and disease caused the deaths of 500,000 Iraqi children under the age of five. Mortality rates among people over five years of age have also increased. The UNICEF Report of April 30, 1998 estimated that the sanctions were killing 40,000 children under the age of five and 50,000 people over age five every year.

If we use the UNICEF figure of 90,000 deaths a year or 7,500 a month as a reasonable estimate, and if we start counting deaths as of November 1990, three months after the sanctions were imposed, then the sanctions killed 202,500 Iraqis while President Bush I was in office (November 1990 to January 1993), 720,000 during Clinton's two terms (February 1993 to January 2001) and 195,000 so far during President Bush II's reign (February 2001 to March 2003 and running). Bush II stands to go to the top of the list of war criminals if he nukes Iraq and North Korea, as he has threatened.

The list below compares the deaths caused by the U.S. sanctions against Iraq to those caused by war criminals Saddam Hussein, Slobodan Milosevic and Osama bin Laden.

- Clinton — 720,000
- Hussein — 270,000
- Bush I — 202,500
- Bush II — 195,000
- Milosevic — 10,000
- bin Laden — 4,000

When President Bush II jabbars on about the evils of Hussein, we should keep these figures in mind to place things in perspective. Hussein's killing days appear to be over. Those of Bush II may just be beginning.

The stability crisis — One of the many disappointing things about media coverage of the Iraqi war has been the anxiety of the talking heads about "civil disturbances." As soon as looting of government offices broke out across Iraq, the networks and the classy newspapers started demanding that it be stopped, *forthwith*. The thought of "anarchy" was intolerable. Even some of the people on Fox News, by far the most pro-war, pro-military outfit, got into the act. A Fox correspondent went about the streets of Amman, Jordan, interviewing young men who professed themselves profoundly concerned about "the breakdown in law and order" in the neighboring country. There was no followup question about the breakdown in law and order during Iraq's past generation as a police state.

I remember talking to the late Russell Kirk, doyen of American conservatives, on a summer day in 1991. It was one of the many days when Yugoslavia was breaking apart and Western governments were worrying themselves sick about the need to "stabilize" the place. "Stability," he growled. "They're always concerned about stability." Russell Kirk was no libertarian. But he knew that there are a lot of things more important than what people call law and order.

— Stephen Cox

“Victory” in Iraq

Why We Conquer

by George W. Bush

with annotations by George Harper

On the eve of war, President George W. Bush took to the airways to explain to Americans why he was about to order the United States armed forces to invade Iraq.

My fellow citizens, events in Iraq have now reached the final days of decision.

Please note that nowhere in this speech does Bush explain why the “decision” must be made now. He nowhere explains why Iraq, which has been hobbled and disarmed by U.N. sanctions and U.S. bombing for twelve years, poses an imminent threat to anyone that must be resolved now by force of arms.

For more than a decade, the United States and other nations have pursued patient and honorable efforts to disarm the Iraqi regime without war.

The “patient and honorable” efforts include nearly daily bombing for twelve years, to enforce the illegal no-fly zones, that have U.N. sanction. It also includes twelve years of economic sanctions imposed by the U.N. that illegally targeted the Iraqi civilian population, in violation of the Geneva Conventions. The U.N. effort to disarm Iraq was itself a violation of the U.N. charter. Whatever these efforts were, they were not “honorable.”

That regime pledged to reveal and destroy all its weapons of mass destruction as a condition for ending the Persian Gulf War in 1991.

This is not strictly true. The U.N. imposed the disarmament requirements as part of Security Council Resolution No. 687, which was passed in April of 1991, when Iraq was a defeated but still sovereign nation.

Since then, the world has engaged in twelve years of diplomacy.

This is true, but irrelevant, in view of the bombing and

the economic sanctions that the U.S., Britain, and the U.N. have perpetrated upon Iraq in the last dozen years. Diplomacy pales in significance to an undeclared war.

We have passed more than a dozen resolutions in the United Nations Security Council.

To the extent those resolutions demanded Iraqi disarmament, those resolutions were illegal and in violation of the U.N. charter.

Article 2.1 of the U.N. Charter states that the U.N. is “based on the principle of the sovereign equality of all its members.” Article 2.4 of the U.N. Charter states that “All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state.” Article 7 of that Charter states that nothing in the U.N. Charter authorizes the U.N. to “intervene in matters which are essentially within the domestic jurisdiction of any state.” Article 51 of the U.N. Charter recognizes “the inherent right of individual or collective self defense” from armed attack, and states that nothing in the U.N. Charter “shall impair” that right. One searches in vain for any provision in the U.N. Charter that authorizes the U.N. to disarm a sovereign nation, or to invade a sovereign nation that is not already at war.

Resolution 1441, dated Nov. 8, 2002, gave Iraq 30 days to provide a full report on its programs to develop weapons of mass destruction. It also asserted that Iraq had failed to comply with Security Council Resolution 687, which ordered Iraq to destroy, or remove, or render harmless all chemical and biological weapons and all ballistic missiles with a range

of 150 km. Significantly, neither 687 nor 1441 authorize force to compel compliance. Ironically, when Secretary Powell recently addressed the U.N., he cited evidence of removal as evidence of non-compliance that would justify war!

Together, 687 and 1441 are obviously in conflict with Articles 2.1, 2.4, 7, and 51 of the U.N. Charter, and in conflict with the right of every sovereign nation to defend itself by

The "patient and honorable" disarmament efforts include nearly daily bombing for twelve years.

means which it chooses for itself. A right that has always been recognized by international law.

At the time Security Council Resolution 687 was passed, Iraq was a sovereign nation, and the U.N. had no authority to disarm it. History provides us with examples of infrequent attempts to restrict the sovereign right of nations to arm for defense, which attempts always end in disaster. A case in point is the Allies' disarmament and dismemberment of Germany in the years following World War I. The consequent insecurity of the German people, and their resentment, fueled the rise of Adolf Hitler. Had the allies respected the sovereignty of Germany, World War II would have been less likely to happen.

If we concede the U.N. the authority to manage the internal affairs of sovereign states by governing their armaments, and even disarming them, then we have taken a huge step towards world government. The same resolutions and arguments that have been used against Iraq could someday be used against us. We must remember that the U.N. is composed of many nations. Even now, we are witnessing attempts by such organizations as the World Trade Organization to dictate our internal taxation policies. What will we say when the U.N. turns its attention to our military policy? The U.N. may someday have its own military, and its own powers of taxation. Our present use of the U.N. as a cover for our military adventures may someday come back to haunt us, and that day may be very soon. For instance, it is conceivable that President Bush, Colin Powell, and the Joint Chiefs of Staff could be tried for war crimes, even in

absentia.

As a practical matter, such a trial would be of little consequence now, since the U.N. depends upon the U.S. for the bulk of its money and troops. But the day may come when the U.N. has its own money and troops. A U.N. that does not respect the sovereignty of individual nations is a threat to the security of every nation, including the U.S.

We have sent hundreds of weapons inspectors to oversee the disarmament of Iraq. Our good faith has not been returned. The Iraqi regime has used diplomacy as a ploy to gain time and advantage. It has uniformly defied Security Council resolutions demanding full disarmament.

Actually, Iraq has not uniformly defied the disarmament requirements. On March 7, 2003, inspector Hans Blix testified that Iraq was approaching complete compliance. As already pointed out, Powell has cited removal of WMD as evidence of non-compliance, even though S.C.R. 687 calls for such removal!

Over the years, U.N. weapon inspectors have been threatened by Iraqi officials, electronically bugged, and systematically deceived. Peaceful efforts to disarm the Iraqi regime have failed again and again — because we are not dealing with peaceful men.

These efforts to disarm Iraq are not "peaceful," as mentioned above. The U.N., the U.S., and Britain have been carrying on an undeclared war against Iraq for twelve years. Any Iraqi efforts to evade or stall disarmament are justifiable as self defense, in accord with U.N. charter provisions 2.1, 2.4, 7, and 51.

Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised.

When Secretary of State Powell attempted to prove this, in his speech before the U.N. Security Council, he was unable to do so, without resort to outdated and forged evidence. Even after weeks of the latest war efforts including the invasion of hundreds of miles of Iraqi territory by infantry, the U.S. has been unable to uncover any evidence that the Iraqi regime possesses the alleged WMD.

This regime has already used weapons of mass destruction against Iraq's neighbors and against Iraq's people.

It is none of the business of the U.S. government whether Iraq has used WMD against its own people, or against Iraq's neighbors. Our government is not the world's policeman. Our Constitution confers upon the U.S. government no

Life, liberty, and the pursuit of cheeseburgers

— Wartime. I haven't been as prolific as I would like since the outbreak of Gulf War II. All the places I look for obscure bits of news to rant about are so filled up with war news that there's no room left for anything fun. And I am a little leery of commenting upon the war, as it has become evident to me that there is a split between me and other libertarians on this issue. Perhaps I'm wrong, but I don't see Muslim fundamentalism as a benign religion of antiquity. I see fundamentalist Islam as a threat to everything I hold dear, from miniskirts to Jim Beam to bacon double cheeseburgers. Rather than co-exist in peace, the Wahhabis believe that Allah will not be satisfied until the entire world agrees to live under the laws of Islam. They truly want to destroy modern civilization and

return us to the Middle Ages. There is a very special animosity toward liberty. I would not be so adamant about fighting this threat either, had Sept. 11 never happened. I felt that we could peaceably co-exist, but the attack on the morning of Sept. 11 changed my mind. I believe we had ignored the threat long enough. Islam declared war on us years ago, it's just that we never noticed. Kind of like getting beat up on by a little kid: it's cute as hell until he accidentally scores a direct hit in the crotch.

— Tim Slagle

Ye freedome toste — You can go with "freedom fries" and "liberty toast," but I'm registering my protest against Paris by expunging all words of Norman origin from my vocabulary. From now on, it's nothing but god-ald Anglo-Saxon for me!

— Barry Loberfeld

power to police relations between Iraq and its people, or between Iraq and its neighbors.

Note that Bush does not mention that the U.S. helped supply some of these WMD to Iraq in the 1980s.

Bush commenced this latest war on Iraq without a congressional declaration of war. However, even if Congress were to declare war against Iraq, under the present circumstances that declaration would itself be unconstitutional. The Constitution, in Article I Section 8, authorizes Congress to raise and spend money in military affairs only in "defense."

Iraq has not uniformly defied the disarmament requirements. On March 7, 2003, inspector Hans Blix testified that Iraq was approaching complete compliance.

Iraq has not attacked our territory. We are at peace with Iraq. It cannot even be credibly argued that Iraq is preparing an imminent attack on our borders. Of course, now that our tanks rolled in Baghdad, our people at home may suffer new acts of terrorism, provoked by our attack! But, at present, Iraq is no threat to our national security. A mere 700 miles is the top range of its missiles.

The regime has a history of reckless aggression in the Middle East.

Actually, while the American military has invaded dozens of countries, Iraq has only twice invaded another country: once in the case of Iran and once in the case of Kuwait. The war with Iran could not be termed "reckless aggression," because Iraq was asserting its rights to a 200 km channel on the border of Iran, called the Shatt al Arab Waterway, to which it had a traditional claim. Moreover, if Iraq were guilty of "reckless aggression" in invading Iran, then so was our government, since it encouraged and financed that war as part of a strategy to prevent Iran from achieving dominance in the Middle East.

Iraq's invasion of Kuwait was not reckless; it was an attempt to settle an 80-year-old border dispute. Iraq had a claim to all of Kuwait's territory. Kuwait was created only in 1921, when Great Britain severed Kuwait from the territory of Basra, one of several parts of the old Ottoman empire that were cobbled together to form modern Iraq.

It has a deep hatred of America and our friends.

Iraqis may indeed hate America, but this hatred was not unprovoked. Our government gave Iraq the "green light" to invade Kuwait, and then our government invaded Iraq to punish it for the invasion we encouraged. After invading, we killed 100,000 Iraqi soldiers who were fleeing on the Highway of Death between Kuwait and the city of Basra. Our government then carried on a twelve year campaign of bombing Iraqi territory to enforce illegal no-fly zones. Is it any wonder that they hate America? If the Iraqi people did not hate America, that would be something to wonder at.

And it has aided, trained and harbored terrorists, including

operatives of al Qaeda.

While it appears that the Iraqi government has terrorists, our government admits that it has no evidence that the Iraqi government is connected to al Qaeda. Nor is there

any indication that the Iraqi government is connected to al Qaeda or to the 9/11 attacks. The Iraqi government is, in fact, one of the secular regimes that al Qaeda would prefer to overthrow, in favor of a fundamentalist regime. Until now, Iraq and al Qaeda have been enemies. A war on Iraq could drive them into each other's arms, and into an alliance against the U.S.

The danger is clear: using chemical, biological or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country, or any other.

The operative word here is "could." Bush is proposing a preventive war, not a pre-emptive one. Preventive wars are fought to prevent a future threat that is not imminent. Preventive wars are illegal under international law. Pre-emptive wars are legal, but the threat they counter must be imminent.

The *Washington Times'* editorial staff came to the aid of the administration, by proposing several theories to justify a U.S. attack upon Iraq. The *Times* trotted out the notion that a pre-emptive war is sanctioned by international law, and cited the authorities of Hugo Grotius and Emmerich de Vattel. The *Times* cited Grotius for the proposition that in international law it is lawful to kill one who is preparing to kill. However, Grotius limited this right of pre-emptive warfare to cases of immediate threats:

War in defence of life is permissible only when the danger is immediate and certain, not when it is merely assumed. 1. The danger, again, must be immediate and imminent in point of time . . . those who accept fear of any sort as justifying anticipatory slaying are themselves greatly deceived, and deceive others. (Grotius, The Law of War and Peace, Book II, Chap I,

If Iraq were guilty of "reckless aggression" in invading Iran, then so was our government, since it encouraged and financed that war.

Section V.)

The *Times* cited Vattel for the proposition that a "nation has the right to resist the injury another seeks to inflict upon it, and to use force . . . against the aggressor." However, Vattel also wrote that "A nation has a right to resist an injurious attempt, and to make use of force and every honorable expedient against whosoever is *actually engaged in opposition* to her, and even to anticipate his machinations, observing, however, not to attach him upon vague and uncertain suspicions, lest she should incur the imputation of becoming herself an unjust aggressor." (Vattel, *Law of Nations*, Book II, § 50) Vattel also wrote that "We must either have actually suf-

ferred an injury or be visibly threatened with one, before we are authorized to take up arms, or have just grounds for making war." (Vattel, *Law of Nations*, Book III, § 42) Vattel went on to declare that "it is a sacred principle of the law of nations, that an increase of power cannot, alone and of itself, give any one a right to take up arms in order to oppose it." (Vattel, *Law of Nations*, Book III, § 43.)

Centuries of international law decisions and all texts on international law agree that a pre-emptive war may be justified as an act of self defense *only where there exists a genuine and imminent threat of attack*. Pre-emptive war is justified only when it has been forced upon that state by another, threatening, state, and only if that war represents a lesser evil, in that the dangers averted by war outweigh those caused by the war itself. The threat to be pre-empted must be *so clear and imminent, that prompt action is required* to meet it. The threat must be directed at the initiator. The threat must be critical; it must present danger to the vital interests of the initiator. The threat must be unmanageable by any peaceful means short of war.

The "pre-emptive" war on Iraq fails all of these tests, miserably. Iraq presents no threat to the U.S. Our military has more than 10,000 nuclear warheads; Iraq has *none*. Iraq was not connected to al Qaeda or to the 9/11 attacks. Iraq is not currently issuing any threats of attack against the United States. There is no evidence that Iraq has planned, or is planning, to attack the U.S. There is no evidence that Iraq has the capability of attacking the U.S. Iraq possesses no nuclear

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weapons or nuclear delivery systems. Seven hundred miles is the limit of Iraqi missiles. Its military and civilian forces, resources, and infrastructure were devastated by U.S. forces in the Gulf War and by a decade of illegal U.S. bombing in the no-fly zones.

The administration briefly floated the theory that an attack upon Iraq was justified by Iraqi ground-based anti-aircraft missile strikes against U.S. planes in the no-fly zones. This trial balloon was quickly abandoned, when other members of the Security Council made it known that they considered the no-fly zones, patrolled by U.S. and British war planes for a decade, to be illegal and unauthorized by any Security Council resolutions. The U.S. and Britain have contended that the northern and southern no-fly zones are to protect the Kurds in the North and the Muslims in the South, and that Security Council Resolution 688 authorized the U.S. and Britain to protect the minorities. However, while Resolution 688 did condemn Iraq's oppression of its minori-

ties, it called upon member states to contribute to "humanitarian relief efforts." Bombing hardly qualifies as humanitarian relief. Indeed, the decade-long bombing campaigns in northern and southern Iraq compel us to recognize that all the talk about whether or when to commence a war against Iraq missed the point: the war was already under way, and it was already illegal.

Proponents of this war urge its necessity by arguing that Saddam possesses weapons of mass destruction that he *could* use on our citizens. Dozens of non-Western nations, ruled by

If an Arab nation had placed military bases and 100,000 troops in New York and Los Angeles, would anyone be surprised if American citizens retaliated with terrorist acts?

dangerous dictators, also possess weapons of mass destruction. Is it necessary for us to attack all of them, also? Iraq has had WMD since the 1980s, but has never once used them against the U.S., not even in the first Gulf War. Iraq was deterred from doing so by our nuclear arsenal. That deterrence factor has disappeared now that the U.S. has invaded Iraq with the express purpose of destroying or removing Hussein himself. Such a war leaves Saddam with nothing to lose, and actually increases the likelihood that he would unleash his WMD against our armed forces, and/or provide WMD to his new allies, in al Qaeda.

The United States and other nations did nothing to deserve or invite this threat. But we will do everything to defeat it.

Bush here expresses a naive worldview: that the rest of the world shares our satisfaction with our military adventures in the Middle East and elsewhere. Our long alliance with Israel and our installation of two dozen military bases in the Middle East has provoked a fear of the U.S. in the heart of many Arabs, and that fear is quite rational.

If Arab bases surrounded our 48 contiguous states, it would not be irrational for our people to fear and hate the responsible Arab nation. If, twelve years ago, an Arab nation had placed military bases and 100,000 troops in New York and Los Angeles, would anyone be surprised if American citizens retaliated with terrorist acts against Arab citizens in their own country? Would anyone call those attacks unprovoked?

Instead of drifting along toward tragedy, we will set a course toward safety.

Clearly, Bush has reversed the alternatives. The course that he characterizes as one of "safety" is actually one of "tragedy." He seems determined to lock us into a vicious cycle of war and reprisal, whereby American meddling in the Middle East begets terrorist acts upon our civilians at home, after which that terrorism is used as the justification for more military intervention, which provokes more terrorism, *ad infinitum*. Arab terrorists became interested in terrorizing private American citizens only after the American military began meddling in their affairs, decades ago. It

would have been better if the U.S. had, since 1948, heeded George Washington's sage advice to avoid foreign entanglements.

Our military adventures in the Middle East have already placed our people at risk. The World Trade Center bombings of 1994 and airplane hits of 9/11 are cases in point. Both were provoked by U.S. military actions. Both were inspired by Osama bin Laden, who grew to hate the U.S. because, during the Gulf War, our military put bases and 100,000 troops in the cities of Mecca and Medina, both sacred to Islam. Bin Laden several times has demanded of both the U.S. and the Saudi Arabian government that the bases be removed. His al Qaeda network was developed in part to terrorize both governments into acceding to his demands. Had the U.S. not invaded Iraq in 1990, and had the U.S. not placed bases in Mecca and Medina, 9/11 would never have happened. The blood of the American civilian victims of 9/11 is on the hands of our military adventurers.

Before the day of horror can come, before it is too late to act, this danger will be removed.

Here, Bush is clearly evoking the memory of 9/11, and is implying that Iraq will someday cause similar terrorist acts to occur here in the U.S.A. It is interesting to note that, since the U.S. invaded Iraq twelve years ago, Iraq has never backed a terrorist attack against us, and our intelligence gatherers have been unable to discover any evidence that any such incidents were planned.

That duty falls to me, as commander in chief, by the oath I have sworn, by the oath I will keep.

The commander in chief has a duty to defend this country, but not to commit our troops in preventive wars.

Bush here not only incorrectly alleges a *duty* to "go abroad in search of monsters to destroy" as John Quincy Adams warned us not to do, but he confuses the roles of the president and Congress. The oath Bush took requires him to uphold the Constitution. He suggests that he possesses the constitutional power to decide, alone, to attack Iraq. He does not. Only Congress has the power to declare war.

Recognizing the threat to our country, the United States Congress voted overwhelmingly last year to support the use of force against Iraq.

Last year, Congress passed a resolution authorizing President Bush to "use the Armed Forces of the United States as he determines to be necessary and appropriate in order to (1) defend the national security interests of the United States against the continuing threat posed by Iraq and (2) to enforce

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all relevant United Nations Security Council resolutions regarding Iraq." Congress did not declare war, or recognize that a state of war exists between Iraq and the U.S. Instead, Congress delegated its constitutional

responsibility to the president, allowing him to decide when and if a state of war exists. Congress, however, has no constitutional authority to delegate any of its powers to the other branches of the federal government, and only Congress has the constitutional power to declare war. That resolution was and is unconstitutional, as would be any military actions taken pursuant to it.

America tried to work with the United Nations to address this threat because we wanted to resolve the issue peacefully.

Actually, Bush went to the U.N., and obtained S.C. Resolution 1441, only after he was advised that unilateral action against Iraq would be unpopular. He began beating the war drum against Iraq in the year 2001, but only approached the U.N. in late 2002.

We believe in the mission of the United Nations.

This would be true only if Bush believed that the mission of the U.N. is to serve as a cover for U.S. military adventures! Bush has defied the U.N., by attacking Iraq without authorization from the Security Council.

One reason the U.N. was founded after the Second World War was to confront aggressive dictators, actively and early, before they can attack the innocent and destroy the peace.

The key words in this sentence are "confront," "actively,"

Bush is here arguing that the U.N. was established to organize preventive wars. Nothing could be further from the truth. The U.N. Charter mandates the pacific settlement of disputes. No provision of that Charter authorizes preventive war.

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In the case of Iraq, the Security Council did act, in the early

The good old days — If America were the colonialist empire that the Left accuses us of, things would be a lot easier. The trouble we have around the world comes not so much from our arrogance or interventionist policies, but from our repeated insistence that the nations we have defeated move toward self-government. This worked pretty well in Japan, but in the Middle East, it has been a disaster. The truth is, if we followed Britain's old, tried-and-true model, we would never have the problems we are experienc-

ing. In the good old days, you conquered a nation, seized all its valuable resources in the name of the empire, and installed a tyrannical government made entirely of white men loyal to the Crown. The reason why Iraq became so powerful is because Hussein was able to divert oil profits into the military and fund terrorists. Under colonialism, Iraqi nationals would never have had access to that kind of money, the locals would have all been kept poor and primitive, and all the oil profits would have gone directly into the treasury.

— Tim Slagle

1990s. Under Resolutions 678 and 687 — both still in effect — the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction. This is not a question of authority, it is a question of will.

It was astonishing to hear Bush claim that S.C. Resolution 678 is "still in effect." That resolution was prompted by, and designed to remedy, the Iraqi invasion of Kuwait. That resolution authorized member nations to take all measures "necessary" to effect the expulsion of Iraq from Kuwait. No further military action was authorized by 678. Nor did Resolution 687 authorize any member nation to use force against Iraq or anyone else. At the conclusion of 687, the Security Council retained jurisdiction of the dispute between Iraq and Kuwait, by announcing that it remained "seized" of the matter.

Ari Fleischer has also trumpeted the notion that unilateral American action is somehow legal under United Nations Security Council Resolutions 660, 678, and 687. However, taken as a whole, these resolutions can only be understood as authorizing action by the United Nations, not a rogue state like the U.S.

Resolution 660, of August 2, 1990, condemned the Iraqi invasion of Kuwait, and demanded immediate Iraqi with-

Perhaps someday the U.N. will pass resolutions against the U.S., justified by our history of slavery, or the suffering of the American Indians, or the extermination of the Davidians at Waco!

drawal, but authorized no military action. Resolution 678, of November 29, 1990, authorized U.N. member states, in cooperation with Kuwait, to use all necessary means to uphold Resolution 660. However, since Iraq withdrew from Kuwait more than a decade ago, Resolution 678 does not authorize any military action now. Resolution 687, of April 3, 1991, set forth the conditions of the cease-fire. Among those conditions was the Iraqi disarmament of all chemical, bacteriological and nuclear weapons. However, the Security Council concluded Resolution 687 by reciting that it decided "to remain seized of the matter," meaning that it retained control of the conflicts between Kuwait, Iraq, and the member states that were cooperating with the U.N. in enforcing Resolutions 600 and 678. Resolution 687 cannot be read to authorize unilateral action by the U.S., or military adventures by the U.S., without authorization from another Security Council Resolution. Nor can the recent S.C. Resolution 1441, which warns of serious consequences, but nowhere mentions war or unilateral action by member states.

Last September, I went to the U.N. General Assembly and urged the nations of the world to unite and bring an end to this danger. On November 8th, the Security Council unanimously passed Resolution 1441, finding Iraq in material breach of its obligations, and vowing serious consequences if Iraq did not fully and immediately disarm.

"Serious consequences" were indeed threatened for non-compliance with 1441. However, military action without Security Council authorization was *not*. At the conclusion of 1441, the Security Council retained jurisdiction, by deciding to remain "seized" of the matter.

Today, no nation can possibly claim that Iraq has disarmed.

What evidence did Bush possess that Iraq has *not* disarmed? It is certainly an open question as to whether Iraq is in compliance with, or in violation of, Resolution 1441. Critics of the war have argued that there is no proof that Iraq currently possesses "weapons of mass destruction." The administration, however, has convincingly retorted that this argument assumes a misstatement of the question and a misallocation of the burden of proof. Resolution 1441 expressed a consensus that Iraq had, indeed, already acquired WMD, and now must provide satisfactory evidence of their destruction. As the argument goes, it is not up to the inspectors to find the WMD; it is Iraq's duty to prove that all WMD have been destroyed. This would be a powerful argument, but for the fact that §5 of S.C.R. 1441 requires Iraq to allow inspectors access to any sites *chosen by the inspectors*. The difficulties inherent in resolving these conflicting positions serves to distract the observer from more fundamental questions. By engaging in these pettifogging debates, the critics of war have conceded too much logical high ground, and have overlooked profound legal defects in the administration's position.

Furthermore, Resolution 1441 is contrary to the letter and spirit of the U.N. charter. It represents the exercise of unauthorized and extra-legal power. Moreover, even if 1441 were authorized by the U.N. Charter, it is nevertheless true that no provision of the U.S. Constitution would permit U.S. troops and money to be sacrificed in pursuit of the war that is planned to enforce 1441.

And it will not disarm so long as Saddam Hussein holds power.

After twelve years of U.S. bombing of military installations in the north and south, and twelve years of inspections, the destruction of the Iraqi military is nearly complete. The Iraqi air force is so pitiful that, as our troops advance, they dare not fly. No WMD have been used against our troops, and none are in evidence.

For the last four-and-a-half months, the United States and our allies have worked within the Security Council to enforce that Council's long-standing demands.

"Working within the Security Council" apparently describes the massive troop build-up that Bush began in late 2002. Obviously, he had hoped that placing 100,000 troops, plus ships, missiles, planes, and tanks in the Persian Gulf would make plain the U.S. desire for war, and would persuade the other members of the Security Council not to defy the will of the world's only superpower. Whatever diplomacy Bush carried on was secondary to this great show of force. Clearly Bush did not seek the honest, deliberate opinion of the Security Council; he merely wanted U.N. approval of a war he'd already decided to commence.

There are other dangerous long-term consequences to this war, arising from the way the U.S. has sought the sanction of the U.N. to cover its naked aggression. Many hawks argue that the 1991 invasion of Iraq was justified by Iraq's

invasion of Kuwait. They either forget or ignore Iraq's claim to the territory of Kuwait. For the U.S. to invade Iraq in order to protect the sovereignty of Kuwait is just as absurd as it would have been for France or Britain, in the

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19th century, to invade the U.S. in order to protect the sovereignty of that Mexican territory that became Texas in the 1830s and 1840s. Come to think of it, such an invasion might not have been so absurd, since the circumstances under which Texas was split off from Mexico and became part of the U.S. were highly suspect. Perhaps some day the U.N. Security Council will take up the cause of Mexico, to right this ancient wrong. Perhaps also the circumstances under which the U.S. acquired Hawaii, or the Philippines, or some of our other territories will come under U.N. scrutiny. The hawks point eagerly to the Iraqi treatment of their Kurds as a justification for our military intervention. But it is easy to find examples of mistreatment of civilian populations by many governments around the world. Consider our own government. Perhaps someday the U.N. will pass resolutions against the U.S., justified by the recollections of our history of slavery, or the suffering of the American Indians, especially in the Trail of Tears, or the rounding up of Japanese Americans during World War II, or the persecution and extermination of the Davidians at Waco! By using the U.N. as a cover to mask U.S. military adventures as police actions, Bush sets a dangerous precedent that could someday be turned upon us.

Yet, some permanent members of the Security Council have publicly announced they will veto any resolution that compels the disarmament of Iraq. These governments share our assessment of the danger, but not our resolve to meet it. Many nations, however, do have the resolve and fortitude to act against this threat to peace, and a broad coalition is now gathering to enforce the just demands of the world.

This "broad coalition," of the "willing," amounts to a coalition of nations willing to be bribed and cajoled into backing up the U.S.

The United Nations Security Council has not lived up to its

By using the U.N. as a cover to mask U.S. military adventures as police actions, Bush sets a dangerous precedent that could someday be turned upon us.

responsibilities, so we will rise to ours.

Whether or not the U.N. Security Council has fulfilled its responsibilities is for the Security Council to judge. "Our" responsibilities certainly do not include initiating illegal preventive wars, or being policeman to the world.

In recent days, some governments in the Middle East have been doing their part. They have delivered public and private messages urging the dictator to leave Iraq, so that disarmament can proceed peacefully. He has thus far refused. All the decades of deceit and cruelty have now reached an end. Saddam Hussein and his sons

must leave Iraq within 48 hours.

This last line is the one for which this speech will be remembered. Never before in the history of the U.S. has a president given a head of a sovereign state 48 hours to clear

out of town. This is an outrageous violation of Iraqi national sovereignty.

Their refusal to do so will result in military conflict, commenced at a time of our choosing. For their own safety, all foreign nationals — including journalists and inspectors — should leave Iraq immediately. Many Iraqis can hear me tonight in a translated

Victory in Iraq will be more costly than failure would have been, because victory will entail a long, expensive nation-building mission.

radio broadcast, and I have a message for them. If we must begin a military campaign, it will be directed against the lawless men who rule your country and not against you.

Surely Bush, and any reasonable person who reads or hears this last sentence, must know that it is not true. An invasion is a chaotic affair, where it is not possible to avoid civilian casualties. The dead Iraqi citizens will not be consoled by the president's pretense that he is not attacking them.

As our coalition takes away their power, we will deliver the food and medicine you need. We will tear down the apparatus of terror and we will help you to build a new Iraq that is prosperous and free.

This is a bold promise that is belied by our pitiful record of nation-building in Haiti, Kosovo, Somalia, and Afghanistan, all of which remain in turmoil after U.S. military interventions. Not only is the U.S. not the world's policeman, it is not the globe's nanny.

Victory in Iraq will be more costly than failure would have been, because victory will entail a long, expensive nation-building mission that would drain our resources, in a futile attempt to impose a democratic republic upon a people that is familiar only with dictatorship. A new Saddam is likely to emerge, whether or not we stay to install a puppet government. We have no way of knowing how dangerous the new dictator could become. Constructing the new Iraqi republic will be a nearly impossible task, requiring the resolution of conflicts between three groups: the Sunni Muslims, who currently rule, and two groups that wish to secede, namely the Kurds in the north and the Shiite Muslims in the south. If the U.S. attempts to unify Iraq, a civil war is likely; if the U.S. dismembers Iraq, the rest of the Arab world would be unified in resentment. Iran might take advantage and attack a weaker Iraq, leading to yet another war.

In a free Iraq, there will be no more wars of aggression against your neighbors, no more poison factories, no more executions of dissidents, no more torture chambers and rape rooms.

Bush's promise to sanitize the lives of Iraqis could only

be fulfilled by a constant, perpetual military presence in Iraq. That may be precisely what will occur. Just as we have kept hundreds of thousands of troops in Germany and Japan for a half century, a hundred thousand troops in Saudi Arabia for a decade, and hundreds of thousands of troops in dozens of countries around the world, using old British Empire bases that we took over during World War II and have never let go, the U.S. may never withdraw from Iraq, another possession in the new U.S. Empire.

Bush here appears to offer an alternative justification for the war: ending the oppression of the Iraqi populace by Saddam Hussein.

The proponents of war have argued that Hussein is a dangerous man who has persecuted the Kurdish minority. As harsh as this may sound, the death of Kurds in Iraq does

Bush knows that he is free to threaten war crimes trials for the Iraqis because history demonstrates that only the war crimes of losers are punished, while the winners hold the trials.

not endanger our national security, and is no business with which our taxpayer-supported government need be concerned.

The tyrant will soon be gone.

A new tyrant will take his place. Iraq will be ruled by Washington. In the unlikely event that Washington actually cedes control of Iraq to its people, Iraq will explode in a three-way civil war between the Kurds in the north, the Sunni Muslims in the center, and the Shiite Muslims in the south. The body count in these civil wars might someday exceed the number killed under the rule of Saddam Hussein.

The day of your liberation is near.

"Liberation" is a loaded word that conjures up images of grateful Iraqi peasants emerging from the darkness of Hussein's thralldom into the light of freedom, where they will construct a representative democracy that respects individual life and liberty. But such events and institutions require more than mere opportunity. They will not occur in the absence of a culture that understands and values them. One searches in vain for such a culture in the Arab world. Force of arms, imposed from without, will not create such a culture.

It is too late for Saddam Hussein to remain in power. It is not too late for the Iraqi military to act with honor and protect your country by permitting the peaceful entry of coalition forces to eliminate weapons of mass destruction. Our forces will give Iraqi military units clear instructions on actions they can take to avoid being attacked and destroyed. I urge every member of the Iraqi military and intelligence services, if war comes, do not fight for a dying regime that is not worth your own life. And all Iraqi military and civilian personnel should listen carefully to this warning. In any conflict, your fate will depend on your action. Do not destroy oil wells, a source of wealth that belongs to the Iraqi people.

It is interesting that among the warnings Bush gave to the

Iraqi military, the very first protected the oil.

War crimes will be prosecuted. War criminals will be punished. And it will be no defense to say, "I was just following orders."

These are words that could return to haunt Bush. He and his staff have commenced (or enlarged) a war of aggression against a sovereign nation, without U.N. sanction, and without the excuse of pre-emption. No doctrine in international law would protect him from a war crimes trial. Bush knows, however, that he is free to threaten war crimes trials for the Iraqis because history demonstrates that only the war crimes of losers are punished, while the winners hold the trials.

Should Saddam Hussein choose confrontation, the American people can know that every measure has been taken to avoid war, and every measure will be taken to win.

In truth, every measure has been taken to ensure war. Bush sought the participation of the U.N. only so long as he hoped that he could gain approval for war, as a public relations cover for aggression.

Americans understand the costs of conflict because we have paid them in the past. War has no certainty, except the certainty of sacrifice. Yet, the only way to reduce the harm and duration of war is to apply the full force and might of our military, and we are prepared to do so. If Saddam Hussein attempts to cling to power, he will remain a deadly foe until the end. In desperation, he and terrorists groups might try to conduct terrorist operations against the American people and our friends.

The U.S. invasion means that any stockpiles of weapons that Hussein may have are more likely to fall into the hands of al Qaeda. Not only is our policy driving Hussein and al Qaeda into each other's arms, but if our invasion is successful, Hussein will lose control of the armaments. We cannot be sure who will gain their control.

These attacks are not inevitable. They are, however, possible. And this very fact underscores the reason we cannot live under the threat of blackmail.

In these three sentences, Bush played a fascinating shell game. In discussing the "inevitability" of terrorists attacks, he clearly argued that our war cannot be blamed for retaliatory terrorist attacks. He was *not* referring to attacks in general. In the middle sentence, he mentioned the possibility of a terrorist attack, without reiterating that he began by discussing retaliatory terrorist attacks. The listener is encouraged to

This war is the answer to the prayers of Osama bin Laden, whose al Qaeda is now assured the prospect of thousands of new recruits.

consider the possibility of terrorist attacks in general. Bush then finished by comparing the threat of such attacks to the threat of blackmail, and then urging the threat of blackmail as a justification for war. This amounts to arguing that war is justified because the enemy might retaliate after we attack them!

The terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed.

Bush wishes us to ignore the probability that the current

war will inspire new generations of terrorists. This war is the answer to the prayers of Osama bin Laden, whose al Qaeda is now assured the prospect of thousands of new recruits.

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Our government is on heightened watch against these dangers. Just as we are preparing to ensure victory in Iraq, we are taking further actions to protect our homeland. In recent days, American authorities have expelled from the country certain individuals with ties to Iraqi intelligence services. Among other measures, I have directed additional security of our airports, and increased Coast Guard patrols of major seaports. The Department of Homeland Security is working closely with the nation's governors to increase armed security at critical facilities across America.

So our 50 years of intervention in the Middle East have come to this: we must now transform our free society into a police state and a garrison state. Our lives must be ordered around a central organizing principle: the military defeat of a ragtag assemblage of tinpot dictators that our military has assisted into power, and then has dominated, attacked and provoked, until terrorists have retaliated against our own people, which is then to be made the justification for more war.

Why was it necessary to create a Homeland Security department? Isn't defending our homeland the job of the Department of Defense? If the Department of Defense is not defending our homeland, then whose homeland is it defending? If the Department of Defense is not busy defending our homeland, then in what sense is it engaged in "defense"? Should we rename it as the Department of Aggression? That would never do, because the Constitution does not authorize Congress to spend money on any military purposes other than defense. No, it is much safer to call it the Department of Defense, even as it spreads hundreds of thousands of troops, ships, planes, and bombs all around the globe, in dozens of bases in a hundred other countries, and starts wars of aggression every few years.

If our enemies dare to strike us, they and all who have aided them, will face fearful consequences.

This is a remarkable piece of rhetoric. Essentially, Bush is telling the world that whenever our military happens to attack another country, that nation will suffer the more if any of its terrorist groups retaliate upon U.S. citizens. By this doctrine, not only is our military free to attack other nations for preventive purposes, it is free to punish nations and their peoples for the acts of third parties!

We are now acting because the risks of inaction would be far greater.

This is the heart of the Bush doctrine: war now is justified because of possible attacks in the future. Underlying this idea is the assumption that these countries will desire to attack us, without examining *why* they might so desire, and what role the U.S. has played in provoking that desire.

One of the most interesting statements made by George Bush recently is that "we didn't provoke" 9/11. If he honestly holds this opinion, it is a naive expression of a mindset that assumes that 9/11 was an irrational act, grounded in religious hatred of Americans for our Western values and virtues. That mindset never pauses to consider the possibil-

ity that 9/11 was a *rational* response to the American *vice* of intervention in the Middle East. The purity of our supposed motives for building two dozen bases in the region and for our dec-

ades-long support for Israel matters not to the Arab zealot. When he sees bases in the Islamic holy sites of Mecca and Medina the Arab sees red; when he sees Israeli tanks mow down Palestinians, he sees red, white, and blue dollars that support that garrison state. When the U.S. intervenes abroad, the U.S. creates enemies. Rather than going abroad in search of monsters to destroy, we should mind the fig tree at home.

Some argue that we shouldn't wait until Hussein becomes powerful enough and acquires enough technology to threaten us, because that would be to repeat the mistakes Europe made in failing to curb Hitler in the 1930s. That argu-

Our taxpayers will pay for a bloated military, one that must be capable of fighting half a dozen wars around the globe at any one time, to keep the Pax Americana.

ment forgets the source of Hitler's power: the German people's resentment of the disarmament and other restrictions imposed upon them after World War I.

We are indeed repeating history, but the hawks have failed to discern which chapter is being repeated. The treaty of Versailles not only imposed war reparations, it carved up German territory. Some was given to the French, some to the Czechs, and some to Poland. Predictably enough, two decades later, Germany took back that territory and world war was kindled. We have placed Iraq in the same trick box.

The difference is that Iraq is by every measure a much poorer and weaker state than was Germany of the 1930s. Iraq is no threat to anyone but its own citizens.

The cause of peace requires all free nations to recognize new and undeniable realities. In the 20th century, some chose to appease murderous dictators, whose threats were allowed to grow into genocide and global war. In this century, when evil men plot chemical, biological and nuclear terror, a policy of appeasement could bring destruction of a kind never before seen on this earth.

Bush here argued that Hussein might cause a global war, while he ignored how close our military might come to causing the same. One of the most frightening moments in the latest war came when Rumsfeld threatened war against Syria, because arms supplies were flowing to Iraq across its Syrian border. This conjured up memories of the bombing of Cambodia; it also gave rise to fears that an American attack on Syria would serve as the pretext for Syrian attacks upon Israel, who has so far refused to promise the U.S. that it would not retaliate for rogue attacks. Once Israel joins the fray, other Arab states could join what would become a vast, multi-front war that could involve nuclear weapons, Russia, and more nuclear weapons. We risk all of that to remove a hobbled, defanged, third world dictator who has never

threatened us and has no ability to do so.

Terrorists and terror states do not reveal these threats with fair notice, in formal declarations — and responding to such enemies only after they have struck first is not self-defense, it is suicide.

Bush here alluded to the supposed surprise nature of the 9/11 attacks. The American people were indeed surprised, but only because we had been lulled into complacency by our government, anxious to distract us from the dangers to which it was exposing us with its aggressive foreign policy. For years, Osama bin Laden had been telling anyone who would listen that he would keep up his campaign of terror until the U.S. removed its military bases, planes, and troops from Mecca, Medina, and the rest of Saudi Arabia. The World Trade Center Bombing of '93 and the embassy bombings of the late '90s were meant to persuade our government to withdraw from Saudi Arabia and the Middle East. Yet over the years, the

American people heard very little about the objectives of the terrorists, because our government preferred not to draw attention to the connection between American intervention abroad and the grievances of al Qaeda, while our gullible media relied upon the expertise of government experts, who solemnly informed us that the Arab street hated America because we were successful, rich, Western, and uninhibited. Had the American people been informed, from the beginning, that terrorism upon our citizens would be the price paid for military adventures in the Middle East, perhaps our politicians would have received a different message from the voters.

The security of the world requires disarming Saddam Hussein now.

The rest of the world does not see it that way. The rest of the world, by and large, is against the war, and perceives no threat from Saddam Hussein, as he has already been disarmed, to all appearances. The rest of the world, in fact, views our cowboy-in-chief as a greater threat to peace than Saddam.

As we enforce the just demands of the world, we will also honor the deepest commitments of our country.

By "the world," Bush must mean the U.S. and Tony Blair. No one else is "demanding" that Hussein disarm or get out of town. The "coalition of the willing" is a collection of powerless nations that have been bribed into lending their name, but nothing else, to the Bush cause.

Unlike Saddam Hussein, we believe the Iraqi people are deserving and capable of human liberty.

The Iraqi people, like any people, are more likely to secure the blessings of liberty to themselves and to their pos-

terity when they themselves are ready to take up arms in their own liberation. A foreign invader is unlikely to be able to impose liberty upon them.

And when the dictator has departed, they can set an example to all the Middle East of a vital and peaceful and self-governing nation. The United States, with other countries, will work to advance liberty and peace in that region. Our goal will not be achieved overnight, but it can come over time. The power and appeal of human liberty is felt in every life and every land.

What of the other regimes in the Middle East? Since most of them are run either by dictators or oligarchies, what do they think of this little experiment in U.S. nation-destroying and nation-building? Do they wonder who is next? In George Bush's 2002 State of the Union Address, he identified Iran as one of the three nations in the Axis of Evil. Is Iran

worried that the war on Iraq is just a dry run for the coming war against Iran?

And the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace.

Nothing but hubris could permit Bush to preach peace and freedom to the very people upon which he was about to visit grievous violence.

That is the future we choose.

The "we" doing

the choosing happen not to be the people doing the dying. The "we" doing the choosing happen to be the current regime in Washington, willing to flout the Constitution and international law.

Free nations have a duty to defend our people by uniting against the violent.

This is one of the most alarming bits of rhetoric in Bush's speech. It is doubtful even that he understands what his speech writer just had him say. He has implied that the peoples of different nations are the subjects of those states in the collective. Since the U.N. is now irrelevant, who controls that collective? Why, of course, it is the "we" who are doing the choosing. Washington protects all the peoples of the world. All people now are our people. We are in charge.

And tonight, as we have done before, America and our allies accept that responsibility.

This "responsibility" is the responsibility to police and protect the world. We are the world's beat cop. Our taxpayers will pay for a bloated military, one that must be capable of fighting half a dozen wars around the globe at any one time, to keep the Pax Americana.

Good night, and may God continue to bless America.

Good night, indeed. □



SHCHAMBERS

The Rorschach Test of Limited Government

by Robert A. Levy

As the War on Terror threatens civil liberties, many recognize the importance of the First Amendment. But if we want to preserve the Constitution, we should focus on the 9th and 10th Amendments, which have suffered at the hands of both the Left and Right.

In the post-9/11 environment, the exercise by governments of their national security powers will at times clash with the exercise by individuals of their broad civil liberties. No one disputes that national security is a legitimate function of government. The state is responsible, first and foremost, for the protection of life — then liberty. The Constitution, as Supreme Court Justice Robert Jackson warned, is not a suicide pact. Even hardcore champions of the Bill of Rights concede that it would be foolish to treat civil liberties as inviolable when thousands of innocent lives are at stake. Where to draw the line?

Ironically, in the current climate, limited-government conservatives tend to endorse an ever-increasing role for government, while big-government liberals express their frustration over an executive branch that commands too much power. Libertarians usually join with conservatives on domestic economic issues, but line up with liberals on many disputes over social policy and personal freedom. What, then, are the contrasting constitutional perspectives that explain these divergent views? Is there an underlying theory that lends support to one interpretation or another?

Here's the framework: the structure of our federal system can be explained in major part by the final two provisions of the Bill of Rights — the 9th and 10th Amendments. The 10th Amendment tells us that the national government may exercise only those powers that are enumerated in the Constitution: the powers to coin money and establish post offices, for example. The powers not delegated and enumer-

ated are reserved to the states or, depending upon provisions of state law, to the people. Conservatives and libertarians generally agree on the tight constraints on the federal government that these amendments entail. But there are two conspicuous exceptions.

First, many conservatives, but not libertarians, are willing to federalize a significant portion of criminal law, presumably to assure ordered liberty. Libertarians invoke a different principle: no matter how worthwhile a goal may be, if there is no constitutional authority to pursue it, then the federal government must step aside and leave the matter to the states or to private parties. The president and Congress can proceed only from constitutional authority; good intentions alone are not sufficient. If Congress thinks it necessary to add to its enumerated powers, the Framers crafted an amendment process for that purpose. But too often, Congress has simply disregarded the limits set by the Constitution and gutted our frontline defense against oppressive government.

Second, conservatives are often far less anxious than libertarians about aggrandizing national security power in the executive branch. Libertarians remind their conservative friends that too much unchecked authority in the hands of

the executive branch threatens the separation of powers, which has been a cornerstone of our Constitution for over two centuries. The administration may not, by itself, set the rules, prosecute infractions, determine guilt or innocence, and then review the results of its own actions. Congress, not the executive branch, is charged with making law. And courts are charged with constitutional oversight. On that score, judges should give substantial deference to the executive on matters of national security, but the rights of citizens under the Constitution, including the right to judicial review, must be respected. When the executive, legislative, and judicial branches agree on the framework, the potential for abuse is not eliminated, but it is diminished. When only the executive acts, the foundation of a free society can too easily erode. That's the libertarian perspective, grounded on the 10th Amendment and the separation-of-powers doctrine.

The 9th Amendment, in contrast, is about rights, not powers. It provides that the enumeration in the Constitution and the Bill of Rights of certain rights should not be read as denying the existence of other rights that we possessed before government was formed. That safeguard imposes another powerful discipline on federal behavior. In exercising its legitimate powers, the federal government may not do so in a manner that violates our rights. And in determining what rights may not be violated, the 9th Amendment instructs that we look both to those that are expressly enumerated, like free speech, and to those that are unenumerated as well, like the right to privacy, to gamble, or to smoke marijuana.

If one wanted to identify a single constitutional provision that distinguishes libertarians from conservatives, it would be the 9th Amendment. Conservatives treat the 9th Amendment as an inkblot, to use former judge Robert Bork's memorable phrase. He asserts that the Amendment should be ignored because no one can determine what it means. It's as if someone had spilled ink on the portion of the Amendment that would have identified our unenumerated rights. Bork is silent as to why the same treatment should not

If the Congress were to delegate to the Justice Department the power to enact regulations over national security and civil liberties, with no more guidance than "keep us safe from terrorists," people on the left would be justifiably apoplectic.

be accorded to other imprecise phrases in the Bill of Rights, like unreasonable searches, probable cause, and due process.

Libertarians treat the 9th Amendment as if it meant something. They argue that it refers to our natural rights — those rights that we had "by nature," pre-government, and still retain — which the common law had generally recognized and protected over the years. All of the so-called negative rights require only that others leave us alone — that they avoid the use of force or fraud. The 9th Amendment has

nothing to do with "positive rights," which require others to act for our benefit. Thus, the right to pursue happiness is a negative right because it imposes no affirmative obligation on anyone. By contrast, a right to happiness itself might well require others to act on our behalf, thereby restricting their own pursuit of happiness.

Positive rights, like rights to welfare or to a minimum wage, are integral to the liberal position on the proper role of government. Naturally, the enforcement of such entitlements

But when that same Congress delegates to the Environmental Protection Agency the power to enact environmental regulations, with no more guidance than "keep us safe from pollutants," the Left applauds enthusiastically.

presupposes the availability of remedies when those who are obligated to bestow the benefits do not perform. Thus, the taxing power compels a wide variety of redistributive schemes, and the administrative state often inflicts a regulatory regimen designed to supersede consensual transactions. The result: overarching and coercive government that worms its way into every aspect of our daily lives.

Paradoxically, we're now hearing from left liberals that big government cannot be trusted — at least not on matters like surveillance, detentions, and civil liberties in general. That's welcome news to libertarians who have long questioned potential abuses of government power. But where does the Left stand on government control over our retirement system, welfare, public schools, and the private economy? Why hasn't the Left's healthy distrust of government extended to support for privatized Social Security, school choice, and elimination of regulations that control everything from the size of a navel orange to the shape of office furniture? Why can't liberals see past the Defense Department and the Justice Department when they bemoan excessive government?

Ironically, those two agencies are the very ones charged with protecting us against predators — an indisputably legitimate function of government. If the Congress were to delegate to the Justice Department the power to enact regulations over national security and civil liberties, with no more guidance than "keep us safe from terrorists," people on the left would be justifiably apoplectic. But when that same Congress delegates to the Environmental Protection Agency the power to enact environmental regulations, with no more guidance than "keep us safe from pollutants," the Left applauds enthusiastically. Could it be that pollutants are a greater risk than terrorists? Or is it more likely that the Left's selective indignation reflects the inconsistency of the liberal mindset on the proper role of government?

In resolving that foundational question — the proper role of government — the Constitution can be viewed through both a powers-of-government prism, grounded on the 10th

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America's Debt to France

by Veronica Menezes Holmes

Many Americans seem to have forgotten that the U.S. would not exist were it not for our longtime allies and friends, the French.

Just prior to invading Iraq, President Bush delivered an ultimatum to the United Nations: join the "coalition of the willing" against Iraq or the U.S. would invade without U.N. support. He unveiled his anger at France for threatening to exercise its veto power against any resolution that would have automatically triggered military action against Iraq, thus underscoring the enmity toward France that has been building steadily across America. A few weeks earlier, Secretary of Defense Rumsfeld dismissed France as irrelevant in the modern world order.

America's political leaders have forgotten that Americans owe France the greatest debt a nation can incur, and that regardless of any differences that the two countries may have on any present-day political issue, America's debt to France can never be repaid. Without France, there would be no United States of America.

When the American colonies needed money to pay for the cost of the Revolutionary War, the Congress dispatched Benjamin Franklin to Paris in 1776 to seek aid. France was the only power to which Americans could turn, since other European nations were lending or hiring out their troops to Britain to help the British suppress the American rebellion. George Washington's army was facing winter and the enemy without sufficient clothes and ammunition. Congress desperately needed funds to supply and pay its troops. France could not help the colonies openly, because it had just suffered a devastating defeat at the hands of the British and was rebuilding its military forces. Furthermore, in her weakened

state, France could not risk the possibility that Britain would declare war against her for helping the American colonies.

Any help for America required a leap of faith. And France took that leap, by covertly supplying money and facilitating arms purchases to help the Americans. Further, France opened her ports to American trade, so that the colonies could earn the hard currency with which to buy arms and other war supplies, whose transport to North America France was obliged to protect with her warships. The British responded by blocking American ports and patrolling the sea routes to Europe with their warships and warning the French that peace with Britain would not last long if France continued to help the American revolutionaries. The Comte de Vergennes, the French foreign minister, replied, "We neither desire war, nor fear it." Thus France imperiled herself for the American cause.

French largesse proved inadequate and by the end of 1777 the situation for the colonies had become dire. Congress had authorized purchase of war supplies and the construction of warships, but lacked the funds needed to take delivery, and the American cause was on the verge of collapse. France was not willing to see America fail. Vergennes promised money to keep the war going and paid the construction

costs of the warships.

In 1779, after almost three years of covert aid, the American defeat of British troops at Saratoga convinced the French to aid the Americans openly. Without this assistance, Americans would have been forced to surrender and return to the British yoke.

France was the first nation to recognize American independence, which established America's future among the nations of the world. But she had miscalculated the risk of backing the American cause, for she not only had to finance the war, but also had to provide the funds to pay a discharg-

Had France not emptied her treasury and lost her sons in the cause of revolution, it is unlikely she would have suffered the revolution that occurred only a few years later.

ing army, and the cost of the extended peace negotiations. In effect, France assigned the credit for the very creation of the United States, to her own detriment, for the American demands for money emptied the French treasury. Yet the French were unwilling to abandon the Americans and borrowed money to continue financing the struggle for American independence. It was the French army that finally forced the British to surrender at Yorktown.

But that was not the end of French assistance to the nascent nation. Only one year after the peace treaty between America and Britain was signed 1782, France was obliged to rescue the new nation from bankruptcy.

France paid dearly for aiding America. Had she not emptied her treasury and lost her sons in the cause of revolution, it is unlikely she would have suffered the revolution that occurred only a few years later.

It could be argued that France was self-interested and only helped the Americans in order to gain advantage in commerce, or that France believed that a British defeat would restore its position as a major European power, since Britain would have remained dominant in Europe if it subdued its rebellious colonies. But then, as now, international politics provided other alternatives. France considered a tripartite agreement with Britain and Spain, wherein France and Spain would help Britain suppress the rebellion, in return for carving up North America among themselves, with the restoration of Canada for France, and the Floridas going to Spain. Unbeknownst to Franklin, Vergennes gave this alternative serious consideration and probed the possibilities with the other two nations.

But then, as now, France recognized that the success of a government rests upon public opinion, and all of France and Europe paid public adulation to Benjamin Franklin, who was the most famous American of his time, and whose "Face was almost as well known as that of the Moon." Franklin's reputation and stature extrapolated to the American cause, and Vergennes knew that there would be a nationwide protest if France were to abandon the American cause.

Franklin maintained that Britain conducted the war with

such barbarity and viciousness that it seemed as if it was never a friend of the colonies, nor ever intended to be friends with them again. British troops burned defenseless towns in the middle of winter, incited Indians to murder farmers and their families, and slaves their masters. The British loaded their cannons with broken glass to inflict horrible wounds on the Americans. French troops, by contrast, marched 700 miles from Rhode Island to Virginia, without the smallest complaint for the "Loss of a Pig, a Chicken, or even an Apple."

Over the course of time, the United States has been generous enough to forgive Britain's atrocities, and once again embraces Britain as a close friend. America should be as generous in recognizing that France merits its continuing friendship, despite a difference of opinion on how the Iraqi crisis should be resolved. Rather than considering France's intention to veto a war resolution to be an unfriendly gesture, Americans should recognize that it is both the responsibility and the burden of France to honestly criticize America, for it is our friends who tell us the most profound truths about ourselves. And while the leaders of France and the United States may hold differing opinions on a particular issue, it is not necessary for Americans to behave as if France has become the enemy.

Benjamin Franklin knew that France ran grave risks in helping the Americans, and believed that gratitude was owed to France and in America's best interest. While he recognized that all nations are motivated by self-interest, he believed that it was in the interest of every nation to cultivate goodwill. He maintained that France's friendship was not only of the utmost importance to the United States, but that it was one that should be carefully cultivated, and he told the Congress: "an Expression of Gratitude is not only our Duty but our interest . . . Let us preserve our . . . friends by gratitude and kindness, for we know not how soon we may again have occasion for all of them." Franklin's words were prescient, for just as France has benefited from America's help in the last century, it may well be that America will need France's support once again, not only in the Iraqi theater, but in the coming decades as well, since the international paradigm shifted on 9/11. The perilous times we live in demand international cooperation if a serious attempt is to be made to restore peace, security, and freedom to a world of uncertainty and terror. □



"You were right about the wide ties and the cuffs, Edgar, but the coonskin cap will *never* come back!"

Michiganistan?

by Leon Drolet

Only a handful of places impose harsh sentences on homosexuals:
Saudi Arabia, Nigeria, Iran, Afghanistan, Singapore, Malaysia, Yemen,
Mauritania, Sudan . . . and *Michigan*?

What do Michigan and Idaho have in common with Islamic theocracies like Pakistan, Afghanistan, Saudi Arabia, and Iran? They share the most Draconian penalties in the world for engaging in adult, private, consensual, non-commercial sexual acts.

The U.S. Supreme Court will soon decide on the constitutionality of state sodomy laws and, as a Michigan state legislator, I support repeal of this state's laws. Violators of Michigan's felony law can be penalized with 15 years of imprisonment and can even be sentenced to five years for engaging in oral sex. Michigan's sodomy laws apply to heterosexuals and homosexuals (and everyone in between), married or unmarried, and cover a wide and vaguely defined range of private, adult, consensual, non-commercial sexual activities.

While doing research on Michigan's sodomy law, I examined sodomy laws worldwide. I took a world map and colored black the U.S. states and foreign countries with penalties as strict or stricter than Michigan's. Countries and states with no such laws, I left uncolored. The results should be disconcerting to anyone who cherishes the United States as the standard bearer of freedom throughout the world: two U.S. states stand with a handful of Islamic theocracies centered around the Middle East whose names mostly ended with "stan." These "stans" and some other Muslim nations are joined by several North African nations, one South American nation (Guyana), and a few places in Asia (Malaysia, Nepal, Mauritania, the Maldives, and Singapore). Only one modern democracy outside the U.S. makes the list:

India, whose maximum penalty of life imprisonment is matched by Idaho. In all, there are 18 black-colored countries and one U.S. state with sodomy penalties stricter than Michigan's.

The uncolored states and countries, those with no sodomy laws, dominate the map. No European country has sodomy laws. Neither do Canada, Mexico, Central America, and 37 of the American states, nor do Russia, China, Japan, and the vast majority of Asian states, nor any place in South America (save Guyana) have any laws that punish consenting adults, in the privacy of their homes, for making love as they choose. I colored gray 13 states and several dozen countries (again centered disproportionately in Islamic regions) because they have lesser sodomy penalties, ranging from minor fines to less than 15 years imprisonment.

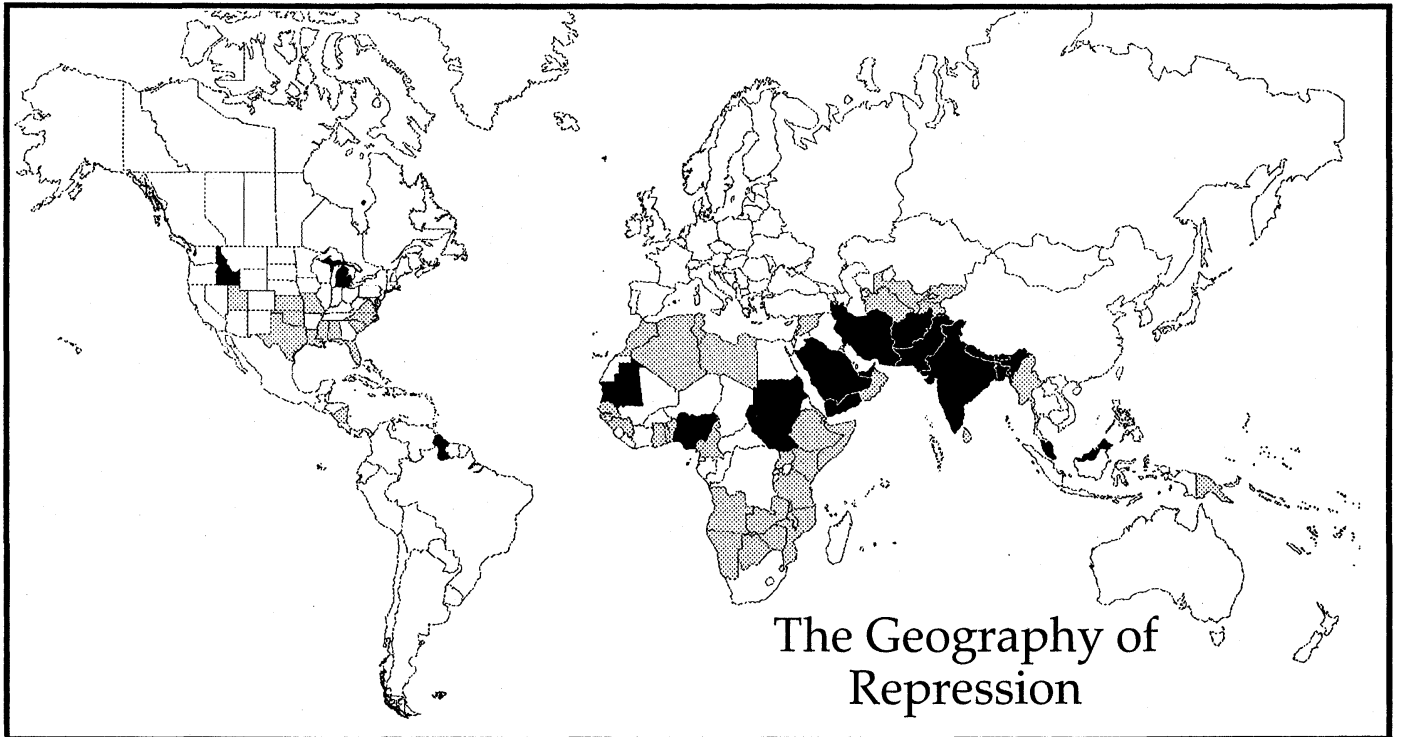
To be fair, U.S. states rarely enforce their sodomy laws while the same is not true in some Middle Eastern countries. Amnesty International estimates that as many as 4,000 homosexual men have been decapitated by the Iranian government since that nation's 1979 Islamic revolution. In 2000, Saudi Arabia beheaded three men convicted of sodomy, and nine others were sentenced to more than 2,500 lashes and five years imprisonment.¹ The penalty in Afghanistan after

the fall of the Taliban government is uncertain, but before the regime change the penalty for homosexual sex was to place the offender next to a stone wall and push it on top of him with a tank or bulldozer. Whether the offender lived or died was considered to be the judgment of Allah.

As the two Texans who now find their case before the Supreme Court discovered, U.S. states sometimes do prosecute for sodomy. Currently in Michigan, more heterosexuals are charged with this victimless crime than are homosexuals. Why? Because those convicted of sodomy do not have their names placed on the state's public sex offender registry. Those charged with crimes like sexual assault can plead down to attempted sodomy to avoid the humiliation of hav-

Jesus reaffirmed this separation when the Pharisees brought before him the woman caught in the act of adultery. Before the crowd to which he was preaching, the Pharisees asked Jesus whether the penalty for adultery (death by stoning) should be enforced. His famous reply, "Let he who is without sin cast the first stone," resulted in the quiet dispersal of the Pharisees and the crowd. Left alone with the accused woman, Jesus asked her, "Woman, does no man condemn thee?" The woman replied, "None, Lord." Jesus then ignored the punishment prescribed for adulterers by Jewish law saying, "Neither do I condemn thee. Go, and sin no more."³

Jesus separated the ancient covenant of Moses and the



ing neighbors see their names posted on the Internet.

Why do some U.S. states join Islamic theocracies in having draconian laws against private, adult, consensual sex acts? Why do so few countries with Christian populations have such laws? The answer lies with the origins of each faith — the very teachings of Jesus and Mohammed.

Jesus the Secularist

Jesus wasn't interested in tax policy. When he uttered those oft-quoted words, "Render unto Caesar that which is Caesar's and render unto God that which is God's,"² he said something unprecedented in antiquity. Until the modern era in Western civilization, the distinction between secular and religious powers was unknown. Rulers were considered either to be gods themselves, like the pharaohs of ancient Egypt, or ordained by gods to rule in their stead. The laws of the state were the will of the gods. When Jesus told the Pharisees to separate that belonging to God from that belonging to the state, he introduced for the first time the concept of a separation of the interests of religion and government.

Old Testament from the teachings of the New Testament. He commanded the woman to sin no more. He didn't say she should be stoned if she sinned again, nor did he tell the Pharisees to turn the woman over to Roman authorities for punishment by the state. Her individual relationship with God was different and far more important to Jesus than her status according to the laws of the state. What would Jesus have done if the Pharisees had brought before him a man caught "lying with a man as with a woman,"⁴ another Old Testament offense punishable by stoning? If he were alive today, would Jesus file a brief with the courts in favor of keeping state sodomy laws?

Many Christians today are hostile to the suggestion that Jesus distinguished between the interests of government and those of God because "separation of church and state" is so frequently abused by non-Christians to oppose any acknowledgement of God. But the New Testament is consistent in teaching Christian values without prescribing Leviticus-style government enforcement of those values. Stephen Legate explains Jesus' consistent support for free will over coercion

in his excellent essay, "The Call of Christ to Freedom" (April). I highly recommend his essay to Christians of the Left who support using government to enforce virtue, as well as to Christians of the Right who believe government force should be used to punish victimless crimes.

After Jesus' death at the hands of government authorities and after hundreds of years of cruel persecution by Rome, Christians won the reins of state power. They quickly ignored Jesus' teachings about the role of religion and the role of the state. Christian Roman emperors forced non-believers to convert or die. Later, Christian monarchs deemed themselves anointed by God, and many (though select) biblical teachings became government laws. It took 1,700 years of wars, inquisitions, and reformations for the Christian world to discover that Christianity is not dependent upon the state, nor is it diminished by its separation from the coercive power of the state. In modern Western democracies, most Christians have come to agree with Jesus that some things belong under God's jurisdiction and others under Caesar's.

The Office of the Night

Early Christian societies were sometimes tolerant of private sexual activities, but that tolerance decreased through the Middle Ages. Harsh persecution of those who committed "vile sins against nature" became the norm throughout Europe by around 1300.⁵ Not until the Renaissance did attitudes begin to swing back toward tolerance of some private sexual activities outside marriage.

By the 1400s, Florence, Italy was the epicenter of the Renaissance, and had developed a reputation within Europe for being permissive toward homosexual conduct. In 1432 under pressure from the Church, the city government created a special panel to investigate and jail sodomy law violators. The special panel was called the Office of the Night (OTN).

According to research by Michael Rocke of the Harvard University Center for Italian Renaissance Studies in Florence, the OTN was *very* busy. Over its 70 years of existence, the

Violators of Michigan's felony law can be penalized with 15 years of imprisonment and can even be sentenced to five years for engaging in oral sex.

OTN brought sodomy charges against thousands of men in a city of only 40,000. According to Rocke, fewer than 3,000 of those charged were actually convicted.⁶

In 1476 Leonardo da Vinci was twice anonymously denounced to the OTN for alleged acts of sodomy, once with 17-year-old model, or prostitute, Jacapo Saltarelli. Leonardo, then 24 years old, was held in confinement for two months but was acquitted due to lack of witnesses.⁷

Florentines periodically resisted the OTN. In the nearby town of Prato, the box where citizens were supposed to place sodomy accusations was frequently torn down. It appears that the OTN resisted when pressured too hard by Church

authorities, once refusing to convict anyone for 14 months. During the rule of Lorenzo de' Medici (1469–1492), the OTN became considerably more lenient toward sodomy.

Frustration with OTN lenience peaked in 1494 with the overthrow of the Medici family by followers of the moralistic Dominican friar, Girolamo Savonarola, who called on Florentines to "burn the sodomites!" But Savonarola's reign was short-lived. In 1497, Florentines rebelled against his harsh rule and the severe penalties it inspired, and staged a

In Michigan, more heterosexuals are charged with this victimless crime than are homosexuals.

riot. Over the next year, Savonarola, a vocal critic of the pope, was excommunicated, charged with heresy, tortured, hanged, and his corpse burned. The OTN continued to exist for a few more years, though the prosecution of sodomy was largely taken over by others. Florentines began perceiving the very existence of an "office of the sodomites" as a stain on their honor, and on December 29, 1502, the Office of the Night was finally closed.

On August 31, 1512, a band of 30 young aristocrats charged city hall and demanded that the council rescind the sentences of all who had been exiled or deprived of office for sodomy. Rebuffed, these young revolutionaries helped Lorenzo the Magnificent's son, Giuliano de' Medici, overthrow the republic two weeks later. The Medici family agreed to release those convicted of sodomy, and toleration was restored.⁸

The Age of Reason

By the time of the Age of Reason in the 18th century, most European governments had dramatically scaled back their medieval laws that punished those who engaged in certain kinds of private, consensual sexual activity. Dramatic changes in the way Europeans viewed religion, the state, and human sexuality progressed in intellectual circles.

The French Revolution and the subsequent Napoleonic conquests had a dramatic effect on European legal systems. Wherever Napoleon conquered, he established the Napoleonic legal code, a code that eliminated laws punishing people for non-commercial, adult, private, consensual sex acts. By the late 19th century, almost every major country in Europe had eliminated such laws.

Most prosecution for sodomy on the European continent was over, save for its sudden resurgence in Nazi Germany. Hitler's regime convicted between 50,000 and 63,000 men of sodomy charges; up to 15,000 were killed in death camps.⁹ Shockingly, jurists of the American and English liberators ruled that death camps were not, legally, prisons. Some homosexuals who had been sentenced to prison and later liberated from death camps were actually sent to prisons by these jurists to serve their terms.¹⁰

A less savage exception to European tolerance was Britain. England was never conquered by Napoleon, and its

laws continued to punish sodomy. Its death-by-being-buried-alive penalty, dating back to the 1500s, wasn't fully eliminated until 1861. The British aristocracy feared that a weakening of strict moral standards had paved the way for the French Revolution. They established the Society for the

Suppression of Vice in 1802 and began a wide-scale, puritanical campaign to block liberalization of laws against certain sexual acts.¹¹

The best-known English prosecution occurred in 1895 when the government of England charged Oscar Wilde with

Bedfellows Make Strange Politics

The mess that Rick Santorum's has gotten himself into began in 1998 when the cops in Texas, responding to a disgruntled neighbor's deliberately false report of an armed intruder in the apartment of John Geddes Lawrence, entered his unlocked Houston apartment. Seeing that Lawrence and Tyron Garner were doing something completely consensual but locally illegal, the police hauled them off to jail on charges of violating the Lone Star State's Homosexual Conduct Law, a statute that prohibits "deviant sexual intercourse" — anal or oral sex — between people of the same sex (but not between people of the opposite sex).

As a footnote, nine states — Alabama, Florida, Idaho, Louisiana, Mississippi, North Carolina, South Carolina, Utah, and Virginia — still have anti-sodomy statutes on the books that ostensibly apply to gays and straights alike; four others — Texas, Oklahoma, Kansas, and Missouri — prohibit only gay sodomy. Texas altered its law in 1974 to decriminalize heterosexual sodomy but keep the criminal penalties for same-sex sodomy.

And so, unlucky to be in Texas, Lawrence and Garner were held overnight in jail and fined \$200 each. The neighbor was later convicted of filing a false report. After an overturn of the sodomy convictions by one Texas court and reinstatement of the convictions by another, things have now moved to the U.S. Supreme Court, where arguments were heard on March 26 on a whole range of matters relating to sex, equal protection, privacy, and the constitutionality of anti-gay sodomy laws.

Charles A. Rosenthal Jr., the district attorney from Harris County, Texas, opened his argument by saying it's okay for the government to go beyond the doors of the unmarried, if something immoral is going on. Justice Stephen Breyer said that many felt during World War I that it was immoral to teach German, and that some states outlawed it. Justice David Souter asked why Texas doesn't ban sodomy for heterosexuals if it's harmful. Rosenthal, sounding like Monica's mother, answered that sodomy in the case of heterosexuals could lead to marriage and procreation.

Justice Ruth Bader Ginsburg asked whether Texas allows same-sex couples to adopt, and how Texas defines a family. Rosenthal said he didn't know. Ginsburg asked whether a criminal in Texas could run for office. Rosenthal, saying that gays have been elected to office in Texas, explained that being gay doesn't make a person a criminal in Texas, only acting on it does. In other words, to be legal, a gay politician in Texas must be a perpetual virgin, like those monks in the Cistercian Order of the Strict Observance who make those 27 flavors of jelly.

I hesitate to bring all this down to the grubby level of an economist's cost-benefit analysis, but at least the monks, with zero sex and a few million jars of elderberry jelly under their belts, have the benefit of thinking that eternity is going to be a huge step up.

In any case, the real nuts and bolts of the issue came when Paul Smith, an attorney representing Lawrence and Garner, argued that Texas law means "you can't have sexual activity at all if you're gay." Justice Antonin Scalia objected: "They just say you can't have sexual intimacy with a person of the same sex." They just say, in short, that gays in Texas are perfectly at liberty to have heterosexual sex.

Scalia, saying that laws against bigamy are bigoted against bigamists, asked why a state couldn't favor heterosexual sex or marital sex. Breyer asked whether Texas could outlaw telling egregious lies at the family dinner table. Justice John Paul Stevens asked if Texas criminalizes adultery or sex between unmarried straight couples. Justice William Rehnquist reminded everyone about censure and the law's regulatory instinct: "Almost all laws are based on disapproval of some people or some conduct. That's why people regulate."

Rosenthal summed up by arguing that the Texas law must stand in order to protect marriage, something that's especially important, he explained, because Texas is a community property state. Addressing concerns about equal protection, Rosenthal closed by asserting that the two homosexuals caught doing homosexual things in this case might not actually be homosexuals. Said Scalia: "I don't understand what that means."

Less unsure, Sen. Santorum told the Associated Press exactly what all this means: "If the Supreme Court says that you have the right to consensual sex within your home, then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to anything."

In other words, ya got trouble, folks! Right here in River City! Trouble with a capital T and that rhymes with P and that stands for pool! And what? We knock down the bedroom doors of Andrew Sullivan and Camille Paglia, of Melissa Etheridge and Elton John, of Gore Vidal and Martina Navratilova, and hide from children the books of Henry David Thoreau, Oscar Wilde, Gertrude Stein, James Baldwin, Truman Capote, and Tennessee Williams, and go out next looking for adulterers?

The issues here aren't about privacy or sex or equal protection. They are about individual liberty and the proper scope of government power. — Ralph L. Reiland

gross indecency between males. Wilde was a celebrity and one of England's best-known authors and playwrights. After two trials, he was convicted and sentenced to two years of hard labor in prison. Not until 1967 were consensual, adult, same-sex acts largely legalized in Britain.

Living in America

The Enlightenment and the history of religious wars in Europe shaped the ideas of America's founders. The new American Constitution established that there would be no official government religion in the United States. It had taken 1,776 years and millions of lives lost to wars before we finally accepted the wisdom of Jesus Christ.

While the notion of separate church and government authorities was accepted in America, many laws serving no civil function, and that were strictly moral or religious in their purpose and origins, remained on the books. As our nation has evolved, most Christians have grown confident that their faith will endure and flourish without being subsidized by government force. In 1962 Illinois became the first U.S. state to repeal its sodomy law. Today, 27 states have done so and courts have invalidated laws in another ten. Most observers of the Supreme Court believe it is likely that the Court will find remaining sodomy laws, like Michigan's, unconstitutional.

Thank God Jesus Never Ran for Office

So what about those "stan" countries and other Islamic nations? Why has the rest of the world decriminalized private, consensual, non-commercial sexual acts while a few Islamic-majority nations retain and brutally enforce such laws?

The answer lies in the fact that Mohammed actually acquired political power and operated a government, while Jesus showed no interest in politics whatsoever. Mohammed led armies, levied taxes, and created a well-disciplined state

When Jesus told the Pharisees to separate that belonging to God from that belonging to the state, he introduced for the first time the concept of a separation of the interests of religion and government.

with a system of law. Many of those laws were quite specific on subjects that Jesus only addressed in a broad, philosophical sense. Jesus, for example, preached charity for the poor, but Mohammed actually wrote budgets that appropriated state revenue for the poor.¹²

Mohammed's legal code is fairly detailed, right down to how to greet strangers and how many provisions one must provide traveling guests at the end of a visit. Some of Mohammed's citations seem to prohibit speculating in the stock market: "If anyone keeps goods till the price rises, he is a sinner." There are prohibitions against drinking while standing up and against eating with your left hand.

Mohammed laid down the law about sexual activity as severely as Moses did in Leviticus: 100 lashes for general for-

nication, and death to sodomites. While Jesus could trump Leviticus with his New Testament, Mohammed is the final prophet in Islam.

So are Islamic countries' laws stuck forever in time, while Christian and other nations innovate, liberate, and advance? Can a modern understanding of liberty become reality in the Middle East? People of the Islamic faith must answer those questions and make those choices.

Meanwhile, in the U.S., the Supreme Court and the hand-

It took 1,700 years of wars, inquisitions, and reformations before the Christian world would discover that Christianity is not dependent upon the state, nor is it diminished by its separation from the coercive power of the state.

ful of states with laws based less on logic than on Leviticus must also make a choice. Keep the laws on the books for "symbolic reasons," really enforce them, or repeal them and render unto Caesar only that which is Caesar's.

Notes

1. Reuters News Agency, July 11, 2000.
2. Matthew 22:21.
3. John 8:7.
4. Leviticus 18:22.
5. John Boswell, *Christianity, Social Tolerance, and Homosexuality*, p. 295, University of Chicago Press, 1980.
6. Michael Rocke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence*, p. 199, Oxford University Press, 1998.
7. Serge Bramly, *Leonardo: The Artist and the Man*, pp. 117-119, Penguin Books Ltd., 1988.
8. Rocke, pp. 228-229.
9. Richard Plant, *The Pink Triangle*, pp. 149, 154, Henry Holt and Company, Inc., 1986.
10. Plant, p. 181.
11. Roy Porter, *The Creation of the Modern World: The Untold Story of the British Enlightenment*, pp. 294, xxi, W.W. Norton and Company, Inc., 2000. Also, David F. Greenburg, *People Weekly*, July 21, 1986.
12. Muhammed Hamidullah, *Introduction to Islam*, section 42, Centre Cultural Islamique, Paris, 1969.

Countries or U.S. states with sodomy laws punishable by 15 years or more of imprisonment, or by death:

Afghanistan: Death	Michigan: 15 years in prison
Bangladesh: Life in prison	Nepal: Life in prison
Bhutan: Life in prison	Nigeria: Death
Guyana: Life in prison	Pakistan: Death
Idaho: Life in prison	Puerto Rico: 20 years
India: Life in prison	Saudi Arabia: Death
Iran: Death	Singapore: Life in prison
Maldives: Life in prison	Sudan: Death
Malaysia: 20 years/caning	United Arab Emirates: Death
Mauritania: Death	Yemen: Death

Letters, from page 4

Americans. Whether perpetrating an act of aggression or just chasing fleeing drug criminals, this behavior from our southern neighbors hardly warrants a ho-hum response. Defending borders from such invasions is what armies are for.

But that's beside the point. The War on Drugs is no different than the War on Booze. All we need is another amendment, like the 18th, and the problem is solved. Better yet, one that reads: "thou shalt be good."

James Harrold Sr.
Springdale, Ariz.

Check Your Premises

In deploring (justifiably, if somewhat wearisomely) the loosening of English usage, Stephen Cox incurs a special obligation for lexicographical punctiliousness himself, lest he speak as pot to kettle. His definition of "begging the question" as "supporting a claim with a claim that is itself unproved, or supporting a claim with an irrelevant argument," is itself loose, however, at least with respect to its original and historically recent meaning: "assuming what is to be proved, in order to prove it . . . often called arguing in a circle" (H. W. B. Joseph, *An Introduction to Logic*, 2nd ed., Clarendon Press, 1916, pp. 591-592).

Michael Acree
San Francisco, Calif.

A Strange Libertarianism

Brink Lindsey wonders if he can call himself a libertarian (March). Well, maybe. He says "the general principle of liberty as the highest political value is something that unites us all and defines us as libertarians." He then goes on to list the ways in which he does *not* believe in liberty: he supports "government health, safety, and environmental

regulation, as well as tax-funded spending programs to aid the needy, educate the young, and ease the burden of economic dislocation." In these beliefs Lindsey is virtually indistinguishable from the vast majority of present-day conservatives and left-liberals, Republicans and Democrats.

I think most libertarians define liberty as the freedom to do what you want as long as you don't harm another person's life or property. Certainly reasonable people can and do argue over what constitutes harm to another person or his property. What people who believe in freedom don't argue about is that government deprives people of freedom.

Lindsey wants to use government for his own ends. But the ends don't justify the means. If Lindsey wants better health, safety, and a cleaner environment for people, he should *voluntarily* work with others to those ends, rather than forcing people through government to do so. Concomitantly, if he supports military action against Iraq, he should *voluntarily* shag his ass over there with other gung-ho militarists and take Saddam on his own. But no, he wants to force others to go over and risk their lives for him.

Lindsey can call himself a libertarian if he wants, though I personally find the contention laughable. But he most assuredly cannot call himself a believer in freedom.

David Pearse
Santa Monica, Calif.

NATO Can Fight Offensive Wars

In the April issue of *Liberty*, Alan Bock decries the criticism of France, Germany, and Belgium for their objections to NATO's supplying military equipment to Turkey in order to protect Turkey from Iraqi military action. Article 5 of the NATO charter states that an attack on any NATO member shall be considered an attack on all and that NATO shall take measures in response. Bock seems to believe that this article does not apply, since an Iraqi attack on Turkey would presumably be in response to a U.S. attack on Iraq from bases in Turkey.

Bock is certainly entitled to object to

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Fireworks!

by Ross Levatter

*There will always
be a lot of good
reasons for
Americans to be
proud of their
government.*

The big day had finally arrived. Dan had waited for it all year. It was his favorite day. He would be allowed to leave the commune and venture into the city; his entire family, except the designated leave-behind, could accompany him. They would see new people — people living beyond the commune; then, to top it all off, in the evening — fireworks!

Dan loved the big fireworks display. It was always awesome. And inspiring. Along with the martial music that accompanied them, the fireworks were truly the epitome and capstone of the celebration.

Dan gathered his family together, signed the release forms, and began the journey. Their car was old, but serviceable. Well, technically not serviceable, since parts were not made for that model anymore, but it ran well enough. It got 57 miles to the gallon by government mandate, which Dan saw as fortunate because he really couldn't afford much gas, what with the war effort underway.

The first two decades of the war had gone by quickly, so the history books said, but over the last few decades it seemed as if the fighting might drag on forever. Fortunately, America was always finding new allies in this protracted effort, most recently an Afghani group called the Tali — something. Dan had hardly heard of them, and foreign names confused him, but the president said they were fierce fighters and noble allies for freedom in this war in which everyone was either with us or against us.

The Afghan fighters seemed to be holding up their end — Dan had heard about fierce clashes with terrorist France — but it took American financial support and material supplies, including gasoline, which was one reason gas was so expensive here in the homeland. Good thing the city was less than 30 miles away. Dan wouldn't have been able to visit the city if it required more than one gallon of gasoline. The price was too high, and he wouldn't have been able to justify it to the gasoline board in any case. Not just to see fireworks . . .

The drive to the city was uneventful and the weather warm. Then came parking on the city's outskirts. No cars were allowed in the city proper anymore. During the last century, Dan had once been told, the city was filled with cars. It was hard to imagine, though Dan believed it

because the roads crisscrossing the city were clearly too large to have been designed for foot traffic alone. But after the car bombs, things had to change. Dan accepted change. Life was change. Change was good. The president said so. The schools taught it. Dan had always been a good student. It was one of the reasons he had advanced so far. One of the reasons he was granted a release each year to leave the commune with his family and visit the city.

Dan directed his car as he was instructed. The inspector was waiting when the family got out. "May I check your car, sir?" the inspector asked politely. Dan was impressed, as he always was, by the politeness. But Dan had a little bit of the rebel in him. So he said, "What if I refuse?"

"Oh," said the inspector, stopping, taken somewhat aback. "That is your right, sir, of course. If you say 'no' we'll have to impound the vehicle; otherwise we'd need your permission to inspect it."

Dan knew that, of course; he had been a good student. He quickly said, "Of course, officer; I was just having a little fun. Inspect to your heart's desire."

The inspector smiled at this, as he pushed Dan and his youngest son back away from the car to where the rest of the family was already waiting. The inspection was efficient, and (Dan couldn't help but notice) exceptionally thorough, more so than usual. Dan was quite appreciative of the inspector's work. He knew the city would be safe, with procedures and people like this. Safety was everything. Dan knew that. They taught that in school.

Dan remembered in the old days people like this inspector were employees of private firms. Back then you had to pay to have your car searched, or you wouldn't be let into the city. There were many objections to such a policy, which exploited the poor. Now this job had been federalized, and the inspector was a government employee. Dan smiled, realizing he wouldn't be charged anything at all for the search.

Dan and his family observed the parking garage guards lower their guns, the universal sign to move on, and walked

Dan was quite appreciative of the inspector's work. He knew the city would be safe, with procedures and people like this. Safety was everything. Dan knew that. They taught that in school.

into the city. The city astounded them, and Dan's children kept pointing to amazing things never seen in their commune — the dozens, even scores of people on the streets, the occasional open shops where people could buy clothes or canned goods, the large sidewalk scanners able to search many pedestrians simultaneously. Certainly, some things were the same as in their commune — the absence of metal in clothing and jewelry, the speed with which official police demands for identification were obeyed — but the differences overwhelmed. The children would never forget their first visit to the big city.

They found a "hot dog" vendor on one of the city side-

walks and stopped for a bite. Dan knew, of course, the vendor didn't actually sell hot dogs like in the old days. The country's meat supply was dangerously low, what with the war effort and safety concerns. The government protected citizens from dangerous meat with a detailed and ever-vigilant inspection process. Only clearly safe meat was passed on for taxpayer consumption. Dan wasn't sure what the government did with the other 98%. Sure, he missed the hamburgers he had loved as a child, now a luxury item he

Dan noticed with pride that the man next to him, on objecting to the person searching him, was immediately given another government employee to continue the search.

could not really afford. But "safety first" was his motto. Had been ever since he learned it in the seventh grade.

No, what the "hot dog" vendor sold was a "virtual hot dog," a vegetable product with something of the consistency of a hot dog and a taste that was reminiscent of a hot dog as well. "I can't tell the difference, and neither will you" said the president when the product first hit supermarket shelves after years of government-subsidized research. "If the president can't, neither can I," thought Dan.

He did hope, though, the ban on imported mustard would some day be ended. But it was unlikely. President George Bush VI had written and approved the ban himself. The vice-president, Albert French, ruthlessly enforced the ban and consistently ruled against criminal defendants. Foreign mustards did not meet the safety standards of our country, said Mr. French, and he certainly should know, since his family was actually in the mustard business. So Dan lathered his "dog" with domestic mustard, careful to avoid the seeds people sometimes found, an unavoidable byproduct of production.

The family enjoyed the virtual hot dogs. They ate them without buns, of course, since the big day this year fell on Bunless Tuesday. It was a small sacrifice. "Anything for the war effort," thought Dan, echoing a sentiment he had learned in tenth grade.

The family walked on to the stadium where the fireworks display was held, a short seven miles away. It was a spectacular venue, able to hold over 75,000 people, though of course, crowds of that size were no longer allowed. The prohibition on groups of more than 100 made the fight against terrorism much easier and the potential gains to the terrorists much less.

Dan remembered ruefully that some had spouted off about that decision when it was first handed down, a Supreme Court ruling affirming the constitutionality of the "Safety Is Everything" Act of 2005, during the reign of President Bush II. It was a unanimous 7 to 0 vote, coming soon after the terrorist killing of two Supreme Court justices (ironically, the very two that had raised some initial concerns

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Reviews

Gods and Generals, directed by Ronald F. Maxwell. Warner Bros., 2003, 216 minutes.

A War Too Civil

Jo Ann Skousen

After reading *The Killer Angels*, Michael Shaara's wonderful, fictionalized history of the battle of Gettysburg, I hungrily anticipated the release of *Gods and Generals*, a film based on the book written by his son, Jeff Shaara. But I was disappointed by the reviews of the film, and even more disappointed by the movie. So what went wrong?

For one thing, it is stilted. The writers carefully compiled a script based on the actual writings of these military leaders. But people don't speak the way they write — especially the way they wrote in the 19th century, with soaring, flowery, poetic grandeur. Ordinary conversation, spoken at an ordinary pace, or better yet, at the quickened pace of battle, would have helped tremendously. Even the music was ponderous — somber choirboys oohing not just after the battle scenes, when a reverent contemplative mood would be appropriate, but during the battle scenes, when a sense of quickening pace and urgency are needed.

And, at 216 minutes, it is ponderously long. The first hour and twenty minutes were devoted to merely intro-

ducing the major players: Robert E. Lee, Stonewall Jackson, Joshua Chamberlain, A. P. Hill and others. I glanced at my watch 80 minutes into the movie, thinking that I could have arrived right then without missing a thing. And in reality, the introductions were almost useless because the names were mentioned so fleetingly that if I hadn't just read a book on the Civil War, I wouldn't have remembered who was who. Moreover, their faces were covered with such bushy brown (and ridiculously fake) beards that it was hard to see any distinguishing features. I had to focus on the eyes to recognize the character (except Lee, of course, whose beard was gray). It was difficult to keep the battles straight too, because both armies wore such similar uniforms and expressed the same concerns. It was often difficult to know who was attacking and who was defending, particularly when two Irish regiments faced off against each other, shooting and crying and shooting some more until both sides were mostly dead. I kept wanting to ask someone, what are the Irish doing there, and how did they decide on which side to fight? What is their cause?

Near the beginning of the second

act, after a much-needed intermission, the scriptwriters blatantly stole a moving, and true, story from World War I. It's Christmas, and soldiers from opposing armies rest across the river from each other. A Southern boy (or was he a Northerner?) plays "Silent Night" on his harmonica. You can guess the rest. A Northerner listens, calls out for a truce, and they share coffee and a smoke in the middle of the river. Might have been moving if it hadn't been borrowed from another war and another time, making a completely different point — World War I was fought by young men who had no personal stake in the conflict; they were just following orders. But the Civil War was an intensely personal war, pitting brother against brother. They knew why they were there. And they cared about the outcome.

And that leads us to the most egregious error of this movie, and the real reason that it is so hard to endure: it lacks any dramatic conflict. How can a film about the Civil War lack conflict, you might well ask. Well, there are no good guys or bad guys, only ponderously, pitifully noble guys. There is never any satisfactory dialogue regarding what was at stake. To hear these generals talk, you would think both sides were fighting for the same goal.

I laughed out loud when Stonewall Jackson and his trusty black cook/groom/aid/confidante prayed together, asking "Why, God? Why? Why do men put chains on other men?"

There are no good guys or bad guys, only ponderously, pitifully noble guys.

When will this terrible curse of slavery end? Please bless our legislators that they will change this law, blah blah blah." This was Jackson. The Southern general. If the South wanted to end

slavery, and the North wanted to end slavery, then what in the world were they fighting about? Such blatant rewriting of history was insulting.

Instead of getting into the sticky issue of slavery (and pretending that the South was against it) the filmmakers could have made a strong case for states' rights by creating some dialogue focusing on the North's invasion of Virginia, with equally compelling dialogue by the Northerners about the importance of preserving the Union. Such a conflict would have allowed the audience to become engaged in the drama. But there was never any discussion of goal, or purpose, beyond Lee's original decision to resign his commission and fight for Virginia.

The generals and their families are constantly praying and quoting scripture, and at first, I was moved by their piety. But the constant prayers become overbearing after a while. I couldn't help wondering, as I watched scene after scene of bodies being blown to nearly-bloodless smithereens (this is, after all, a family show): what point did the filmmakers want to make by all this praying? That war is God's way of solving conflicts? That it doesn't matter what you do, as long as you pray about it first? That God was on the side of the pious? Then why didn't the praying Southerners win? If they were truly pious, shouldn't they have been able to hear God telling them, "You aren't going to win this one unless you first open your eyes and realize that Africans are humans with the same inalienable rights as you have. So give them their freedom, and then we'll talk about states' rights!"

Was there anything good about this movie? Yes. The second act was much

What point did the filmmakers want to make by all this praying? That war is God's way of solving conflicts?

more interesting, faster paced, and tightly written than the first. Its music was appropriate to battle, creating suspense and elevating my heartbeat. A

sweet relationship is developed between General Jackson and a little Southern girl, and between Jackson and his wife, although it constantly borders on the melodramatic (and often crosses over that border). I think that if the first hour had been eliminated, the second hour cut in half, and the anachronistic Christmas scene removed from the third hour, with a

clear focus on what they were fighting for, the movie would have been a manageable representation of the battle of Jackson's last stand.

And then perhaps the announcement in the final screen would not have been met with a groan: This film is a Trilogy, to be followed by *Gettysburg* and *The Last Full Measure*. Heaven help us! □

Freedom Evolves, by Daniel Dennett. Viking, 2003, 347 pages.

Choose Your Own Adventure

Timothy Sandefur

Daniel Dennett is the greatest philosopher alive. His uniqueness lies in the fact that he understands — more importantly, cares about — science, and his works do not consist of word-warping and hocus-pocus, falsely profound generalizations, or radical chic denunciations of the "tyranny of reality." He is interested in how the mind really works, and he produces theories that can be disproven. This alone would suffice to distinguish him from the general population of philosophers, but Dennett also possesses the rare virtue that he can write: clearly, cleverly, and concisely. Scattered through his books are brilliant sparks of insight, tied together by convincing conclusions.

Dennett's work is so rich, and so well written, that it is extremely difficult to pare it down for quick summary. But a brief overview reveals three major themes. First, in his 1991 *Consciousness Explained*, Dennett describes his fascinating theory of the mind. Although it often seems like a

tiny person (me) sitting in what Dennett calls the "Cartesian Theater" (some place in the brain where the little me listens to audio piped in from the ears and watches video from the eyes, and then makes decisions), the self is actually more like what computer scientists call a "user illusion," reflected back upon a pandemonium of simultaneous, automatic mental processes, more like a bureaucracy than a monarchy. Asking "when did John experience the stimulus" is like asking "when did England learn of the Battle of New Orleans": there is no single answer, because there is no single "meaner" in the brain. Instead, the self is a creation of the mind's resourcefulness, spun, says Dennett in a lovely analogy, like a spider spinning its web — not because it consciously chooses to do so, but because that is just how the spider, or the brain, lives its graceful, unique, naturally selected life.

What materials does the brain use in spinning this self-web? Memes — ideas which act much like biological viruses, leaping from brain to brain in a cultural infection. Memes can spread through a culture even when they are

not true, because of their compelling nature — for example, the meme for “conspiracy theory” is especially virulent because it has a notorious built-in defense mechanism: anyone who denies it must be part of the conspiracy! This allows the meme to spread

Much of Western political philosophy is based on the premise that man's uniqueness — namely, his knowledge of good and evil — is the source of his rights.

very rapidly, and last a long time. Some memes (like phrases on bumper stickers) are harmless; others (like the miracle bra) very rewarding; others (like the English language) useful; others (like communism) horrifying. Dennett's view of the self replaces the little man in the Cartesian Theater with something more like a campfire ghost-story session: as each speaker tells his story, he picks up a flashlight and shines it up at his face. So, too, in our minds, as each thought or impulse comes to the surface, it claims to be “me” or “my” idea.

This seems threatening to those of us who are rather fond of selves. Raised on the idea that “there is no such thing as a collective brain,” this interpretation of the mind seems like a direct challenge to the notion of personal independence. Indeed, in her book *The Meme Machine*, Susan Blackmore concludes that Dennett's theory requires us to abandon the idea of the self. Since there is no single “I” sitting in a little room in the brain making choices, argues Blackmore, we ought to give up the idea of self, and seek a new Nirvana by relishing the flow of memes: “the quality of consciousness then changes,” she writes, “to become open, and spacious, and free of self.”

Fortunately for individualists, this conclusion is nonsense. That the self is the product of evolution, and that it works in unexpected ways, does not make it unreal, any more than the evolutionary explanation of language makes it unreal. Just because the self is

a product of evolution does not require us to reject it, any more than we ought to chop off our hands because they evolved. Eradicating the self is nothing more liberating than suicide, whether proposed by a Zen master or a university professor. Dennett quotes Robert van Gulick: “The personal-level experience of understanding is . . . not an illusion. I, the personal subject of experience, do understand. I can make all the necessary connections within experience, calling up representations to immediately connect one with another. The fact that my ability is the result of my being composed of an organized system of subpersonal components which produce my orderly flow of thoughts does not impugn my ability. What is illusory or mistaken is only the view that I am some distinct substantial self who produces these connections in virtue of a totally non-behavioral form of understanding.” Just because the self is a product of evolution does not mean it is fake.

The second theme, from his 1995 *Darwin's Dangerous Idea*, is the most important philosophical legacy of evolution: the death of essentialism. (Of course, many philosophers are as yet unaware of its demise.) With evolution, the idea of a non-material “ghost in the machine,” which distinguishes man from the rest of creation, must be abandoned. We differ from the animals not in kind, but in degree. But if essentialism blows up, must it take other things with it? — things we cherish, like dignity, honor, love, or the rights of man? Much of Western political philosophy is based on the premise that man's uniqueness — namely, his knowledge of good and evil — is the source of his rights. But, as Larry Arnhart (one of the few philosophers to confront this issue squarely), puts it, “If moral norms are largely products of culture, and if culture is largely a social invention that is not determined by nature . . . any attempt to derive ethics from human nature must fail if ethics is shaped more by culture than by nature.” Hence the dilemma that *Darwin's Dangerous Idea* poses to political theory. How can

we derive the laws of our behavior, if we are not fundamentally different from the animals? It would be exceedingly frustrating if there is no way to connect morality or politics to anything more permanent and real than fads.

The weight of this issue does not intimidate Dennett. “We need to draw lines,” he writes, but we “should abandon the fantasy that either science or religion can uncover some well-hidden fact that tells us exactly where to draw these lines. There is no ‘natural’ way to mark the birth of a human ‘soul,’ any more than there is a ‘natural’ way to

Eradicating the self is nothing more liberating than suicide, whether proposed by a Zen master or a university professor.

mark the birth of a species.” There is a way for moral or political philosophy to distinguish between animals and man, but we must be prepared to re-evaluate old assumptions. “‘Sentience’ comes in every imaginable grade or intensity,” Dennett writes in *Kinds of Minds*, “from the simplest and most ‘robotic,’ to the most exquisitely sensitive, hyper-reactive ‘human’ . . . [W]e do indeed have to draw lines across the multistranded continuum of cases, because having moral policies requires it, but the prospect that we will discover a threshold — a morally significant ‘step’ in what is otherwise a ramp — is not only extremely unlikely, but morally unappealing as well.” We must reconsider the criteria by which



“I’ll speak to the Minister of Defense about it — \$83,000 per arrow *does* sound a little high.”

we have conducted our searches, so that we do not chase after fantasies, while overlooking something just as good, if not better, right before our faces. Instead, we should ask ourselves, what are we looking for?

This is the third theme in Dennett's work. "[H]olding out for perfection — a job-related disability in philosophers — [often] conceals the best path." In *Freedom Evolves*, he concludes that it is not so much that man is tragically in the grip of the infinite power of infinitesimal causes — but rather, that we have set ourselves up a straw man labeled Free Will, and another labeled Materialism, while overlooking the real goals of our philosophical search:

Suppose that once upon a time there were people who believed that an invisible arrow from a flying god was a sort of inoculation that caused people to fall in love. And suppose some killjoy scientist then came along and showed them that this was simply not true: No such flying gods exist. "He's shown that nobody ever falls in love, not really. The idea of falling in love is just a nice — maybe even necessary fiction. It never happens." That is what some might say. Others, one hopes, would want to deny it: "No. Love is quite real, and so is falling in love. It just isn't what people used to think it is. It's just as good — maybe even better. True love doesn't involve any flying gods." The issue of free will is like this.

Like Ayn Rand, Dennett sees that the primary fallacy in discussions of free will is the notion that it must somehow involve uncaused acts. "Free will is real, but it . . . is not what tradition declares it to be: a God-like power to exempt oneself from the causal fabric of the physical world." There can be

free choice in a creature made of unthinking bits of matter, because the very notions of choice, avoidance, or involvement, make sense only at a level far enough removed from the thoughtless action of atoms as to give us the elbow room we seek. Not the radical freedom of uncaused choice (which would be just as useless as

Like Ayn Rand, Dennett sees that the primary fallacy in discussions of free will is the notion that it must somehow involve uncaused acts.

rigid determinism) — but "elbow room": room to act within determined boundaries.

Dennett distinguishes between determinism and inevitability. Increasing the number of options available to an agent increases its range of freedom, even if the agent is forced to follow the rules. Not far from my office is a freeway off-ramp with two lanes. Those in the left lane must turn left, but those in the right may turn either left or right. In a sense, all the drivers are "determined" by the traffic laws — they must turn one way or the other. But those in the right lane have more freedom, even though within determined boundaries. Thus it is possible for a materialistic conception of the universe to give us the traction we need to drive in our own directions, if we first confront the assumptions behind our false conceptions of free will and materialism. "We don't have to have immaterial souls of the old-fashioned sort in order to live up to our hopes," he writes; "our aspirations as moral beings whose acts and lives matter do not depend at all on our having minds that obey a different physics from the rest of nature."

Opponents of free will routinely trot out "Laplace's demon": a hypothetical creature that, according to the French scientist Laplace, somehow knows the position and velocity of every particle

in the universe at one instant. The demon, Laplace argued, would be able to predict the future entirely, and without some non-materialistic, essentialist explanation of the mind, the demon must also be able to predict our every decision. If that is so, how can there be free will? Dennett does not argue with this hypothesis — on such a wide and pointless level, the determinist wins. But Dennett points out that the demon would have to know such an incalculably vast sea of information as to paralyze its ability to comprehend anything — an argument familiar to readers of Hayek. More importantly, choice, and life, and meaning do not take place at this level. The human mind, that complicated engine of choice and avoidance, is affected by other minds and by happenstance encounters on a level of description so far removed from microscopic particles that it is senseless to extrapolate from one level to the other. Add to this the fact that greater levels of complexity allow greater degrees of combination: we now have options that our grandparents could never have imagined, and even if we are "determined" in the sense that stimulus X results in response Y, the increased number of stimuli we have still means an immensely greater variety of potential responses than our grandparents had.

This may not seem satisfying at first, but consider what can be accomplished by freedom within fixed boundaries. A jazz soloist cannot pick any notes he wants, but has a wide array of colorful notes from which to choose. John Milton wrote that the blank verse of *Paradise Lost* was "an example set, the first in English, of ancient liberty recover'd to heroic Poem from the troublesome and modern bondage of Rimeing," because it provided the writer with creative elbow room without abandoning all constraints. Moreover, humans have a unique faculty for creating new options. Our ability to imagine the future outcomes of our choices today opens up a vast realm of freedom without challenging the "determinism" of being required to obey the rules:

[E]ven a simple switch, turned on and off by some environmental change, marks a degree of freedom. . . . Switches (either on/off or multiple-choice) can be linked together in



"It's finally happened — the government is costing me more than you are."

series, in parallel, and in arrays that combine both sorts of links. As arrays proliferate, forming larger switching networks, the degrees of freedom multiply dizzyingly. . . . A brain, with its banks of sensory inputs and motor outputs, is a localized device for mining the past environment for information that can then be refined into the gold of good expectations about the future. These hard-won expectations can then be used to modulate your choices.

By looking ahead to the outcomes of our policies, we can choose routes which not only open up new opportunities, but close off options we don't want to face. We can choose between determinisms, so to speak, for our own reasons — creating what Dennett calls “evitability.” Consider a man who sets his watch ahead by five minutes (and who somehow doesn't subtract that whenever he looks at his watch!) in order to fool himself into getting to meetings on time. He has manipulated his own determinism to achieve his purposes. This is no different than the schizophrenic who chooses to take medication to prevent his symptoms, or the astigmatic who wears glasses. “Scientific knowledge is the royal road,” writes Dennett, “the only road — to evitability.”

What does all of this mean for political freedom? Dennett points out that

Our ability to imagine the future outcomes of our choices today opens up a vast realm of freedom without challenging the “determinism” of being required to obey the rules.

our ability to choose between possible futures does require us to accept responsibility for the futures that we choose, just as we admire those who have chosen good futures (who have been very “determined,” as we say) by putting themselves on diets or going through college. We willingly make such exchanges: for receiving credit for our good choices, we accept blame for our bad ones. “People want to be held accountable.” The enemy of free will, then, is not science, but the state. By

depriving us of options, it deprives us of the diverse potential implicit in those options. By shutting off experiments — be it the ban on “cloning,” or the prohibitions on experimenting with narcotics — we close off avenues to destinations we cannot now imagine: destinations that may be dark, or bright — we'll never know. Unfortunately, many people “respond . . . by turning off their minds and turn-

ing up the volume on their ‘hearts,’” writes Dennett. They then create reactionary policies against science in order to protect the ghost in the machine. These people, I suspect, will be dissatisfied with Dennett's conclusions. He acknowledges that a Darwinian account of the mind will require us to revise our assumptions about free will, rather than soothing our fears. □

***Getting it Right*, by William F. Buckley Jr. Regnery Publishing, 2003, 311 pages.**

Getting It Wrong

R. W. Bradford

William F. Buckley Jr., who somehow managed to remain the *enfant terrible* of conservatism until well into his 40s, now in his late 70s has come up with a new wrinkle on fond memories of youthful triumphs — not to mention score-settling. Rather than writing a memoir or autobiography, which would be checked for accuracy by historians, he does his work in a novel, *Getting It Right*, using the license of fiction to cover his inaccuracies. And a good thing, too.

Getting It Right is the story of two young Americans, each representing one of the two heresies that, in Buckley's view, would have prevented the triumph of the American Right had not someone (Buckley himself) purged them from the movement.

The first of these heresies was the Radical Right. Its fountainhead was Robert Welch, a Boston candy company executive who had founded the John Birch Society to turn the tide against what he and many conserva-

tives saw as the continuing triumph of the Left and retreat of the mainstream Right.

The other heresy was libertarianism, embodied in Ayn Rand and her movement. This is odd, in that Buckley considered himself to be a libertarian, though he always added that advancing the libertarian agenda had to wait until the evil of communism was defeated.* From Buckley's perspective, there are two great flaws in Rand: her advocacy of a totally free market (which Buckley thought would be hard to sell to American voters) and her atheism (which he thought was evil).

Buckley's battle against the Radical Right was helped along by the fact that its leadership was, well, nuts. Welch saw a communist conspiracy behind every leftist policy, even to the point of identifying the mushy anti-communism and political realism of Dwight Eisenhower as evidence that Ike himself was “a conscious agent of

*He apparently forgot this element of his long term strategy by 1989, when communism went kaput, and hasn't seemed to remember it since.

the Communist Conspiracy." Each year, Welch's magazine *One Man's Opinion* (later rechristened *American Opinion*, though without any change of editorial outlook) published a map of the world with each country printed in the appropriate color for its politics.

Rather than writing a memoir or autobiography, which would be checked for accuracy by historians, Buckley does his work in a novel.

The communist countries, of course, were in bold red. So were many of the democratic and third world countries, while others were varying shades of pink. Only a handful of anti-

communist dictatorships were printed in white. And every year, the map got redder and redder. By the early 1960s, for example, the U.S., according to the key accompanying the map, was 60% to 80% communist controlled.

As time went on, Welch got loonier and loonier, tracing the Communist Conspiracy back to the Bavarian Illuminati (founded in 1776 and not heard from since 1798) and eventually back to ancient Sparta; purging the Birchers from the conservative movement proved a less and less challenging task.

The libertarians were another matter. Libertarianism was then simply an element of American conservatism. Some conservatives tended more toward libertarianism, and some more toward traditionalism. But even such leading traditionalists as Richard Weaver held plainly libertarian views.

In addition to Rand, libertarian leaders included economists Ludwig von Mises, Frederich Hayek, and Milton Friedman, upon whom conservatives relied for an economic rationale for rolling back the welfare state, which, in those antediluvian days, conservatives abhorred.

But it was Rand whose books sold millions of copies and who was attracting tens of thousands of followers, most of them young and enthusiastic. And it was Rand who strongly opposed what she saw as conservatism's reliance on religion, which she believed was simply and obviously irrational. So it was Rand who had to be purged.

In 1957, Buckley published "Big Sister Is Watching You," a review of Rand's *Atlas Shrugged*. The review appeared in Buckley's *National Review*, at the time the flagship of American conservatism. Whittaker Chambers preposterously denounced Rand as a totalitarian. "From almost any page of *Atlas Shrugged*," he wrote, "a voice can be heard, from painful necessity, commanding: 'To the gas chambers — go!'" Not surprisingly, this episode helped turn Rand away from conservatism, and conservatives away from Rand. From the day she read Chambers' review, Rand walked out of any room that Buckley walked into.

At the same time, Rand's need for conservative followers was declining.

From almost any page of Atlas Shrugged, a voice can be heard, from painful necessity, commanding: "To the gas chambers — go!"

In the 1940s and early 1950s, Rand had necessarily seen herself as part of the Right, where she could find a sympathetic audience. But the publication of *Atlas Shrugged* brought her a huge following among ordinary readers and her succumbing to the flattering attention of one young admirer, Nathaniel Branden, who provided her the hero-worship she craved.

It was later learned that during these years, Branden and Rand had a secret sexual relationship. This December-

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May affair was, not surprisingly, an unstable one, but even when it came asunder in 1968, it remained secret.

As time went on, Welch got loonier and loonier, tracing the Communist Conspiracy back to the Bavarian Illuminati (founded in 1776 and not heard from since 1798) and eventually back to ancient Sparta.

Granted, a perceptive reader of Nathaniel Branden's letter to subscribers of *The Objectivist Newsletter* in which he said that Rand had broken with him after he had made "a tortured, awkward, excruciatingly embarrassed attempt to make clear to her why I felt that an age distance between us of twenty-five years constituted an insuperable barrier, for me, to a romantic relationship" might have noticed that Branden had avoided any mention of whether such a relationship had existed prior to their break, and surmised that perhaps one had.* But very few people did notice, and this was years after the period Buckley writes about. Buckley gleefully chronicles the bizarre affair, despite the fact that neither he nor anyone else aside from Rand, Branden and their spouses knew of its existence at the time.

The history of the American Right during this period is full of colorful and amusing events, many of which Buckley chronicles in his novel. Unfortunately, his fictional characters

are flatly and amateurly drawn, serving only as a vehicle for chronicling the events. And the accuracy of Buckley's portrayal of the historic characters is difficult to evaluate. While Buckley knew some of the *dramatis personae* very well — his friends who aided in purging the libertarians and the Birchers — the same cannot be said for Welch, Edwin Walker (the ex-military leader who flipped out into the netherworld

of the nutball right in 1962), Ayn Rand or the Brandens, all of whose innermost thoughts he portrays.

Early in the book, he provides this specimen of Rand's interior thinking:

She thought of Barbara Branden, her assistant. *Dear Barbara.* Barbara was the wife of Nathaniel Branden, her closest associate, the true apostle of objectivism [Rand's philosophy], very nearly on a par with me in his mastery of the subject. I saw Barbara wince

Notes on Contributors

Baloo is a *nom de plume* of Rex F. May, the king of cartoonists.

Brien Bartels is executive director of the Libertarian Party of Washington State.

R.W. Bradford is editor of *Liberty*.

George W. Bush is a former chief executive of the Texas Rangers baseball club.

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Clark Stooksbury has written for *The American Conservative*, *Chronicles* and *Metro Pulse* (Knoxville, Tenn.).

*I myself surmised this. In 1980, I happened to have lunch with Roy Childs and a number of other libertarians, so I took the opportunity to ask Childs, "What do you think of the rumor than Ayn Rand and Nathaniel Branden had a long sexual relationship?" Childs responded angrily: "That's a dirty lie. There's not an iota of truth to it. And I know where you heard it. You heard it from John Hospers. He of all people shouldn't be spreading rumors like that." I later came to know Hospers, a philosopher who was a friend of Rand's during the late 1950s and the first presidential candidate of the Libertarian Party, well enough to ask him whether he had known of the Rand-Branden affair back when it was going on, and he told me that he'd never suspected it. I never had any idea what Childs had meant by "He of all people."

when I rebuked that stupid student. Will she reproach me tomorrow? I can tell when she is offended. She doesn't have to say so. My eyes are all-seeing, my ears all-hearing.

This absurd bit of inner dialogue reveals a remarkable unfamiliarity with its subject. While Rand's religious opponents gloried in using religious terminology to describe Rand and her followers, Rand herself never used terms like "apostle." Most absurdly of all, the notion that Rand thought that her eyes were "all-seeing" and her ears "all-hearing" is simply ridiculous: although Rand didn't like her followers doing anything she didn't approve of ideologically, she could not have cherished many illusions about her ability to detect it. She was always being surprised by unpleasant discoveries.

Of course, I suppose Buckley might ascribe this flight of fancy to novelistic license. That's a problem inherent in

presenting memoir as historic fiction: the reader never knows whether the author is reporting what had happened or simply making something up to move his account along. But Buckley himself denies it. In a brief preface, he writes that "there is no misrepresentation in this novel, certainly none intended, and to the best of my knowledge, none crept in." On the other hand, he admits that "as to be expected in novels, thoughts and sentences are given to individuals which, however true they are to character, were not actually recorded."

Buckley wrote these words in September 2002, when he was 77 years old. He deserves to be cut some slack. On the other hand, I am not so sure that the conservatives who are celebrating *Getting It Right* as a history of the actual persons and events of that nearly-forgotten period deserve the same consideration. □

Rethinking the Great Depression, by Gene Smiley. Ivan R. Dee, 2002, 179 pages.

Raw Deal

Alan Ebenstein

In *Rethinking the Great Depression*, economic historian Gene Smiley has performed a valuable service for all readers, academic and general. He has provided a concise description of the economic influences and course of the Great Depression, as distinct from what these are considered to be in the popular mind.

Smiley convincingly demonstrates that the policies of Franklin Roosevelt's New Deal — far from abating the Great Depression — in fact abetted it. There can be little question that the economic policies of the New Deal

made the Great Depression worse.

In the common, popular, and even academic mind, the Great Depression was the result of the capitalist excesses of the 1920s. Unscrupulous speculators buying on margin forced stock share prices up in an orgy of greed that ended inevitably in the great stock market crash of October 1929. Herbert Hoover's feeble attempts to right the growing imbalances in the economy were too timid and too weak, Hoover being a capitalist man of the old school. Only through the ascension of Franklin Delano Roosevelt to the presidency in 1933, and his bold programs of recovery in the New Deal, did America return to prosperity and

strength during and after World War II. This, perhaps, would be the commonest shared opinion of the Great Depression.

Smiley, following other authors, refutes this fallacious perspective. It is hard to overstate the importance of the myth of the Great Depression (that is, not of its existence but of its course and cure) in American public policy-making since the 1930s. During the 1930s itself, the American federal government was transformed, as the national government moved from an essentially laissez-faire state to one of massive intervention in and regulation of the economy and much else of private and public life. Many government welfare programs that were expanded during the 1960s and 1970s found their genesis in the programs of the New Deal. Both the particular policies and general philosophy of government changed in and through the New Deal.

Smiley, professor of economics at Marquette, traces development of the Great Depression and policy responses to it. As Milton Friedman demonstrated more than 40 years ago, the Great Depression was largely, or even mostly, the result of poor monetary management by the Federal Reserve Board. In the face of a growing economic recession and decline in stock market share prices (following a similar, smaller bust of property values), the Federal Reserve tightened the money supply. After the Bank of England went off the gold standard in 1931, two years into sharp economic contraction, the Federal Reserve Board raised interest rates.

Thousands of banks failed in the United States during the early 1930s,

During the 1930s, the American federal government was transformed, as the national government moved from an essentially laissez-faire state to one of massive intervention.

the money supply contracted by about one-third, prices declined by a similar amount, unemployment approached

three in ten looking for work (with many more underemployed), and gross national product dropped in nominal terms one-half. There was double-digit deflation.

When Franklin Roosevelt assumed the presidency in March 1933, after a four month interregnum since the

Had it not been for World War II, Franklin Delano Roosevelt would likely be remembered as a second-rate, below average president — an inspirational leader, but a disastrous economic tactician.

November 1932 election, the American economy was in the worst shape it had ever been. Roosevelt responded with an array of government spending programs, but, as Smiley outlines, these programs were largely counter-productive.

Smiley emphasizes the importance of monetary policy in his work. He notes that it was mostly the inflow of gold to the United States during the middle 1930s, after the American dollar was devalued through Roosevelt's action to set the value of gold at \$35 per ounce, that caused an increase in the money supply. It was not through action of the Federal Reserve Board.

By way of contrast to monetary policy, the fiscal policies and particular programs of the New Deal likely retarded economic growth. Neither the Agricultural Adjustment Acts (AAA) nor the National Industrial Recovery Act added to national economic production and productivity. Farm prices were raised under the AAA through ground going unplowed and the destruction of crops and animals. The National Industrial Recovery Act had two parts, the first of which established the National Recovery Administration. Like the AAA, the NRA's goal was to reduce production. Essentially, the NRA advocated national government planning of the economy, and was a failure before it was struck down by the Supreme Court.

In 1937, after Roosevelt's second inaugural, the American economy began to decline again. Between August 1937 and April 1938, the stricken stock market declined one-half again. Durable manufacturing production declined about two-thirds. The unemployment rate rose from 12 percent to 20 percent.

Had it not been for World War II, Franklin Delano Roosevelt would likely be remembered as a second-rate, below average president — an inspirational leader, but a disastrous economic tactician. Smiley also briefly discusses economic activity and policy

during World War II, but this is subordinate to his major task of presenting the course of the Great Depression and the influence of New Deal policies on it.

Subtitled "A New View of Its Causes and Consequences," *Rethinking the Great Depression* expresses important ideas. The myths of the Great Depression continue to influence public policy. Smiley's argument is that if these myths are understood and a better approximation of what really happened is maintained, then it may be possible to conduct better economic policy in the future. □

Personal Character & National Destiny, by Harold B. Jones Jr. Paragon House, 2002, 259 pages.

Character Counts

Bruce Ramsey

Harold B. Jones is interested in values, particularly the values of achievement. The values a people celebrates in its stories and teaches its young, he says, determine its future.

Many have made this argument. Harvard professor David Landes ends his magisterial history, *The Wealth and Poverty of Nations* (1998), with the observation that the wellsprings of wealth are "work, thrift, honesty, patience, tenacity." Compare these with the values Jones finds in the 19th century McGuffey Readers: "industry, creativity, persistence, frugality, honesty, independence."

Today we explain events with policies. Libertarians say America rose to first rank because it recognized property rights and gave free rein to supply and demand. So it did, but why did it do that? As Jones observes, "Supply and demand, for all their importance,

do not explain themselves."

Why do some countries set up rules for economic individualism? Because their people demand it. Because they are individualists. And Protestantism, Jones says, was the fountainhead of individualism. "The sense of a personal responsibility for one's own religious life, it might be suggested, creates the

America rose to first rank because it recognized property rights and gave free rein to supply and demand. So it did, but why?

necessity of individual thought, and individual thought is the prerequisite of economic creativity."

Jones is a religious man, and argues that "it is extremely difficult . . . to sep-

arate character from religion." He writes about Andrew Carnegie and John D. Rockefeller, focusing on their Puritan values. Jones notes that Carnegie was an atheist, but that "as a child, he breathed the air of Scotch Calvinism."

In Jones' view it was the ethic of work, frugality, and self-reliance that enabled America to succeed with a small government, because with those values the people believed they needed no larger one.

All this amounts to a fascinating thesis. Jones ought to have developed it further to show how the values of schoolbooks, children's literature, popular literature, and classics have changed in the past 200 years. Today the keystone value promoted in children's literature is acceptance of others. The greatest heroes given to youth are now Martin Luther King, Rosa Parks, and the like — not builders or creators but social reformers. These are the heroes for the administrative state

because their moral fervor legitimizes state intervention in human affairs on a broad scale.

The old heroes also legitimized what the state did — and didn't — do. They were heroes for the world before the welfare state. Their stories implied that if a man is poor, he ought to do something about it himself — and also that the reason for his poverty might well be his own bad decisions. Many Americans still believe these things, and the elites sometimes pay lip service to them. But they do not push them far because they subvert today's political culture.

Instead of exploring the relationship between changing values and the accepted role of the state, Jones spends dozens of pages expounding the history of the past 150 years from an implicitly Randian point of view. It is as if he had discovered that perspective, read a bunch of books about it, and jumped onto a soapbox at Hyde Park Corner. His background over-

whelms his subject.

But his point about values — a point on which Rand and Christians agree — remains a good one. Whether we tell our children stories of individual achievement, or of getting along with others, or of social reform, matters. It matters what values we put in and it matters what ones we leave out.

The change from those values of achievement has been going on for several generations, and the nation itself has changed. It has become rich. It is less focused on the values of survival and more on the values of inherited wealth.

To close with a quotation from Landes:

We are living in a dessert age. We want things to be sweet; too many of us work to live and live to be happy. Nothing wrong with that; it just does not promote high productivity. You want high productivity? Then you should live to work and get happiness as a by-product. □

Fireworks!, from page 42

about the law's constitutionality).

Even after the ruling, some continued to protest, chanting about the "right to petition the government with grievances" and other Marxist nonsense. That had culminated in the 101 Man March on Washington. But after the marchers had been duly arrested, tried, convicted, lined up on the Mall, and shot, the opposition quieted down. Dan, for one, was glad the threat to the Constitution those dissenters represented had been handled so swiftly and firmly by the government.

The stadium was full. 100 people, waiting for the fireworks. As they looked for their seats, Dan heard another patron, gazing about the huge expanse, exclaim, "Wow! They don't build 'em like this any more." "Quite true," Dan thought. Like Coca-Cola in green glass bottles and buildings higher than six stories, no one built stadiums like this any more. But was the man's comment just innocent nostalgia or did it betray a desire for civilian targets that would be more difficult for the government to protect? Dan made note of the man's number; he would report the comment to the proper authorities during intermission. During periods of heightened security — the government color-coded this "Yellow" — such as the country had been in for the last 75 years, the government counted on its citizens to be alert for suspicious activities like that comment. Dan believed good citizenship was the foundation of a free society, as he had been taught in ninth grade.

Before the show began, Dan found himself one of the ten people selected for a random search. The group of searchees was rapidly and efficiently separated by gender and taken to white, sanitized holding rooms where everyone stripped down, bent over, and underwent a brief but thorough body

cavity search. Dan noticed with pride that the man next to him, on objecting to the person searching him, was immediately given another government employee to continue the search. "The man didn't even have to give a reason for his objection," Dan thought. "There is no question we the people retain our right to be searched by the government employee of our choice."

Dan made it back to his seat just in time, feeling proud, and sat down gingerly. The anthem began. Everyone stood, something Dan noticed the wall sentries observed and reported into their hand mikes. And then the fireworks — better than he remembered, Dan thought. Beautiful and awe-inspiring. Filling the sky with light. He was so lucky to be able to attend, and to bring his family. It was a moment to cherish. Dan only wished his mother could have been here to see it, but someone had to be the designated leave-behind.

"Daddy," said Dan's youngest, "Why do we shoot fireworks today?"

"It's a birthday celebration, honey," Dan replied. "Today, almost 300 years ago, our nation began a war for independence and human liberty. That is why we are a free and independent people today, with rights to life, security, safety, liberty, and the pursuit of happiness."

"Is that important, Daddy?"

"More important than anything, sugar. If it weren't for that, we wouldn't be free to travel wherever the government allows us to go, wouldn't be free to choose among the government's list of acceptable books, wouldn't be able to worship in any religion recognized by the government. That's why liberty is so important. And remember, honey, the price of liberty is eternal vigilance."

Dan had learned to memorize that phrase in twelfth grade; he was an excellent student. □

Letters, from page 40

NATO aiding Turkey in this way, but the text of Article 5 does not support him. It says that "the Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all" and that the parties shall take "such action as it deems necessary, including the use of armed force . . ." Bock says the request for help from Turkey "was not a request for help in the face of an unprovoked attack . . ." But the reference to an "unprovoked attack" does not appear in Article 5. Only "armed attack." An attack may or may not be provoked, but in either case Article 5 requires collective response from NATO members.

Perhaps this requirement is unwise. Perhaps it should be amended. If Bock believes that this is the case, he should argue for such a change. But he should not argue that the language supporting his view is already in Article 5, for it is not.

Eugene H. Scott
Earlsville, Va.

Law and Order, Except on Tuesdays and Saturdays

I am generally in agreement with the articles by Messieurs Bradford, Cox, and Herpel in the May issue of *Liberty*. The War on Iraq is ill-advised and logically indefensible.

During the propaganda buildup against Saddam, I was reminded of that famous scene in Robert Bolt's *A Man for All Seasons*, in which someone suggests that Thomas More — who as Lord Chancellor of England and Wales was essentially his country's minister of justice — should arrest someone simply because he is a bad man. More replies that no laws at all would remain if he used his power against those who had committed no crime, simply because he believed them to be evil. Likewise, it was never right for the United States or the United Nations to check Iraq's development of nuclear or any other

weapons. Every nation is entitled to do so as long as it does not attack others with the weapons. The argument that they might develop nuclear arms in the future is no justification for the use of preventive force whether in the form of an invasion or a program of sanctions and inspections.

Having said this, I realize how realpolitik these sentiments sound. Creating a puppet state in oil-rich Iraq must seem to the Bush administration like cutting the Gordian knot of needing to strengthen Iraq's economy without simultaneously giving an enemy more power among the members of OPEC. But just because doing the wrong thing might have arguable benefits does not mean that, sooner or later, the harmful consequences will not come back to bite us — not to mention that they are likely to outweigh the benefits many times over.

The war has once again revealed the hypocrisy of those conservatives who pretend to be in favor of law and order except when laws are inconvenient to their political aims, in which case they adopt the same pragmatism and situational ethics for which they have so rightly criticized the socialists.

Unfortunately, so long as Americans are blinded by the pride of military can-do-ism on one hand and fear of 9/11-like attacks on the other, it is easier to suggest that we try to open people's eyes than it is to actually open them.

Miles Fowler
Charlottesville, Va.

Worse Than Useless

Alan Ebenstein, in "The Poverty of Samuelson's Economics" (April), hits the target but misses the bull's-eye.

He says that "the presentation of economic activity in . . . mathematical form . . . allows economists to hide behind . . . equations that . . . say little." According to Ludwig von Mises, they say nothing: "what they are doing is vain playing with mathematical sym-

bols, a pastime not suited to convey any knowledge." Ebenstein says, "economics is not (or at least is not yet) a physical science." It never will be, because, as Mises pointed out, there are no constant relations between magnitudes.

D. G. Lesvic
Pacoima, Calif.

It Takes One to Know One

"Plumbing the depths of stupidity" (Reflections, April) is, in my view, the stupidest thing I've read in *Liberty* to date.

Douglas Casey is "convinced" that George W. Bush is of "marginal intelligence," offering as evidence the dictionary definition of "stupid." His assertion that Bush meets that definition is wholly subjective and could as easily be applied to Casey by those who disagree with him. (See my first sentence, above.) Perhaps Casey has been unfavorably impressed by Bush's not very articulate public statements. But that is purely superficial; we've all encountered intelligent people who cannot express themselves articulately. Casey needs something more than personal dislike to prove his claim.

Casey's rant is nothing but one long sneer, "lacking in intelligence and reason," thus meeting the definition of "stupid." I believe it does not meet the intellectual standard of your journal.

Walter Staggs
Story, Wyo.

The Plumber Needs a Helper

To settle the question of George W. Bush's intellectual level, should we go with the judgment of an actual genius (Victor Niederhoffer), or take the short cut and just go with the intellectual elitist (Casey himself)?

What do you call someone who declares his apostasy on the pages of *Liberty*, as Casey did recently, thereby giving his Creator a written document with which to judge him?

I would call him someone we should pray for.

Jim Printz
Decatur, Ala.

Contrasting Views of the Constitution, from page 32

Amendment and the separation-of-powers doctrine, and a rights-of-individuals prism, the 9th Amendment. Liberty is maximized when neither the 9th nor 10th Amendment is treated as an inkblot, but both as cornerstones of ordered liberty. Liberty is maximized when the role of political society

— government — is reduced and the role of civil society (private voluntary relationships) is expanded. Accordingly, libertarians view the powers of government narrowly and the rights of individuals broadly.

That, of course, was precisely the vision of the Framers. □

Atlanta

Georgians fight to preserve their Southern way of life, from a report in the *Gwinnett Daily Post*:

Rep. John Noel and four co-sponsors introduced a bill that would make it a misdemeanor "of a high and aggravated nature" not to offer sweet tea in any Georgia restaurant that serves iced tea. Misdemeanors can carry a sentence of up to twelve months in jail.

Italy

Cultural development in romantic Tuscany, reported by Reuters:

The Tuscan town of Vinci is renovating a "Love Car Park" where young Italians can come to have legal car sex. The park is complete with soft lighting and special trash bins for condoms.

Birmingham, Ala.

The *Birmingham News* reports a great leap forward for local citizens' rights:

City leaders last week granted a resident's request to install "salamander crossing" signs on each end of a road where the spotted salamander crosses on its annual migration. "Thirty years from now, someone will look back and see I voted for a salamander crossing," said Councilman Walter Jones. "They won't remember anything else, but they'll remember that."

New York

Curious new cuisine in America's metropolis, from a dispatch by Reuters:

The latest singles fad in New York is gourmet dinner served and eaten entirely in darkness. Only the waiters, wearing night-vision goggles, can see what's going on.

Cameroon

Africa's health standards make dramatic progress, as reported by the *New York Times*:

Cameroon's health minister warned people against drinking their own urine.

New York

Curious disparity in criminal law, reported by the *New York Post*:

According to NYC's new tobacco law, restaurant and pub proprietors will be subject to fines as high as \$2,000 if customers are found smoking tobacco in their establishment. However, if customers are caught smoking marijuana, the restaurateur pays no fine, and the customer is fined up to \$100 the first time, \$200 the second, and \$250 the third.

Beijing

Progress in the War Against Gum, reported by *China Daily*.

China's Ministry of Science and Technology is spending \$1 million to develop a special "gum-removal lotion" that can dissolve discarded chewing gum from streets and sidewalks.

Mobile, Ala.

Fund-raising hits dangerous limits. Reported by the *Mobile Register*:

Mobile Councilman Stephen Nodine ran over WABB disk jockey Kane with a souped-up riding lawn mower in a celebrity lawn mower race. "I ran right over his legs," Nodine said. "He laid there motionless for about five minutes." In the same race, WKSJ disk jockey Shelby Mitchell flipped her lawn mower and broke her ankle. The race was held at the Greater Gulf States Barbecue Championship and Hog Wild Festival to raise funds for United Cerebral Palsy of Mobile.

Grayling, Mich.

Advance in public safety, reported by *The Traverse City Record-Eagle*:

The Crawford AuSable School Board voted 4-2 to allow sheriff's deputies to give students a breathalyzer test before they enter their prom this year.

Ohio

A setback to animal rights in the Buckeye State, as reported by Court TV:

An Ohio appeals court ruled that it is perfectly legal to bark back at a police dog. It overturned the conviction of Jeremy Gilchrist for violating a state law that prohibits taunting or tormenting a police dog.

U.S.A.

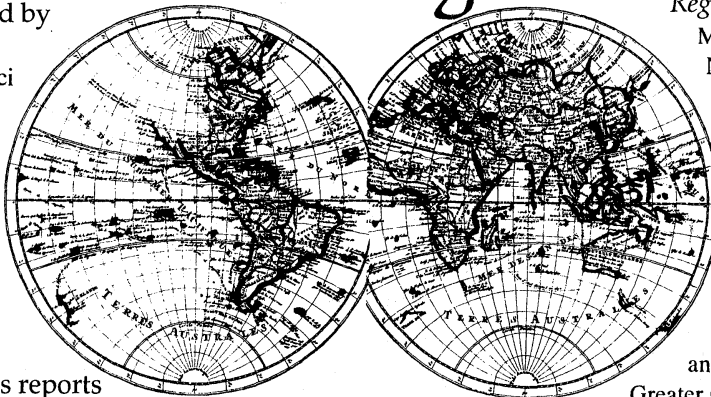
The first Frequently Asked Question on the Bureau of Alcohol, Tobacco, and Firearms' "Kid's Page":

Q. Have you heard about the science fair project or school project where a student:

- Builds a homemade still,
- Lets leftover food scraps ferment and turn into alcohol,
- Burns the alcohol in a lantern, and
- Compares the alcohol to other sources of energy?

A. Well, under current law and regulations, we cannot allow you to conduct experiments involving distillation of alcohol at your home.

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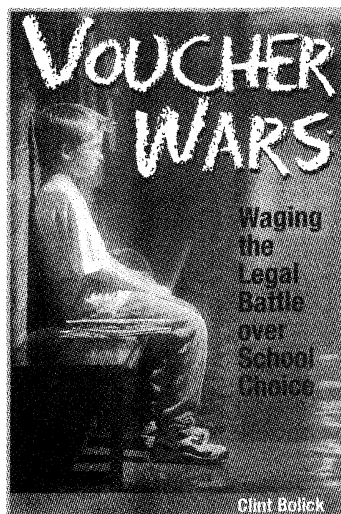
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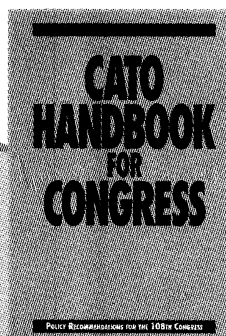
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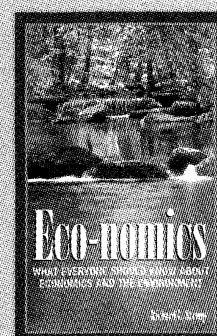
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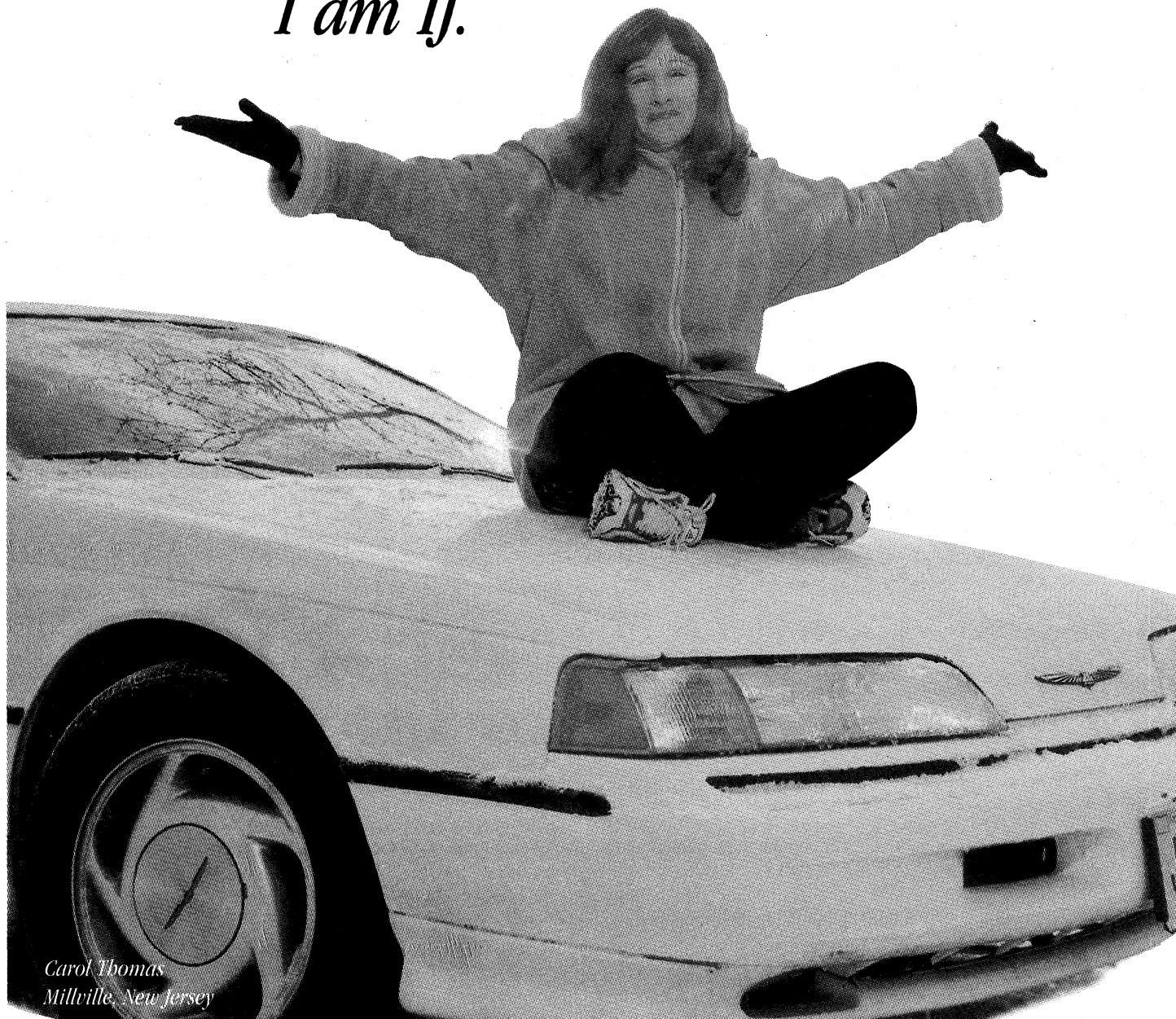
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