

[JUSTICE]

TORTURED LOGIC

Last week's East Room speech was a tale of two Bushes: the stalwart defender of the rule of law and the War President who claims privilege to suspend it.

The headline didn't surprise—suspected terrorists have been held in secret prisons outside the United States. Bush argued the necessity of this prerogative, complete with case studies. We would be less safe had he not ... done what he's no longer doing.

But in a dizzying turn, prisoners for whom he authorized indefinite, often anonymous, detention without counsel or charges, will now "be presumed innocent."

Then he was back. Steel-spined again, Bush said of the detainee interrogations, "I cannot describe the specific methods used. ... But I can say the procedures were tough, and they were safe and lawful and necessary."

Again a twist: "The United States does not torture. It's against our laws, and it's against our values. I have not authorized it—and I will not authorize it."

Unfortunately, this was more likely one of those "depends what the meaning of 'is' is" moments than a reversion to the rule of law. Recall that Bush DOJ memo ruling that pain "must be equivalent in intensity to ... serious physical injury, such as organ failure, impairment of bodily function, or even death" to qualify as torture.

Moreover, the Pentagon did little to affirm the president's disavowal by releasing a revised Army Field Manual prohibiting certain harsh interrogation techniques—a de facto admission that they were being employed. And will be still: under legislation drafted by the White House, the CIA will be permitted to keep using what Bush delicately called "an alternative set of procedures." His proposal also sanctions the use of



JEFF BAGLEY WWW.CAGELCARTOONS.COM

"secret evidence" and contains no rules for testimony gained through torture—which theoretically shouldn't exist since the administration never authorized it, though retroactive immunity will be offered to anyone who engaged in it.

Bush wants it both ways. He understands Americans' fidelity to our ancient codes but deems his times outside normal experience and his executive judgment exceptional. Yet in this case, American moral authority, basic practicality—seasoned interrogators discount intelligence extracted under extreme duress—and popular consensus weigh against his will to rule above the law. Much as we fear the Khalid Sheik Mohammeds of the world, we also retain a healthy distrust of kings.

[IDEAS]

BEWARE: BLUE EYES

The pace of efforts to smear University of Chicago professor John Mearsheimer and Harvard's Stephen Walt has picked up, an indication that the pair's influence continues to grow. Six months ago, the two published a *London Review of Books* essay analyzing the amorphous but highly influential Israel lobby's grip on America's Mideast policy.

Judging by the frequency and vitriol of the attacks the piece has generated, it touched an extremely sensitive nerve. When the essay first appeared, Abe

Foxman, on constant watch against those who question America's tie to Israel, counseled the lobby to keep its powder dry, hoping the piece would be quickly forgotten. But if Walt and Mearsheimer appeared to be gaining traction, said Foxman, "we will have to attack it with greater vigor."

Evidently they have been attracting enough attention to bring out the knives. Last month, when the two spoke at a D.C. forum, the *Washington Post* covered the event with a bizarre smear: the *Post*'s Dana Milbank insinuated that they were anti-Semites, describing them as "blue eyed with Germanic surnames," a racist warning that a very large segment of Americans had best stay away from questioning the wisdom of their government's Mideast policies.

Now the *Wall Street Journal*'s op-ed page has run a piece by Bill Kristol, an advocate of war against all Muslims all the time, who tries to tie Walt and Mearsheimer in with Iran's Ahmadinejad and some Norwegian anti-Semite no one has ever heard of under the supposedly shared rubric of "anti-Judaism." According to Kristol, the two claimed that several Jews in the administration have special attachments in the Middle East due to "their religious belief." A more honest article might have acknowledged that the neocon ties to Israel that Walt and Mearsheimer allude

to are of a different order altogether: two leading administration architects of the Iraq War, for instance, served as policy advisers for Israeli Prime Minister Benjamin Netanyahu and called for an end to making peace with the Palestinians, naturally. This kind of link has nothing to do with religious belief and everything to do with an unfortunate attachment to another country's nationalism.

It can't be fun to be the target of such smears, but they wouldn't be coming if the Israel lobby didn't sense its vulnerability to well informed and careful criticism. Walt and Mearsheimer have opened up a huge window, and people are taking a look. Later this month Mearsheimer, along with academic heavyweights Tony Judt and Rashid Khalidi, will debate the essay with three prominent opponents at New York's Cooper Union. It should be a historic event, and *TAC* will cover it.

[WAR]
MORE CAKEWALK?

Sources tell us the White House had ordered the Pentagon to ready plans for an attack on Iran in October—a date that would conveniently allow Bush to play at being a successful War President during the run-up to the November elections and perhaps even dress up in his flight suit again. Resistance to this scheme, we are told, comes from a surprising source: Donald Rumsfeld. The Pentagon chief is fine in principle with another self-defeating preventive war, but the timing is bad. Troops are overstretched, the chain of supply hasn't been replenished, the occupation force in Iraq is too vulnerable to the inevitable Shi'ite reprisals. Rummy, we hear, wants to put off the big attack until March. That's not soon enough to rally votes for the GOP this November but certainly in plenty of time to create more sworn enemies of the United States than already exist.

[IMMIGRATION]
NO BILL IS A GOOD BILL

In a setback for the Bush administration, House Republican leaders are signaling that they would rather pass no immigration bill than enact the Senate's guest-worker amnesty program. With the legislative calendar winding down and control of the House hanging in the balance, the leadership decided now would not be a good time to showcase GOP divisions—or alienate the party's base.

Congressman Tom Tancredo and his band of immigration reformers are to be commended for resisting the combined pressure of the Senate, the White House, and the Chamber of Commerce. The reformers' apparent success is a rare example of the government functioning the way the Founders intended, with the House representing the will of the people.

We can only hope that at some point the House will summon the courage to represent the people's will on other issues—Iraq comes to mind—as well.

[TAC]
WORST CASE

We're not persuaded that Las Vegas is going to "dry up and blow away" anytime soon. Nor have we beat our PCs into plowshares just yet. But James Howard Kunstler is the kind of thinker *TAC* most enjoys: innovative, ambitious, and untethered by partisan constraints. Figuring that conventional sloganeers have countless places to rehearse their talking points, we have always endeavored to be eclectic, challenging our readers to think past party lines and easy labels. In that spirit, we commend this essay by a pioneer of the New Urbanist movement, and though we hope he's not a prophet, traditionalists like Russell Kirk would sooner recognize the communitarian Kunstler than many of the current conservative pretenders. ■

The American Conservative

Founding Editor
Taki Theodoracopulos

Editor and Publisher
Scott McConnell

Executive Editor
Kara Hopkins

Literary Editor
Daniel McCarthy

Senior Writer
W. James Antle III

Film Critic
Steve Sailer

Contributing Editors

Andrew J. Bacevich, Doug Bandow, James Bovard, Richard Cummings, Michael Desch, Philip Giraldi, Paul Gottfried, Leon Hadar, Peter Hitchens, Christopher Layne, Eric S. Margolis, James P. Pinkerton, Justin Raimondo, Fred Reed, R.J. Stove, Thomas E. Woods Jr., John Zmirak

Art Director
Mark Graef

Associate Publisher
Jon Basil Utley

Publishing Consultant
Ronald E. Burr

Office Manager
Veronica Yanos

Copy Assistant
John W. Greene

Editor Emeritus
Patrick J. Buchanan

The American Conservative, Vol. 5, No. 19, October 9, 2006 (ISSN 1540-966X). Reg. U.S. Pat. & Tm. Off. *TAC* is published 24 times per year, biweekly (except for January and August) for \$49.97 per year by The American Conservative, LLC, 1300 Wilson Blvd., Suite 120, Arlington, VA, 22209. Periodicals postage paid at Arlington, VA, and additional mailing offices. Printed in the United States of America. POSTMASTER: Send address changes to *The American Conservative*, P.O. Box 9030, Maple Shade, NJ 08052-9030.

Subscription rates: \$49.97 per year (24 issues) in the U.S., \$54.97 in Canada (U.S. funds), and \$69.97 other foreign (U.S. funds). Back issues: \$6.00 (prepaid) per copy in USA, \$7.00 in Canada (U.S. funds).

For subscription orders, payments, and other subscription inquiries —

By phone: **800-579-6148**
(outside the U.S./Canada 856-380-4131)

Via Web: www.amconmag.com

By mail: *The American Conservative*, P.O. Box 9030, Maple Shade, NJ 08052-9030

When ordering a subscription please allow 4–6 weeks for delivery of your first issue.

Inquiries and letters to the editor should be sent to letters@amconmag.com. For advertising sales or editorial call 703-875-7600.

This issue went to press on September 14, 2006. Copyright 2006 *The American Conservative*.

Losing the Will to Fight

Five years have elapsed since the war on terror began on 9/11. Yet even before nearly 3,000 were killed that day, there had been attacks by Islamic radicals on the

World Trade Center, Khobar Towers, our embassies in Kenya and Tanzania, and the USS *Cole*.

U.S. dead in those attacks was fewer than 100. And while the losses were tragic, they may be put in perspective if we realize that 85,000 people have been murdered in the U.S.A. since 9/11—not one in a terror attack.

Since 9/11, too, six million babies have been aborted in the United States, their places in our national home taken by an equal number of immigrants, legal and illegal, from the Third World. While 9/11 is seared in our memories until death, the America our children will inherit will be far more affected by what is happening in our abortuaries and on our borders. There the fate of the nation is being decided.

In the wars in Afghanistan and Iraq that 9/11 produced, 3,000 Americans have died. Yet that is fewer than the number killed putting down the Filipino insurrection of 1899-1902.

By historical standards, the war on terror, or “World War III,” “World War IV,” or the “Long War” against “Islamofascism,” has been a relatively bloodless affair, if not for the families who have lost loved ones. Over 600,000 died in our Civil War, 3,000 a week for four years.

In World War I, where Doughboys were in heavy combat in 1918 for eight months, we also lost 3,000 men a week. In World War II, we lost about 4,000 every two weeks. In Korea (37,000 dead

in three years) and Vietnam (58,000 dead in seven years) we lost an average of nearly 10,000 a year.

In G.J. Meyer’s *A World Undone: The History of the Great War 1914-1918*, the sentences on French losses in August 1914 alone read thus: “French casualties for the war’s first month are believed to have totaled two hundred sixty thousand of whom seventy-five thousand were killed (twenty-seven thousand on August 22 alone). Among the dead were more than ten percent of France’s regular and reserve officers.”

France lost as many men every day in August 1914 as we have lost in three and a half years. On Aug. 22, 1914, France lost ten times as many dead as we have lost during the entire Iraq War.

Those who mock alleged French cravenness might reflect: France fought for four more years after that horrible August and lost 1.3 million men. Yet 60 percent of Americans are ready to pack it in in Iraq.

Why were Western men willing to die in such numbers rather than accept defeat in the early 20th century, but this generation is not? Not only have we no draft, anyone who called for raising taxes—the top rate was over 90 percent in World War II—would face political retribution.

The reasons are many.

Despite all the propaganda about Islamofascism and the coming caliphate, Americans do not see the war in Iraq as

an existential crisis. They do not want to lose the war but are unwilling to pay a much higher price in blood and treasure to win it.

But something more fundamental has happened. Western man is no longer into dying for God and country. Western man, including many Americans, is into self-indulgence. Make love, not war. For we can see war now, up close, and view its awful consequences. And Western man recoils.

Europeans who butchered one another with abandon in the two bloodiest wars of the last century have had their fill. As they age and their numbers shrink, why should they go to war? Their fathers didn’t want to die for Danzig. Why should they die for Kabul?

In the aftermath of 9/11, when President Bush ordered the U.S. military to remove the Taliban, who had given sanctuary to al-Qaeda and Osama, America was with him. When he identified Saddam as an integral part of an Axis of Evil hell-bent on America’s destruction, the nation supported him.

Now America is not so sure.

Preventive war as the antidote to terror seems, now that Anbar province has become the world’s newest base camp of terror, to have failed us. Democracy as the surest guarantee of U.S. security, now that Hamas, Hezbollah, the Muslim Brotherhood, and Moqtada al-Sadr are rolling up election victories, seems a less persuasive proposition.

Like the French, British, and Russians, the Americans, last of the Western imperial powers, are looking homeward. The cost of empire is too high, and our willingness to pay the butcher’s bill has diminished. ■