

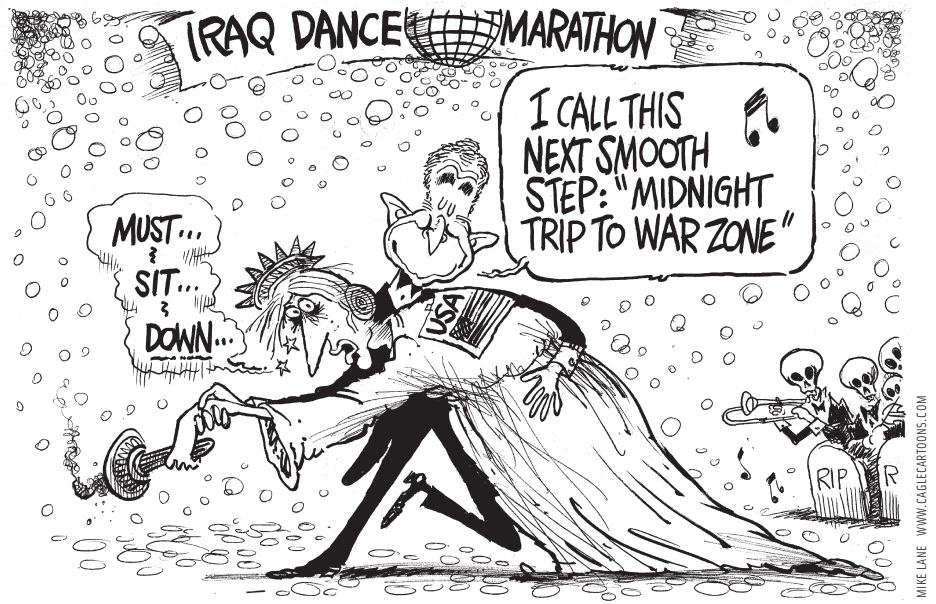
[IRAQ]
REALITY BASED

Looking, as one blogger put it, like a recharged Energizer bunny, President Bush returned from a five-hour trip to Baghdad—where he met with the newly selected Iraqi prime minister—full of jaunty optimism and talk of “building confidence,” “restoring security,” “moving forward.”

But it’s interesting to contrast the Bush photo op with the cable sent out at the same time by U.S. Ambassador Zalmay Khalilzad. The memo, leaked to the *Washington Post*, describes the life of Iraqi employees in the Green Zone—that is, the most secure part of Iraq—who have thrown in their lot with the American mission. Increasingly, employees have been complaining about Islamist harassment—women have been told to wear veils and not drive cars. Sad but true that Saddam’s Iraq was in many ways a more liberated place than the one the American invasion has created.

Khalilzad reports that guards at the Green Zone checkpoints “seemed to be more militia-like, in some cases seemingly taunting.” Some guards held Iraqi embassy employee badges up and proclaimed “Embassy”—a death sentence if heard by the wrong people. Most embassy employees are unwilling to tell their family members where they work, the embassy has begun shredding documents that show local staff surnames, and many staffers have begun to ask “what provision would we make for them if we evacuate.” The families of embassy employees, Sunni and Shi’ite alike, are leaving Iraq, thinking “the future is too bleak.”

This situation Khalilzad describes is one of massive disaffection from the American mission—a state where strict Islamism is on the rise, where the Americans can’t count on the loyalty of the Iraqis in their safe haven, where educated Iraqis are leaving.



Zalmay Khalilzad is not a “liberal journalist.” He is a neocon, a supporter of the invasion, but one who feels responsibility to tell his superiors the truth—and his reality bears little relation to the fairy tales being told from the Rose Garden.

[WAR]
BEYOND OUR CONTROL

On mondoweiss.observer.com, Phil Weiss reports from a conference at the Naval War College in Newport, Rhode Island, where professors Robert Art, John Mearsheimer, and Stephen Walt discussed international strategy before an audience of naval officers. (The latter two, of course, are authors of the much-noted essay on the Israel lobby’s distortion of American foreign policy.)

The panel was asked about the “path to success” in Iraq—a war they all opposed. When his turn came, Mearsheimer told the audience how he had enlisted in the Army as a teenager then attended West Point from 1966 to 1970. He went on, “I remember once in English class we read Albert Camus’s book *The Plague*. I didn’t know what *The Plague* was about or why we were reading it. But afterwards the instructor explained to us that *The Plague* was being read because of the Vietnam War. What Camus was saying in *The Plague* was that the plague came and went of its

own accord. All sorts of minions ran around trying to deal with the plague, and they operated under the illusion that they could affect the plague one way or another. But the plague operated on its own schedule. That is what we were told was going on in Vietnam. Every time I look at the situation in Iraq today, I think of Vietnam, and I think of *The Plague*, and I just don’t think there’s very much we can do at this point. It is just out of our hands. There are forces that we don’t have control over that are at play, and will determine the outcome of this one. I understand that’s very hard for Americans to understand, because Americans believe that they can shape the world in their interests. But I learned during the Vietnam years when I was a kid at West Point that there are some things in the world that you just don’t control, and I think that’s where we’re at in Iraq.”

Weiss concludes: “The panel was over. For a moment or two there was stunned silence, and then applause—at once polite, sustained and thunderous.”

[POLITICS]
DOVES AGAINST JOE

Antiwar voters have jeopardized the reelection of the Senate’s most outspoken Democratic hawk. Businessman Ned Lamont has mounted a stronger-than-expected primary challenge against Sen.

Joe Lieberman (D-Conn.), as the incumbent continues to support the Iraq War long after a majority in Connecticut concluded it was a disaster. Pounding away at Lieberman's closeness with the Bush administration on the war and other issues, Lamont has narrowed the gap to just 15 points among likely Democratic primary voters.

Lamont appears to have Lieberman running scared. Although he has announced he won't leave the primary race, he hasn't ruled out collecting signatures to run as an independent in case he loses. Lieberman doesn't seem to think he should have to face a primary challenger at all. He told veteran *Washington Post* columnist David Broder that an old-time Democratic mentor "genuinely believed that primaries were not only divisive but often didn't pass the ultimate test of finding the candidate who could win." But the polls show that Democrats are likely to hold onto the seat regardless of whether their nominee is Lieberman or Lamont.

Divisive or not, Lieberman may be about to learn the true purpose of competitive primaries—holding elected officials accountable for unpopular and unwise policies.

[LAW]

SPECTER'S OTHER AMNESTY

Sen. Arlen Specter (R-Pa.) has come up with a surefire way to handle the administration's apparent lawbreaking. Simply change the law—retroactively. Specter is proposing to amend the criminal punishment provisions of the Foreign Service Intelligence Act to legalize warrantless wiretapping—and to extend authorization back to 1978, when FISA was enacted, effectively pardoning anyone in the executive branch who has violated the act. Presently FISA specifies that "A person is guilty of an offense if he intentionally ... engages in elec-

tronic surveillance under color of law except as authorized by statute." Specter would amend that to read, "...except as authorized by statute, or under the constitutional authority of the president," adding for good measure that "The amendments made ... shall be construed to have the same effective date as the Foreign Intelligence Surveillance Act of 1978."

Moreover, Specter would add a section stating, "Nothing in this Act shall be construed to limit the constitutional authority of the President ... to monitor the activities or communications of any person reasonably believed to be associated with a foreign enemy of the United States." Call it the *carte blanche* act of 2006, or call it a presidential pardon—not from the president, but rather for him and his eavesdropping cronies.

[CULTURE]

ARTISTIC LICENSE

When a society declines to calibrate esteem to "whatsoever things are lovely," choosing instead to privilege the edgy, the eccentric, and the diverse, values grow so inverted that an easel becomes as impressive as a canvas.

That was recently the case in London, where the esteemed Royal Academy displayed a piece of stone and a stick thanks to the museum's enlightened staff. Apparently the plinth and wooden support, designed to display a sculpture of a human head, were shipped separately from the actual art. The sculpture, once unpacked, was rejected, but the base was accepted for public viewing.

When the mistake was called to the Academy's attention, it answered with the ease of courtiers accustomed to complimenting the robes of a naked emperor. "The head has been safely stored ready to be collected by the artist," a statement read. "It is accepted that works may not be displayed in the way that the artist might have intended." ■

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Armistice in the Culture War?

Twice lately, this writer has been challenged by an advocate of gay rights—Robert Shrum on “Hardball” and Andrew Sullivan at the Booksellers Convention—not to

clutter up the Constitution with a new amendment but to leave the matter of homosexual marriage up to the states.

To a conservative, the argument has instant appeal, though one suspects Shrum and Sullivan are invoking states’ rights because they fear a constitutional amendment that would outlaw gay marriage. After all, when Barry Goldwater suggested that civil rights be left up to the states, liberals found the idea morally repellent.

Yet the Shrum-Sullivan idea merits consideration. And not just because the Right lacks the Senate votes for an amendment to ban gay marriage or outlaw abortion but because states’ rights is a way out, the constitutional way out, of this culture war tearing us apart.

We need to look reality in the eye. America is no longer a moral community. We no longer agree on what is right and wrong, good and evil. The cultural revolution of the 1960s, while igniting the political counterrevolution that Nixon and Reagan rode to 49-state landslides, has by now occupied the commanding heights of academia, the arts, the media, and the popular culture.

From Harvard to Hollywood, our folks need not apply. Indeed, traditionalists are seceding from institutions, communities, even cities where the counterculture is in power. Falling attendance at movie theaters, home-schooling of kids, right-wing talk-radio and TV, Christian schools, the religious divide at the ballot box, all testify that, on issues of morality, we have become two peoples and two nations.

We do not talk to each other. We shout at each other.

Consider the possibilities of a states’ rights resolution of the issues that most bitterly divide us.

Mississippi might outlaw almost all abortions; end forced busing for racial balance; forbid reverse discrimination against white folks; enact a state constitutional amendment defining marriage as between a man and women; allow Bible instruction, prayer, and posting of the Ten Commandments in public schools; and outlaw X-rated movies in all theaters. Mississippians could create the society they want, according to values in which a majority of Mississippians believe.

The same with the Big Apple. If they want to legalize lap dancing and ban smoking in every bar, that is their business. But Big Apple values could no longer be imposed on Utah or Wyoming.

At the close of the Thirty Years’ War that cost the lives of one-third of all Germans, the 1648 Peace of Westphalia decreed that the prince in each territory would determine the recognized religion. Their subjects, however, would be free to practice the faith they had professed a quarter century before. Religious wars were at an end.

With a return to states’ rights, the social and moral issues could be decided either by state referenda or elected representatives who could be voted out of office every two years. Society would be shaped according to the values of the people of the community, region, or state.

What stands in the way of a states’ rights solution to America’s culture war?

As ever, the Supreme Court. It was the court that, with the *Dred Scott* decision, propelled the nation to civil war and the court that, by mandating de-Christianization of public schools and declaring abortion and sodomy constitutional rights, ignited the culture war.

Had these issues been left to the states, there would have been no culture war. New York and Nebraska, Vermont and Wyoming, Utah and Massachusetts could have gone their separate ways.

How do we rediscover the lost road to the states’ rights nation, consistent with the original intent of the Constitution? The constitutional way is to clip the court’s wings by having Congress restrict the court’s jurisdiction.

Liberals would not like to live in a nation ruled by Antonin Scalia. Conservatives do not want Ruth Bader Ginsburg telling us what we must tolerate. And when it comes to gay marriages, which Americans rejected in landslides in 13 states in 2004, with 85 percent of Mississippians voting no, the final decision must not be imposed by five justices not one in ten Americans could name.

If the Shrum and Sullivans are serious, they will support the idea of Professor William Quirk, author of *Judicial Dictatorship*. Re-enact the Defense of Marriage Act, which declares that no state has to recognize gay marriage licenses issued by any other state, and append to DOMA this amendment: “No federal court, including the U.S. Supreme Court, has the right of judicial review of this law.”

That would remove the Supreme Court from the issue of gay marriage and show the way to cut the court out of every other social issue, letting the people and their elected representatives in each state decide. As Madison and Jefferson always wanted. ■