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201101 OBITER DICTA: LATE JANUARY 2011

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201101 OBITER DICTA: LATE JANUARY 2011
Steven Alan Samson

Monday, January 17, 2011

<http://www.time.com/time/world/article/0,8599,2042750,00.html?xid=rss-fullworld-yahoo>

I picked up the *New York Times* yesterday for its report on the Stuxnet virus. This article by Aaron Klein, who wrote a book entitled *Schmoozing with Terrorists*, focuses more narrowly on possible Mossad activities. Others may be responsible for some of these incidents, particularly inside dissidents, including those from the various minority communities.

<http://finance.yahoo.com/focus-retirement/article/111817/view-of-retirement-at-107?mod=fidelity-livingretirement&cat=fidelity> 2010 living in retirement

Here is an interesting piece on a 107 year old man who retired forty years ago.

Tuesday 18

<http://pajamasmedia.com/blog/spiked-by-the-wapos-on-faith-blog/?singlepage=true>

This column was spiked by the *Washington Post*. The columnist is a 93-year-old retired dean at a New York seminary who has been writing for the *Post* for three years. Here is an excerpt:

"4. Muslims are now more aggressive blasphemers against Christianity. In Muslim lands more than a half century ago, I heard no tour-guide blaspheme my religion. Not so my latest experience: the tour-guides went out of their way to insert the statement, 'God has no son.' Since we Christians believe in the Holy Trinity, the One God as Father/Son/Holy Spirit, to attack the Holy Trinity is the height of blasphemy."

The issues he raises should be addressed publicly. If a change has taken place during the last fifty years, we need to ascertain why so that we can determine its meaning and significance. Historically, that is the chief reason and justification for having a free press.

<http://dickbishirjian.com/2011/01/05/dr-richard-bishirjian-yorktown-university%E2%80%99s-president-asked-art-laffer-what-he-thought-about-california%E2%80%99s-new-governor-jerry-brown-read-more-to-find-out-what-he-said/>

Art Laffer has some positive things to say about Jerry Brown. I can add my own positive note, as well. When Brown was governor in the early 1980s, I was in correspondence with a member of his staff concerning the problems faced by a number of churches at the hands of the California Franchise Tax Board. At an appropriate time, before some sheriffs' auctions were about to sell off church property that had been seized, Gov. Brown intervened on their behalf. A special bill was passed that protected those churches that had a conscientious objection

to securing a tax exemption. Those few churches that responded received a legal waiver of some sort.

If California is going to become solvent, it will take all of the political imagination the new governor can muster to bail out a failing state.

Wednesday 19

<http://online.wsj.com/article/SB10001424052748703396604576087632882247372.html?KEYWORDS=stuxnet+worm>

Bret Stephens relates the story of the "Farewell" dossier, which offers a Cold War parallel to the havoc wrought by the Stuxnet worm. He also has words of caution about the limitations of such opportunities for mischief and the continuing need to keep bearing down Iran as long as it pursues a nuclear weapons capability.

<http://online.wsj.com/article/SB10001424052748703583404576080030037244312.html>

In the tradition of Robert Putnam's "Bowling Alone," Sherry Turkle's *Alone Together* examines the social changes wrought by technologies that contribute to the disappearance of group activities and "voluntary associations" that Tocqueville found at the heart of American society. We are developing new manners and mores to protect our privacy amid all the electronic ganglia that connect us. These help smooth some of the rougher edges of our encounters with others, much as Schopenhauer's porcupines learned to do in winter.

"Text is the medium of choice, and it isn't just about convenience. It is a way of being guarded, of putting up a barrier so that honest reaction isn't revealed."

I have been reading a book, entitled *Unjust Justice: Against the Tyranny of International Law*, written by the French political philosopher Chantal Delsol. In a short chapter, "Conquest Versus Quest," the author contrasts the ancient adventure story of Jason and the Argonauts with the story of the quest for the Holy Grail. What she has to say applies very well to our spiritual vocation.

"The quest for the Grail is just that: a quest. King Arthur's companions do not know where the Grail is, nor the way to seek it. They leave the Round Table, symbol and place of friendship and quotidian happiness. They take different paths and experience what are called adventures. These perilous encounters, rather than bringing them closer to some exact location, bring them closer to themselves, to a knowledge of their strengths and weaknesses, to self-awareness. Adventures, in this sense, are less tests (for example, crossing a ford or a pass) than they are ordeals designed to reveal the truth. The Argonauts travel as a group and unite their forces in order to attain the goal that, after all, is external to them. The knights travel alone, and each is tested in his soul."

"What about Sir Galahad, you ask? At the end of the quest he alone, free from sin, contemplates the Grail. But he immediately is rapt up to the heavens. He does not 'survive' the vision. Contrary to a conquest, a quest does not end with possession but with a rupture in time, some completion of history. This is

because it is its own end or purpose. It requires an élan that expands and deepens humanity."

Too many people make the mistake of trying to substitute some earthly utopia for an object that can only transcend time and place. Delsol says that "the quest for universal or international justice pertains to the ethics of conviction rather than the ethics of responsibility. It is a moral calling and adventure, not a political program." She calls the air of utopian aspiration that pervades the whole field of international law a form of "angelicism."

One of my meditations, "The Character of Inflation," which I originally wrote in 1982, is a Bible study on the refining fire that tempers our character through ordeal and that impresses on us the difference that a true standard of excellence can make.

Friday 21

http://news.yahoo.com/s/ap/20110121/ap_on_re_af/af_zimbabwe_ghost_voters

Robert Mugabe would have done Landslide Lyndon proud.

Saturday 22

http://www.americanthinker.com/2011/01/why_the_left_hates_sarah_palin.html

Robin of Berkeley, a psychotherapist and recovering liberal, provides an intimate examination of the malice of envy in action as she describes the many forms it takes when directed against Sarah Palin.

<http://pajamasmedia.com/blog/a-case-of-possession/?singlepage=true>

David Solway, a Canadian poet, deepens Robin of Berkeley's analysis of the evil that lurks in Leftist hearts, noting that "the rhetoric of violence on the left eclipses that on the right by an order of magnitude." Here is just a sample:

"One can plainly see how far and how deep such homicidal oratory has traveled, if even in a rural town in the Canadian hinterland where I make my home, it can manifest without hindrance. But what is rather fascinating is that wherever it emerges, it usually does so as a chiasmus, technically a verbal pattern with the parts reversed. Shakespeare's 'Fair is foul, and foul is fair' in Macbeth is a textbook example of chiasmus. My point is that, in the domain of the left, chiasmus now governs, not merely an utterance, but an entire political discourse. Leftists have been so infected by lies, malice, and intemperate language, functioning as a kind of viral package, that they have absorbed the verbal toxin without the slightest conscious recognition of having been co-opted. They then proceed to the next stage of the syndrome by projecting the 'evil' upon their opponents, making what is fair for themselves foul for the other, while simultaneously absolving their own foulness."

http://www.pbs.org/frontlineworld/stories/china_705/interview/xiao.html

To an old friend:

I listened to your "Reversal of Barrenness" sermon this morning while exercising on the treadmill and added it to the collateral material for my course on Political and Economic Development. For various classes I have collected a number of readings on the cultural consequences of applied Bible preaching that I attach to my syllabi. I will send along another document that is posted on a Singapore government website. I have enjoyed chasing down a lot of related material, such as the work of Rodney Stark and Jay W. Richards, both of whom contributed to the Acton Institute's *Birth of Freedom* DVD.

<http://stars.nhb.gov.sg/stars/public/viewPDF.jsp?pdfno=PressR19721113b.pdf>

Here is a speech by Singapore's minister of defense, Dr. Goh Keng Swee, at a dinner during the General Conference of the Methodist Church in 1972. It is another illustration of the "Reversal of Barrenness.'

Sunday 23

<http://www.firstthings.com/blogs/firstthoughts/2010/07/22/angelo-codevilla-calls-for-revolution-against-americas-ruling-class/>

I missed this earlier piece by David P. Goldman (a.k.a. Spengler), but I used Codevilla's article on the ruling class in Political Theory. In September, Codevilla's book, *The Ruling Class*, came out. Here is a telling excerpt in which Codevilla reiterates something that Ronald Reagan promised in the 1980 campaign but did not accomplish:

"Cutting the size of government is as essential to the body politic's health as a weight-reduction program is to restoring any human body that excess has caused to degrade into obesity. . . . [P]roof of the Country Class' seriousness is whether it asks, 'Do we really need the National Endowments for the Arts and Humanities? Didn't we get along perfectly well before we had the Corporation for Public Broadcasting? Do we really want Social Security to provide a living for drug addicts and alcoholics? If America was better educated before we established a Department of Education than it has been since, why do we continue to have such a department?' Reducing agencies' budgets is unserious. If a job should be done and if an agency is doing it, why cut? But if it is not, why not abolish?"

I would add that some jobs are too important to take away from society, families, churches, and other institutions. As J. Budziszewski put it in *The Revenge of Conscience*: "Through subsidiarity, government honors virtue and protects its teachers, but without attempting to take their place. . . . A state that defers to parents and church has not thereby suspended judgment; it has judged with them that their jobs are not its own. . . . Subsidiarity, then, does not mean that the state flatters, seduces, or absorbs the true teachers of virtue. It means it gets out of their way, and keeps other things from getting in their way."

Most of our federal health, education, and welfare bureaucracies have gotten in the way by developing their own elaborate agendas. They were created by first lifting or transferring activities that once belonged elsewhere. At the time it was alleged that many of these functions had been abandoned or were poorly done,

which was at best a dubious claim. It is now past time to restore the Constitution of Limitations by beginning to restore the lost and stolen property of the people before taxpayers are rendered indigent for the sake of supporting the improvident.

http://www.theepochtimes.com/n2/index2.php?option=com_content&task=view&id=49822&pop=1&page=0&Itemid=1

We Americans are rank amateurs when it comes to the diplomatic symbolism, except in such cases as the occasion when Pres. Clinton chose to publicly criticize Japan and India—while on a state visit in Beijing. "Amateurish" is not the right adjective for such an ambushade.

Monday 24

http://news.yahoo.com/s/ap/us_obit_jack_lalanne;_ylt=A11V0ubw5Ta9Yut3UkXzRMLH2ocA;_ylu=X3oDMTJ0djNqcThjBGFzc2V0Ay9zL2FwL3VzX29iaXRfamFja19sYWxhbm51BGNjb2RlA3JkbnJlBGNwb3MDOQRwb3MDOQRzZWMDew5fdG9wX3N0b3JpZXMEc2xrA2phY2tsYWxhbm5lZA--

Jack LaLanne, the fitness guru, died yesterday as a result of pneumonia at the age of 96. He was still going strong until recently.

George Burns and Bob Hope, both of whom are mentioned here, each made it to age 100. Burns canceled out on a scheduled birthday celebration but remained a performer until near the end.

Tuesday 25

<http://www.mnn.com/earth-matters/climate-weather/stories/was-genhis-khan-historys-greenest-conqueror>

This piece on the unintended "positive" environmental consequences of Genghis Khan's depredations reminds me of the debate after the Second World war over the morality of using scientific information gained by the torture, vivisection, and death of countless human subjects conducted by the Germans and Japanese in the 1930s and 1940s. The concluding paragraph of this Green piece (pun intended) offers a similar rationale. But I remain skeptical of the idea that places like Herat, Afghanistan were reforested as a result of the slaughter of upwards of three million inhabitants, according to some (perhaps) inflated estimates.

Wednesday 26

<http://washingtonexaminer.com/opinion/columnists/2011/01/can-we-be-saved-our-debt>

Walter Williams's column on our national debt concludes with a great quotation attributed to James Madison.

Thursday 27

<http://www2.newsadvance.com/news/2011/jan/26/newman-bill-would-curb-modern-day-slavery-ar-801714/>

This article reminded me of a very gritty film my wife and I saw about the time we got married. Written and directed by Paul Schrader after he had written *Taxi Driver*, *Hardcore* starred George C. Scott, who got some of the Dutch Calvinist characteristics down very well.

Saturday 29

Thomas Lifson, "Mubarak Tells the Cabinet to Resign (Updated)"
http://www.americanthinker.com/blog/2011/01/mubarak_resigns.html

Michael Ledeen, "Egypt: Revolution? By Whom? For What?"
<http://pajamasmedia.com/michaelledeen/2011/01/28/revolution-by-whom-for-what/?singlepage=true>

Abolhassan Bani-Sadr, "What I Learned from Iran's Failed Revolution"
<http://www.nytimes.com/2011/01/29/opinion/29iht-edbanisadr29.html? r=1&pagewanted=print>

Hosni Mubarak is seeking to preserve some continuity by appointing his intelligence chief as his vice president and, presumably, heir apparent. If the army stabilizes the situation in the next few days or weeks, I would expect Mubarak to step down. That is what might be called the best-case scenario. The great risk is that events will spin out of control and that Egypt moves from the frying pan of tyranny to the fire of Islamism. The former prime minister of Iran writes of his own experience trying to lead Iran following what he calls the failed Revolution of 1979.

Sunday 30

<http://pajamasmedia.com/blog/egypt-three-possible-outcomes/?singlepage=true>

Barry Rubin tallies up the scorecard for the major uprisings in the Middle East. Each has been a defeat for modernizers and the West. When Turkey let the Islamist fox into the henhouse a decade ago, it was only a matter of time until an Iranian/Turkish/al-Qaeda axis would emerge. The Muslim Brotherhood planted its own Islamist seed in America nearly fifty years ago, just as the Fabian Society planted a socialist seed more than half a century earlier. Here is what the Dallas columnist Rod Dreher had to say on the subject of radical Islam in America four years ago:

<http://www.discoverthenetworks.org/Articles/What%20the%20Muslim%20Brotherhood%20Means%20for.html>

The confluence of radical leftist and Islamist revolutionaries described in books by Jamie Glazov and Andrew McCarthy can be expected to become more evident. In coming weeks, months, and years, we will be hearing a lot more about the Muslim Brotherhood, Hamas, and Hezbollah, the latter of which now overshadows all of its rivals in Lebanon as Hamas does in Gaza. The largely discredited Palestinian

Authority in the West Bank appears unlikely to withstand the forces that are now being unleashed.

<http://www.dailymail.co.uk/news/article-1351066/Will-chocolate-drought-World-s-supply-sustainable-cocoa-run-2014.html#>

Chocolate was once a confection known only to pre-Columbian Americans. Today the turmoil in Ivory Coast, which supplies 40% of the chocolate, is threatening to disrupt the world's reserves.

<http://pajamasmedia.com/blog/egypt-and-iran-will-we-again-fuel-the-fires-of-revolution/?singlepage=true>

Abraham H. Miller offers a short course in Revolution 101. If I were to lecture on the subject again, I would assign some of the readings in *When Men Revolt and Why* by James Chowning Davies, from whom I took several courses. Also full of insight are Jose Ortega y Gasset's *The Revolt of the Masses* and the concluding section of Crane Brinton's *Anatomy of Revolution*. Tocqueville's book on *The Old Regime and the French Revolution* should be used in conjunction with Edmund Burke's *Reflections on the Revolution in France*. James Billington's *Fire in the Minds of Men* is perhaps the most comprehensive treatment of the spread of the revolutionary fires from France through Europe to Russia. Eugen Rosenstock-Huessy's *Out of Revolution* and Pitirim Sorokin's *The Crisis of Our Age* provide a civilizational context for understanding the revolutionary dynamic. René Girard's *I See Satan Fall Like Lightning* and David Kupelian's *The Marketing of Evil* together provide insight into the psychological dynamic of scapegoating and cultural subversion. John Fonte, Lee Harris, and Ralph de Toledano have all done yeoman's work in analyzing various strands of modern revolutionary subversion. For understanding the revolutionary mindset, Douglas Hyde's *Dedication and Leadership* and Whittaker Chambers' "Letter to My Children" are superb. To all of these I would add the ground-breaking work of the longshoreman-philosopher Eric Hoffer.

http://www.americanthinker.com/2011/01/the_decline_of_egypt.html

This column should be read along with the New Year editorial in al-Ahram against the murderous attacks on Copts. I include it as an entry in my *Obiter Dicta* for January 4. It is clear from this summary of the Coptic plight in Egypt that the Egyptian government sowed the Muslim-identitarian wind and is now reaping the Islamist whirlwind. The same is true of Saudi Arabia. Few people consider how much the scapegoating of various groups, such as Coptic Christians, provides the dynamic thrust for so much of contemporary politics. This is why I opened my International Relations class with a reading from Rene Girard's *The Scapegoat* and why I keep referring back to it, along with Erik von Kuehnelt-Leddihn's little cartoon, "Stupidity Roams the World."

<http://pajamasmedia.com/richardfernandez/2011/01/29/the-kings-speech/?singlepage=true>

Richard Fernandez dishes up a generous helping of strategic wisdom that has, to date, been lost on the current Administration. "[E]vents in Egypt are likely to prove as damaging to Riyadh as to Washington. Teheran will have won a great diplomatic victory over the kingdom if Mubarak is thrown out on his ear. Iran backed the demonstrators; the Saudi king backed Mubarak. This follows on the heels of the Saudi defeat in Lebanon. Washington had been counting on Saudi Arabia to hold off the Hezbollah, and the kingdom lost. With the Hezbollah in power, the flag of Iran may soon symbolically fly over Beirut and Cairo.

"Worse, the Sunni coalition which Washington counted on to contain Iran is now a broken reed. The horse President Obama hoped to ride to the battle is now broken down and being hauled to the glue factory."

Fernandez also has this great line:

"The future, in whose spaces the administration believed its glories to lie, plans to review its past failures in the same expansive place. Yet time and oil wait for no one."

<http://www.worldmag.com/webextra/17595>

This story on Hamas infiltration from Gaza into Egypt has not been confirmed. I heard a similar report about the opening of the Gaza border a few days ago.

<http://biggovernment.com/taylorking/2011/01/29/did-muslim-brotherhood-learn-days-of-rage-egypt-protest-tactics-from-obama-allies-bill-ayers-and-code-pink/>

"Days of Rage" protests in places like Jordan and Syria are being organized. The Weathermen are still around to insist that they know which way the wind is blowing.

<http://www.spectator.co.uk/coffeehouse/6658758/coffee-house-interview-paul-wolfowitz.shtml>

Paul Wolfowitz is cautious about current events in the Middle East but believes that change has to be initiated internally:

"Western governments can be a positive force on behalf of genuine freedom and against attempts to impose a new kind of tyranny of the Islamist variety. But we can't do that if we are seen as propping up a hated tyrant, or worse, encouraging the kind of bloody crackdown that could at best produce an artificial 'stability' for a relatively short period of time. The possibility of a bad outcome is very real, particularly because we did nothing to encourage more evolutionary change earlier, but I believe we have a better chance of a good outcome if we support positive change than if we support the status quo."

Monday 31

<http://pajamasmedia.com/blog/the-unconstitutionality-of-obamacare-in-black-and-white/?singlepage=true>

Our poor Constitution has so long been stretched upon the rack of judicial innovation that it may never again resume its original compactness and shape.

Here is an excerpt from Federal District Judge Roger Vinson's verdict on the tortured reasoning behind the national health care legislation.

"It would be a radical departure from existing case law to hold that Congress can regulate inactivity under the Commerce Clause. If it has the power to compel an otherwise passive individual into a commercial transaction with a third party merely by asserting – as was done in the Act – that compelling the actual transaction is itself 'commercial and economic in nature, and substantially affects interstate commerce'..., it is not hyperbolizing to suggest that Congress could do almost anything it wanted. It is difficult to imagine that a nation which began, at least in part, as the result of opposition to a British mandate giving the East India Company a monopoly and imposing a nominal tax on all tea sold in America would have set out to create a government with the power to force people to buy tea in the first place...."

Fundamental freedoms are at stake, as is the meaning of the very language of our Constitution. In *Juilliard v. Greenman*, the third Legal Tender case, Justice Stephen Field recognized that constitutional restraints on Congress had been removed.

"Mr. Madison, in one of the articles in the Federalist, declared that laws impairing the obligation of contracts were contrary to the first principles of the social compact, and to every principle of sound legislation. Yet this court holds that a measure directly operating upon and necessarily impairing private contracts, may be adopted in the execution of powers specifically granted for other purposes because it is not in terms prohibited, and that it is consistent with the letter and spirit of the constitution.

"From the decision of the court I see only evil likely to follow. There have been times within the memory of all of us when the legal-tender notes of the United States were not exchangeable for more than one-half of their nominal value. The possibility of such depreciation will always attend paper money. This inborn infirmity no mere legislative declaration can cure. If congress has the power to make the notes a legal tender and to pass as money or its equivalent, why should not a sufficient amount be issued to pay the bonds of the United States as they mature? Why pay interest on the millions of dollars of bonds now due when congress can in one day make the money to pay the principal? And why should there be any restraint upon unlimited appropriations by the government for all imaginary schemes of public improvement, if the printing-press can furnish the money that is needed for them?"

But, of course, isn't this exactly what has happened since Field wrote his dissent in the 1880s? Perhaps it is time for us to stamp our paper currency with the words: "Made in China."

Tuesday, February 1

<http://frontpagemag.com/2011/01/31/egypt-between-dictatorships-and-revolutions/print/>

Nonie Darwish describes the balancing act that must be performed by any Egyptian leader. The danger of the present situation is that the Muslim Brotherhood may be brought into a future government, just as Turkey's Islamist AK party was a decade ago. Most Westerners do not know that the twenty-year-old Cairo Declaration is an Islamic rival to the Universal Declaration of Human Rights.

http://townhall.com/columnists/MichaelGerson/2011/01/31/the_fragility_of_oppression/page/full/

The soil for democratic pluralism in the Middle East may indeed be rocky but, in the meantime, the ground must be broken up by cultivating the institutions of civil society. Like Iran, Egypt is torn between a modernizing tradition that goes back a century or more and an Islamist movement that arose in direct opposition to the modernizers.

Today, modernization is on the defensive throughout the Middle East. One reason may be that Europe has modeled a diffident secularism that has eroded its own intellectual, social, religious, and cultural foundations. As a result, the caretaker state it has instituted has degenerated into Hilaire Belloc's servile state. Having quenched its revolutionary fires, European socialism today beckons few but the lotus-eaters who wish to live off its largess. As a model to be imitated, it holds only a fatal attraction. Isaac Watts recognized this temptation to sloth:

"Must I be carried to the skies
On flowery beds of ease,
While others fought to win the prize,
And sailed through bloody seas?"

We may hope that those who are spiritually free and courageous will take the lead and get ahead of the revolutions that are breaking out. The Middle East will change for the better only when its peoples become capable of envisioning the future they must then demand. Like Leninism, Islamism is an anachronism that is only fit for the cultivation of tyranny and abject servitude. Michael Gerson may be correct to say that oppression is fragile, but J. Budziszewski made an even stronger point when he wrote about how our sinful propensities can promote a hostile takeover of the conscience: "Sin ramifies. It is fertile, fissiparous, and parasitic, always in search of new kingdoms to corrupt. It breeds. But just as a virus cannot reproduce except by commandeering the machinery of a cell, sin cannot reproduce except by taking over the machinery of conscience. Not a gear, not a wheel is destroyed, but they are all set turning in different directions than their wont. Evil must rationalize, and that is its weakness. But it can, and that is its strength." Such is the character of tyranny and such is the vulnerability of modern secularizers who lack the courage of their opponents' convictions.