

Liberty University

From the Selected Works of Steven Alan Samson

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**201006 OBITER DICTA: FRIGORIFIC
FEBRUARY 2010**

Steven Alan Samson, *Liberty University*



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Monday, February 1

<http://www.telegraph.co.uk/news/newstopics/politics/margaret-thatcher/7111051/Margaret-Thatcher-archive-Handymen-in-Brussels-better-paid-than-MPs.html>

Archives show that PM Margaret Thatcher was not amused at the high salaries of European Community bureaucrats.

http://www.americanthinker.com/2010/02/the_most_important_story_you_d.html

A bipartisan blast at the president's failure to take leadership in the area of intelligence and national security. Concerning captured terrorists, Lee Hamilton, vice chairman of the 9/11 Commission, summarizes the dilemma: "These people present a real challenge for us within our constitutional system. The problem is you've got a detainee, you can't prove a criminal charge against him, let us say, at the same time he could kill you. It doesn't fit in the American constitutional system. And we haven't figured it out yet. This is an area where the legislative branch and the executive branch have failed. Flat out failed."

http://www.americanthinker.com/blog/2010/01/global_warming_science_implode.html

The trickle of leaks that preceded the outbreak of Climategate revelations in early December has now become a tidal wave that still gets little notice in the Main Stream Media (MSM). As Rick Moran notes: "Dozens - yes dozens - of claims made in the IPCC 2007 report on climate change that was supposed to represent the 'consensus' of 2500 of the world's climate scientists have been shown to be bogus, or faulty, or not properly vetted, or simply pulled out of thin air." So much for "settled science."

<http://online.wsj.com/article/SB10001424052748704094304575029110104772360.html>

Fouad Ajami's incisive postmortem of a passing political fancy calls to mind a familiar song: "We're off to see the Wizard." Having seen the man behind the curtain, our infatuation is proving to be as evanescent as fairy dust or sun-smoke rising from a snow-covered yellow-brick road.

<http://www.debka.com/article>

With Ahmadinejad promising something big on February 11, perhaps he has something in mind like an invasion of Galilean towns.

<http://washingtontimes.com/news/2010/jan/29/talking-the-talk/>

Mark Steyn consults his yawn-o-meter to rate the State of the Union address and notes how the president's stimulus package has been a boon for America's biggest growth industry: government work. The economic benefits of this helping hand -

Hands across America! - must be similar to the procedure known as "pulling oneself up by the bootstraps."

Tuesday 2

http://www.cbn.com/spirituallife/devotions/DAugostine_valley_vision.aspx?option=print

A colleague passed along this Puritan prayer, which is reprinted on several websites. I chose this link for its photograph. Sally and I visited Yosemite during a trip we took to California, I believe, on our second anniversary. Mid-March is still early in the season but the road had been cleared so we could drive into the park. The usual crowds were nowhere to be seen, so we enjoyed the quiet, wonder, and beauty of the Valley of Vision.

Note from a different colleague: "Orbiter dictum? I did hear th[at] Obama redirected NASA moon landing money to propulsion research..."

My reply: "The better to propel himself 'into Infinity and Beyond!'"

His reply: "Speaking of Buzz... I can't wait to hear the buzz saws on this proposed budget!!"

My reply: "Yes, the Hive will be humming but the carpenter ants will make short work of the [honeypot]."

<http://www.washingtonpost.com/wp-dyn/content/article/2010/02/01/AR2010020102067.html?nav%3Dhcmodule>

A hearty defense of our First Amendment freedoms by a "pro-choice" feminist sportswriter who is moved by one mother's choice for life.

<http://frontpagemag.com/2010/02/02/remembering-the-dream-of-america/>

At a meeting of congressional Republicans this past weekend, Dennis Prager offered a motto that makes the moral case for liberty and any party that defends it: "The bigger the government, the smaller the citizen." To those who would drain the treasury in order to build more castles in the sky, we must just say no. To the Democratic Party, which Faust-like has made a pact with the Left, we must just say no. What George H. W. Bush called "the L-word" in the 1980s, liberal, has become even more Leftist in the intervening years.

Leftism is a substitute religion that wants and claims to be Dewey's Common Faith, to be Rousseau's General Will. Prager told his audience that we must recognize that most Leftists are True Believers. As such, they are prepared to sacrifice this particular Congress for the sake of taking over the American economy. They are thinking strategically ahead to the endgame. They adhere to Lenin's formula for victory: take hold of the "commanding heights."

Eric Hoffer, the longshoreman philosopher who literally wrote the book on *The True Believer*, recognized that the university campus of the 1960s had become the True Believer's natural home.

Three decades ago, Gary North wrote an essay entitled "Capturing the Robes." The Left had long been concentrating on capturing the most authoritative institutions, starting with the seminary and the ministry, then the university and the judiciary. Subsequently, the Left's long march through the institutions has been via a long chain of diplomas and a revolving door between academe and the corridors of power in Washington.

Garet Garrett understood the character of the revolution back in 1938. Summarizing the steps that followed naturally from the nature of the revolution, he concluded with these four:

"The sixth, in Burckhardt's devastating phrase, would be 'the domestication of individuality' – by any means that would make the individual more dependent upon government.

"The seventh would be the systematic reduction of all forms of rival authority.

"The eighth would be to sustain popular faith in an unlimited public debt, for if that faith should break the government would be unable to borrow, if it could not borrow it could not spend, and the revolution must be able to borrow and spend the wealth of the rich or else it will be bankrupt.

"The ninth would be to make the government itself the great capitalist and enterpriser, so that the ultimate power in initiative would pass from the hands of private enterprise to the all-powerful state."

So a pattern of deficit spending that may not make sense from an actuarial or accounting standpoint makes perfect sense from a revolutionary standpoint. As Garet Garrett noted: *The Revolution Was*. What are we going to do about it?

Wednesday 3

http://townhall.com/columnists/WalterEWilliams/2010/02/03/global_warming_update

Walter Williams discusses why it will be so difficult to reverse the Anthropogenic Global Warming (AGW) orthodoxy. If we have learned anything from Thomas Kuhn's *The Structure of Scientific Revolutions*, it is that when careers and worldviews are at stake in these turf wars over "settled science," mischief reigns. The reigning orthodoxy began establishing its beachheads in our collective consciousness decades ago. It is now dug in and well-protected by citadels of corporate and government largesse.

The political/corporate factor, of course, brings Bastiat's *The Law* into full play: "The state is the great fiction by which everybody seeks to live at the expense of everybody else. . . . The state tends to expand in proportion to its means of existence and to live beyond its means, and these are, in the last analysis, nothing but the substance of the people. Woe to the people that cannot limit the sphere of action of the state! Freedom, private enterprise, wealth, happiness, independence, personal dignity, all vanish."

The whistleblowers who have resisted this invasion and are beginning to seize the high ground deserve battlefield promotions. How long yet will the imperial court withhold the truth about the Emperor's New Clothes? Who will step forward to revoke the building permit for this house built on the sand? Who will disband his palace guard? Who will sack his majordomo and his other Nobel Prize winning enablers?

http://townhall.com/columnists/DrPaulKengor/2010/02/02/taxpayers_fund_abortions_but_not_school_vouchers?page=full&comments=true

Paul Kengor reminds Americans that ideas and ideological movements have consequences. Congress has sent a message to the residents of the District of Columbia: Drop dead! You may choose to abort your child at taxpayer expense but may not choose a better education for your unaborting child. The reader should pause at this point to consider, and let sink in, the logic that brought these two stipulations into a single piece of legislation. A free press might have publicized this fact, but ours has become a luxuriantly expensive lapdog, not the junkyard dog that the times require.

Kengor reminds us that the birth-control advocate, Margaret Sanger, who founded Planned Parenthood, promoted racial eugenics. This is confirmed in otherwise sympathetic scholarly literature:

"The birth control movement underwent rapid and consequential change from 1915 to 1920. Sanger started the period unequivocally on the Left: taking part in IWW strikes and publishing in *The Woman Rebel* articles defending assassination and denouncing marriage. In 1914 she fled the country to escape prosecution for breaking the Comstock laws censoring literature deemed obscene. Yet on her return she adopted a rhetoric that was more standard neo-Malthusian and eugenic than anticapitalist: namely, more birth control would lead to less poverty and fewer defective offspring (Woloch 1984: 373)."

"Sanger, a pragmatic activist (McCann 1994), thus turned for allies both to the tiny neo-Malthusian movement and to the influential eugenics movement. She asked Edward Alsworth Ross to write (1920) neo-Malthusian defenses of birth control in her new journal, *Birth Control Review*, and recruited Lothrop Stoddard, whose *The Rising Tide of Color Against White World Supremacy* (1920) depicted a slowly increasing white race being overwhelmed by more rapidly increasing "colored" races, to serve on the board of the American Birth Control League along with the eugenicist C.C. Little. To the lower social strata who suffered from poverty and ill health, she issued neo-Malthusian missives on the improved health and economic well-being that would come to those with small families. To the elite who harbored eugenic fears, she argued that bettering the race required improving the access of the less fit to contraception."

SOURCE: "Feminists and neo-Malthusians: past and present alliances." Dennis Hodgson; Susan Cotts Watkins. *Population and Development Review*, Sept 1997 v23 n3 p469(55)

Although eugenics may have become discredited in the eyes of the WWII generation, we should never underestimate the attraction and power of wicked ideas and ideological movements. As Christians we should never forget our prophetic

calling: "For we are an aroma of Christ to God among those who are being saved and among those who are perishing, to one a fragrance from death to death, to the other a fragrance from life to life. Who is sufficient for these things? For we are not, like so many, peddlers of God's word, but as men of sincerity, as commissioned by God, in the sight of God we speak in Christ" (2 Cor. 2:15-17 ESV).

http://www.americanthinker.com/blog/2010/02/at_last_gop_plays_hardball.html

The Republicans of Illinois think they can win the "Obama seat." They are bringing back the specters of Blagojevich and Rezko to haunt the Democrats.

http://www.americanthinker.com/blog/2010/02/another_obama_snub_of_our_euro.html

Perhaps in the future European leaders will be a little more circumspect about "hope and change." It is amusing to watch their reaction now that they have gotten their wishes. But there is also another side to the story. Today's posting from Open Europe puts matters into a different perspective. "The Economist's Charlemagne blog cites the 'nightmare' President Obama endured at the Prague summit last year, 'when he found himself with strictly nothing of importance on the agenda, hosted by a Czech government that had just fallen. At that meeting, American officials later complained, 27 national leaders all waffled on at Mr. Obama about exactly the same things, before fighting among themselves for photo opportunities with the new American president."

<http://www.debka.com/article/8580/>

Since last Fall I have believed that an Israeli strike before the Spring equinox is more likely than a delay until Fall. Egyptian and Saudi protests that they have not been consulted about certain military movements suggest that this time all systems are "go" and that the recent build-up (and Iran's warning about February 11) means that attacks are imminent. All of this is reminiscent of February 2003 and January 1991. What role the Obama Administration may be playing is the chief mystery at the moment.

<http://www.wildersontrial.com/>

Geert Wilders' pretrial speech. This website was launched today.

Actions taken by the ACLU in this country are comparable to the Wilders prosecution, except that Wilders is a political figure who is being singled out for attack on the principle of "divide and rule."

Thursday 4

<http://nrd.nationalreview.com/article/?q=NTNkMjM0ZTAwMDQ4MmRmYmUwODc0YjRmMTlhNGEyNGM=>

In a lengthy essay, Matt Spaulding of the Heritage Foundation discusses the origins and character of the Progressive revolution that began to centralize and consolidate our political system over a century ago. Progressive Republicans and Democrats alike sought to create an administrative state that would bypass the

restrictions of a Constitution designed for a "horse and buggy" era. Although Gabriel Kolko characterized the Progressive reforms as "the triumph of conservatism" because they were not avowedly socialistic, the new administrative state is not conservative at all, being contrary to the founding principles of constitutionally limited government, a functional separation of powers, and a system of federalism that placed states and counties at the center of domestic political activity.

The Fabian-inspired form of socialism came to America at the beginning of the Progressive era, culminating in the meetings of men like Jack London, Richard Ely, Thomas Wentworth Higginson, and Walter Lippmann. Much of the Progressive program could easily be gleaned from pre-Progressive socialistic writings, such as the *Encyclopedia of Social Reform* of the 1890s. But even it could have been said that "The Revolution Was."

The sine qua non of the Progressive revolution was the massive upheaval and restructuring of American life wrought by the American Civil War decades earlier. It was a trial by fire that forged a more consolidated national republic and helped make America the most attractive investment and immigration market in the world. By the end of that century, the consolidation of businesses and industries was rapidly changing the face of America. It was this genie of economic and commercial growth, let loose at a time of national calamity, which Progressives later tapped to support their social reformist agenda.

Charles Merriam, who was perhaps the most influential American political scientist of the period that straddled the First World War, wrote that "the exigencies of modern industrial and urban life have forced the state to intervene at so many points where an immediate individual interest is difficult to show, that the old doctrine has been given up for the theory that the state acts for the general welfare. It is not admitted that there are no limits to the action of the state, but on the other hand it is fully conceded that there are no 'natural rights' which bar the way. The question is now one of expediency rather than of principle." Thus a form of pragmatism without principles other than "good government" became the guiding American public philosophy. In *Recent Changes in American Constitutional Theory* (1923), John W. Burgess, a German-educated political scientist who represented an older generation of pre-Progressive thinking, described the Spanish-American War as the original sin that launched the transformation of the United States of America into a major power. But the foundations for that transformation had been laid at least a generation earlier during a war in which Burgess was severely wounded.

The quotations Spaulding draws from a speech by Lyndon Johnson to promote his Great Society program reveal Johnson's vision to be the very embodiment of Marxist thinking: "From each according to his abilities, to each according to his needs." We have subsequently come a long way toward establishing what Francis Lieber (Burgess's predecessor at Columbia) called "democratic despotism." It is time that we admit to ourselves that "there are no limits to the action of the state." Who can doubt that Big Brother (or Big Nurse) is watching? This should be evident in Spaulding's ironic one-liner: "If the Commerce Clause can be used to regulate inactivity, then the government is truly without limit." In other words: Buy health insurance or go directly to jail, do not pass "go," and do not collect \$200.

http://news.yahoo.com/s/ap/eu_britain_secret_castle

The title of this article, "UK man's castle won't be his home, court says," speaks for itself. How do we determine how and where to draw the line between building codes designed to ensure safety and zoning regulations designed to standardize size, appearances, and aesthetic values? What about the sort of land-use planning that was introduced into rural Oregon through seed money from the Rockefeller fortune? What are once choices - whether freely made, coerced, or enticed - eventually become irreversible necessities, deeply rooted organizational realities. How does an expansionist political system avoid rigor mortis? As Gareth Garrett understood, only through the perpetual revolution of deficit spending. But, of course, sooner or later bankruptcy ensues.

The young Abraham Lincoln showed an intuitive grasp of the dynamic that would lead this country into despotism. Shortly before his twenty-ninth birthday in 1838, the Illinois legislator commented on the political animosities that were even then beginning to tear the country apart. In his Lyceum Address, Lincoln shared a great and terrible vision of America's future:

"That our government should have been maintained in its original form from its establishment until now, is not much to be wondered at. It had many props to support it through that period, which now are decayed, and crumbled away. Through that period, it was felt by all, to be an undecided experiment; now, it is understood to be a successful one. Then, all that sought celebrity and fame, and distinction, expected to find them in the success of that experiment. Their all was staked upon it; -- their destiny was inseparably linked with it. Their ambition aspired to display before an admiring world, a practical demonstration of the truth of a proposition, which had hitherto been considered, at best no better, than problematical; namely, the capability of a people to govern themselves. If they succeeded, they were to be immortalized; their names were to be transferred to counties and cities, and rivers and mountains; and to be revered and sung, and toasted through all time. If they failed, they were to be called knaves and fools, and fanatics for a fleeting hour; then to sink and be forgotten. They succeeded. The experiment is successful; and thousands have won their deathless names in making it so. But the game is caught; and I believe it is true, that with the catching, end the pleasures of the chase. This field of glory is harvested, and the crop is already appropriated. But new reapers will arise, and they, too, will seek a field. It is to deny, what the history of the world tells us is true, to suppose that men of ambition and talents will not continue to spring up amongst us. And, when they do, they will as naturally seek the gratification of their ruling passion, as others have so done before them. The question then is, can that gratification be found in supporting and maintaining an edifice that has been erected by others? Most certainly it cannot. Many great and good men sufficiently qualified for any task they should undertake, may ever be found, whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a presidential chair; but such belong not to the family of the lion, or the tribe of the eagle[.] What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon? Never! Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story, upon the monuments of fame, erected to the memory of others. It denies that it is glory enough to serve under any chief.

It scorns to tread in the footsteps of any predecessor, however illustrious. It thirsts and burns for distinction; and, if possible, it will have it, whether at the expense of emancipating slaves, or enslaving freemen. Is it unreasonable then to expect, that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time, spring up among us? And when such a one does, it will require the people to be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his designs."

We have grown too accustomed to the notion that tyranny will ride us down in the form of a man on horseback. Rousseau had a different idea. The genius of his notion of a "general will" is that the social contract would make captives, captors, and tyrants of each and every one of us. Progressivism represents the triumph of red tape and red ink – and the red faces of those who futilely complain against the actions of a self-serving political perpetual-motion machine.

<http://www.telegraph.co.uk/finance/economics/7150118/Greece-under-EU-protectorate-as-funds-shift-fire-to-Portugal.html>

Here is another sign of the times. First we had the League of Nations mandates, then the United Nations trust territories, and now the first European Union protectorate. The entire nation-state system has succumbed to a hostile takeover bid and continues to be slowly placed into receivership. Perhaps the new management will convert Europe into a Disney-style theme park, as Spengler has suggested. My five-year-old granddaughter looks forward to visiting the Princess Castle.

http://news.yahoo.com/s/time/20100204/us_time/08599195899600

The education of Mr. Anonymous seems never to have gotten beyond the Primary Colors school of punditry. For him to call the Republicans incoherent is just another demonstration of how much of our political merry-go-round is driven by leaking gas. Perhaps some Republicans have at last rejected a foolish consistency by awakening to the smell of a massive budgetary explosion-in-the-making. The incoherence is actually coming from those little minds who are getting their jollies by snorting the gas.

http://news.yahoo.com/s/ynews/ynews_pl1112

I wonder what marketing genius came up with this weird campaign ad for Carly Fiorina. You can practically hear the eyeballs roll. They should be Fiorina's.

Friday 5

http://townhall.com/columnists/CharlesKrauthammer/2010/02/05/the_great_peasant_re_volt_of_2010?page=full&comments=true

Charles Krauthammer calls attention to some of the telltale signs – cracks in the icy disdain, fissures in the façade of self-confidence, testy complaints about obstructionism – that liberal/Leftist political fortunes are receding now that

the change of seasons is once more in the air. Mourning Becomes the (Liberal) Electorate.

Our political elites bear a strong family resemblance to the Bourbon monarchs. Following Napoleon's abdication, the restored dynasts were quick to demonstrate that they had learned nothing and had forgotten nothing. Now that our own Bourbons are back in power, they are too quick to display the hauteur of entitlement and the arrogance of the know-it-all that, in the past, repeatedly derailed their ambitions. "Liberal expressions of disdain for the intelligence and emotional maturity of the electorate have been, post-Massachusetts, remarkably unguarded." As the founder of modern liberalism, John Stuart Mill, long ago remarked: "Conservatives are not necessarily stupid, but most stupid people are conservatives."

Back during the Clinton years, Sen. Alan Simpson wittily observed that we have two parties: the Stupid Party and the Evil Party. Perhaps what we are now witnessing today is how quickly the Evil Party becomes the Stupid Party once it is back in the saddle. The latest incarnation of the Hundred Days Congress (now inflated by a factor of four) is pursuing its rendezvous with destiny with all of the concentrated fury of thwarted Jacobins and ousted caudillos. Krauthammer discerns that the reigning orthodoxy understands its recent electoral defeats "through a prism of two cherished axioms: {1} the people are stupid and {2} Republicans are bad. Result? The dim, led by the malicious, vote incorrectly."

All of which should remind us of the liberal furor over Bush vs. Gore in 2000 and subsequent liberal paeans to the "Lost Cause." Following that allegedly "tainted election," aggrieved Democrats nursed their wounds and took solace in fantasies of revenge against Republican perfidy until the winds of change once again swept them back into office on the coattails of the One. But how soon again are the bells beginning to toll! The drums are once again beating and the tumbrils have begun to roll. Fickle fortune! It all seems so awfully familiar: "Do not go gentle into that good night. Rage, rage against the dying of the light."

<http://www.telegraph.co.uk/news/worldnews/northamerica/usa/barackobama/7155154/EU-shambles-over-Barack-Obama-visit-shows-failure-of-Lisbon-Treaty.html>

The Hive is abuzz with gossip that Europe's ladies in waiting have been stood up. But as Mats Persson notes: "The EU thought that by simply giving the world one number to call, Europe would finally be able to agree on something the world wanted to hear." Alas for them: This was the Siren's song of a faceless Eurocracy. And now with the Spring prom only weeks away, the American president has dashed the EU's hopes and plans by spurning their invitation to another photo opportunity -- leaving the belles of "hope and change" in a frenzy of petulant and mutual recrimination, aghast over the snub, as their latest heartthrob and his entourage glide on past Miss Haversham's cake.

<http://www.thelocal.se/24784/20100204>

Sweden appears to be dragging its feet along the road to 1984. Perhaps privacy is at last getting some respect as a popularly elected government resists implementing the Eurocracy's Data Retention Directive. As Sir Walter Scott

understood: "Oh! what a tangled web we weave When first we practise to deceive!" Will poor Gulliver ever get freed of his entanglements?

<http://pajamasmedia.com/blog/thank-you-glenn-beck-for-exposing-communisms-evils/?print=1>

Jamie Glazov thanks Glenn Beck for publicizing the evils of Communism and fighting to keep the experiences of its victims from vanishing down the memory hole. Our land of the free must remain the home of the brave if we wish to save our freedoms from politically-correct faux revolutionaries. "Choose this day whom to serve." Let us not be left to lament *The World We Have Lost*. Our commissars will not be deterred unless we show resolve. Their motto, as Carl Keyser recognized, is *Spare None*.

<http://newsmax.com/GeorgeWill/GeorgeWill-healthcare-deficit-China/2010/02/04/id/349018>

George Will cites two articles by Robert Fogel that do not bode well for America's future. Even today, too few policymakers seem willing to confront demographic realities. But the actuarial tables cast a harsh light on our budgetary follies. Soaring health care costs plus the aggressive growth of the Chinese economy together draw a bleak picture if America continues to burden itself with a regimen of economic restructuring and social experimentation that will bring nothing but stagnation and defeat.

Robert Fogel may be far too optimistic in his scenario for Europe and China, but the future of the American experiment, whether it can remain competitive and resilient or must spiral into decline and oblivion, still hinges considerably on our political choices today. Nearly fifty million abortions in thirty-seven years have already radically depressed America's demographic prospects and, in far greater numbers, appear to have ruined Europe's beyond remedy. As Will notes in his conclusion: "Unforeseen scarcities or social fissures could slow or derail China's ascent to global economic hegemony. America's destiny is demographic, and therefore is inexorable and predictable, which makes the nation's fiscal mismanagement, by both parties, especially shocking."

<http://audreymagazine.com/blog/entry/Like-Stars-on-Earth>

Our family finished watching *Like Stars on Earth* this evening. This film about a creative nine-year-old boy's transformation won a best director award for its adult lead, who is a popular Bollywood actor. *Like Stars on Earth*, which was India's standout film of 2007, was released last month by Disney in both English and Hindi versions, along with subtitles and some infectious music, art, and dance numbers. The dubbing was apparently done by the original actors and is very well-integrated.

Saturday 6

http://townhall.com/columnists/KathrynLopez/2010/02/05/losing_our_religion,_by_state_order?page=full&comments=true

In the name of human rights, termites have been gnawing at the hull of the USS Constitution and, by undermining religious liberty, an "equality bill" has come close to scuttling Britain's vessel as the waves of political correctness increasingly rule Britannia. We must understand: What threatens the liberty of one puts it at risk for all.

Our most fundamental freedoms and, indeed, the very integrity of the social contract are at stake. As one of the framers of America's Constitution, James Madison, wrote in 1792: "Conscience is the most sacred of all property; other property depending in part on positive law, the exercise of that, being a natural and un-alienable right. To guard a man's house as his castle, to pay public and enforce private debts with the most exact faith, can give no title to invade a man's conscience which is more sacred than his castle, or to withhold from it that debt of protection, for which the public faith is pledged, by the very nature and original conditions of the social pact."

On this side of the water, the Supreme Court will hear a case, *Christian Legal Society v. Martinez*, which will determine whether Christian organizations on campus can be required to be open to non-Christians. For many of its devotees, the human rights ideology has the makings of an exclusive secular religion: an all-or-nothing proposition. As David French of the Alliance Defense Fund has observed: "If your idea of law is that it is an instrument of domination and exclusion, then, yes, legal disputes between ideological opposites are 'zero-sum games.' But if your idea of the Constitution is that it protects the fundamental liberties of all citizens (which happens to be the way the document is written), then -- quite literally -- everyone wins when those liberties are vindicated."

On the other side of the water, the chief rabbi of the United Kingdom, Sir Jonathan Sacks, noted: "When Christians, Jews and others feel that the ideology of human rights is threatening their freedoms of association and religious practice, a tension is set in motion that is not healthy for society, freedom or Britain."

More than 160 years ago, the American political scientist, Francis Lieber distinguished between two views of liberty: Anglican and Gallican. The question Lieber addressed in his essay "Anglican and Gallican Liberty" is whether true liberty can be something granted by the state.

"If the term Liberty, which always means unrestrainedness of action, is applied to matters of civil society, it necessarily chiefly signifies protection of the free action of each member against the individual interference of any other member, and against society collectively, or public power."

Later in the text, Lieber contrasted the English and American understanding of liberty with the Gallican or French tradition of statism. "Anglican liberty may be said to consist, essentially, in a proper restriction of government, on the one hand, and a proper amount of power on the other, sufficient to prevent mutual interference with this personal independence among the people themselves, so that order and a law-abiding spirit becomes another of its distinctive features. No people of the past or present have ever made use of the right of association, even where it fully existed, equal to the vast, and at times gigantic application of this right, to great practical purposes of a social, as well as political,

character among the English and Americans. Public interference is odious to them. Government with them is not considered the educator, leader, or organizer of society. On the contrary, in reading the many constitutions which this race [people] has produced, and the object of which is to define the spheres of the various public powers, and to fix the rights of the individual, we almost fancy to read over all of them the motto, 'Hands off.'

"Gallican liberty," by contrast, "is sought in the government, and, according to an Anglican point of view, it is looked for in a wrong place, where it cannot be found. Necessary consequences of the Gallican view are, that the French look for the highest degree of political civilization in organization, that is, in the highest degree of interference by public power. The question whether this interference be despotism or liberty is decided solely by the fact who interferes, and for the benefit of which class the interference takes place, while according to Anglican views this interference would always be either absolutism or aristocracy, and the present dictatorship of the ouvriers [workers, perhaps by implication Karl Marx's proletariat] would appear to us an uncompromising aristocracy of the ouvriers."

The Gallican system that Lieber describes is the very sort of statism that Frederic Bastiat, a member of the French Assembly, protested in such essays as *The Law* and "What Is Seen and What Is Unseen." Lieber, who was a friend and correspondent of Alexis de Tocqueville, wrote a preface to an American translation of Frederic Bastiat's essays. Together this triumvirate developed a powerful defense of liberty in the tradition of *Vindiciae contra Tyrannos*, translated into English as *The Defense of Liberty Against Tyrants*.

More than a century later, Friedrich Hayek, who was later awarded the Nobel Prize in economics, quoted liberally from Lieber's essay in his book, *The Constitution of Liberty*. What Lieber called Anglican liberty may be traced back to the Bible. It grew out the English common law tradition that gave liberty its sea legs and sent it out into the world that it bestrides to this very day. As John C. H. Wu noted in *The Fountain of Justice*: "While Roman law was a death bed convert to Christianity, the common law was a cradle Christian."

Again: We must understand what is at stake. Liberty for all is a positive-sum game: Everyone benefits. Gallican liberty becomes a zero-sum game that fosters a litigious dog-eat-dog mindset among politically ambitious interest groups. If it can, the politically-correct international human rights regime will strangle freedom in the very cradle from which, practically speaking, it first arose.

So let's not throw out the baby with the sea water. We should heed the appeal of another friend of Francis Lieber, who reminds us:

"We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!"

". . . Sail on, O ship of State!" -- Henry Wadsworth Longfellow