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## **The Iraq War Has Made Us neither Safer nor Freer**

**by Jacob G. Hornberger**

In determining whether the invasion of Iraq has been in the interests of America, two questions naturally arise:

One, has the invasion made Americans safer from terrorism? and

Two, has the invasion made Americans freer with respect to their own government?

When the 9/11 attacks occurred, Americans were horribly angry, despite the fact that most of them did not personally know the victims. This phenomenon of empathy, sympathy, and anger was actually shared by people all over the world.

On 9/11, the immediate response of U.S. officials, which they have steadfastly maintained since that day, was that the terrorists attacked America because of their hatred for America's "freedom and values"—the First Amendment, Wal-Mart, and rock and roll.

As three years have passed, most Americans are coming to the realization of how truly nonsensical that position is — that actually terrorism against the United States is rooted in hatred of the U.S. government's foreign policy, specifically in the Middle East, including the support of brutal, unelected dictators such as Saddam Hussein, to whom the United States delivered those infamous weapons of mass destruction, and the current unelected military dictator of Pakistan.

The invasion of Iraq is simply a continuation of that U.S. foreign policy.

The invasion has taken the lives of tens of thousands of innocent Iraqis, including ordinary Iraqi soldiers — innocent in the sense that they had absolutely nothing to do with the 9/11 attacks.

What is fascinating about U.S. officials is that they cannot fathom the notion that people in Iraq and surrounding countries become just as angry when their loved ones, relatives, friends, and countrymen are killed as Americans and others around the world become when innocent Americans are killed. It's a blind spot that afflicts the minds of U.S. officials.

Even worse is the callous indifference to the deaths and maiming of Iraqis. As everyone knows, the Pentagon doesn't even keep count of Iraqi deaths and injuries. After all, they are only Iraqis, the reasoning goes.

Perhaps the best example of the federal mindset of indifference to Iraqi deaths was provided by former U.S. ambassador to the United Nations, Madeleine Albright, whose mindset reflected that of U.S. officials and still does. She was asked by “60 Minutes” about the sanctions regime that the United States imposed on the Iraqi people throughout the 1990s as part of the U.S. government’s foreign policy.

You’ll recall that the sanctions — or embargo — in conjunction with Saddam Hussein’s socialist policies — operated a vise that squeezed the life out of hundreds of thousands of Iraqi people, especially innocent children, through malnutrition, infectious diseases, and the like.

“60 Minutes” asked Albright whether the deaths of half-a-million Iraqi children from the sanctions was worth regime change — the policy of trying to oust a non-friendly U.S. regime and replace it with a U.S.-friendly regime. Albright did not bother to challenge the number of Iraqi dead or the brutal consequences of the embargo. Instead, she said: Well, yes, it’s hard, but we do believe that it is worth it.

No federal official criticized or condemned her statement for the precise reason that it reflected the official federal mindset of indifference toward the lives of the Iraqi people — and still does.

Thus, when U.S. officials ask whether the world is better off without Saddam, they consciously refuse to answer the corollary question: Are Iraqi families better off with the deaths of tens of thousands of their loved ones? In the minds of U.S. officials, those tens of thousands of dead and maimed Iraqi are worth it — worth “regime change,” that is, the ouster of Saddam Hussein from power and his replacement by a U.S.-friendly regime.

If there is a terrorist attack in the United States arising out the anger associated with the deaths and maiming of tens of thousands of innocent Iraqis, make no mistake about it: U.S. officials will immediately announce that the attacks are motivated by hatred for America’s “freedom and values” — the First Amendment, Madonna, and Coca-Cola. They will say that the attack has absolutely nothing to do with the killing and maiming of tens of thousands of innocent Iraqis. Just as they said after the attacks on 9/11.

How has all this made Americans safer from terrorism?

Has the invasion made Americans freer with respect to the federal government?

No one can deny that we now live in a country where the ruler has the omnipotent power to send the entire nation into war by attacking any sovereign and independent country for any reason whatsoever or no reason at all.

“That ruler has weapons of mass destruction. Or I think he does. Or he might. He surely is thinking about it. He’s got children contemplating it. He is dangerous. Order the attack, even if it kills tens of thousands of innocent people in the process.”

That type of omnipotent power — the power to both declare and wage war — has been associated with the biggest dictatorships in history.

Why is this important? Because as Madison pointed out, war is the biggest threat to our liberty — the liberty of the American people — because it encompasses all the other threats of liberty. War is the parent of armies, militarism, centralization of power, unrestrained government spending, taxes, regulations, debasement of the currency, bureaucracies, and bureaucrats.

The Framers tried to protect us from that omnipotent power. They divided the power to declare war and the power to wage war. In the Constitution, they vested the power to declare war in the Congress, not the president, and the power to wage war in the president.

That constitutional provision, as everyone knows, is now knowingly, deliberately, and intentionally ignored. And a congressional resolution that unconstitutionally delegates the power to declare war to the president is no substitute for the congressional duty to determine whether war should be declared.

Why is that important? Two reasons:

One, the Constitution is designed to protect our liberty — the liberty of the American people, and it is the supreme law of the land, the law that we the people have imposed on our government officials.

Two, make no mistake about it: When government officials are permitted to ignore one constitutional limitation on power, they will ignore more.

Did you ever think you'd live in a country where the military, following in the footsteps of their counterparts in Argentina and Chile, would actually claim and exercise the power to seize any American and foreigner anywhere in the world, including right here on American soil, and send him to a military brig for the rest of his life, claiming that no federal court had the power to interfere with such operations, denying the accused habeas corpus, right to counsel, and due-process principles that stretch all the way back to Magna Carta? Or even worse, subjecting the accused to torture, sex abuse, or rape? Or more ominously, claiming the power to ship the accused in the dead of night to a secret military base in Cuba to be put on trial before a Cuban-style, Soviet-style military tribunal before being executed?

Our judicial system now has secret court proceedings, secret search warrants, secret courts, redacted court pleadings.

These are all the attributes of some of the 20th century's greatest dictatorships.

How has all this made Americans freer?

The fact is that this is a dead-end paradigm — a paradigm of empire, intervention, death, destruction, and suspension of civil liberties. It makes no difference whose plan for the invasion of Iraq had been utilized; it makes no difference whose plan for the occupation of Iraq had been embraced; it makes no difference whose plan for the exiting from Iraq is employed. All these plans are simply the means by which to second-guess what will ultimately be a failure. The reason for this is that this is a dead-end paradigm.

When you have a dead-end paradigm, it's time to start thinking about replacing the paradigm rather than trying to fix or reform the dead-ended one. That entails returning to first principles — how we got started as a nation, how we got to where we are, and where are we going.

I suggest that it's time to begin considering a new paradigm, one that is more consistent with the founding principles of our country:

1. A paradigm in which the federal government, in the words of John Quincy Adams, is prohibited from going abroad in search of monsters to destroy.
2. A paradigm in which we spend our time developing the model society of freedom here in America, for the world to imitate.
3. A paradigm in which we put a stop to the federal government's policy of isolating the American people — the private sector — from the rest of the world, through visa restrictions, fingerprinting, eye scans, and even the barring of foreign academics from America because they supposedly hold dangerous ideas. Americans in the private sector are our country's greatest diplomats.

This new paradigm will be more likely to lead our nation to the type of society that most of us want — freer, more peaceful, prosperous, and harmonious with the people of the world.

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