

Miscellany 38: The End of the Good Life; Democracy's Fatal Flaw; Economic Growth Cannot Continue; Climate Change; The US Prison Society; Remittances by Illegal Aliens; US Guestworker Program; Challenges Facing Border Patrol Agents

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Miscellany: Commentary on Recent Events and Reading

The March Against the Iraq War

Here is an editorial that I had published in the 4 February 2007 edition of the *Spartanburg Herald Journal*:

Illegal Alien Invasion

U.S. soldiers are fighting and dying in Afghanistan and Iraq, which I firmly believe the United States has invaded for oil, while the U.S. government aids and abets the invasion of our country by millions of illegal aliens, some of whom are committing murder and rape against U.S. citizens.

The U.S. government is sending its young men and women to die halfway around the world, while some of these illegal aliens are killing and raping some of their countrymen back home.

Worse, the U.S. government aids and abets the illegal-alien invaders through the provision of free social, economic and medical services and the granting of birthright citizenship to their children.

The U.S. government has invaded Iraq. We are the invaders there, and the Iraqis are quite justified in trying to repel us. The important war that U.S. soldiers should be fighting is the invasion of the United States by millions of illegal aliens.

U.S. soldiers: Who is your enemy? Your government took a vow under the Constitution to protect this country from invasion, and it has committed high treason in not repelling the present invasion. In a sane world, you would be repelling the illegal alien invaders and not killing Iraqis, whose country the United States has invaded for its oil.

JOSEPH GEORGE CALDWELL
Spartanburg

On January 27, 2007, tens of thousands of people participated in a “March against the Iraq War” in Washington, DC. One thousand US soldiers are being killed each year in Iraq, which we have invaded, but an estimated 1,400 – 4,400 US citizens are killed each year by illegal aliens, who are invading our country. And yet Americans march against the war in Iraq, in which we are the aggressors, and do not march against the invasion of the US by tens of millions of illegal aliens, who are raping and killing innocent civilians! What is wrong with this picture?

The End of the Good Life

The January 23, 2007, issue of the *Spartanburg Herald-Journal* contained, on the front page, an article entitled, “Young adults going for the gold: 80 percent say their goal is to get rich.” It presents the results of UCLA’s annual survey of college freshmen, which was released on January 19. The survey “found that nearly three-quarters of those surveyed in 2006 thought that it was essential or very important to be ‘very well-off financially.’ That compares with 62.5 percent who said the same in 1980 and 42 percent in 1966, the first year the survey was done.” “Another recent poll from the Pew Research Center found that about 80 percent of 18- to 25-year-olds in this country see getting rich as a top life goal for their generation.”

How sad. And how unlikely. This is the time of “Peak Oil” (Hubbert’s Peak on Hubbert’s Curve). Very soon, global oil production will be falling. Half of the planet’s oil has been extracted and, at current consumption rates, all of the planet’s commercially extractable oil will be gone by 2050. Things will get really bad, however, much sooner than 2050. The situation will deteriorate rapidly when the global production rate *begins to decline*, not when oil *finally runs out*. The planet’s current population of 6.5 billion people was enabled by access to fossil

fuels. By the time that oil runs out, the human population will have fallen far lower than its current level. The near future holds not the promise of riches, but of global resource wars, as the Petroleum Age draws to a close and the global industrial world collapses.

Sorry to burst your bubble, young folks, but your generation will not see material riches, but devastation and collapse. The opportunities for your generation will be in waging war, not in accumulating wealth. That was our generation's game. You will have plenty of opportunities for accumulating spiritual capital, but not physical capital. By the time 2050 rolls around, well over 90 percent of the planet's human population will have died off. And – with apologies to T. S. Eliot – most likely not from famine and disease, but from war, since human leaders prefer to die in battle, with a bang, and not by starving to death, with a whimper.

Partition Iraq? Now Where Have I Heard *That* Before?

Several years ago, I proposed that one way to end the war in Iraq was to partition it into three parts, reflecting the three major ethnic groups – Sunnistan, Shiastan and Kurdistan. Over the past several months, I have been seeing this same idea presented by these politicians by leading politicians. There is one thing, however, that is very different between their view and mine, and that centers on the distribution of oil to the three parts. The view is being presented that if Iraq is partitioned, then its oil wealth should be split “equitably” among the three parts.

As I have written before, there is no rationale for splitting the oil revenues, or any other natural wealth, if and when the country is partitioned. Modern day Iraq is a relatively new creation, assembled by the British out of parts of the disintegrating Ottoman Empire. The three parts of the proposed division were

never historically a single country or people. The vast oil wealth of Iraq is a new development. If and when Iraq is disassembled, there is no historical reason to share this natural wealth among all of the people of the former Iraq. Lots of regions in the world have no oil wealth. Haiti has no oil wealth. Does this mean that part of the Iraq oil should be shared with Haiti? Of course not. If Iraq cannot keep itself together as a nation and falls apart – or is Balkanized by its conquerors – then the natural wealth to be enjoyed by the citizens of its new parts should logically derive from the natural wealth that resides in their respective geographic parts, and no other.

The Advantage of Telling the Truth

On the *Today* show edition of February 9, 2007, Matt Lauer interviewed Tim Russert, who had testified the day before in the trial of Lewis “Scooter” Libby, Jr., who is accused of “outing” (revealing as a CIA employee) Valerie Plame, wife of the former US diplomat Joseph Wilson. Lauer asked Russert if the task of being a witness was more difficult than that of being an interviewer (Russert is host of the NBC Sunday news program, *Meet the Press*). Russert replied that it was, because you were often not permitted to express your complete thought in response to a question – often you were required to respond simply by “yes” or “no.” But then Russert mentioned that it was not really too difficult, as long as you always told the truth. He was reminded of what his young daughter had repeated once, “If you tell the truth, you only have to remember one story.” As a child, I had been told a similar version of this adage: “If you always tell the truth, then you never have to remember what you said.”

This trial is really sort of silly. I have worked a lot overseas. All foreign governments suspect all diplomats and their spouses of being foreign agents. They assume that they are. The fact that

Plame was “outed” was of no real consequence. All expatriates from all countries are expected to report important facts to their governments, as part of their duty as responsible and loyal citizens.

Democracy’s Fatal Flaw

Plato had little use for democracy. His view was that the people would always elect poor leaders who would pander to the masses’ desires, leading to eventual destruction of the nation. This destructive process is well under way in America. America’s Founding Fathers had read Plato, and believed him. They had no intention of setting up a direct democracy with universal suffrage. Voting was too important to be allowed for the masses – it was restricted to educated white property holders. America was set up as a democratic republic, not as a democracy. The concept was that educated, responsible people would elect their representatives. Uneducated ne’er do wells, and people from other ethnic groups (e.g., blacks, Indians) would not have a voice in this process, or even full representation.

The country’s leaders realized that it was not possible to have a strong democratic republic without having a relatively homogeneous citizenry. They realized that a strong nation was a group of people with common language, religion, race, culture, and heritage / traditions. When the country was founded, the vote was not allowed for nonwhite people. When, because of transportation improvements, it became feasible for immigrants to come from anywhere in the world, immigration was restricted to Northern European peoples.

Gradually, the US political system changed, to the point where any adult in the US, no matter how incapable or uninformed, or from whatever ethnic group, has the vote. Furthermore, because

of mass immigration from alien cultures, the ethnic composition of the United States is now very fragmented. And Plato's concern is now very evident.

As I have written before, democratic rule is a viable option only for running relatively homogeneous organizations that do not matter very much, such as social clubs. Nothing important, such as a ship, or an airplane, or a nation, or a planet, can be run using democracy. A system of democratic republicanism did work for a long time in America, as long as the electorate was relatively well educated and relatively homogeneous, so that most people had about the same views and the issues to be decided were not terribly divisive. When a "big" issue, such as slavery, came along, it in fact split the country apart, and it was put back together only by force (the US War Between the States). It also helped a lot that the country was not very crowded, so that most people could own their own farm (there was free land to be had until the 1880s).

Ever since the passage of the Immigration Act of 1965, however, the country has been flooded with millions of immigrants from alien cultures. The country is now very crowded, and it is very fragmented. By 2050, if current immigration trends continue, the white Anglo-Saxon Protestant ethnic group that founded the country and made it great will be in a minority.

Unfortunately, the country will fall apart long before 2050, because of phenomenon known as the "tyranny of the minority." Tyranny of the minority occurs in a democracy whenever a population becomes heterogeneous to the point where no single homogeneous subgroup has a strong majority. (It has the strongest effect in a predominantly "two-party" system such as in present-day United States not in a parliamentary system where many parties are present.) When this occurs, no single group can have its way, and minority groups can "swing" elections. Because

of this, they acquire a power far beyond their numbers. This has happened in the US. Prior to passage of the Immigration Act of 1965, there was only one sizable minority in the US – the blacks – and it was relatively small – less than ten percent, of whom only a portion were able to vote. Most of the population were white European (actually, most were white Anglo-Saxon or Teutonic Protestant). When the two dominant political parties – the Democrats and the Republicans – faced off in an election, there was really no minority group that could swing the election.

All that has changed. Today, because of mass immigration from alien cultures (and also because of the phenomena of radical individualism and radical extremism), there are many sizable minority groups, including blacks, Hispanics, homosexuals, and immigrants. Any one of these groups can swing an election. As a result, the people running for office cannot afford to offend any of them. It therefore follows that the platforms of the two leading parties are bland, indistinguishable mush. Both major political parties spend all of their energies dreaming up platforms that offend no one. They are totally paralyzed by the tyranny of the minority.

At the recent midterm election (2006), there was widespread dissatisfaction with the ruling party, the Republicans, and the US electorate wanted change. Because of the nature of the US political system, however, and the strength of the phenomenon of tyranny of the minority, change is not possible. Both parties have to pander to the same minority groups. Their programs, therefore, are virtually identical with respect to almost anything that matters to most people, and they differ only with respect to things that don't matter, or matter only to a very few (so as to win the votes of all minority groups). The alternative candidates are made from the same cloth as the ones in power. Many of them were indeed "thrown out" in the recent election, but they were in

fact replaced with very similar candidates who must cater to the same groups as the incumbents they replaced.

Economic Growth Cannot Continue

In every speech that President George Bush gives about the economy, he emphasizes the economic growth that has occurred and is likely to occur. All national leaders are the same. Every country has embraced growth-based economics as the basis for its vision, mission and goals.

But economic growth cannot continue indefinitely. An increasing population, on which much of the US economic growth is based, cannot continue indefinitely. Since passage of the Immigration Act of 1965, America's population has grown by about 100 million people. By 1965, the population birth rate had dropped to near-replacement levels (about 2 children born per woman in her lifetime). Most of the country's population growth since 1965 has been from immigration and the progeny of immigrants, who have a higher-than-replacement birth rate. On average, each immigrant is responsible for the destruction of about one acre of natural land, by conversion of it into housing, roads, parking lots, stores, schools, hospitals and other infrastructure. Since passage of the Immigration Act of 1965, about a million acres of US natural land has been destroyed. Also, most immigrants to the US come from poor countries, where they used about one-tenth to one-hundredth of the amount of commercial energy that they use in the US. This commercial energy contributes very substantially to greenhouse gasses and global warming.

Mass immigration to the US is destroying the environment (both in the US and globally), US culture, and the quality of life for the US middle class (crowding, depressed wages). This destruction cannot continue indefinitely.

What is George Bush's long-range plan? The total destruction of America?

China and Human Rights

China is courting many African countries, in order to obtain access to their natural resources, especially their oil (e.g., Nigeria, Sudan). African countries enjoy working with the Chinese, because the Chinese offer aid without imposing conditions on the human rights behavior of the recipient country, as Western donors do. China does this because it has no concern whatsoever for the welfare of the African people. It does not matter a whit to China how greedy, venal leaders repress their own people. In fact, it does not matter much to China's leaders how they repress their own people. Human rights is not a significant concern to China. It has read its Machiavelli well.

Climate Change

The February 3, 2007, edition of the Spartanburg Herald-Journal presented an article entitled, "Climate experts see dire future for world," by Seth Borenstein. The article follows:

PARIS - Global warming is so severe that it will "continue for centuries," leading to a far different planet in 100 years, warned a grim landmark report from the world's leading climate scientists and government officials. Yet, many of the experts are hopeful that nations now will take action to avoid the worst scenarios.

They tried to warn of dire risks without scaring people so much they'd do nothing - inaction that would lead to the worst possible scenarios.

"It's not too late," said Australian scientist Nathaniel Bindoff, a co-author of the authoritative Intergovernmental Panel on Climate Change report issued Friday. The worst can be prevented by acting quickly to curb greenhouse gas emissions, he said.

The worst could mean more than 1 million dead and hundreds of billions of dollars in costs by 2100, said Kevin Trenberth of the National Center for Atmospheric Research in Colorado, one of many study coauthors.

This article is very misleading. The worst that could happen is not the death of one million people. It is the complete breakdown of the biosphere and the extermination of life on the surface of the planet. It is incredibly foolish of mankind to undertake activities, such as massive population growth, that are causing macroscopic changes in the planet's atmosphere. It may already be too late to avoid a cataclysmic disaster. In any event, the only prudent course of action is to immediately halt all industrial activity that adds greenhouse gases to the atmosphere. This is something that the world's leaders adamantly refuse to do. They are in full agreement to accept a chance that the planet will be destroyed, simply to preserve their power and wealth. They will not tolerate any response that would result in a lowering of the standard of living of their peoples. They will not tolerate any response that would put an immediate halt to all burning of fossil fuels. As a result, the only solution to the climate-change problem, the only way that greenhouse-gas production will be lessened, is to dramatically decrease the number of people on the planet.

There is a growing number of people who feel passionately that the burning of fossil fuels must be stopped, immediately. It is just a matter of time until some of this group decides to dramatically lower the number of people on the planet.

The US Prison Society

The February 5, 2007, issue of *Time* magazine contains an article about US high-security prisons: "The Paradox of Supermax: The nation's toughest prisons may be driving inmates mad – and in the process, making all of us less safe." The article is mainly about the fact that solitary confinement is an intensely cruel form of punishment that drives prisoners to catatonia or rage. An excerpt:

The origin of solitary confinement in the U.S. is actually benign. It was the Philadelphia Quakers of the 19th century who dreamed up the idea, establishing a program at the city's Walnut Street prison under which inmates were housed in isolation in the hope of providing them with an opportunity for quiet contemplation during which they would develop insight into their crimes. That's not what has happened.

By the 1830s, evidence began to accumulate that the extended solitude was leading to emotional disintegration, certainly in higher numbers than in communal prisons. In 1890 the U.S. Supreme Court weighed in, deploring solitary confinement for the "semi-fatuous condition" in which it left prisoners. The case was narrow enough that its effect was merely to overturn a single law in a single state, but the court's distaste for the idea of solitary was clear. "The justices saw it as a form of what some people now call no-touch torture," says Alfred W. McCoy, a professor of history at the University of Wisconsin at Madison and author of the book *A Question of Torture*. "It sends prisoners in one of two directions: catatonia or rage."

Modern science has confirmed this, with electroencephalograms showing that after a few days in solitary, prisoners' brain waves shift toward a pattern characteristic of stupor and delirium. When sensory deprivation is added – as when Padilla was seen being led from his cell

wearing a blindfold and sound-deadening earphones – the breakdown is even worse. As long ago as 1952, studies at Montreal's McGill University showed that when researchers eliminate sight, sound and, with the use of padded gloves, tactile stimulation, subjects can descend into a hallucinatory state in as little as 48 hours.

The article presents some interesting facts about the US prison population in general, such as “The U.S. holds about 2 million people under lock and key, and 20,000 of them are confined in the 31 supermaxes operated by the states and the Federal Government.”

The US is a prison society. Many years ago, the US justice system operated under the concept of English common law, in which a judge could determine an appropriate sentence for a crime. Now, there are strict sentencing guidelines and mandatory sentences, and people are being sent to prison for decades, for even trivial crimes, such as stealing a toolbox. This is especially true for second and third convictions – the so-called “career criminals.”

The February 8, 2007, issue of the *Spartanburg Herald-Journal* contains a front-page article about a local high-school football player, whose mother is serving a 25-year sentence at the Leath Correctional Institution in Greenwood since being convicted of drug trafficking for the third time. Today's paper (13 February) reports the sentencing of a teenager to 22 years in prison for having sex with minors.

With respect to incarcerating its population, US society is barbaric. In almost all other countries of the world, prison sentences exceeding ten years are very rare. In the US, they are common.

I have written on the subject of imprisonment before. While I have no strong personal objection to the death penalty, I view long incarcerations as cruelly inhumane. If I were in charge, I would empty our prisons – all of them. I would maintain local jails for sentences of less than a year. As an alternative to the death penalty, to which many people and most societies object, I would propose to use the Florida Keys as a place of exile, such as Britain used Australia some years ago. Exile would be used in any case where a person was judged a serious threat to society, not as a punishment. It would not be a prison camp, such as French Guyana's Devil's Island or Russia's Imperial prison camps or Soviet gulags in Siberia, but a no-man's land.

Here follows a statement from my platform of 11 September 2001 (<http://www.foundationwebsite.org/Platform.htm>). My views are pretty much the same today as then, except that I see no need for capital punishment, and would propose banishment / exile as an alternative. Killing people in battle is one thing, but cold-blooded execution is quite another.

Summary:

Justice. The following initiatives will be undertaken to improve justice for all Americans and raise the level of national security.

Prison Reform. No incarcerations longer than 10 years. Hard labor as a rule. Public punishments (stocks, pillories, caning) for lesser offenses. The death penalty as a punishment, not as a deterrent. Emphasis on English common law (no mandatory sentences).

Legal Reform. Tort reform. No-fault automobile insurance. No claims for pain and suffering. No contingency fees. No class-action suits. Punitive damages are paid to the state.

Decriminalization of Drugs. Decriminalize all drug use, to end the massive flow of money to organized crime because of the criminalization of drugs.

Gun Control. All adult persons who are members of a regulated militia may possess the weapons authorized to be issued by the militia. Individuals may possess unregistered "non-assault" type firearms.

Profiling. Police are encouraged to use profiling to assist in the apprehension of criminals.

Affirmative Action. End Affirmative Action, which is blatant racial/ethnic/gender discrimination.

Reparations and Apologies. There will be no reparations or apologies for slavery, or for the conquest and destruction of America's indigenous cultures.

Abortion. Support a woman's right to choose, but no late-term abortions or infanticide. The government will not fund or provide abortions, except to save the life of the mother (medically necessary).

Illegal Immigration. Severe penalties to be imposed for the crime of illegal immigration.

Privacy. Use of the Social Security Number as a universal identifier (e.g., by credit bureaus, credit-card companies, banks, insurance companies, retail businesses and private organizations) is prohibited.

Legal Status of the District of Columbia. No statehood for District of Columbia.

Detail:

Justice

Prison Reform. No incarcerations will last longer than ten years, with hard labor as a rule. As an incentive to behavior modification, sentences will be shortened for good behavior (e.g., one month commutation for each month of good behavior, such as active participation in approved training or education programs). Public short-term punishments (stocks, pillories, caning) will be authorized for lesser offenses. The death penalty will be used as a punishment, not as a deterrent. (The goal of prison sentences of not more than ten years is not that radical a suggestion: sentences exceeding ten years are very rare in most countries of the world.) There will be a reaffirmation of the concept of English common law, which served this country so well for so long, as the basis for our judicial system.

Legal Reform. The US is the most litigious society on Earth. This rampant litigation is extremely wasteful, counterproductive and divisive, and it will be ended. There will be tort reform, no-fault automobile insurance, no claims for pain and suffering, no class-action suits, and no contingency fees. Punitive damages will be paid to the state.

Decriminalization of Drugs. All drug use will be decriminalized, to end the massive flow of money and power to organized crime. With the closing the US borders and drugs no longer highly valuable, the flow of drugs into the country will end.

Gun Control. In accordance with the concept set forth in the US Constitution, guns may be possessed by members of regulated militias. Individuals may possess unregistered "non-assault" type firearms.

Human Rights. An end to policies that promote radical individualism and radical egalitarianism. Emphasis on national unity and mission. As is the case in all societies, certain curtailment of rights is authorized (e.g., limitations on civil rights of criminals, sexual deviants, and mentally impaired persons, as well as laws and regulations for all citizens).

Profiling. “Profiling” to assist the apprehension of criminal suspects is authorized and encouraged, particularly with respect to race, gender and ethnicity. Profiling is the logical, scientifically well founded practice (Bayes' Rule, search theory) of taking account of distinguishing characteristics of a criminal in the quest to apprehend him. These characteristics may be of any type, but the more unusual the characteristics are (i.e., the more nearly unique they are to the suspect) the more useful they are in helping to track down a criminal. For this reason, membership in minority groups, such as minority ethnic/racial groups, are particularly useful (e.g., it is much more useful to know that a suspect is a Hmong or Japanese than a white man, since there are fewer of the former than the latter). To hamstring the efforts of the police by requiring them to ignore crucial information in their work is not only stupid and wasteful, but criminal.

If a man commits a rape, it is common sense to look for a man, not a woman. If a black man commits a crime, it is common sense to search for suspects in the black community, not in the white community. If an Hispanic or Arab commits a crime, it is common sense to search for the perpetrator in the Hispanic or Arab communities. These examples are obvious, since the characteristic of the suspect is known. But the logic of profiling is just as relevant if particular characteristics are not known with certainty, but are simply known to be correlated with a particular crime. Some examples.... If most or all of the embassy bombings last year were done by Islamic fundamentalists and another embassy is bombed, it is prudent to concentrate the

search for the perpetrators in the Islamic community. If a group of men in white sheets are seen lynching someone, it makes sense to interrogate members of the local Ku Klux Klan. If the drinking-while-intoxicated hit-and-run rate is several times higher for Mexican drivers than others, it is right to focus more attention on that segment of the population than on others. If a sex crime is committed against a child, it makes sense to check out local residents with a history of child molestation. If a kidnapper cannot pronounce "els," it is reasonable to suspect an oriental and allocate more effort investigating that group. If a young girl is abducted from her family, it is commonsense to spend more time investigating men than women, who rarely commit this type of crime. All profiling is prejudicial and discriminatory, but it is the logical approach to use to apprehend a criminal. Profiling based on any characteristic correlated with a criminal act -- even if based on race, gender, religion, language or ethnicity -- is the proper way to investigate a crime. To deliberately ignore characteristics that are known to be correlated with a crime may be politically correct in today's US society, but it is wrong.

The hands of our police will not be tied by an irrational demand to ignore race (or any other known characteristic) in the attempt to apprehend a suspect, if race is an evidential factor in a particular case. If race (or any other characteristic) is uncorrelated with a particular crime, then of course it makes no sense to target people of a particular race in the search for the criminal -- but that is not racial profiling: it is racial persecution. On the other hand, if a crime is committed by a "one-armed man," then police will be permitted to and expected to look for a "one-armed man," despite the prejudicial aspersions that this casts on the minority population of one-armed men, and notwithstanding the inconvenience or indignation that may be felt by innocent one-armed men who are interrogated.

Discrimination. As discussed above, profiling (based on any relevant characteristic -- race, gender, religion, language, ethnicity, national origin or other) is endorsed as a legitimate investigative tool.

There shall be no special laws protecting homosexuals, and there shall be no same-sex civil marriages. Neither shall there be persecution of homosexuals.

At a private level, however, persons or small groups are free to associate with whomever they choose, on whatever grounds. If a private group (e.g., the Boy Scouts) chooses to exclude homosexuals or atheists (or any other group or type of person), that is fine. If a small public group wishes to exclude homosexuals (or aggressive heterosexuals or any other group or type of person) from having control of children or young people (e.g., a kindergarten or an army platoon), that is fine, too. "Bring up a child in the way that is right, and when he is old he will not depart from it."

A serious social problem has arisen with respect to immigration. The government has allowed so many immigrants into the country (now a million a year!) that it is causing much social friction and social "balkanization" (as well as destruction of the land). The massive influx of Spanish-speaking immigrants (now 35 million and counting) is making it difficult for English-speaking Americans to find and keep jobs (e.g., schoolteachers or clerks or nurses or anyone else who deals with the public), particularly in southern states such as California, Texas, or Florida. Because of their massive numbers, a "backlash" of hard feelings has developed toward immigrants. The immigration invasion shall stop. Legal immigrants are to be treated well, but there will no longer be so many that this becomes impossible.

Affirmative Action. The AIM [American Independence Movement] will seek to end Affirmative Action, which is blatant racial/gender discrimination, and has no place in present-day America. Equality of opportunity and equal justice under the law are the policy, but there shall be no racial or gender quotas.

Reparations and Apologies. No reparations or apologies will be extended for the perceived wrongs of the European settlers of America. It was unfortunate for the Native Americans that Europeans (British, French, Spanish) conquered their land and decimated their cultures, but wars of conquest are and always have been and always will be part of human existence. It is unfortunate for everyone that modern Americans do not live in harmony with nature, as did the Native Americans. In this sense, they deserved the land, and we (overpopulated industrial man) do not.

There will be no apologies or reparations to blacks for having had ancestors who were enslaved in America. It was unfortunate for the blacks who were enslaved and brought to America, but slavery is an economic issue, not a moral one, and in any event certainly not the doing of people alive in America today. Slavery has thrived throughout history, in cultures as moral as or more moral than ours. Slavery disappeared globally as mankind began to tap the massive energy reserves of fossil fuel, and slavery was no longer the most efficient energy source (i.e., profitable means) for accomplishing economic production. It thrives today in remote (energy-poor) parts of Africa, and will return to the planet on a large scale when fossil fuels are gone and the industrial age has ended.

(The fact that slavery is an economic issue and not a moral one is the reason why the world's great monotheistic religions have so little to say about it. The Bible admonishes slaves to obey their masters, and masters to treat their slaves well, but, except for the

requirement for Jews to emancipate Jewish slaves periodically, there is no Commandment against slavery. Jesus spoke out on pain of death against many injustices, and he lost his temper over the moneychangers in the temple, but his anger was not directed toward slavery.)

The AIM is pleased that blacks are free in America today, and appreciates their participation in and contribution to our society, but no apology or reparation is due them for the enslavement of their ancestors, any more than an apology or reparation is due from present-day Egyptians or Babylonians (Iraqis) for their ancestors' having enslaved the Jews in the past. In short, the motivation for slavery is economic, not moral. It was practiced worldwide when energy was limited, and it will return when fossil fuels are gone. It did not disappear because the world underwent a mysterious global moral awakening; it disappeared because of mankind's tapping of the energy in fossil fuels. On the issue of slavery, white America has nothing to apologize or make reparations for.

Apart from the etiology or morality of slavery and wars of conquest, and the issue of whether and for how many generations we may be responsible for the actions of our forebears, the issue remains: Should present-day America pay blacks, Native Americans, and other groups for their conquest, enslavement, or other mistreatment, or for accrued benefits derived thereof, by white Europeans or by earlier generations of present-day Americans? As was mentioned, the AIM coordinates all planks of its platform with its central mission of preserving the global biosphere, and the survival of America to that end. From a political viewpoint, the issue is whether reparations, whether justified or not, help or hinder this cause. It would appear that they would not. They are divisive, and contribute more to disuniting the country than to unifying it. America has been a land of great opportunity for all races, and in recent decades it has

offered much assistance to disadvantaged groups, including particularly Native Americans and blacks. Like Affirmative Action, reparations for slavery or conquest are blatant racial discrimination (special treatment of selected racial groups), and have no place in present-day America.

It is hoped that the rather long discussion of racial (and other social) issues in this section does not exaggerate their importance with respect to the primary AIM goal of preserving the biosphere. To the extent that resolution of these issues helps to stop the planet's ongoing sixth mass extinction and save the biosphere, they are important. Otherwise they are irrelevant. Despite the attention that the issue of reparation for slavery is currently attracting, it is, as noted earlier, an irrelevant issue in the context of the current destruction of the biosphere by large human numbers and industrial production. If global warming destroys the biosphere in 50 years, it will not matter a whit whether the US pays reparations for slavery. Whether all large animal species are exterminated over the next several decades will affect the richness of the biosphere for the next four billion years. Whether today's blacks are paid money because their ancestors were enslaved will have no effect on this outcome, except for having diverted attention from the life-and-death issues facing mankind and the other species inhabiting the planet.

Hate Crimes. Equal justice under the law: No laws shall be passed promoting special judicial treatment of special groups, such as special “hate-crime” laws for homosexuals, blacks, immigrants, or other minority groups.

Tax Court. In accordance with the US Constitution, which requires that all courts be contained within the Judicial Branch of the government, the Tax Court, which has been set up as part of the Executive Branch, will be moved to the Judicial Branch. With

the end of the income tax, the use of the Tax Court to prosecute individuals for income-tax matters will cease, in any event.

Illegal Immigration. Severe penalties will be imposed for the crime of illegal immigration.

Abortion. A woman's right to choose is supported, but not late-term abortions or infanticide. The government will not fund or provide abortions, except to save the life of the mother (medically necessary, as determined by prevailing medical standards).

Privacy. In accordance with the original and present US Constitution, there shall be no personal right to privacy. In accordance with the spirit of the Social Security Act, it will not be permitted for the Social Security Number to be used as a universal personal identification number. That is, credit bureaus, credit-card companies, banks, insurance companies, retail businesses and private organizations will no longer be permitted to ask for or to store SSNs.

Legal Status of the District of Columbia. No statehood for the District of Columbia.

Is China a Serious Threat?

There is a lot of coverage on television news of the Chinese these days. Much of the coverage is about our massive trade deficit with China. The concern is that the Chinese hold a trillion dollars in US currency, and if they decide to "dump" it in favor of the euro, then the dollar will collapse as the major international currency and the US will suffer financial collapse. The other area of concern is in the military arena. The Chinese are rapidly expanding their military forces. Recently they tested an anti-satellite (ASAT) missile, by destroying one of their own satellites

by hitting it with a missile. The US and Russia had agreed not to develop anti-satellite weapons, since both are highly dependent on communication satellites for their modern weapon systems.

So what is the situation with respect to China? Two recent books on China are *Will the Boat Sink the Water?: The Life of China's Peasants* by Chen Guidi and Wu Chuntao (Public Affairs, 2006) and *The Coming Collapse of China* by Gordon Chang (Random House, 2001). I read the former last year, while I was working in East Timor. I have not yet read Chang's book, but I heard him in an interview a few days ago on CNN's *Lou Dobbs Tonight*. Both books describe the dire state of China's rural population. Here are comments on the books from Amazon's web page.

Reviews of Chang's *The Coming Collapse of China*...

From Amazon.com: From 1978 through the mid-1990s, China had the fastest-growing economy in the world, and it appeared poised to dominate Asia, and beyond, in the near future. But after focusing on facts rather than theory and looking at the conditions behind the spectacular numbers, Gordon Chang presents the People's Republic as a study in wasted potential: "Peer beneath the surface, and there is a weak China, one that is in long-term decline and even on the verge of collapse. The symptoms of decay are to be seen everywhere." For a nation that has always taken a long view of history, time is quickly running out. Chang believes China has about five years to get its economy in order before it suffers a crippling financial collapse – a timeline he seriously doubts can be met.

By failing to complete its reformation, China has maintained an illusion of progress, Chang explains, but in reality has caused more problems than opportunities for would-be entrepreneurs and foreign investors. Because reform has not been fast enough or comprehensive enough, China is unable to benefit from its

modernization or keep up technologically with much of the world. The government's reluctance to get rid of state-owned enterprises has not only rendered China uncompetitive just as it prepares to join the World Trade Organization, but is causing the banks – which were forced to lend money to SOEs [state-owned enterprises] – to fail alongside them. Widespread unemployment, corruption within the Communist party, millions of resentful peasants, and a general lack of leadership further threaten stability. The Communist party "knows how to suppress but it no longer has the power to lead," Chang writes, arguing that the party is maintaining control only through the use of brute force and the people's instinct for obedience--popular support that could deteriorate as soon as the economy plunges. Simultaneously, societal ills such as gambling, drugs, and prostitution have become huge problems.

Stuck between Communism and capitalism, "China is drifting, unwilling to go forward as fast as it must and unable to turn back." It is uncertain what will be in the way when the giant finally falls. – Shawn Carkonen

From Publishers Weekly: Predicting the rapid fall of the Communist government, Chang, counsel to an American law firm in Shanghai and freelance journalist with the *New York Times*, the *Asian Wall Street Journal* and elsewhere, attempts to support his prediction by discussing a number of phenomena in China: the volatile discontent of political minorities and the unemployed; the futility of state-owned enterprises and industrial policies; the vulnerability of the private sector and the WTO economy; the threats the Internet poses to party censorship; the dangers lurking behind the banking system; and the failing role of Marxist ideology. By maintaining power at all costs and suppressing dissent, the regime, Chang says, has jeopardized the economy and Chinese society at large. His adept business policy evaluation and socioeconomic criticism ("Party cadres... insist on

commanding as if they still had a command economy") connect names and anecdotes with otherwise abstract social ills. But his success ends there, for his sweeping historical analyses and social forecasts falter. "Today the people no longer want Mao's revolution or the party that administers it. And so the People's Republic is going to fall, just like its predecessors," writes Chang, hastily recounting the quick endings of the Qing Dynasty and the Kuomintang. His invocations of the "power of the Chinese people," or of an imaginary individual who will one day "end the Chinese state as it now exists," read more like political soap opera than judicious analyses. Preoccupied with such rhetorical (and often highly cynical) flourishes, he fails to pay adequate attention to something that would have better supported his predictions: the imminent intra-Party power turnover in 2002. Chang needs more than denunciations and calls for change to support his bold prophetic claims. Copyright 2001 Cahners Business Information, Inc.

Reviews of Chen / Wu's *Will the Boat Sink the People?*...

Startling examination of life in rural China, February 8, 2007

Reviewer: Rolf Dobelli (Luzern Switzerland)

This short book should be an excellent antidote to the hype about China's economic resurgence and strength. We recommend Chen Guidi and Wu Chuntao's frank, unvarnished account of peasant oppression and misery. Since peasants are the majority of the Chinese population, the system described here is China's true governance. The accounts of peasants suffering under local officials' tyranny are unsparing and quite moving, but the book is particularly valuable for its insights into how weak and ineffective Chinese laws and regulations really are. At the local level, laws clearly mean little against political connections and power. The danger is that this disparity could provoke another revolution in China.

Critical information for the serious China hand, January 3, 2007
Reviewer: Scott W. Galer (Rexburg, Idaho)

I agree with John Pomfret, who concludes that this is one of the most important books to come out of China in a long time. I am a China specialist who regularly spends time in both urban and impoverished rural areas of China. This book provides excellent anecdotal examples of some of the sacrifices that China is making to modernize. These sacrifices are manifesting themselves in many ways: displaced workers, lost arable land and displaced farmers, corruption, increasing urban-rural income gap, etc. The book was originally published in China under the title *Zhongguo nongmin diaocha* (*An Investigation of Chinese Peasants*). The book has since been banned in China. This translation will seem somewhat "foreign" to the non-Chinese speaker, but it is accurate and reflects the original language.

Heartbreaking, terrifying, but IMPORTANT, October 29, 2006
Reviewer: Katie Larsen "TripleBottomLine" (China)

This book is heartbreaking, terrifying, but important for anyone dealing with China to read.

It spells out very clearly the political and social dynamics at the village and township level through story after story. Only, the even more depressing aspect is that there are many more stories than just those in the book.

The writer helps us understand some of the callous bribery and corruption that is undertaken by corrupt local officials against those Chinese citizens who can bear it the least, poor peasants. It also shows the courageous efforts undertaken by some peasants to achieve basic justice, and be able to get on with their lives.

To anyone working in business in China this book is essential, to understand both the dangers to you in getting in to deals, and to those with a conscience, the potential impacts on others of partnering with less than ethical officials.

For anyone working in development issues in China this book is essential.

For anyone working in CSR and ethical sourcing in China, this book is essential to help you understand where workers come from and why, and what might help them when they go back home (education – the power of being able to read and write).

The only heartening aspect of this book is that it sold so well, and with movements like the new Harmonious Society campaign, maybe it was listened to by some at the top.

To those outside China, all the more reason to press and support China in continuing to improve the rule of law, and free access to education at the rural level.

A Book on the Underside of China, August 19, 2006
Reviewer: John Matlock "Gunny" (Winnemucca, NV)

There have been a large number of books lately prophesizing that China is going to be the world's next superpower. It is, of course, possible that that's true. China is rich in people, has a rather centralized language, and people are accustomed to working hard. These books universally predict that China's 1,237,000,000 population will lead the world in many areas.

This book is based on a series of interviews among China's peasants. It shows the warts in the back end of the system. There is corruption, heavy taxes, unemployment, dissatisfaction with the ruling powers. Local rulers seem to not report the truth up the

chain of command. In short all of the things that typically make a country ready for revolution.

Even if they do not have a revolution, the future of China will have to take into account that there is a substantial block of 900,000,000 to a billion people that are not among the city living, educated, elite.

Russia chose to relax political freedom while holding tightly on to the industrial power. China chose the reverse option. It will be interesting to watch over the next few years.

[End of Amazon reviews.]

As mentioned in the 8 February 2007 edition of *Lou Dobbs Tonight*, Russia is building up its military power: “Meanwhile, Russia embarks on perhaps the biggest military buildup since the Cold War, rivaling the old Soviet army for combat readiness. A modernization worth about \$190 billion, ordering new intercontinental ballistic missiles, nuclear submarines, possibly even aircraft carriers.”

The news is filled with reports that China is blowing us away economically, and is building up militarily. What is likely to happen? Well, what is likely to happen is that China – along with the rest of the world – will in fact continue to grow economically and militarily. Then, as global petroleum production starts to decline (which will happen very soon), global war will begin. Initially, those wars – and they will be local conventional wars, not global nuclear wars – will be fought over “supply,” as the current war in Iraq. But very soon, world leaders will realize that the supply is diminishing fast, whereas human population is still exploding, and they will move to decrease the *demand*. The only way to do this is to reduce human population, and the population reduction will most likely come about through war.

Unindustrialized countries without oil, such as most countries of Africa, Asia and South America, will be ignored, and simply starve. Economic development aid will evaporate, as soon as the West's leaders realize that, without more oil, there is no need for more economic development. In the past, less-developed countries possessing oil were allowed to sell it to the West, and the West got the petrodollars back by massive infrastructure development projects in those countries (e.g., Saudi Arabia – see John Perkins' *Confessions of an Economic Hit Man* for discussion of this strategy). For a while, such countries will be safe. Eventually, however, there will not even be sufficient oil to support the infrastructure development projects in exchange for the petrodollars, and at that time, the West will simply take the oil, with token payments to cruel local leaders who will sell their countries' birthrights in exchange for personal enrichment. This will happen, for example, in less developed countries possessing oil, such as Nigeria and Indonesia. Nigeria's 140 million people and Indonesia's 220 million will quickly starve to death, despite their oil riches. Oil-producing countries with large populations will have those populations destroyed (by war or starvation), or the economy destroyed, to free the oil for more economically productive use by the West, if they cannot contribute significantly to the West's economic enterprise.

As the industrialized countries compete for less and less oil, they will seek to achieve even further reductions in demand, by attacking each other. That is when the global nuclear wars will begin. At that time, all of China's major cities will be destroyed by ballistic missiles carrying nuclear bombs. If the US has no large-scale missile defense system, it, too, will be destroyed at that time.

China's future, in my view, has little to do with its "two-economy" system. The lamentations of Chang, Chen and Wu are

irrelevant. It does not matter that the China's people suffer terrible hardships. The Chinese elite have a several-thousand year history of cruel repression of their people. There will be no peasants' revolt to bring China's leadership down. In my view, China will be destroyed by global nuclear war, not by an internal revolution.

US Guestworker Program Already in Place

President Bush has been pushing for a "guestworker" program to allow illegal aliens to remain in the United States. Since most US citizens are very much opposed to the idea, Congress has been reluctant to put such a program into place, even though the wealthy elite who control the country want it (they want *any* program that increases US population, since that generates more wealth for them). Since Bush can't get his way by means of a recognized, legal guestworker program, he has been creating one behind the scenes.

This subject has been discussed recently on CNN's *Lou Dobbs Tonight* television program. The number of H1B visas granted to skilled workers used to be 30,000 per year. In recent years, the number of H1B visas authorized has grown to 85,000 almost triple that of just a few years ago. What is more, it has now been discovered that the US Citizenship and Immigration Service has been ignoring the legal limits, and has been approving far more H1B visas than authorized. For example, 130,497 were approved in 2004.

The President of the United States, George Bush, took a vow under the US Constitution to protect the country from illegal invasion, yet he aids and abets the invasion of the country by tens of millions of illegal aliens. He is guilty of gross dereliction of duty and high treason. The Congress is required to obey the law,

which permits no more than 85,000 H1B visas. This is supposed to be a country that abides by the “rule of law,” but it is not. Its leaders flagrantly flaunt the law, and yet they are not taken to task. The end is nigh for the United States.

Here follows an excerpt from the 26 January 2007 *Lou Dobbs Tonight* reports.

From the 26 January report...

DOBBS: The United States citizenship and immigration service finally released its report to Congress on the H1B guest worker visa program. But Congress still hasn't seen fit to release that report to the public, perhaps because the numbers are much higher than the government has authorized.

Bill Tucker reports.

(BEGIN VIDEOTAPE)

BILL TUCKER, CNN CORRESPONDENT (voice over): The number of H1B visas an existing guest worker program for skilled workers is capped by Congress at 65,000. Another 20,000 foreign students who graduate from American universities with advanced degrees are also eligible for the visa.

That's 85,000 visas a year. But the United States Citizenship and Immigration Service approved 116,927 applications in 2005. It approved 130,497 in 2004.

The reports in 2004 and 2005 were not released until November 20th of last year. A release date that activists find disturbing.

JOHN MIANO, ATTORNEY: I think it's odd that it occurred after the election. Somewhat suspicious that while there were bills

pending to have an H1B increase, that the information about the actual numbers of H1B visas was not available.

TUCKER: A spokesman for USCIS admits the reports were late, but he calls the oversight "honest," explaining that in the transitions from INS to the Department of Homeland Security they neglected to file the reports.

"We notified the oversight by a member of Congress. They quickly produced the reports."

Some critics see a pattern.

RON HIRA, ROCHESTER INST. OF TECHNOLOGY: There's been a pattern by the administration to -- to keep, you know, this data that they don't particularly want out bottled up, and we've seen this with the Commerce Department offshoring report, and we've seen it in other areas like NASA (ph) and the like.

TUCKER: And there is intrigue. These reports were obtained by LOU DOBBS TONIGHT, not off a Congress Web site, not from the House Subcommittee on Immigration, but off the Internet, where activists are distributing them by e-mail. (END VIDEOTAPE)

TUCKER: The reports are real. USCIS acknowledges publishing the reports and giving them to Congress in late November. But USCIS says it's not their job to distribute the reports to the public, that's up to Congress.

And, you know, Lou, it may serve in the congressional interests to not make the report widely available to the public, because there are some disturbing facts in that report, and Congress is about to take up debate on doubling that program again sometime this next couple of months.

DOBBS: Well, if they are going -- permitting -- I mean -- I mean, it's just mind-boggling. The program is under such intense criticism.

TUCKER: Right.

DOBBS: Just allowing employers to go over by 40 percent over the quotas, more than that, in point of fact, 40 to 70 percent, without effect -- the USCIS does not explain why it's not enforcing it, doesn't have the information, and is holding information back. And now Congress as well?

TUCKER: It gets better, actually, Lou, because when you talk to USCIS, they say, "It's not our responsibility to issue the visas. That falls to the State Department. We just approve the petitions."

DOBBS: And the relationship, of course, between the petition and the -- I mean, this is -- if the American people have not figured out that there is a corporatist agenda at work in this administration and throughout the bureaucracy, then I don't know what more we could possibly report.

And this Congress, whether Democratically controlled or not, has an absolute responsibility to ask, why aren't immigration laws being enforced? Why aren't the laws passed by this Congress being enforced? And the American people need to ask why does neither Congress nor the executive branch fulfill their duties, their constitutional duties?

It is remarkable what is happening in this country. It is on the verge of tragic.

Bill Tucker, thank you very much.

[End of excerpt from *Lou Dobbs Tonight* 26 January report.]

Remittances by Illegal Aliens

It is estimated that each immigrant to the United States – legal or illegal -- destroys about one acre of natural land, through the resultant conversion of it to homes, roads, parking lots, schools, hospitals and other infrastructure. That is not the only damage cause. They are a constant and substantial hemorrhage to our economy. It is estimated that last year, illegal aliens remitted about USD45 billion to their home countries.

The US government is not concerned about the remittances. In fact, not too long ago our Treasury Department simplified procedures for banks and other organizations to help illegal aliens send money back to their home countries.

The 30 January 2007 edition of CNN's *Lou Dobbs Tonight* discusses this situation.

DOBBS: About \$45 billion was sent to Latin American from this country last year. Much of it originating from the hands of illegal aliens.

And some border states tonight have decided to propose taxes on those so-called remittances. They're planning to use the additional money to help secure their borders with Mexico.

Casey Wian has the report.

(BEGIN VIDEOTAPE)

CASEY WIAN, CNN CORRESPONDENT (voice over):
Immigrants ins Texas send more than \$5 billion home to Latin

America each year. Most of that is money earned by illegal aliens. Now Texas lawmakers are proposing a 10 percent tax on those remittances. They want to use the proceeds, an estimated \$500 million annually, primarily for border security.

DAN PATRICK, TEXAS STATE SENATE: The illegals are costing our state and our country billions of dollars. And we've got to be able to access to help pay for some of this while we're securing the border, which the feds aren't doing a very good job of.

WIAN: Remittances to Latin America are growing at an alarming rate. The Inter-American Development Bank estimates immigrants in America sent \$45 billion home last year. An increase of 51 percent since 2004.

More than half of the money goes to Mexico. Twenty-five billion dollars that helps prop up Mexico's shaky economy and drains capital from border states like Arizona, the nation's most popular illegal alien entry point. Some lawmakers there want to require immigrants to prove they have legal status and have paid taxes before they can wire money home.

RUSSELL PEARCE, ARIZONA STATE HOUSE: Unless you can prove you paid taxes on it, you are not sending it out of country. It is about time we do something. I think this bill is a good start to recognize, again, those folks who that are sending money out of this country, in most case don't even belong here.

WIAN: The ACLU opposes efforts to restrict illegal alien remittances, saying it would cause people to favor informal ways of moving money instead of using mainstream financial institutions. And even supporters of state remittance crackdowns can see there are gray areas, including potential conflicts with federal jurisdiction over international commerce.

(END VIDEOTAPE)

WIAN: That's why pro-border security lawmakers here in California say they're not considering a tax or a crackdown on illegal alien remittances. Instead, they're proposing a thousand-dollar annual fine on employers for every worker they hire with an invalid Social Security number -- Lou.

DOBBS: How much, five?

WIAN: A thousand dollars for every worker they hire who has a mismatched Social Security number, and that would add up quick.

DOBBS: It would, I suppose. But it would be also just the cost of doing business for most of the illegal employers of these illegal aliens. You know, I have to say, it's somewhat ironic, Casey, when you talk about the tepid support for any sort of response to this issue in California, which has basically simply raised a white flag, if you will, over the whole issue of illegal immigration and border security.

WIAN: Absolutely. And the remittances from California -- we talked about Texas and Arizona, who are trying to do something about it. California sends almost three times as much money home to Latin America by illegal aliens, as does Texas. So, you're right, this state, in many respects, has raised a white flag, at least on this issue -- Lou.

DOBBS: And they're banning spanking there as well in California, aren't they?

WIAN: Well, they're talking about it, but I'm not sure it's going to get through.

DOBBS: We love to watch what happens in California, if not

leading (ph), at least amusing.

Thank you very much.

Casey Wian.

[End of Lou Dobbs excerpt.]

The hypocrisy of the US government is something to behold! It knows that most Americans are fed up with illegal immigration, but it wants it to continue because it helps make the wealthy elite wealthier. So it keeps pretending to be trying to stop illegal immigration, when it is in fact encouraging it. It encourages it by offering free educational, social, health, and economic benefits to illegal aliens. It pretends to be trying to stop illegal immigration by conducting various sham programs, such as the “catch and release” program and the efforts to jail border agents who attempt to stop them with force. It must think that most Americans are total idiots, not to see through this hypocrisy. It really insults their intelligence! In the case of this latest proposal (the \$1,000 fine per illegal alien for employers), it is pretending that a \$1,000 fine per illegal alien represents a real attempt to dissuade employers from hiring illegal aliens. Employers of illegal aliens make thousands and thousands of dollars in benefits from illegal aliens – the difference between the wages that they pay to them and what they would pay to legal workers. A reasonable fine would be double or triple this estimated difference, not a \$1,000 “slap on the wrist.” If you throw trash on a state highway, you will be subject to a \$1,500 fine. A \$1,000 fine for hiring an illegal alien, who is destroying our country, is a joke.

The Continuing Saga of the Border Patrol Agents

Most people have been following the farcical saga of the two US Border Patrol agents, Ignacio Ramos and José Compean, who have been sent to prison for shooting an illegal-alien drug smuggler. The US government is pretending to stem the flood of illegal aliens across the US-Mexico border, by manning it with Border Patrol agents and National Guardsmen. They are, however, forbidden to fire upon invading aliens, unless the aliens fire on them first. As a result, thousands of aliens cross the borders illegally every day, since they know that they will not be fired upon.

It is worse than that. The Border Patrol agents are required to give up a chase of an illegal alien if he does anything illegal, such as speed, or run a traffic light. They are required to call back to headquarters to obtain permission to continue pursuit. As a result, all an illegal alien has to do is speed away or run a stop light, and he is gone!

In the Ramos/Compean case, the officers fired upon an illegal-alien drug smuggler. This is against the rules. The US government then granted the illegal-alien drug smuggler immunity from prosecution for testifying against the two agents. As a result, they were convicted of not following correct administrative procedures, and have been sentenced to jail for terms of 11 and 12 years. Furthermore, the illegal alien is now suing the US government for five million dollars over the incident (his wound was a minor flesh wound).

Many people are outraged that the US government has jailed its Border Patrol agents, and let the drug smuggler go free. Many have requested President Bush to right this wrong, by granting the two agents a pardon. He refuses to do so.

Quite some time ago, it was pointed out that the two agents would be harmed if they were sent to prison, since a large percentage of

the prison population is illegal aliens – the very group they worked to imprison. For this reason, it was requested that the agents be allowed to be free on bail, pending an appeal. This was refused.

The plot thickens. In order for an appeal to be made, the appellate court requires a transcript of the original trial. But no one, it appears, is able to produce a transcript. Hence it is not possible for the appeal to proceed. And since the sentence was so severe, the government decided that it was not possible to let the agents remain free pending their appeal.

It was reported a few days ago that, as predicted, one of the imprisoned Border Patrol agents was severely beaten by other inmates. As they kicked him viciously, they screamed, “La Migra,” and “dale” (give it to him).

It is one thing for the government to operate a sham “border control” program in which the Border Patrol agents are forbidden to take any effective action to stop the illegal aliens. But to then give harsh prison terms to hapless agents who, in their enthusiasm to uphold the law, proceed to use force to defend the borders, is just too much. The President of the United States and many senior officials and legislators are bound by the Constitution to defend the country from invasion. They refuse to take any effective action to do so, and they are therefore guilty of high treason. By all rights, they should be on trial for high treason. But instead, they are imprisoning the Border Patrol agents who are trying to uphold the Constitution and repel the alien invasion.

Here follows an excerpt from the 6 February 2007 edition of CNN’s *Lou Dobbs Tonight*.

DOBBS: Outrage tonight over the beating of former Border Patrol agent Ignacio Ramos. Ramos was assaulted in federal prison Saturday evening by a group of men. His family is simply

devastated. Lawmakers are angry and outraged, and the Bush administration is ignoring please for justice.

Casey Wian reports.

(BEGIN VIDEOTAPE)

CASEY WIAN, CNN CORRESPONDENT (voice over): Monica Ramos expected a phone call Monday to celebrate her husband's birthday, but when former Border Patrol Ignacio Ramos called from prison, where he's serving an 11-year sentence for shooting and wounding an illegal alien Mexican drug smuggler, this is what she heard...

MONICA RAMOS, WIFE OF IGNACIO RAMOS: "Monica," he says, "they got me. They got me good."

And I said, "What are you talking about?" He told me that he had been beaten up on Saturday night. I said, "You were beaten up?" And he just said, "Yes, I was."

WIAN: After watching an episode of "America's Most Wanted," focusing on his case, Ramos went to bed in his cubicle at the lower- security facility in Yazoo City, Mississippi.

RAMOS: At about 10:00, he was awoken to stomping of like -- they were wearing steel-toed boots. He could hear them running into his cubicle. They just repeatedly kicked him and cursed him in Spanish. Calling him (SPEAKING SPANISH).

You know, "Give it to him. Give it to him." And he said he just -- he couldn't move. He was outnumbered.

WIAN: A prison spokesman confirms Ramos reported the assault and sustained what the prison calls minor bruises and abrasions.

Ramos has since been transferred to a special housing unit away from the general prison population while the assault is under investigation.

About 20 percent of inmates in federal prisons are illegal aliens. If those numbers hold true for the Yazoo City facility, about 350 illegal aliens, plus an unknown of drug dealers, were sharing space with a former Border Patrol agent convicted of shooting an illegal alien drug smuggler.

For weeks, lawmakers have warned that Ramos and fellow agent Jose Compean would be in danger if sent to prison.

REP. TOM TANCREDI (R), COLORADO: Saying, "I told you so" doesn't help anybody. It certainly doesn't help the family. It doesn't help Mr. Ramos.

All you can do is put there on the weight. Add to the weight of things that you have actually given the White House already as for reasons why they should be pardoned.

TONY SNOW, WHITE HOUSE PRESS SECRETARY: We want to be careful about issuing pardons, and we're trying to be careful about the facts, which is why the Department of Justice is in the process of trying to get full transcripts of the trial of agents Compean and Ramos so you and everybody else who are willing to ask questions about this will be armed with facts.

WIAN: Congressman Duncan Hunter wrote President Bush Tuesday demanding an investigation into the attack and consequences for Bureau of Prisons officials who failed to protect former agent Ramos.

(END VIDEOTAPE)

WIAN: One factor, Ramos chose to be housed with the general prison population instead of in protective custody so he could maintain regular contact with his family. Monica Ramos, his wife, also says she and her husband believed he would be housed with nonviolent offenders. Obviously that turned out not to be the case -- Lou.

DOBBS: And we should point out that he made that choice before being sent to this prison.

WIAN: Absolutely.

DOBBS: Thank you very much, Casey.

Casey Wian.

Joining me now with more on this case is our senior legal analyst and former prosecutor, Jeffrey Toobin.

Jeffrey, thanks for being here. And let's go through this.

Let's start with, first, the fact that federal officials put him into a general population with the very people that he was defending the country against -- known convicted drug smugglers, illegal aliens. I mean what the -- what in the world is going on?

JEFFREY TOOBIN, CNN SR. LEGAL ANALYST: It's dangerous to be a law enforcement official in prison. That's something everyone knows. Unfortunately, they have some experience with that. But the prisoners themselves have a difficult decision to make, because do they take the risk in general population, or do they live segregated, which is a very difficult existence in and of itself?

DOBBS: Well, let's go to a number of other issues, because we

had a number of congressmen warning that precisely this would happen. It has happened. We have got at this point a tepid response, at best, from the administration.

Let's go to some of the facts.

One, because White House Press Secretary Tony Snow said we're waiting for full transcripts so that we'll all be armed with the facts, I'm sure that if Mr. Snow would be so kind, he could watch this broadcast and learn a lot of the facts. And by the way, that prosecution was made by the executive branch's Justice Department. So if he wanted facts, the president could have them instantaneously.

Why in the world are we waiting on a transcript nearly a year after the end of the trial?

TOOBIN: This is bizarre. Perhaps not a phrase we want to use today, but it is not rocket science to produce transcripts. Every trial has a court reporter.

DOBBS: Right.

TOOBIN: You can't have an appeal before you have the full transcript. I mean, it's simply inexcusable not to have transcripts this late after a trial.

DOBBS: Ten months later, an appeal is being held up, the effectiveness of it. The fact is that the public doesn't have access to that. We don't have access to it. We can't even get it through Freedom of Information or any other way because this idiotic system will not give us the transcript of a trial that is so controversial.

TOOBIN: Well, and -- you know, the justice system stops in its

tracks, because an appeals court can't evaluate a trial until they can read what happened. So it is totally unexpected. I've never seen this long for a transcript.

DOBBS: Well, let's go to a couple of other issues.

These men are in prison. Ignacio Ramos paying a price today -- or over the weekend. Why in the world aren't these men free on bail?

TOOBIN: The way judges look at the question of bail -- bail in general is -- they look at risk of flight and danger to the community. Clearly, under those two areas, both agents are not risks. They're not going to go out, hurt anybody else, and they are rooted in the community.

The problem is, they are already sentenced to long sentences, and in those circumstances, judges feel there's a presumption against bail-pending appeal. This was a close one. And they lost out.

DOBBS: Absolutely.

And let's go to the issue of the fact that part of this is the request for a hearing because three jurors said they were coerced by the foreman in this trial to come to their decision. Why no hearing? Why no further exploration about it?

TOOBIN: Well, that's a lot of jurors to feel -- to feel coerced, to have potential juror misconduct. You know, just because jurors say they felt coerced, that's no guarantee that a trial will be overturned. But it does seem like it's grounds for a hearing, but you can't have a hearing until you have a transcript.

DOBBS: And so all of this is working very, very neatly and

conveniently from the prosecution's standpoint and from a very controversial prosecution standpoint against the interests of Ignacio Ramos and Jose Compean.

TOOBIN: They're locked up. The Justice Department has won. So they're in no hurry to resolve this.

DOBBS: And apparently Tony Snow at the White House thinks the world fools, suggesting that everybody just continue to wait for a transcript. The arrogance of the U.S. Justice Department, the U.S. Attorney in this case, Johnny Sutton, in the way in which they have come forward not telling the facts -- one of the facts that we should go through, they have said that they had no choice but to give this drug smuggler immunity to testify. And they have not explained why they took the word of a drug smuggler and an illegal alien over two sworn officers.

In point of fact, the drug smuggler was granted immunity -- to be very precise, I'm going to put on my glasses here, Jeffrey -- on March 16, 2005. According to the Department of Homeland Security inspector-general memo, the smuggler admitted to a Border Patrol agent some time on or before March 10th, six days before that immunity was granted, that he was smuggling a load of marijuana on the day he was shot. And "... that the smuggler's friends ostensibly drug cartel members, were considering to put together a hunting party and go shoot some BP agents."

TOOBIN: What -- what they mean by forced to give them immunity is they had to give him immunity in order to make him a witness. They didn't have to use him as a witness, they didn't have to bring the case. If they wanted to bring the case, and if they wanted to use him as a witness, then they had to give him immunity because he was taking the fifth. And given all the criminal activity he was involved in, he was well advised to take the fifth.

DOBBS: But six days before they give him immunity, he admitted to a Border Patrol agent that he was unlawfully transporting illegal drugs.

TOOBIN: This is why prosecutors have so much power, because no matter what kind of criminal activity is admitted by someone, they can give immunity and wash all of those sins away if they think the prosecution is important enough. And apparently they thought this one was.

DOBBS: Partner, let me just ask you as a former prosecutor, a bright and capable lawyer, as well as our senior legal analyst, does this prosecution make one wit of sense to you?

TOOBIN: It's one of the most unusual prosecutions I've ever seen. Under these circumstances, in these facts, I am baffled why this case was brought. But, you know, a jury came back with a guilty verdict.

And it's -- and that's very tough to get overturned. I mean, whether an appeal or pardon. The chance is -- the chances are slim.

DOBBS: It's incredible. It's one of the reasons Capitol Hill and most of the country -- I won't say most of the country, but those who know about this case are absolutely fit to be tied.

TOOBIN: It's a tough one.

DOBBS: Thank you, Jeffrey Toobin. That wasn't particularly legalese. I think you were very straightforward on that.

Thank you, sir.

TOOBIN: I try to keep the legalese to a minimum.

DOBBS: Thank you, sir.

Jeffrey Toobin, who can legalese with the best of them.

[End of *Lou Dobbs Tonight* excerpt.]

On the 8 February 2007 edition of *Lou Dobbs Tonight*, Lou Dobbs pointed out that if the US prosecutor was willing to grant immunity from prosecution to an illegal-alien drug smuggler, why did he not grant it to pursue a serious crime against the US, such as the Mexican drug cartel for whom the drug smuggler was working. Instead, he chose to grant immunity to this person in order to pursue charges against border patrol agents who, although they may have erred in following administrative procedures, had exemplary employment records and who were in fact performing a good service to the US – defending its borders and pursuing an illegal-alien drug smuggler.

The US government granted immunity from prosecution to the alleged enemy – an illegal alien and a drug smuggler, in order to prosecute its own law enforcement agents. Why would any government commit such a horrific act? It is obvious if you “look for the money.” First, the US government *wants* illegal immigration to continue, because it makes the wealthy elite wealthier. Second, the US government *wants* the illegal drug trade to continue, because it feeds a multibillion-dollar antidrug industry, that includes much of the judicial system (law enforcement officers, lawyers, prison operation) and private industry (prison construction and operation, lawyers, rehabilitation operations).

The US government has sent a clear message to all of its law-enforcement officers. Pretend to be protecting the borders, but in

fact do not. If you act aggressively against illegal aliens, then you will go to prison. This concept holds not just for the federal government, but for state and local governments as well. Police in most major cities, such as Los Angeles and Atlanta, for example, are forbidden to enquire about the immigration status of people they question or arrest.

The US government is not only guilty of treason in not enforcing the Constitution's requirement to defend the country from invasion, it is hypocritical to the point of stupidity: It is obvious to everyone that all of its actions to defend the borders and stem the flow of illegal aliens is a sham, and it aids and abets illegal aliens by offering them free educational, social, medical and economic services. Over the past 42 years, since passage of the Immigration Act of 1965, the US government has increased the US population by about 100 million people, most of them from alien cultures. These immigrants are destroying US culture, quality of life of the US middle class (from overcrowding and job competition), and environment (the destruction of 100 million acres of natural land converted to urban infrastructure / living space). The US government is destroying the country, solely to generate increased wealth for the wealthy elite. It is venal, corrupt, and evil, and it will not long endure.

Here follows an excerpt from the February 8, 2007, edition of *Lou Dobbs Tonight*.

DOBBS: Another high-profile and controversial prosecution. This one under attack by dozens of congressmen. They're seeking justice for Ignacio Ramos and Jose Compean.

We're joined now by two of those congressmen: Congressman John Culberson, Republican, Texas, Congressman Ted Poe, Republican, also Texas.

Gentlemen, good to have you with us.

REP. JOHN CULBERSON, (R) TEXAS: Thank you, Lou.

REP. TED POE, (R) TEXAS: Lou, good to be with you.

DOBBS: This looks like a clear case the Department of Homeland Security directly lying to you gentleman.

CULBERSON: Unfortunately, that's true. They lied it my subcommittee. They lied to all four of us, didn't they, Ted?

POE: Yes.

DOBBS: Congressman Poe, you're a former judge. What is -- how could this possibly happen?

POE: Well, it did happen. We met with the bureaucrats. They told us they had evidence that Compean and Ramos plotted and conspired that day to go out and shoot Mexican nationals. And they -- that's just a fabrication. That never happened.

So we asked for the documents. Those documents never appeared over four months. And finally through the Freedom of Information Act we were able to get certain documents that didn't substantiate what the government says occurred.

CULBERSON: And then in testimony before my subcommittee day before yesterday, Lou, I had Richard Skinner, the inspector general, in front of me under oath. And I asked him directly, "Where are the documents, and is it true what your investigators told us?"

And he said, "I'm sorry, Congressman, we misled you."

DOBBS: I mean, how can the inspector general of the Department of Homeland Security -- is there any sort of repercussion? The fact that -- did they explain where they got that information or did they have any source for it or it was made up out of old cloth?

POE: The old double talk about where it came from. But it was a fabrication. And it's interesting, Lou, this whole case has to do with so-called cover up, misinformation by the Border agents. It turns out the federal government is the one that's giving this information about the whole case.

DOBBS: You know, I want to just share this with our viewers. The I.G. told you and Johnny Sutton has said -- the U.S. attorney for the Western District of Texas has said that these men admitted that this drug dealer didn't have any kind of weapon. His statement on the 19th of March, 2005 -- and this is from Jose Compean: "When he was running, he was pointing something shiny with his left hand. It looked like a gun. That is when I started shooting."

How in the world with this information in front of the public can this kind of thing be tolerated?

POE: It can't be tolerated and have to be some consequences for the government mis -- giving misinformation, not telling the truth about the real facts of a criminal case, hiding evidence, dealing with drug dealers in back rooms. We want to get to the bottom of all of this and those people that are responsible for misinformation, they're going to be held accountable.

CULBERSON: And, Lou, Congressman Poe and I are both beginning with asking for Mr. Skinner's resignation, the resignation of these three individuals that lied to us directly. This was given -- this false information was given to us so we would

quit pursuing this case, so we would believe these are rogue cops. And a terrible injustice has been done to these two Border Patrol agents and discouraged every other agent on the border from using their weapons in defense of themselves and this country. And that's a travesty.

DOBBS: This case really originated -- was driven by Washington, D.C. either at the -- obviously at the Justice Department level and at the DHS level. Do you -- do you, gentlemen have any idea why Johnny Sutton took on this case, ignored the drug cartel behind this drug dealer, who was given immunity, and prosecuted with such vigor, such relentlessness two Border Patrol agents who had distinguished records in service to the country?

POE: That is the question. Why was our government so relentless in prosecuting border agents?

If they were as relentless in protecting the border, the border would be protected. And so we're going to find out the motive behind all of this. It's really chilled the effect of border protection on the Texas-Mexico border and maybe that's the effect that somebody wanted.

CULBERSON: And, Lou, I can tell you in visiting with Border Patrol agents in Arizona and in Texas the week before last, they tell me that the word among agents, their opinion is -- and I tend to agree with it -- that this was a political prosecution pursued to placate Mexico public opinion and to help Vicente Fox's candidate in the Mexican elections. And I think that's outrageous. It's unacceptable. The effect of this prosecution has been to chill every agent, every law enforcement officer on the border to make them hesitate and think twice before they pull their weapon. And that is dangerous. DOBBS: You know, yesterday one of your colleagues, Congressman Dana Rohrabacher, he said that if one of these agents now in prison is killed, there will be

serious talk of impeachment. What's your reaction to that?

POE: In my own personal opinion, I don't think that is the answer to follow right now. I certainly don't. The border agents, we put the prison authorities on notice that they could be injured. And they were. You know, I was a judge forever. And prison people know how to take care of all inmates. That's one of the things they are taught. And they just disregarded simple procedures in protecting Ramos in this case. That's another question we want to find out the answer. To and they should be held accountable.

CULBERSON: I also -- agree with Judge Poe that this -- impeachment's not appropriate. I do think first of all we need to focus on making sure these two officers are given an appeal bond so that they can get out of prison until the appeal is complete.

And then secondly, Lou, I hope you'll encourage your listeners to contact the White House and ask the president to issue a full and complete pardon to both of these officers for the sake of the national security of the United States and the security of that border. We need to send a message to every law enforcement officer on the border, "We are as proud of you as we are of your soldiers in Iraq. And we want you to do whatever you think it needs to be done to protect yourselves and this country."

DOBBS: And those serving on the border are doing so with basically their hands tied behind their backs. And with this very clear statement by the U.S. Justice Department and the attorney general's office in Texas. They're basically saying that they would rather prosecute Border Patrol agents with distinguished records rather than bust drug cartels.

And as a matter of fact, gentlemen, we're going to be demonstrating why we think we can substantiate that very straight- forward priority here in just a few moments.

Congressman Culberson, Congressman Poe, we thank you both for being here, all that you are doing on behalf of these agencies, in truth, in justice, and I even believe in saying the American way. Because what has been pursued by this administration is, in my estimation, absolutely disgraceful. Thank you very much, gentlemen.

POE: Thank you, Lou.

CULBERSON: Lou, thank you for shining sunshine on this very important subject.

DOBBS: We try and we appreciate you doing exactly the same thing, and with your half making a difference.

CULBERSON: Thank you, sir.

DOBBS: We hope that justice can be arrived at here. We thank you for your efforts.

Coming up here next, we'll have much more on this case. And our senior legal analyst, Jeffrey Toobin, joins us. We're going to be analyzing exactly what in the world was the Justice Department thinking? You're going to find it shocking. I'll tell you, it is absolutely shocking.

And there are new concerns tonight about the U.S. military's use of helicopters in Iraq. And what are our enemies doing that we have not responded to? General David Grange will be here, one of the country's most distinguished former military commanders.

And what is the state of race relations in the United States? Michael Eric Dyson is the author of a provocative new book debating race. He'll be my guest here. Stay with us.

(COMMERCIAL BREAK)

DOBBS: For more now on the legal issues surrounding this Border Patrol agent case which I consider to be just a travesty of prosecution, we're turning to our senior legal analyst here at CNN, Jeff Toobin, former federal prosecutor, terrific attorney.

The idea of giving this drug smuggler, illegal alien, what's called limited use immunity to testify, what does that mean that the prosecutor could have done?

JEFFREY TOOBIN, CNN SR. LEGAL ANALYST: You know, Lou, when you think about the powers of a federal prosecutor, there really is no greater power that a prosecutor has than the right to give immunity.

Now, the technical legal phrase is limited use immunity, but it's not really limited use immunity. It's immunity. It means you can essentially waive the pixie dust over whatever witness you want and say, we're going to wipe the slate clean. We're not going to prosecute for you -- whatever you have done, in return for your testimony in the case. It's a huge power. You can say to a murderer, we're not going to prosecute you for murder because we want you as a witness.

It's done, but it has to be done very judiciously, and it has to be done in service of a case that's worth it.

DOBBS: Johnny Sutton, U.S. attorney's office in this case, with that powerful immunity, and it is clearly stated in the I.G.'s report, chose not, according to these affidavits, to ask that drug smuggler a single thing about the people he was meeting, the car that he was to meet, with a million dollars in drugs, the safehouse that he was supposed to go to, or anything about the drug cartel.

TOOBIN: See, this is where the power is so extraordinary. Because basically as a prosecutor, you get to say, I care about case A and I don't care about case B. I care about prosecuting these Border Patrol agents and I don't care about the million dollars in drugs. That's a judgment that is completely within the discretion of the prosecutor, but it's an incredible power, when you think of weighing which crime is more serious.

DOBBS: Which is the more serious crime and which would you rather have information about? Assuming there is any legitimacy whatsoever. I mean, this drug smuggler actually lied to investigators initially, which he admits.

TOOBIN: It's all over the papers that he lied.

DOBBS: And this -- and Johnny Sutton makes a decision not to ask about the drug cartel that was employing the source of the drugs? A million dollars' worth that he's bringing in from New Mexico?

TOOBIN: And he was in Mexico after the investigation began, and they have prepared letters to him. They basically -- they wrote letters to him saying, we promise we will not prosecute you for the drug involvement that you have in return for coming back to the United States and testifying against the two agents. So even more than the usual circumstance, where you simply have just immunity. Here you have this cross-border issue, where they said, come on back, you have nothing to fear.

DOBBS: It's incredible. And this judgment, in your -- let me ask you this. In your view, can that kind of judgment be substantiated in any way by a prosecutor?

TOOBIN: Well, this is the thing. The system leaves it to the

discretion of the prosecutor. The only remedy is through Congress and the pardon power, because there is no review of a decision to grant immunity.

DOBBS: Well, I'll conclude with my view on this, and you tell me if I'm wrong. If a U.S. attorney sitting in the state of Texas, or any one border state, takes the judgment and the word of an admitted, confessed, lying drug smuggler over distinguished Border Patrol agents, and then doesn't even attempt to find the source of those drugs and to find connections and the basis for stopping a drug cartel, somebody's out of their mind.

TOOBIN: Somebody needs to explain a lot better than they've done.

DOBBS: Jeffrey Toobin, thank you for being here.

[End of *Lou Dobbs Tonight* segment.]

US Treachery

The February 8, 2007, online issue of *Time* online ("Ahead of Time") presents an article about US treachery (the article is the cover story of the February 19, 2007, issue of *Time*). An Afghan warlord had agreed to visit the US to assist them in their war against terrorism, but when he arrived, he was arrested for drug smuggling, and now sits in jail awaiting trial in a US court. This is treachery of the highest order. It is worse even than pretending to honor a white truce flag, and then turning on the enemy. It is what the US did with Geronimo. It is not an honorable way to treat one's enemies.

The US is, at present, without honor in this incident. If it comes to its senses and releases the warlord, it can be resolved before it

becomes an incident that the Afghans will never forget nor forgive.

The US does not seem to realize that there is a spiritual dimension to war. That is why, for example, the Geneva conventions exist. There are rules of conduct to which honorable men subscribe, in every area of human endeavor, and especially in war. If the US uses treachery and deceit as a weapon of war, it will pay dearly for this.

Here follows an excerpt from the *Time* article:

Warlord or Druglord? By Bill Powell, Thursday, Feb. 08, 2007,

For a week and a half in April 2005, one of the favorite warlords of fugitive Taliban leader Mullah Mohammed Omar was sitting in a room at the Embassy Suites Hotel in lower Manhattan, not far from where the Twin Towers of the World Trade Center once stood. But Haji Bashar Noorzai, the burly, bearded leader of one of Afghanistan's largest and most troublesome tribes, was not on a mission to case New York City for a terrorist attack. On the contrary, Noorzai, a confidant of the fugitive Taliban overlord, who is a well-known ally of Osama bin Laden's, says he had been invited to Manhattan to prove that he could be of value in America's war on terrorism. "I did not want to be considered an enemy of the United States," Noorzai told TIME. "I wanted to help the Americans and to help the new government in Afghanistan."

For several days he hunkered down in that hotel room and was bombarded with questions by U.S. government agents. What was going on in the war in Afghanistan? Where was Mullah Omar? Where was bin Laden? What was the state of opium and heroin production in the tribal lands Noorzai commanded--the very region of Afghanistan where support for the Taliban remains strongest? Noorzai believed he had answered everything to the

agents' satisfaction, that he had convinced them that he could help counter the Taliban's resurgent influence in his home province and that he could be an asset to the U.S.

He was wrong.

As he got up to leave, ready to be escorted to the airport to catch a flight back to Pakistan, one of the agents in the room told him he wasn't going anywhere. That agent, who worked for the Drug Enforcement Administration (DEA), told him that a grand jury had issued a sealed indictment against Noorzai 3 1/2 months earlier and that he was now under arrest for conspiring to smuggle narcotics into the U.S. from Afghanistan. An awkward silence ensued as the words were translated into his native Pashtu. "I did not believe it," Noorzai later told TIME from his prison cell. "I thought they were joking." The previous August, an American agent he had met with said the trip to the U.S. would be "like a vacation."

Today, Noorzai, 43, sits in a small cell in the high-security section of Manhattan's Metropolitan Correctional Center, awaiting a trial that may still be months away. But whatever his fate, the Case of the Cooperative Kingpin raises larger questions about America's needs, goals and instincts in fighting its two shadow wars: the war on terrorism and the war on drugs. The question that continues to haunt U.S. policymakers in this long struggle is, When do you bend the rules for one to help the other? Afghanistan is where these two battles converge, as the runoff from the \$3 billion opium trade helps pay for the guns and bombs being deployed against U.S. and NATO forces.

Unlike Iraq, Afghanistan is a war fought backward, not a massive invasion on the front end but a minimalist effort that now demands a massive rescue operation. The situation in Afghanistan, a larger country with a bigger population than Iraq's, is so serious that the

number of U.S. forces in the country has jumped more than 50% in the past year, to 27,000, a much bigger surge in percentage terms than is being argued over for Iraq. There are six times the number of soldiers as in 2002 when U.S. forces were staking out bin Laden in Tora Bora. Only now the enemy is not just the Taliban and al-Qaeda but also the proxy army of warlords that the U.S. helped enrich and empower--an army that America once hoped would be critical in the struggle against terrorism.

It is in this context that U.S. officials argue over who's a friend, who's an enemy and how you can tell them apart. Drug enforcement officials claim Noorzai's capture as a major prize. Afghanistan is the world's largest source of heroin, and his arrest, says DEA administrator Karen Tandy, "sent shock waves through other Taliban-connected traffickers." But Noorzai was also a powerful leader of a million-member tribe who had offered to help bring stability to a region that is spinning out of control. Because he is in a jail cell, he is not feeding the U.S. and the Afghan governments information; he is not cajoling his tribe to abandon the Taliban and pursue political reconciliation; he is not reaching out to his remaining contacts in the Taliban to push them to cease their struggle. And he is hardly in a position to help persuade his followers to abandon opium production, when the amount of land devoted to growing poppies has risen 60%.

Valuable intelligence assets are seldom paragons, and the best are valuable precisely because they have traveled down the darker alleys and know where opportunities and danger lie. However unsavory the résumé, says Alexis Debat, senior fellow at the Nixon Center and an expert in counterterrorism in South Asia, "it is always a smarter move to leave someone in place as long as you are getting reliable information." Noorzai's story is both a symbol and an example of this critical debate over means and ends. In addition to speaking to Noorzai exclusively in a two-hour phone interview granted after a court hearing, TIME has

reviewed hundreds of pages of transcripts of secret meetings between him and U.S. government agents. They reveal an extraordinary saga of intrigue, espionage and, from Noorzai's perspective, betrayal. Awaiting trial in New York City, Noorzai says the U.S. and NATO forces occupying Afghanistan have made "a lot of errors." His arrest, he asserts, "was one of them."

The Devolution of Afghanistan into druglord-run provinces is a direct, if unintentional, result of five years of U.S. management of the Afghan war. When the U.S. invaded in October 2001, it was with a small number of mostly special-forces soldiers; the strategy all but ensured that the U.S. would have to outsource the messy and labor-intensive duties of maintaining order in a power vacuum. This meant using, and paying, the existing warlords to do the U.S.'s dirty work against Mullah Omar's Taliban and bin Laden's al-Qaeda.

Notwithstanding the fact that both men escaped, the plan appeared to work well enough at first. The U.S. never needed to increase the number of forces serving; instead it just paid off and armed the warlords. This temporarily slowed the opium traffic, since the U.S. payroll was more efficient, less risky and paid in hard currency. But when the flow of money slowed and the warlords returned to opium cultivation as the U.S. turned its attention toward Iraq, whole provinces were back in the drug business and officials in Washington began to be worried the Taliban would reap the benefit. If it were a sovereign state, just the southern province of Helmand--a Taliban stronghold--would be the second largest source of opium in the world. The rest of Afghanistan would be the first. "The drug trade," Debat observes, "is the blood of the insurgency in Afghanistan."

Today opium cultivation in Afghanistan is a growth industry. What crude oil is to the Middle East, poppies are to Afghanistan. A senior Afghan official estimates that 30% of the country's farmers

now grow poppies, while the U.N. estimates that the area under cultivation increased 59% in the past year. Experts suggest that the drug situation in Afghanistan is moving from one that was manageable to one that is verging on being out of control.

One of the beneficiaries of that growth industry, according to the DEA, is Noorzai. He inherited not only his land but also his trade from his father. Several sources in Afghanistan claim that Noorzai's father was a successful drug smuggler. "This was definitely the family business," a Western official says. The tribal chief's family had had its vicissitudes: the communists who ruled Afghanistan till 1989 had stripped them of their land, and the teenage Noorzai went off to fight alongside the mujahedin in their war against the occupying Soviet forces. After the Soviets left, Noorzai made several thousand dollars recovering Stinger missiles at the behest of U.S. agents. After the war, Noorzai allegedly returned to the family trade. By 1993 the DEA was describing Noorzai as a "wealthy heroin warlord and well-known drug trafficker."

When the Taliban came to power in 1996, according to the DEA, Noorzai reached the peak of his influence. While Taliban leader Mullah Omar's tribal background is not known, he was always reliably supported by the Noorzai tribe. Even when the ruling Taliban was cracking down on the opium trade, Noorzai's closeness to the regime allowed Noorzai to become one of just four big traffickers permitted to grow and process poppies, according to Jamil Karzai, a current member of the Afghan parliament and a second cousin of President Hamid Karzai's. In 1997, the DEA says, Noorzai's organization had successfully shipped 57 kilos of heroin, most likely through Pakistan and then Eastern Europe, to the streets of New York City. Noorzai denies all charges.

Noorzai's position as tribal leader was more than an honorific. Leadership is not simply inherited: while descent is important, a chief usually emerges by consensus, recognized for his military prowess, his charisma, and his skill with money and negotiation. Noorzai needed all those qualities when the world changed on Sept. 11, 2001. He immediately understood that the U.S. would retaliate and that the Taliban's days were numbered. That day Noorzai was at one of his homes in the Pakistani border city of Quetta, a two-story fortresslike structure. He left quickly for Afghanistan to prepare for the coming trouble and then returned to Pakistan just before the U.S. assault began. He was not wrong to sense personal risk: his closeness to Mullah Omar led to Noorzai's designation as a "high-value military target" by the U.S.

A month after the U.S. invasion, Noorzai sent word via one of his relatives, a man named Khalid Pashtoon, to say he wanted to meet with the U.S. military. It is a testament to either craftiness or desperation that Noorzai turned to Pashtoon, who despite the family tie was a key aide to a rival tribal chief who often clashed with Noorzai. But that enemy was one of America's chief allies in the south of the country. The seeming alliance did the trick. In November 2001, instead of being targeted, Noorzai was meeting with the Americans.

Noorzai has a flair for the dramatic gesture. In January 2002, to convince the Americans that he wanted to work with them and demonstrate not only his worth but his influence over his tribe, he delivered 15 trucks loaded with weaponry, including about 400 antiaircraft missiles, that the Taliban had concealed in his tribal villages. The gesture apparently had the desired effect. Over the next few months, Noorzai said he met with U.S. military and intelligence officers five times. The purpose, he says: "To make the situation in Afghanistan stable and also to help the Americans negotiate with the moderate members of the Taliban to reconcile with the [new] government."

Toward that end, Noorzai says, he played a critical role in delivering up the Taliban Foreign Minister, who had fled, like much of the leadership, to Quetta following the invasion. In February 2002, Mullah Wakil Ahmad Muttawakil's surrender made headlines around the world. Noorzai says he had invited his childhood friend to talk to the Americans, believing him to be the sort of "moderate" that Washington was seeking to work with. Noorzai says, however, that this would lead to his first betrayal by the Americans. Instead of incorporating his friend into the Afghan government, the Americans took Muttawakil to the U.S.-run prison at Guantánamo Bay. He would not be freed for 21 months. Noorzai was furious.

A second and similar incident followed a few months later. Noorzai says he had persuaded a former mujahedin fighter named Haji Birqet Khan, 75, who was close to the Taliban, to come out of hiding in Pakistan and meet with the Americans. But days after Birqet and Noorzai got together in Kandahar, U.S. attack helicopters swooped in and bombarded Birqet's home, killing him and two of his grandchildren. The U.S. claimed it had got wind of a plot by Noorzai and Birqet to attack American forces. Noorzai says that report was erroneous. "He was an innocent man, a tribal leader who had come back to help," Noorzai says.

Noorzai had seen more than enough. "I thought I would be next," he says. He ceased to aid the Americans and fled to Pakistan, where he stayed for the next two years.

In early 2004, however, Noorzai says, President Karzai's brother phoned to lobby him to talk to the Americans again. "You are a tribal leader," Noorzai said Wali Karzai told him. "You can help." Separately, Noorzai got a call from Saitullah Khan Babar, a friend and former officer in Pakistan's military intelligence service, the

ISI. The Americans, Babar told Noorzai, had proposed a meeting in Dubai, neutral turf. Warily, Noorzai agreed.

In early April 2004, he traveled to Dubai to meet with two Americans at a JW Marriott hotel. One identified himself as "Mike," from the Defense Intelligence Agency (DIA), the other "Brian," from the FBI. That day, as they would three more times over the next five months, they spent hours grilling Noorzai, trying to find out what he knew about several subjects, including, as Noorzai puts it, "the powder business." According to transcripts TIME has reviewed, the agents were occasionally frustrated by the talks. They pressed Noorzai on how much drug money went to finance al-Qaeda. "None," Noorzai replied. "But the entire world says the opposite," Mike responded. Noorzai stood his ground: "I do not believe it."

A friend who had accompanied Noorzai to the meetings interjected, "You should tell them whatever you know. They want to know how much you know. Do you understand?" Noorzai replied, "I am telling them as much as I know, but I'm not going to say something baseless." The Americans then asked what he knew about al-Qaeda's high command. The answers were not illuminating. Bin Laden? Noorzai admitted to "seeing" him only once, in Kandahar in the late 1990s. What about 9/11 planner Khalid Sheikh Mohammed? Or Abu Zubaydah, al-Qaeda's chief of military operations? "I'm telling you," Noorzai responded irritably, "I don't know any of the Arabs."

Nor would Noorzai provide any confirmation for his interrogators' obvious suspicions that he was in the drug business. When pressed about how he made his living, Noorzai said he inherited land in Kandahar from his father and grandfather and owns two large outdoor markets that generate up to \$100,000 a year and that if sold would net about \$2 million. He flatly denied U.S.

intelligence claims that he had received \$500 million in Taliban funds from Mullah Omar for safekeeping.

Noorzai did, however, provide information on individuals who might be helping to steer money to the Taliban and al-Qaeda. In a transcript, he says he would continue to do so. There is no question that elements of what he says--if true--would be extremely useful to American interests. He talks in some detail about current members of the Afghan government and other prominent Afghans he suspects are involved in the drug trade--even while insisting that he was not.

That was not what the Americans believed. On June 1, 2004, the White House put out a press release listing the top 10 international drug kingpins, who "present a threat to the national security, foreign policy, or economy of the United States." Robert Charles, then Assistant Secretary of State, recalls that when he saw the draft list, he asked, "Why don't we have any Afghan drug lords on the list?" An interagency debate ensued, then a scramble to come up with names. Several popped up. And so, on the final list, coming in at No. 10 was the name "Haji Bashir [sic] Noorzai."

Noorzai was the smallest of the big fish, but only because the list included Latin American heavyweights at the time considered the most powerful and dangerous crime families on the planet. It is possible, a sign of either immense confidence or sloppiness, that Noorzai did not know he had made the top 10 kingpin list that was posted on international law-enforcement websites. But a simple Google search might have warned him off his next move.

Back in Dubai for more talks in August, the Americans made a dramatic proposal. They told Noorzai they would like him to meet more senior officials and that the U.S. was the place to do it. Noorzai responded cautiously: only, he says in a transcript, "if they make sure we become free people and don't capture us."

The agent named Brian tried to allay Noorzai's fears: "After this meeting, the immediate threat to apprehend [you] will be diminished." Brian then told Noorzai if he didn't want to go to the U.S., the meeting could take place in Dubai or Pakistan.

Brian emphasized the benefits of Noorzai's turning over good intelligence: "Any high-quality information [you] can provide us ... on money movements, on other key people we should be talking to ... the more cooperation we get from [you], the more [you're] going to be seen as a tremendous asset in this effort back in the United States." Noorzai clearly thought he could offer all that. "I'm not afraid of you [Americans] now," he told his inquisitors. "When do we go to America?"

Had he known more about American politics and the eternal tensions between branches of government, he might not have been so ready to hop on a plane. Given his new ranking as a kingpin, it would have been potential political suicide for any U.S. official to make a public deal with him. Prosecutors and agents bargain with traffickers all the time, but for lighter sentences, better jails or better food. Once Noorzai was officially a villain on a wanted poster, his value as an asset was falling fast.

In New York City, Noorzai says, he thought everything was going well--up until the point that he was arrested. He says he wasn't bothered that the U.S. agents had taken away his cell phone. Or that they had told his friend Babar, the former ISI colonel who accompanied him to Manhattan, that Noorzai was "not being cooperative." Noorzai thought it was curious that each day, when the interrogations began, the agents would read him his rights. He says he had no idea why his interrogators kept saying he had a right to counsel and the right to remain silent. One official with knowledge of the case against Noorzai told TIME that he was "lured" to the U.S., implying that the goal the entire time had been simple: get him to New York City in order to arrest him. This

suggests that all the meetings in 2004 had been part of a grand deception, designed to convince him that he was being looked at as a political asset and not as a potential criminal detainee. The idea is that by the time he got to New York, the jig was up, and the feds were just trying to wring every last bit out of him before the arrest.

But could it be that senior officials in Washington were still debating whether Noorzai was an intelligence asset worth preserving? "It is conceivable," says a former intelligence analyst, "that he could have provided a stabilizing role in the south." Many questions remain unanswered about the conversations that took place among DEA, FBI and DIA officials who dealt with him. Two sources have hinted at tensions among the agencies but decline to explain when and how these were resolved. As a former senior DEA official put it, "It was a very, very sensitive case."

Even if Noorzai wasn't fully reliable, it's fair to ask why his offer wasn't taken up. Washington may have scored a public victory in the war on drugs with his arrest. But some officials in Kabul and Washington now quietly wonder whether giving him a shot at what he said he could deliver--the allegiance of his tribe--might have been the smarter option. The government has not said that his arrest will diminish the heroin trade in Afghanistan. Indeed, the war against drugs and the war against the Taliban have to be seen as a single conflict--not separate objectives. "All of a piece," says a senior Western diplomat. "You can't separate narcotics from security from governance."

In Afghanistan, a weak government has produced a security vacuum that in turn inhibits economic development and diversification, forcing impoverished farmers to grow lucrative crops like the opium poppy for cash. Any deliberate crop destruction carried out by the Afghan government often drives poor farmers to sympathize with the insurgency. Just two weeks

ago, despite international pressure, President Karzai said Afghanistan would not carry out chemical spraying of poppy crops, given the intense level of opposition among farmers.

Now, in the Taliban's traditional stronghold in the south--where Noorzai's tribe lives--the radical Islamic group is actively encouraging poppy cultivation on a grand scale, a dramatic shift from its days in power when its puritanical tenets forbade drugs and drug trafficking. Why the change? As a Western diplomat in Kabul puts it, "It takes money to fund an insurgency." Of the \$3 billion earned last year by Afghan narcotraffickers, roughly \$800 million trickles down to the Afghan farmers who grow the crop. According to a senior Western official in Kabul, a small portion of that sum is "more than enough to finance" the insurgency--and the Taliban gets more than a small portion. "The more money the traffickers make, the more they can give to the Taliban, the more weapons the insurgents can buy and the more dangerous the insurgency becomes," says Kamal Sadaat, head of Afghanistan's antinarcotics police force.

"God willing, I look forward to my trial," Noorzai says in detention in New York City. He will have a lawyer with an imposing 6-ft. 5-in. frame and a high-profile list of legal contests, if not victories. Ivan Fisher made his name defending Jack Henry Abbott, a convicted killer whose gritty prison memoir, *In the Belly of the Beast*, was famously championed by Norman Mailer. Fisher is no stranger to bad guys. In the 1990s, Fisher defended Haji Ayub Afridi, a man widely believed to be one of Pakistan's major narcotraffickers, as well as someone who was thought to have worked closely with the CIA during the Soviet invasion of Afghanistan. Afridi served 3 1/2 years for drug trafficking, a verdict that at the time was considered a defeat for the prosecution. Fisher does not apologize for his current client. This case, he asserts, "is about the [Bush Administration's] incompetence in

waging the war on terror in Afghanistan. Haji Bashar Noorzai wanted to be an ally, not an enemy."

The prosecution remains silent about its plans, but sources say the government will insist on the importance of the Noorzai catch. He is, says a Western official with detailed knowledge of the case, the "Pablo Escobar of Afghanistan"--a reference to the notorious druglord of Colombia. Fisher says his client won't cop a plea, even though the documents TIME has seen indicate he might be able to implicate major figures in Afghanistan. A former DEA official counsels patience in the quest for justice: "It's a long, hard slog. You've got to give it years. We were starting from the ground up here."

The trial can be seen as a test case for the costs and benefits of arresting and prosecuting a man like Noorzai. Does the potential cost to the battle against terrorism in Afghanistan outweigh the benefit to the war on drugs? These are the kind of wrenching questions that the U.S. must weigh in its new twilight struggle for stability both at home and abroad.

For his part, Noorzai insists that his offer to help stabilize Afghanistan was sincere. He is also certain that he offered his help to the right people: "I still believe American and NATO forces are the only ones who can help Afghanistan rebuild." They will just have to do it without him.

With reporting by Aryn Baker / Kabul, Ghulam Hasnain / Quetta, Brian Bennett, Elaine Shannon / Washington

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