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## Local professor examines the historical lessons

By George Anastaplo

### *Part One: The Past*

I began, on Sept. 12, 2001, a series of public observations about our responses to the monstrous assaults the day before, in New York City, Washington, D.C. and Pennsylvania. The opening days of our decade-long encounter with suicidal terrorists included for me three letters I presumed to send at once to the FBI with suggestions for immediate inquiries by our government. My series of periodic observations thereafter looked back to Thucydides for inspiration as I recalled what he said about the beginning of the Peloponnesian War. He recognized at once that this was for his Athens a vital challenge, and he began writing about the war from its outset.

My running commentary, which includes public talks on various subjects and even letters to editors, has by now been published in three installments totaling almost five hundred pages. (See volume 29 and 35 of the Oklahoma City University Law Review [2004, 2010] and volume 4 of the Loyola University Chicago Law Review [2006].) Perhaps all of these, along with subsequent materials can someday be brought together on an Internet website, if not even in a print volume. A University of Chicago Law School classmate, Ramsey Clark (a former U.S. attorney general) has agreed to provide a foreword upon the issuance of such a collection.

Critical throughout this decade has been the question whether an appropriate sense of proportion could be maintained in this country both in assessing the damage done to us on Sept. 11 and in shaping proper responses thereafter. (Indicative of my overall concern, early on, is the title of my Loyola law school talk of Sept. 12, 2001, "A Second Pearl Harbor? Let's Be Serious.") It was obvious from the outset both that the surviving men responsible for the Sept. 11 attacks would have to be detected and punished and that

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any government that had knowingly permitted them to operate would have to be severely dealt with. Thus, the initial measures taken in Afghanistan (in 2001) seemed inevitable. They could even be understood as an appropriate police action, not as an act of war. It was an action that was at first quite successful, with the alleged leader of the Sept. 11 assaults very much on the run (if not even about to be captured). World opinion seemed generally receptive to this phase of the response by the United States to the shocking Sept. 11 assaults. Such an opinion made it more likely that sensible governments and peoples worldwide would be helpful in anticipating any future clandestine attacks on this country.

We then had in Iraq, however, what the student of Thucydides could recognize as a 21st century relapse into "the Sicilian delusion" that seized 5th century Athenians. They had been warned by their Pericles, at the outset of the Peloponnesian War, to restrict themselves to defensive measures, and certainly not to attempt to expand at that time their already considerable empire. But, after Pericles' death, the Athenians were persuaded that there were great things to be done in Sicily (indeed as a major step toward that "universal" empire the Romans were later to achieve). The Sicilian campaign proved a disaster for the Athenians, evidently contributing significantly to their eventual defeat in the Peloponnesian War and to the dismemberment of their empire. It may take decades to figure out why our president, his vice president and his secretary of defense were so determined to go into Iraq in 2003, effectively abandoning for several years the

obvious mission they had had in Afghanistan. It already seems to be widely accepted both that the abominable Iraqi dictatorship had had nothing to do with the Sept. 11 atrocities and that that regime posed no immediate threat to the United States. Critical to judgments about what has been done by our government in Iraq are concerns about a blatant disregard for a sense of proportion. Particularly puzzling was the acquiescence of the British government in what has turned out to be a remarkable act of folly.

It was bad enough that several thousand American lives have been sacrificed to this endeavor, along with a trillion dollars. It remains to be generally recognized how massive the Iraqi losses (perhaps hundreds of thousands of lives) have been at the hands of American power ever since the Persian Gulf War of 1990-1991 (with the decade-long economic sanctions thereafter that were followed eventually by the 2003 intervention). It should not surprise us that suicidal measures against the United States could be promoted by such treatment. That is, the Iraqi people, for a quarter-century now, may have suffered much more at our hands than they did even from the brutal Saddam Hussein regime.

The follies of our most recent past can remind us of other, perhaps even more serious, follies in our history. Particularly destructive, of course, was that incredible folly, World War I, which severely damaged the Western world and opened the way to the murderous regimes of Josef Stalin and Adolf Hitler. The "good war" that had to be fought thereafter was preceded by a series of appeasements in Europe which may even have taught decent people the wrong lessons (against diplomacy) since World War II. A harbinger of our Iraqi folly was what happened in Korea in 1950-1953.

A police action, authorized by the United Nations, permitted the repulse of the June 1950 North Korean invasion of South Korea. But, unfortunately, our leaders were not satisfied with driving the invaders back across the 38th Parallel. Their push up to the Yalu River virtually invited a Chinese intervention which poisoned relations between the United States and China for a generation thereafter. One consequence of all this is that the United States has maintained a substantial military force in South Korea for six decades.

There may be seen, in this escalation of the initial relatively modest 1950 mission, an anticipation of the escalation of the first Gulf War (repelling the August 1990 Iraqi invasion of Kuwait) into the 2003 intervention which could trap the United States in Iraq for a generation.

Then there was, in this catalogue of interventionist follies, the decade-long effort we made in Vietnam, somehow having been induced to try to clean up the mess left by the French as a colonial power. Some 50,000 American lives were lost there, and many more Vietnamese. Much was heard then about “falling dominoes” and about a need to head off an imperialistic China. I have recently noticed reports, however, not only of hundreds of millions of dollars having already

been invested by American corporations in Vietnam but even of a tacit alliance between the United States and a “Marxist” Vietnam against a threatening China.

Then, of course, there was the overall Cold War with the Soviet Union, a formidable nuclear-armed adversary. I have recently had occasion to be reminded of the passions of the Cold War upon reviewing the correspondence I had in 1952-1953, as a naive graduate student, with a distinguished philosophy professor, a passionate Cold Warrior. That correspondence is now available, in its entirety, in a posting of August 2011, at [anastaplo.wordpress.com](http://anastaplo.wordpress.com). Indeed, one can wonder, considering the extraordinary passions exhibited on that occasion six decades ago by a quite intelligent scholar, how we avoided an all-out

shooting war with communist Russia. However that may have been, people were very much surprised by the “sudden” collapse of the Soviet Union in 1990-1991. But anyone who ever visited the Soviet Union and noticed how primitive its civilian economy was — as we could see in 1960 (as part of a nine-month family-camping trip across Europe) — one could wonder how that regime could survive as long as it did. Perhaps the fragile Soviet dictatorship could somehow be sustained as long as it was in part because of American fearfulness and hostility.

Here, as elsewhere, a sense of proportion on our part was lacking, that sense which can also be assigned the old-fashioned name of prudence.