

WHAT ARE WE FIGHTING FOR?

A Service by Fritz Hudson
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INTRODUCTION

Mr. Vice President, Mr. Speaker, and Members of the Senate and House of Representatives

Yesterday, December 7, 1941 - a date that will live in infamy - the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan. ... I regret to tell you that very many American lives have been lost. ... There is no blinking at the fact that our people, our territory, and our interests are in grave danger. ... I believe I interpret the will of the Congress and of the people when I assert that we will not only defend ourselves to the uttermost but will make it very certain that this form of treachery shall never again endanger us. ..."
(December 8, 1941)

You, of course recognize these words spoken by President Franklin Delano Roosevelt, following the day, today exactly 62 years past, forever since remembered as Pearl Harbor Day. I wonder whether any one of us was actually listening to those words when they were first spoken? Perhaps ten, but they ring clear still for us all.

Just one week following that now well-remembered day, another anniversary moved President Roosevelt to make clear for our nation what exactly Congress's declaration of war called us to defend.

In one of his famous Fireside chats, Roosevelt said then:

No date in the long history of freedom means more to liberty-loving men in all liberty-loving countries than the fifteenth day of December. ... On that day, 150 years ago, a new Nation, through an elected Congress, adopted a declaration of human rights which has influenced the thinking of all mankind from one end of the world to the other. ... The issue of our time, the issue of the war in which we are engaged, is the issue forced upon the decent, self-respecting peoples of the earth. ... What we face is nothing more nor less than an attempt to overthrow and to cancel out the great upsurge of human liberty of which the American Bill of Rights is the fundamental document. ... It is an attempt which would succeed only if those who have inherited the gift of liberty had lost the manhood to preserve it. ... We will not, under any threat, or in the face of any danger, surrender the guarantees of liberty our forefathers framed for us in our Bill of Rights.
(December 15, 1941)

Seven years later a third date arose to claim our memory and reverence which lies directly between these two - between "the date that will live in infamy" and the date so meaningful to "liberty-loving men in all liberty-loving countries." On December 9th, 1948, a Commission of the United Nations presented for the approval of its General Assembly a "Universal Declaration of Human Rights." For the two years it took the 17 nation commission to draft this declaration, its

chair, elected by acclamation, was Eleanor Roosevelt, the President's widow. The General Assembly session to which the declaration was presented was convened in Paris, France. And at its opening Mrs. Roosevelt endeavored to set the stage for the declaration's adoption by speaking to a crowd of over 3,000, at the Sorbonne, on "The Struggle for Human Rights."

It is "the basic premise" of the United Nations Charter, she said there, "that the peace and security of mankind are dependent on the mutual respect of the rights and freedoms of all." She acknowledged that "in the United States we are old enough not to claim perfection; ... no one race and no one people can claim to have done all the work to achieve greater dignity for human beings and great freedom to develop human personality." But, she said "the field of human rights is not one in which compromise on fundamental principles are possible; and "Among free men the end cannot justify the means." "In each generation and in each country," she concluded, "there must be a continuation of the struggle, ... this is preeminently a field in which to stand still is to retreat."

On December 9, in formally presenting her commission's work to the General Assembly, Mrs. Roosevelt said:

"We stand today at the threshold of a great event both in the life of the United Nations and in the life of mankind. ... The realization that the flagrant violation of human rights by Nazi and Fascist countries sowed the seeds of the last world war has supplied the impetus for the work which brings us to the moment of achievement here today. ... This declaration may well become the international Magna Carta of all men everywhere. We hope its proclamation by the General Assembly will be an event comparable to the proclamation of the Declaration of the Rights of Man by the French people in 1789 (and) the adoption of the Bill of Rights by the people of the United States. ... Let this third regular session of the General Assembly approve by an overwhelming majority the Declaration of Human Rights as a statement of conduct for all; and let us, as Members of the United Nations, conscious of our own shortcomings and imperfections, join our effort in all faith to live up to this high standard."

The next day, December 10, 1948, the Universal Declaration of Human Rights was adopted by the General Assembly: 48 countries voted in favor, none voted in opposition, but eight abstained from voting. The date December 10th, thus became Human Rights Day. In many Unitarian Universalist congregations, the Sunday nearest to it has become an annual occasion of remembrance and celebration.

On this Sunday last year, we spoke of "Freedom in Fear," and heard our own Unitarian Universalist Association General Assembly's call, voted in Quebec the prior June, urging us and all congregation to engage in a two-year study into what we could do at this time to protect civil liberties from violation in the name of "homeland security." Today you have in our bulletin a "draft" Statement of Conscience responding to that call. It was prepared by our Commission on Social Witness from congregational proposals submitted over the course of the year and discussions conducted at last June's Assembly in Boston. Last year at this time our fighting in Afghanistan had left our front pages and we were only beginning to become aware of "homeland"

dimensions of that fighting. This year our fighting in Iraq is ongoing, perhaps even escalating, and its effects on our homeland life are perhaps more clear. "What Are We Fighting For?" What form of a final Statement of Conscience on Civil Rights could best contribute to our nation's struggles if adopted by our General Assembly next June, in Long Beach? What kinds of work could we here in Lincoln best undertake to make our contribution? In few moments, I'll try to stimulate our thoughts .

SERMON

"It's one, two, three, what are we fighting for?" Some of you will know where those words welled up from to name my thoughts today. They are the opening line of a song of my young adulthood, a song whose next line immediately answers its question: "Don't ask me I don't give a damn. Next stop is Vietnam."

More and more, people who remember our country's experience in Vietnam are wondering about its parallels to our current experience in Iraq. Are we in another quagmire now? Will our recourse in the end once again be to withdraw in defeat and shame, leaving the Iraqis to slug out their future, however better or worse than their past. I won't be doing any prognosticating or I told-you-so-ing here today. Even though I publicly opposed our invasion of Iraq last spring, I am not yet prepared to say that our values would be best served now by stopping our fighting and just coming home. I am willing to accept the fact that for the time being we are indeed fighting, again. What I am prepared to say, to proclaim even, is that, for however long we continue fighting, we would do well to get some better "moral clarity" on what we're fighting for. Better clarity on that question, I believe, would help us better decide how we should fight to best serve our nation's fundamental values. And how we should fight has as much or more to do with our actions behind our military lines as at their front. It even has as much or more to do with our actions, our government's actions and our personal actions, here at home.

"Moral Clarity" has become the watchword of our national administration and its supporters. It has been claimed as our President's great strength. William Bennett, former Drug Enforcement Director and compiler of *The Book of Virtues*, authored a quick book in early 2002, just as the fighting in Afghanistan was dissipating. Its title was *Why We Fight: Moral Clarity and the War on Terrorism*. It was his bid to reinforce and legitimate America's angry commitment to a sustained military response to the September 11 attacks. Applauding our President's characterization of our enemies as "evil-doers," echoing President Reagan's characterization of the Soviet Union as the Evil Empire, he wrote presciently, as "military campaigns (in this war) "... become tougher and more protracted ... coalition partners might break away, and world opinion might shift. American forces could begin to take significant casualties; there might be mounting concerns about civil rights at home."(19) "I do not fear our instincts, ... What I fear is the erosion of moral clarity, and the spread of indifference and confusion, as a thousand voices discourse with energy and zeal on the questionable nature, if not the outright illegitimacy, of our methods or our cause." (169)

Last Sunday I spoke of my struggles with the values of simplicity and complexity. Perhaps you heard me say I'd come to decide that simplicity is a virtue in our ends, but not necessarily a virtue in our means. In that spirit, though I be but one of a thousand voices, today I want to separately question first our cause and then our methods in this current war. I agree with William Bennett that our cause must be clear, that it is best simply stated, in moral terms. I question though whether that has been correctly done. Beyond that, I want to question, I want to denounce the outright illegitimacy of some of our methods in this war. By misidentifying our cause on the one hand, and inappropriately trusting our methods to simple instinct on the other, I believe, our current course bids to make our fighting a perverse pursuit of self-destruction.

Our cause, what we all agree we are fighting for, is America's security. But we can be clearer than that. What we found threatened on September 11 was not, in fact, the security of our nation as a whole. Unlike at Pearl Harbor, today's attackers are not the advance wave of an empire's well-supported armed forces. We have no legitimate fear of an onslaught on our borders or an overthrow of our government. What we've found threatened since September 11, rather is our personal security as randomly vulnerable individuals, civilian citizens of America. Our nation's very statutes define terrorism as "premeditated, politically motivated violence perpetrated against non-combatant targets by sub-national groups or clandestine agents, usually intended to influence an audience. [22 U.S.C. 2656f(d)]. Thus our cause is not protection of our nation as a whole, but rather protection of ourselves and our fellow countrymen as individuals. That distinction adds clarity to what we're fighting for, but I think I can make it even more clear.

At the beginning of this "War on Terrorism", our President often articulated our cause as "the defense of freedom." As the War moved into its current phase in Iraq, he has more frequently equated that cause with "the promotion of democracy." Often he mixes the two, freedom and democracy as "our way of life." This fall Fareed Zakaria, former managing editor of *Foreign Affairs* and current editor of *Newsweek International*, has been teaching me about the relationship between freedom and democracy in his new book, *The Future of Freedom: Illiberal Democracy at Home and Abroad*. There is much in his argument which I will defer to another Sunday, but one strand has particular application to our work at "nation building." Democracy, Zakaria has convinced me, should be seen as one step removed from the core of our value system. Majoritarian rule of all the people, by all the people, only expresses our national values if it is limited by a prior commitment, an more fundamental guarantee of certain individual freedoms. At the core of our value system are individual freedom of expression, and of assembly; freedom from physical abuse or unjustified unreviewable detention, freedom from discriminatory treatment based on ethnicity or religion. Without these prior protections, democracy can legitimate majoritarian tyranny of the individual. If we are to engage in "nation-building" as we are now in Iraq, Zakaria's convinced me, our core focus must be on institutionalizing personal freedom before facilitating democracy. How fortunate we are as Americans that our founders did not stop their nation-building here when they created our constitution before they added the Bill of Rights. How profoundly expressive of our very soul, when our nation's security truly was last at risk, following Pearl Harbor, that our President could immediately seize the calendar's opportunity to give perfectly pitched moral clarity to our cause then, "the issue of the war," Roosevelt so rightly

said, if imperfectly practiced, was not, "under any threat ...(to) surrender the guarantees of liberty our forefathers framed for us...."

That is our cause, what we should be "fighting for," I think, most clearly stated - to protect personal security and to promote individual liberties. Its morality transcends any negative claim to name who is "evil;" it inheres in its positive statement of who is supremely valuable - who is "worthy," to use our faith language - every individual human being.

So for me, our General Assembly's call to us last year to study and work together across our land to formulate a Statement of Conscience on Civil Liberties is even more pressing for our nation's and our world's health today. The study questions raised last year well named the issues we should now address:

- Are there some civil liberties that people should be prepared to give up in times of war?
- How should federal law distinguish between citizens and legal non-citizen residents?
- To what extent, if at all, is ethnic or racial profiling, including the use of internment, justified?
- Does the Patriot Act properly balance the needs of homeland security and civil liberties?

And the draft statement in your hand leads off perfectly stating our hierarchy of values, "Civil liberties are at the heart of the American experiment in democracy." But as you read the draft I would ask you to look for our answers to questions raised for study. I'm not ready to say we've fulfilled our call. I see answers broached, but not plumbed. I see attention somewhat obscured by concern for an overly broad range of ancillary concerns. I see actions perhaps too personalized and diffuse. I think we can do better, and we've got the time and the resources to do so.

Bill Schulz, President of Unitarian Universalist Association from 1985-93, and since then Executive Director of Amnesty International USA, this fall published this *book Tainted Legacy: 9/11 and the Ruin of Human Rights*. I recommend it as a prime resource for our work.

The draft statement scores our government's "detention of 1,200 individuals in Guantanamo Bay, Cuba without due process or compliance with the Geneva Convention." Bill plumbs the perversity of this violation of human personal security.

- First our insistence on naming these prisoners "unlawful combatants" rather than "prisoners of war" sets up a screen for subjecting them to intensive, perhaps tortuous, interrogation techniques.
- Then our holding of these prisoners beyond rather than within our national borders sets up a screen from possible federal court examination of the how their "unlawfulness" is to being adjudicated. After two years of interrogation none of them has yet been charged with an specific offense or allowed to see a lawyer.

The draft statement cites our government's "interrogation of thousands of Arab and South Asian immigrants." Bill clarifies how this discriminatory violation of individual freedom will augment rather than diminishes the threat to American personal security. The BBC interviewed Mufeed Khan, a Pakistani, who'd lived in the United States for 11 years; who had a small business in Los

Angeles. He was one of the 131 Pakistanis deported after 9/11, virtually all for visa violations. He said, "For me America was a dreamland. I used to think I was lucky to live in a liberal and democratic country. But the dreamland became hell ... I was treated badly because I was a Muslim. Carrying a Muslim name should not be a crime." (quoted by Schulz p.89-90) Bill Schulz adds, "We may be assured that Mr. Khan did not keep his feelings to himself when he arrived back in Pakistan." (p.90)

As civil and political rights are delineated in the International Covenant which codified the Universal Declaration, specific rights are designated as subject to compromise "in war or public danger" and other specific rights are held absolute. (see Schulz p.183) Bill Schulz suggests a national identity card system and profiling techniques that transcend race, religion or ethnicity should be carefully considered for possibly serving both security and liberty. He acknowledges that "Where the right balance lies between security and rights is the major human rights challenge in an age of terror. It is foolish to think that the problem is not complex." Yet we still need the guidance Eleanor Roosevelt gave in Paris so long ago, "Among free men the end cannot justify the means; ... the field of human rights is not one in which compromise on fundamental principles are possible."

Beyond any effort we here might put into suggesting improvements to this draft statement (we have until February 1 to submit them to the Commission on Social Witness), I am concerned that we act in our own community to serve its cause. It calls us to urge local officials to declare their intention not to enforce onerous provisions of the Patriot Act. I ask us to consider broader activism to serve personal security and individual liberty here. Last year on this Sunday several of you volunteered to add your watchful eye to mine as the Immigration Services implemented a special registration program targeted only at our neighbors from Muslim countries. The Muslims I contacted thereafter uniformly told me that the program as implemented in Omaha was no worse than a sacrifice of time, thankfully. Thankfully, as well, our government has apparently seen that the cost, at least in economic if not spiritual terms, is not justified by its reward. This past week they removed the requirement for annual re-registration and announced that upcoming programs would not be ethnically targeted. Later last winter I became aware of a Palestinian immigrant in our community who imprisoned and held without bail by the immigration service. I visited him in the Cass County jail, and learned how his visa violation stemmed from a questionable conviction for terrorism in Israel. I attended one of his court appearances at Federal Court in Omaha and helped the family research and consider their local options for legal representation. Ultimately his deportation proved unpreventable, perhaps even legally justifiable. To me though, his 10 months of incarceration prior to deportation was not justifiable, either legally or morally.

Last summer, some of us joined into the formation of a Lincoln chapter of the Iowa-Nebraska Immigrant Rights Network. I invite you to join in the chapter's initial effort - to convince our local police departments to resist federal pressure to become part of the enforcement system for our current immigration laws. As our draft resolution says "we are called ... to let our leaders

know current policies are not worthy of our respect." It's direct expression of maintaining "moral clarity" about what we are fighting for.

In that song from so long ago, the words after "next stop is Vietnam" were:

"It's five, six, seven, open up the pearly gates.

Ain't no time to wonder why

We're all going die."

We are all going to die, of course. But those of us here at least, do have time to wonder why - why some in Iraq are dying now, what others closer to home have died for or will risk death for.

The "Tainted Legacy" Bill Schulz sees is of the first who died in this war. "The United States government has tainted the legacy of those who died on 9/11," he says, "by sacrificing fundamental principles that have long characterized the best that America could be."

If I were a soldier now in Iraq or Afghanistan, I would want all those here who support me to do what ever we could to insure that my sacrifice, if necessary my death, served both safety and liberty for those people there and for our people here.

In Archibald MacLeish's poem:

The young dead soldiers do not speak.

*Nevertheless they are heard
in the still houses:
who has not heard them? ...*

*They say: We have done what we could
but until it is finished
it is not done.*

*They say: We have given our lives
but until it is finished
no one can know what our lives gave.*

*They say: Our deaths are not ours;
they are yours;
they will mean what you make them. ...*

*They say: We leave you our deaths.
Give them their meaning. ...*

CLOSING WORDS

*Those who deny freedom to others
deserve it not for themselves,
and cannot long retain it.*

*Our reliance is in our love of liberty;
our defense is in the spirit
which prizes liberty
as the heritage of all people
in all lands everywhere.*

*Destroy this spirit,
and we have planted the seeds of espotism
at our own doors.*

Abraham Lincoln