

# The Political Forum

*A review of social and political trends and events  
impacting the world's financial markets*

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## THEY SAID IT

“With respect to my following, or, more accurately, being led by other members of the Court, that is silly, but expected since I couldn’t possibly think for myself. And what else could possibly be the explanation when I fail to follow the jurisprudential, ideological, and intellectual — if not anti-intellectual — prescription assigned to blacks? Since thinking beyond this prescription is presumptively beyond my abilities, obviously someone must be putting these strange ideas into my mind and my opinions.”

“Though being underestimated has its advantages, the stench of racial inferiority still confounds my olfactory nerves.”

-- Supreme Court Justice Clarence Thomas, from his 1998 address to the National Bar Associations’ annual convention. (With thanks to *National Review*’s Jay Nordlinger for drawing our attention to it.)

**THE FINAL DAYS OF THE MAD MULLAHS OF IRAN.** What’s happening in Iran right now is very big stuff. Very big. “Momentous” is probably not too grand a word for it. “Earthshaking” might come closer. Not only is the coming counter-revolution in Iran a big, big, positive development for the world at large, it is a big, big positive development politically for President George W. Bush.

Think about it. Just a few short months after the President launched war on Iraq, with the assertion, in the face of much skepticism, that it would result in positive developments throughout the Middle East, the Islamic Republic of Iran is tottering, and tottering badly.

Indeed, it is entirely possible, that when that nation’s opposition movement stages its countrywide protest/strike on July 9<sup>th</sup>, the mullahs who have been running Iran into the ground for nearly a quarter-century will be forced either to concede power to their democratic adversaries or to unleash all the forces at their disposal to subdue the insurrection. In either case, the revolution, or counter-revolution, to be more accurate, may well be at hand.

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The basic facts of this story have been reasonably well covered by the mainstream media, or at least by Fox News, which is rapidly becoming the standard by which all other television news is judged. But so far at least, most commentators have been hesitant to think the unthinkable and to say the unsayable, namely that it is likely, and growing more so everyday, that the Islamic Republic of Iran is not long for this world.

For a taste of what is really happening over there, consider the following, penned last Monday by Michael Ledeen, former Reagan national security and State Department consultant and noted authority on Iran. In a piece for *National Review Online*, Ledeen wrote:

The demonstrators are not just “students” (the word itself is rather misleading in context, since many of them are in their thirties or forties). Some estimates reckon that up to 90 percent of the demonstrators are non-students . . .

The anti-regime demonstrations are not limited to Tehran. On Sunday night, for example, the biggest demonstrations to date — anywhere in the country — reportedly took place in Isfahan (where my informant said virtually the entire city was mobilized against the regime), and other protests were staged in Mashad, Shiraz (where three distinguished scholars were thrown in jail last Thursday, following an extorted “confession” from a 14-year old) and Ahvaz.. This is doubly significant, both because it shows the national character of the rebellion, and because Isfahan has historically been the epicenter of revolutionary movements (and indeed some of the harshest critics of the regime are in and from Isfahan) . . .

There is mounting violence against the regime. We are no longer talking about purely peaceful demonstrations. The protesters know they are going to be attacked with guns, clubs, knives, machetes and chains, and they are responding with Molotov cocktails and guns of their own. In some of the recent street fighting, the demonstrators strung wires across the streets to bring down the Basiji, who were on motorcycles.

For a regime that was already on very shaky footing, this will certainly destabilize it further, and July 9<sup>th</sup> could prove to be the final push that sends it over the edge. Both the regime’s violent reaction to the protests and its insistence that American provocateurs are behind the unrest demonstrate that the mullahs are growing desperate and, as Ledeen noted, “incoherent.”

Now, some observers might suggest that the claim that the Great Satan is responsible for the turbulence is also proof that the regime has lost its collective mind, and is grasping at straws, flailing about wildly, trying to find a scapegoat for its own ineptitude. Under normal circumstances, we might agree. But this time we’re inclined to think that they are probably right; that America is indeed stirring up trouble within Iran, just as Iran has been trying to do in southern Iraq. In fact, almost two months ago, in the May 5 issue of this newsletter, in a piece entitled “Post War Iraq? Relax. It’s Going To Be Okay,” Mark noted the following:

U.S. special operations teams can also respond to Iranian efforts to destabilize the Shiite regions in Southern Iraq by silently taking the battle into Iran itself. My guess is that that these efforts are already underway, and could turn out to be highly effective, given the apparent unpopularity of the current Iranian regime.

But, as far as we are concerned, the big story concerning the ongoing turmoil in Iran is that it provides at least preliminary confirmation that Bush and the nefarious “neoconservatives” around him were correct when they asserted that good things would happen when Saddam was removed from power.

It’s easy to forget, what with all hubbub about weapons of mass destruction and the counter-hubbub about basic human dignity and the importance of removing Saddam for the benefit of the Iraqi people, but last year, when the Bush administration first began making the public case for going into Iraq, one of the primary justifications offered was that removing Saddam would radically alter the balance of power in the region. The theory was that with Saddam gone, it would be easier for the United States to pursue its war on terror and to push for genuine, lasting Middle East peace.

Naysayers abounded. One “expert” after another predicted that the war would not only go badly, but that it would fan the flames of anti-American sentiment throughout the region. We disagreed. In fact, in the September 3 issue of this newsletter, in a piece entitled “An Optimistic View of the coming War with Iraq,” Mark put it this way.

If I am right about this, then the entire Middle East region could be in for some positive, long-term changes. Far from strengthening the hand of our enemies in the region, a Saddam-free Iraq, with lots of financial help and moral support from its “business partners” around the world, could put real pressure on the region’s hardliners, *most especially on the mad Mullahs of Iran.* [emphasis added]

He followed this up in the October 7 newsletter in an article entitled “More Optimism on Iraq,” with the following.

In short, I think the naysayers are wrong when they say that both the military attack on Iraq and the aftermath will turn out to be a disaster. I think, in fact, that it could mark the beginning of a movement toward much greater stability in the region, as Iran and Arab nations from Saudi Arabia to Syria to Egypt are forced to recognize the presence of a free Iraq, pumping oil with the help of America, Russia, and France, and enjoying the fruits of the revenues along with new found freedoms.

A month later, Victor Davis Hanson, a classics professor, military historian, and well-respected military commentator, added his thoughts with a piece published on *National Review Online* and entitled “Our Gordian Knot.” He wrote:

Europe will either support us in our successful efforts – or find itself isolated as never before, its moral pretensions revealed for what they are: airs and pretexts. The government that follows in Iraq will have the seeds of constitutional rule, and make an American presence in the Gulf palatable for the first time in 50 years. Iraq surely will no longer be a receptacle for the likes of Abu Abbas or Abu Nidal, the proto-bin Ladens of the 1970s and 1980s who sought sanctuary in Baghdad. *Iran will either totter or seek to moderate its anti-Americanism.* [emphasis added]

Duplicitous allies of the neighboring region will find their entire relationships directly reversed—their own constituencies finding the Great Satan more sympathetic to peoples’ democratic aspirations than their own corrupt tribal and autocratic governments. A strong message will have been sent to quite frightening regimes like Syria, Iran, and Libya that it is not a wise thing to sponsor terrorists who with impunity kill Americans. Syria especially will be more likely to rein in than to peddle its terror, and find itself with a few weak friends and plenty of strong enemies. The Palestinian Authority will come to realize that the vast majority of the West Bank, an autonomous nation, and consensual government are a much better deal than the current nightmare. The “international community” will turn its attention to Lebanon and at last ask what in the world a murderous Syria is doing in a country not its own, which by any definition is as hijacked by a Hezbollah death-machine as Afghanistan was by the Taliban.

Well, guess what. Saddam has been gone all of ten weeks now, and already the Iranian totter has begun. Kind of puts the constant reports about the failure to immediately establish American-style democracy in Iraq in perspective, doesn’t it?

And the changes wrought by Saddam’s demise will hardly stop in Tehran. As President Bush and his supporters argued, the regime change in Iraq will ripple throughout the region. Among other things, it will have chilling effect on the Saudi royal family, perhaps even pushing its members finally to get serious about stopping al Qaeda, so as not to become the next “rogue nation” in the region.

And, as Davis notes above, it could also affect the cause of the intransigent forces in the Palestinian territories, depriving them of one more crucial source of funding (recall that Saddam paid generous stipends to the families of suicide bombers), and will undoubtedly pressure the region’s last remaining Ba’athist government, the Syrian regime of Bashar Assad, to be a little more discerning about its “peddling” of terror.

There will be secondary benefits to flow from the mullahs’ fall as well. Remember that Iran was, before 1979, among the most “modern” and cosmopolitan countries in the Middle East, and, more to the point, was also an important non-Arab influence in a predominantly Arab region. Prior to Khomeini, Iran enjoyed reasonably good *de facto* (if not *de jure*) relations with both of the region’s other two non-Arab powers, Turkey and Israel. In fact, Iran was by far Israel’s largest supplier of oil, and Israel was one of Iran’s largest suppliers of military equipment.

Any rekindling of the tenuously amiable relationship between Israel and Iran would be an important step in the right direction, even more so if that relationship includes Turkey. The Turks and Israelis have notably collaborated on military exercises and other friendly endeavors over the last several years, and the inclusion of Iran in this loose alliance would radically change the region. Indeed, an American-friendly bloc consisting of the largest, most powerful, and most Westernized nations in the Middle East would alter the balance of power in ways we can hardly fathom. Add to that bloc the new, war-begotten, American-friendly regimes in Kabul and Baghdad, and the United States’ enemies would find themselves truly and cripplingly isolated.

And that brings us to our final point about Iran. Should the regime fall (and we believe that that is only a matter of *when*, not *if*), the cause of the U.S. war on terror would be aided

immeasurably. First, Iran is, as America's own, often-feckless State Department acknowledges, still the world's largest and most prolific state sponsor of terror. Though most of that support does not fund actively anti-American groups, it does fund actively anti-Israeli groups like Hamas, Islamic Jihad, and, most importantly Hezbollah, the last of which, you may recall, is still owed a bit of American retribution for the murder of more than 250 Marines in 1983.

There is a very good chance that a new Iranian regime would cease its heavy support for these groups, if for no other reason than the country can't afford it. The mullahs' attempts to export jihad throughout the Muslim world are a big reason why the economic picture in Iran is so dismal. A new regime will want to put those funds to more productive use.

Iran is also, as has become quite clear recently, something of a safe harbor for fugitive members of al Qaeda, perhaps even Osama bin Laden himself. Once again, there is a good chance that a new Iranian regime in Tehran would want to begin its reign on more amiable terms with America. In fact, a new regime would, in all likelihood, be at least nominally pro-American. Thus, the forced relocation, capture, or downright elimination of al Qaeda forces in Iran would likely be another benefit of regime change. Organizations like al Qaeda need a geographical base at which to train and from which to foment terror. Al Qaeda's ejection from Afghanistan nearly broke its back, and its forced removal (or worse) from Iran would be further crippling.

Finally, there is reason to believe, based on other examples we have recently witnessed, that the new Iranian regime will not simply denounce terror, but will take to the task of fighting terror with enthusiasm. If there is one thing that we have learned over the last couple of years about our allies in the war on terror, it is that those most recently freed from the bonds of oppression are those who are most likely to relish the opportunity to free others from their bonds.

France and Germany, for example, who were liberated nearly 60 years ago, appear no longer to recall the horrors of that oppression. And they did not support, indeed opposed, the effort to topple Saddam. The nations of Eastern Europe, in contrast, with the horrors of Soviet Communism still a very recent memory, supported U.S. efforts whole-heartedly. Aside from the Brits, the Poles (yes, that's right, the Poles) were America's most obliging ally in the war against Saddam. They understood the importance of the mission and undertook it willingly, with vigor.

And thus has it been throughout the war on terror. In the aftermath of September 11, nearly all of the nations on earth offered condolences and support. But only a handful have remained steadfast in that support, and many, if not most, of those are the nations of Eastern Europe, whose people understand all too well what happens when evil men are not stopped.

The Iranians too will have this understanding. Or at least, we hope, with some confidence, that this will be so. And for this reason and others, the Iranian revolution will very likely be good for the region, good for the United States, and good for President Bush (the anti-Jimmy Carter). Indeed, this goodness has already begun.

**SUPREME BATTLES.** Folks in Washington have spent a good deal of time lately trying to forecast the next Supreme Court resignation and to handicap the partisan battle that will almost certainly ensue. Numerous sources reported only a couple of weeks ago that the Court would see two resignations when its term ends this summer, suggesting that both Chief Justice

William Rehnquist and Associate Justice Sandra Day O'Connor will step down now to give President Bush an opportunity to appoint their successors absent the heat of a presidential race. More recent reports indicate that no retirements are imminent and the court will remain intact through the 2003-04 session at least.

I have no special insight into the plans of Rehnquist and O'Connor, or those of any other Supreme Court Justice, but I do have some thoughts about what is likely to happen if and when they do call it quits.

For starters, it is almost certain that the process will be ugly and nauseatingly partisan. Given the current state of the federal bench appointment process and the Democrats' unprecedented use of the filibuster to deny several of President Bush's nominees the required full-Senate vote, I have every reason to believe that Senate Democrats and their special interest supporters (e.g. the preposterously named People for the American Way) will try their darnedest to politicize the process and to embarrass the President in a high-profile battle of wills.

And they will lose.

In support of this contention, I would first argue that on issues of judicial import, as on most issues, Democrats, and particularly the hard-left ideologues who will direct the opposition to Bush's nominees (e.g. Vermont's Patrick Leahy, Judiciary Committee ranking member), are entirely out of touch with the American people.

For example, it is certain that the Democrats will insist on one litmus test for the confirmation of a Justice, namely unmitigated, wholehearted support for *Roe v. Wade*. The American people, however, are nowhere near as doctrinaire as are Congressional Democrats on this issue. Survey after survey show that the vast majority of Americans support some common sense restrictions and safeguards on abortion, like parental notification, and oppose partial-birth procedures.

It is also worth noting that the special interests that the left traditionally rallies to confront conservative nominees are, for the most part mere shadows of their former selves. The feminist contingent that rallied against Clarence Thomas in 1991, for example, is a joke. NOW and other such liberal "women's groups" sacrificed their credibility on the altar of Bill Clinton during the Lewinsky/Willey/Broadrick episodes. With very few exceptions, the vast majority of Americans recognize that these groups are hardly the universal defenders of women's rights they claim to be, but are instead shrill, partisan clubs whose sole purpose is to defend Democrats and attack Republicans. Like everything else on the left, Bill Clinton badly crippled the feminist movement, thereby helping to clear the way for Bush's SCOTUS nominees.

Third, and most importantly, President Bush and his advisors are better at this than are their opponents. They will play the game correctly, make the right arguments, and nominate the right people. Democrats have, over the past couple of weeks, insisted that Bush consult with them on any potential nominees. Leahy and Minority Leader Tom Daschle, among others, have publicly asked the President to confer with them, so as to avoid any ugly partisan blowups. New York Senator Chuck Schumer even went so far as to produce a list of "acceptable" nominees from which Bush should select any future Justice. At the top of that list is Schumer's fellow-Senator, "Republican" Arlen Specter, who, you may recall, was last seen hiking his kilt up over his head

and shouting out the old Scottish law verdict of “not proven” during the impeachment trial of the aforementioned Bill Clinton.

Bush will, we believe, meet the Democrats halfway, agreeing to “consult.” He will then, of course, disregard everything they say and pick whomever he pleases. The last thing George W. wants to do is repeat the mistake made by his father, who, in an effort to select a consensus candidate, nominated the dreadful David Souter, who, in turn, has proven to be one of the more reliably liberal votes on the bench throughout the decade since his confirmation. Bush the Younger will pick a conservative.

And he will pick a Latino.

The GOP in general, and President Bush in particular, have made the recruitment of Latinos to the GOP cause a priority. Part of Bush’s long-term strategy will be to nominate the first Latino Supreme Court Justice. Opponents will, naturally, criticize him for “profiling,” (or as presidential wannabe John Edwards calls it, picking a nominee based on his last name). And while some criticism may be valid, the bottom line is that Bush not only doesn’t care, but he will also be able plausibly to claim that his top choice’s ethnicity is a mere coincidence.

He has in mind a perfect candidate to fill a vacant Associate Justice spot: an old friend, a fellow Texan, a well-respected legal mind, a close political and legal advisor, and a solid conservative, who just happens also to be Latino. Bush will, in our opinion, nominate his good friend and current White House Counsel Alberto Gonzales to be an Associate Justice.

And Gonzales will be confirmed.

Again, poll after poll demonstrate that when Latinos are aware that President Bush has nominated a Latino (Miguel Estrada) to the federal bench, and that that nomination has been blocked by Democrats, they overwhelmingly take the President’s side. Bush’s problem, or more accurately Estrada’s problem, is that not enough Latinos are aware of the current stalemate.

That will likely not be the case with a Supreme Court nomination. Bush and the GOP will rally support to Gonzales, and Democrats will be left either to concede or to try to make the case that Gonzales “isn’t Hispanic enough,” as they’ve tried to do to the Honduran-born Estrada. And somehow, we don’t think resorting to calling someone with Alberto Gonzales’s credentials “Uncle Tomás,” is much of a strategy.

Of course, the real fun will begin if, indeed, Rehnquist calls it a career, packs up his Star-Trek inspired robe, and heads for home. Replacing an Associate Justice is one thing, but replacing a Chief Justice is another thing altogether. Recall that Rehnquist himself, who sailed through his first confirmation, was swiftly transformed by his opponents into some sort of neo-Nazi sympathizer when nominated as Chief. The process will likely be no less brutal this time around.

With Rehnquist out, Bush will have three solid (or mostly solid) conservative Associates from which to choose: O’Connor, Thomas, and Antonin Scalia. As noted above, O’Connor is herself getting a little long-in-the-tooth and, like Rehnquist, is considered a serious candidate for

retirement. And even if she doesn't retire at the same time as the Chief, Bush doesn't want to have to do this twice, so we can safely assume that O'Connor is out.

That leaves Thomas and Scalia. Most observers believe that Scalia is the obvious choice, not because of his overwhelming qualifications, but because Thomas is too controversial and inconsequential to merit the nomination. Thomas is, they say, a "follower," who has no independent judicial mind and who generally just goes along with others, most often Scalia, who tell him how to rule. That's drivel. In my opinion, Bush will nominate the eminently qualified Clarence Thomas to be Chief Justice of the United States Supreme Court.

And Thomas will be confirmed.

First, Thomas will address concerns about his qualifications by demonstrating his superior intelligence and judicial temperament. And, in the process, he will make his detractors look prejudiced and uninformed. We presume Thomas will answer the charges that he is unable to make his own judicial decisions in the way he has always answered them. His response will, we believe, be something similar to that which appears in the "They Said It" section this week. Not only will Thomas discredit such arguments, but he will also expose the rank condescension from which they spring.

Second, the forces of the left will be hard pressed to muster the opposition to Thomas that they mustered the first time around. As we noted earlier, the feminist movement that viciously attacked (high-tech lynched) him in '91 is a joke. Thomas, Bush, and the Republicans in the Senate will eat the sad, fair-weather feminists for lunch.

Third, Thomas was, in the end, confirmed last time, despite the fact that Democrats controlled the Senate. With the GOP in control this time around, only a filibuster could conceivably stop Thomas, and even that would, we think, be difficult to sustain.

Moreover, such a strategy would be mind-numbingly stupid. Keeping no-name judges off the federal bench when no one is paying attention is one thing; keeping a highly qualified black man from becoming the first black Chief Justice, for purely partisan reasons, while the entire nation is watching is quite different. And while we've been prone to overestimate Congressional Democrats in the past, we don't see how any of them could possibly think that that would be a good idea, politically or otherwise.

In any case, the Supreme Court nomination process will, should it be necessary this summer, be at once both tedious and fun. It will be painfully difficult to listen to the left trash conservative nominees using the same old hackneyed arguments. It will also be tiresome to hear the mainstream media repeat the Democrats' charges uncritically, as if they were established fact. At the same time, it will be fun to watch the left lose.

**WHAT WEAPONS OF MASS DESTRUCTION?** As you might have noticed, neither Steve nor I have written any stories about the failure of the Bush administration to find any WMDs in Iraq. If you're wondering why, it is because we simply haven't thought that there was much of a story there, despite the Democrats' best efforts to manufacture one. But numerous clients have inquired, of late, about our take on this issue, so here goes.

Our belief from the very beginning has been that this will not turn into the kind of major scandal that will threaten the credibility and effectiveness of the Bush White House, as Watergate did to the Nixon presidency, Iran-Contra did to the Reagan administration, and as Whitewater, travelgate, filegate, Monicagate, Chinagate and all the other assorted scandals did to Bill.

For that to happen, the Democrats would have to build a credible case that the Bush crowd deliberately manipulated the intelligence in order to provide justification for an invasion that they had already decided to launch. And we simply don't think they have the juice to do it.

I am not saying here that such a scenario is implausible. In fact, I think it is entirely likely that the White House and the Pentagon began looking for a justification to force a "regime change" in Iraq immediately after the September 11 attacks, settled on the weapons of mass destruction threat as a primary factor, and set about building a dossier that would support the charge.

If this were the case, it would definitely have been putting the cart before the horse, but I think it is fair to say that virtually everyone in the White House and Pentagon was absolutely certain that Saddam did indeed have WMDs and that they would be found quickly after the war was over. So, from their perspective, there was no risk in tinkering with the evidence, if that's what it took to convince a reluctant Colin Powell, as well as Tony Blair and a handful of United Nations groupies, to support the effort. On the other hand, even if they did this, it is doubtful, in my opinion, that anyone will ever be able to prove it conclusively.

A well developed and well marketed circumstantial case could conceivably hurt Bush. But being the minority party in both the Senate and House, the Democrats don't have a good platform from which to launch the kind of extensive and expensive fishing expedition that would be necessary to produce such a thing. As Kansas Republican Pat Roberts, Chairman of the Senate Intelligence Committee, stated a couple weeks ago, he is not about to allow his committee "to be politicized or to be used as an unwitting tool for any political strategist."

And even if his deliberately limited investigation were to turn up some damaging information, it isn't certain that the public would care, since polls indicate that a substantial portion of the population seems, at least for now, to buy the idea that even if it turns out that Saddam had no WMDs at all, he still deserved to get his butt kicked, and Bush was right to do it.

Add to that the fact that Bush and his advisors appear to have been right about Saddam's removal bringing manifold benefits to the Middle East (see Steve's Iran story above), and it just doesn't seem terribly likely that the public will ever care if Saddam had all of the weaponry Bush believed he had. In short, we think it's a non-story. We will continue to watch it, and if we change our minds, we will be the first to say so.

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