

SAM SMITH INTERVIEW

Q: I'd like to start the discussion just by asking you what it means to be a citizen in a free country.

SMITH: I haven't been one for a while, so I'm not exactly sure. But as I recall, it meant, among other things, not being regarded as a potential terrorist or a sexual predator or a drug addict more often than I was considered a valued member of society. I think that would be one good standard. I think - living in Washington, I've come to think of it as consisting of, as having two parts: occupied Washington and unoccupied Washington. And occupied Washington is the part where I can't go without someone suspecting that I might be a terrorist. In that sort of atmosphere, you know, even going to your local Starbuck's seems like freedom.

Q: Can you talk about the value of the Bill of Rights and its currency in our contemporary, post 9/11 society?

SMITH: Well, I think that one of the first things people have to keep in mind is that no document can guarantee you any rights. It has to be the document in combination with the will of the people. I think it was Madison who said that the American Revolution started in the hearts and minds of the American people - and it happened sometime before the actual fighting took place. And that's generally true in history, that you can find when you go back and you look back - you can see that there was a period of maybe decades in which the conditions were being developed. And even in more recent times, for example, a lot of people considered the 1960's an act of spontaneous combustion, but it wasn't. You had the 1950's. You had the Beats. You had the rebellion involved in cool jazz. You had the beginning of the civil rights movement. All those things were happening. So that it's important to not just look at the documents, but also to look at the spirit of the people. And as somebody once pointed out - that one of the problems is that once you put in writing that there shall be free speech - it is almost an invitation for the lawyers to find out what the limits on that free speech is. And of course, that's been one of the struggles we've had all along.

Q: Several years ago, you listed individual liberties that have been chipped away at over the course of time. Can you give us a summary of liberties you've seen slip away?

SMITH: Well, I'll give you a few examples. I think very few young people today realize there was a time when 18 year-olds could drink in this country. That is no longer the case. And not only is it no longer the case, you don't hear anybody talking about the fact that it was recently, you know, in historical terms, recently the case.

I was in the Coast Guard. I was an officer in the Coast Guard. And as a federal law enforcement officer, we were taught what an arrest was. And I remember, distinctly, at officer candidate school in 1961 - being told, that if you held someone without their freedom to leave - you had arrested them. And you better have a damn good reason for having done so. Now we have these words like "detention" that muddle up the whole question of when somebody is under arrest and when they're not. We have very - made it very unclear when the police are entitled to abuse your rights because of something called 'national security.' Or when you're still covered by the Constitution and what the Bill of Rights says.

Just coming over here today, I read a story about a judge in Florida who has determined, because of a protest going on down there, that they were going to suspend the right to a speedy trial - because

there just wasn't time to handle all the arrests they were expecting. And that's the sort of thing that happens. And I think the frustrating thing when you come down to it - it's not a logical argument. It's a matter of will. And once people lose the capacity to become outraged when a judge says something like that, then no document's going to protect you. If you have the right spirit, then you almost don't need the document, but it's important symbolically. But it's - the main thing is that people have to want to be free and it has to matter to them. And they have to see when it is that they're being screwed.

Q: Set the stage for us about what was happening in the 1960s, and why there were violations like the FBI surveillance of these groups, and other kinds of anecdotes about liberties lost.

SMITH: Well, it wasn't new. You know, it happened during World War I. World War I was one of the great periods of police abuse of the Constitution. One of the things that happened, however, is that technology plays a role in this. I was talking to my son, who's a musician. And I was - we were talking about copyright. And I was making some sort of remark about, "Well, we never would have done that." And then I had to add right away, "Well of course, we didn't have copy machines." The minute you have a copy machine, then you change the nature of copyright.

And it's that way with spying technology. The minute you have the technology - somebody wants to use it, somebody wants to sell it, somebody wants to make it and somebody wants to buy it.

But the other thing that's interesting about the 60's is that while there were some very bad things that happened, such as in Chicago during the Convention - there was a counterbalance of what was good that was happening. And so there was a real struggle going on in which, essentially, freedom was coming out on top. And we ended the decade better off than we began for many, many groups of people. And that's one standard that you can apply. Never perfect.

Something happened in the 1970's, and I'm not sure I understand what it is. I saw something the other day which stunned me. It's a graph of the percentage of members of the Pennsylvania General Assembly who were elected without opposition. And it goes all the way back to 1948. And you look at that graph and it shows that up until the 1970's, less than 5% of the members of the Pennsylvania General Assembly were elected without opposition. Today, something close to two-thirds are. And you see this thing just shooting right up. And you ask yourself - I mean there's as good a sign that something bad is happening to your democracy, when you can't even get people to run, when they....

That's a sign that there's something wrong with your democracy, when you can't even get people to run for public office. And that's - that may seem just like one single example, but it's true all across the country. I think there were something like 1,200 state legislative seats that were unopposed in a recent election across the country. There were a lot of other things that happened in 1970 and during that decade, that seemed to indicate that we were losing interest in democracy. And America was losing interest in being America.

This may seem strange, but you know Richard Nixon was - Richard Nixon was really our last liberal President, when you look at social legislation. He even wanted a negative income tax. Now what happened after Nixon was that we got Carter - we got Ford and Carter, who were essentially transitory figures. And then in came Reagan. And from that point on, the whole paradigm of the country shifted, from one of essentially increasing social justice and social democracy, to

decreasing it - and to a society more and more driven by greed. Now I think it's pretty easy to understand what happened in the 1980's. It's less clear what happened in the 1970's. And I think that's something that, you know, needs some really good historians to look at - because we've certainly changed. Every President since that time has been more conservative than the last, Republican or Democrat. And we have essentially unraveled 60 years of social democracy that the New Deal and the years after that had developed for this country. And we did it without any debate. I mean, Gerry Ford's Administration was one of the quietest times of my lifetime in terms of politics, right? And in - during Jimmy Carter's time we were worried mainly about gas lines.

Now that's one thing I think that needs to be kept in mind - there's something else that isn't generally talked about. But I look upon the Kennedy election as the first modern election in which the mob played a significant role. And ever since then, with a minute number of exceptions, Jimmy Carter being one - there has been an element of criminality involved in our politics unlike anything I think we've seen before. And it's interesting that Jimmy Carter, in fact, may have contributed to it unintentionally, by reducing the size of the CIA - laying off hundreds of CIA officers, some of whom would later turn up as part of the Iran-Contra crowd. But I don't think you can understand modern American politics without accepting the fact that it has become more criminalized. And I think this is something very hard for - people want to talk ideology.

And you have a campaign going on - a Presidential campaign, everybody wants to talk ideology, you know, and I'm the old cynic. And I look there and I'll say, you know, "Which one is going to get the country a little cleaner than it was?" And we have to find ways of talking about that, because, basically right now, we all live in a mafia neighborhood. I mean, because there's just no clear line between legal and illegal action in our government.

There's no legal or illegal line. There's no line, no clear line between legal and illegal action in our government anymore - and we've become very confused about that. We don't even know where to draw the line, but we are aware there's something wrong and there's something very different. So that's another element. So you combine a sort of a loss of will. You combine with that ideological change, and then you add the criminal element, and you have quite a different country than you had before.

Q: There were the revelations about domestic spying by the CIA and the FBI and so on and so forth, coming out in the mid-70s. How much impact do you think this has had on the public psyche?

SMITH: Well, I don't think it had that great an impact on the public psyche. I think it had an impact on the media and the politicians, because there were enough around still who could be impacted. Today, if you had the same information coming out, it might not even make the front page. But in those days, we did consider it disturbing that - to find that the FBI was spying on the American Friends Service Committee. That - that sort of thing, again, it comes down to this question of our capacity to react to things.

And another aspect of this problem which I don't think gets enough attention is - it's really - a lot of it has to do with, essentially, with bullying - with a group of people bullying other people. And we, again we tend to think about politics in ideological terms, but I think it sometimes helps to take it out of that framework and just look at it more sociologically.

Mary McGrory was one of the few conventional journalists to take on Joe McCarthy during the

period of his power. Years later, she explained it to a group by saying that she recognized Joe McCarthy because she had seen his type when she was a kid. He was the Irish yard - playground bully, you see. And she framed it in those terms and it became very clear what Joe McCarthy was up about. But a lot of liberals were reacting to it on sort of an ideological basis and they were subconsciously reacting in terms of the fear that you would display toward the bully. They didn't understand that. And that's why I think it's very important for people to realize that you can't handle a bully by running the other way. I mean, the thing is, the community has to stand up to that sort of behavior. And it's easier for me to say that because I come out of several periods in which that was very clear - made very clear. It was sort of ingrained in me. But I know it's very difficult for someone the first time to run into that. For example your schoolteachers don't tell you about that. But there's no doubt that John Ashcroft and George Bush are bullies. They're bullying the world. They're bullying other Americans. And basically, we have to stand up to them.

Q: Certainly there were some reforms that came through Congress after the revelations of the 1970's about intelligence abuses and so forth. Do you ever look at what happened as a result of Reagan and Bush coming to power and the changes they made within the agency as a repudiation of those kinds of congressional reforms?

SMITH: Well one thing is the politicians are always more sophisticated about the meaning of legislation than the average citizen. They know from the get-go what's a fraud and what's a form of sedation and what's real. And of course as time's gone on, we've had more and more sedatives being passed instead of real legislation.

One interesting thing is that we've had as many laws, more - we've had more laws passed since 1970 than we had in the previous 200 years of our existence. And yet our society is clearly not getting better. And so I would say - any of those people, say, involved in Iran-Contra looked at it from the get-go in the sense that - it's just a question of how you get around those laws.

You know, there have been more federal laws passed since the 1970's than there were passed in the previous 200 years of our nation - and apparently to no great, good effect. But politicians know that they're meant to be passing laws so they do it. And the minute anything comes up or gets some media attention is - the first reaction is you pass a law. And the second reaction is to then ignore the law or to help people get around it. And the politicians are very sophisticated about that. And the media is not skeptical enough to be able to go and look at a piece of legislation and say, 'Here are the pitfalls.'

One of the problems that we face is the lack of curiosity and doubt on the part of the media. There is a group called the Center for Public Integrity which does a lot of investigative reporting itself, as do a number of groups. But the interesting thing is that - I was told the other day is - they probably have as many investigative reporters on the staff of this, or under contract to this non-profit, as say the *New York Times* or the *Washington Post* do - and that's interesting. I have been a part of a foundation that has funded a number of investigative projects and I have literally seen situations in which two of our groups have been cited on the front page of the *New York Times* in same day. Now that's wonderful for those groups. But my question is, why do they have to rely on our groups to find out the news? Where are the *New York Times* reporters? So you're seeing that sort of thing happening.

We give out small investigative journalism grants. This is the fund for a constitutional government.

And I asked the director - I said a few years ago, I said, 'How many of the applicants for our grants are under 40 years of age?' And he said, 'Oh, probably about 10%.' And I mentioned this the other day to him. I said, 'Do you remember me asking you about that?' 'Yeah,' he said. 'The thing wrong about it now - it would be under 50 years old.'

Now why is this? My guess is that there is very little advantage in today's corporate media for either the corporation or the reporter to engage in investigative reporting - true investigative reporting. There's only a downside risk. The reporter can get in trouble - you know, alienate someone who's a member of the board he's close to. And on the other end, the corporation sees it as a risk. And it's quite different than say, than journalism 50 years ago - in which you had newspapers that were owned by very conservative and often corrupt people. But they had reporters sort of like a rich person would have a stable of wild horses. They owned them, but they didn't control them. And so there was a real difference between the goals of the reporter and the goals of the owner.

And it was that friction that helped to keep journalism at least a little bit honest. And I think that has largely disappeared now. So that's yet another factor which I think is affecting it. Because if the media doesn't tell you, you know that something's wrong here. The average person is not a lawyer - certainly not a civil liberties lawyer. And you know people say, well - they quote polls. And my answer about polls is that polls merely are the standardized testing of the media - to find out if we've learned what they taught us.

Q: Are there any bits of news that arise out of Iran-Contra that really affected the Constitution and civil liberties?

SMITH: Well, yeah. I guess I don't necessarily think of that as Iran-Contra. I think it's more Reagan, who operated on several levels. And one of the things he did was to come up with the first really detailed plan to essentially take over the country in a time of disaster. Now the interesting thing about this plan - it's called Continuity in Government - was that it was never discussed with anybody. You know - here's this hugely important issue and it never got any public debate. It was interesting also that Congress had virtually no role in the emergency government. I don't think the Supreme Court did, either. It was clearly an executive coup that was going to take place. And it went so far, this was in the 1980's - went so far as that there was a list of names of people who were sort of suggested - sort of like the Iraq governing council that we created there, they created something similar for this country in case of a disaster - which included such names as a guy named Richard Cheney, which I find sort of interesting, in retrospect.

Now my feeling as a constitutionalist is that the Constitution says nothing about martial law. There's absolutely nothing in the Constitution that tells what will happen in case of say, a nuclear disaster. And of course, these guys weren't just thinking of nuclear disasters. They were thinking of things like the riots in the 1960's and how they might respond to that - and how they might put people in concentration camps if there was some sort of insurrection.

My feeling was, from a constitutional viewpoint - I think - I hold this view right on down to today - that if we were to have a nuclear attack in this country that wiped out New York and Washington, the true governing of this country would devolve, properly, to the governors and to the state legislators. We would - we are the United States and we would lose our centralized facilities - but basically our states are pretty well run. But if I were to say that, say, on a Brookings Institution

panel, I would be considered a real radical. And yet, it's just there, it's there. It was the way this country is meant to work. What's so amazing about it are the governors are the real experts on disasters - because they have a lot of experience with them, you see. And the advantage, of course, is what we would do then, we would not have the problem of this sort of handpicked group running the country. Well that's an example of the sort of thing that happened now. Subsequently, they denied that they ever had such plans. And of course - but there's plenty of evidence that they did.

Q: There was an attempt by the Regan Administration and subsequent administrations to imply that drug use was going to impinge on national security in some way, that we had to utilize military assets. What impact does this have on the Bill of Rights, framing the drug question in this way?

SMITH: Yeah. Before I move to the constitutional issues, I think it's important to bear in mind is the war on drugs has been a complete failure. What the war on drugs essentially did was to allow for the creation of a criminal oligopoly that can make a lot more money than it could have before the war on drugs. So it's had really the reverse effect than we thought it was going to have. There are all sorts of social problems with it - such as the fact that it's been more harmful to young black males than for, say it was for their fathers to go to Vietnam. There's also a question - moral question - of why do we put people in jail for using marijuana when the judges and the law enforcement people use far more deadly drugs such as vodka and Marlboros? There's just no logic in it.

I don't think anybody set out to use on the war on drugs to destroy the Constitution. But it certainly was the place where the idea that we no longer could have a true constitutional system really got its start. And the sad thing about it was - because I've been opposed to the war on drugs from its earliest days. I was a critic of the drug policy back in the 1960's and have been ever since. And I can't tell you how disinterested liberals have been on this issue. Not only disinterested, but I've seen situations in which they have aggressively attempted to suppress the notion that the war on drugs is evil. So there's been a bipartisan support for this. And it's relied on people like the libertarians and civil liberties activists on the left to really push this issue.

I think the war on drugs has been one of the most criminal things that this country has engaged in. Not just because of the effects that it's had on the people who were caught up in it, but also because of what it did to the country as a democratic system. We're now down, long down the path - we are at a point in which I don't know exactly how we're going to extricate ourselves from this problem. There's no logic to it. It just doesn't make sense.

The reason we go after marijuana, I'm convinced, is because it's the only drug that's bulky enough to support a war on drugs. If you were, say, to have a war on drugs that only had heroin and cocaine involved - you couldn't support this whole mechanism - because there isn't - the stuff is too small. I read somewhere where you could get all the cocaine that this country uses across the border in eighteen 18-wheelers. So there's a lot of things going on that won't get into the discussion at all. I'll give you another example. It has been estimated that the illegal drug industry worldwide is roughly equivalent to that of the legal drug industry worldwide. So it's a huge business, right. And we Americans are major consumers of drugs, illegal drugs. Now if you listen to our politicians and watch the media, you would get the impression, if you thought about it, that the drug industry was the only honest industry in the country, because it never bought any politicians. You know, how can you have this huge industry that has absolutely no affect on our political system, when every other industry of that same size, you know, has thousands of lobbyists here in Washington? Who is

performing the function of the corporate lobbyists for the drug industry? You know, that's the question that we need to answer. And I don't think we'd be particularly happy with the answers. It's a part of Washington that people don't like to talk about.

There was the *HBO* series, *K Street*, which I found to be remarkable. As a native Washingtonian, I'd never seen a program that got into aspects of the way this town really works. And one of the things that really shook me was a scene in which the FBI agents were pressuring a member of Carville and Matalin's lobbying firm to cooperate - and essentially blackmailing them because of his sexual habits and his disloyalty to his wife - and being very clear about it. And I couldn't remember another time in which what I consider to be an absolute part of this city's history, which is the use of blackmail to control political figures, getting that sort of widespread attention. I don't think people really understood how important it was.

You know, J. Edgar Hoover, we know, used to blackmail members of Congress. And you can't talk about it without talking about sex, because that's one of the useful ways you can deal with it. Sex is one of the useful ways that you exercise your blackmail capacity, right? But you don't read about this in the papers, right? It's not there. And - but you know it is. I mean, I have a friend who's a social worker who used to - among her clients were prostitutes who worked Capitol Hill.

If you read the normal history books, the last time anything illegal happened on Capitol Hill was the man in the green hat passing liquor around and selling liquor during prohibition. But at some level we know that's not true. This goes back to my point about living in a mafia neighborhood. You don't know who all the people are. All you know - you have sort of a sense of the atmosphere, and you know that something isn't right. We know that something isn't right. And that is the situation I think we find ourselves in. And it's a very frustrating one. And I think it leads a lot of people to give up.

Q: Do you have any particular anecdotes that you'd like to relate about the record of the Clinton Administration?

SMITH: Well, Bill Clinton I don't think, ever met a civil liberty that he really liked all that much, or cared about, or considered worth defending. And I would ascribe part of the reason for that was that he came out of a society which was basically pretty hegemonic. Your liberty came from how much power you had. If you were the local sheriff or the attorney general or the governor, you had a lot of liberty. But if you were a little person, or if you were a woman that some politician had sex with, you didn't have any. And that was the way the game was played. I think in understanding - going back to this question of criminal influence in politics - one of the things that got me interested in Clinton very early was that he was born in Hope. And of course the media made a great thing - called him the 'man from Hope' and all that. What was interesting, at the age of seven he moved to Hot Springs. Now Hot Springs was at one point the western boundary for the mob. It became the - essentially the recreation area for the mob. Al Capone had his own personal hotel room in Hot Springs. Clinton's mother used to hang out with mobsters at the race track. And Clinton had an uncle who was very much of a mentor for this young boy, whose stepfather and father were not around - you know, in any useful fashion. And this uncle was a franchisee of the Carmine [Carlos] Marcello organization in New Orleans. Now you didn't read about that in the papers. The whole story - the whole Clinton myth was - was not true. You know it just got off on the wrong foot.

And to me, as someone who has studied urban corruption all my life - one of the questions I have is

- how "mobbed-up" is a politician? You know, it's a basic question. You're not meant to ask that these days, it's considered too cynical. But it's a - you cannot understand politics unless you understand that. I'll give you an example. I won't give you the name of the guy, but it's a well known reporter. He told me the story the other day. He was covering the mob in another city and he got word that there was a hit out on him. So he went to the feds and he said you know, 'What can you do for me?' They said, 'We can't do anything for you until you're hit.' So this was back in the 1970's. So he said, 'Well, what should I do?' They said, 'Well, there are three neutral cities where you should be all right.' And those three cities were Las Vegas, Miami and Washington. Now I have never heard those three cities lumped together like that before. I had always suspected that there was something going on. And the story I heard was that J. Edgar Hoover had put the squeeze on the mobs to stay out of Washington, because there's no reason having that sort of conflict right out on your front steps. But I never heard this before. But you know if you think of Washington as sort of a Hong Kong or a Switzerland of crime - that gives you a whole different perspective, right?

Well this is the sort of thing I think Americans need to know more about - how is crime and politics intersecting? And that's one of the things, but it's still the question of will. The question of education - one of the things we did in the - I think in the beginning of the 70's - was that we found all of these interesting things that people ought to study in school instead of social studies and history and civics. And so we had to have DARE, we had to have driving, we had to have self-esteem. And what went by the boards? You know, I was part of the 4th grade in a public school in Philadelphia - but I still took part in the presidential debate - because you did that in those days. It was important. And that's something which I think is really missing from the discussion, is the degree to which you can't have a democracy without education for it. You just can't. People just don't know what it means. And we have decided that teaching kids not to use marijuana is more important than teaching them how to use their democracy - and we've paid the price for it.

Q: You said to me once that democracy doesn't have tenure. Can you flesh out that concept for us, following up on what you just said?

SMITH: Well, democracy doesn't have tenure. It requires each generation to have a level of passion for it to keep it alive. Otherwise, it becomes sort of like the music that your parents played and no longer interests you - and pretty soon forget it. That's essentially one of the things that's happened.

You know, being the sort of journalist I am, I'm often accused of being a conspiracy theorist. And I try to explain to people that that's the last thing I am - because I don't think you need conspiracies for a lot of these things to happen. All you need is the right environment. Now the people - the irony is, the people who really believe in conspiracy thinking are the people who run the country - because they're the ones who believe that history is formed based on the decisions of a very small number of people. They see it as a positive conspiracy. They don't call it a conspiracy, but that's essentially the idea for something like the Center [Council] for Foreign Relations - is that there is a small group of capos - you know, kindly, good-hearted, wise capos - that can decide the future of our foreign policy. The problem with that is it excludes everybody else. And the other problem with it is you often don't come up with very good answers.

But it's not a traditional conspiracy. What it is is just - all you've got to do is to hire the right people from the right schools and you'll get it. I can guarantee you. And because again, it goes back to

education. And one of the things that happens at some of our best universities is that people are taught theories as to how life functions. And then they go through the rest of their careers stuffing facts into these theories and trying to make them fit. And you could tell a lot of that during the buildup to the Iraq war. And basically what we had was a bunch of people saying, 'here is my theory' and, 'here's how the facts we have fit it.'

Now the other way to go about it is more like an investigative reporter or a homicide detective or an anthropologist - and you look at the facts around you. And you try to assemble them into some sort of logic, and a lot of times it's not particularly logical. Certainly when you first find a dead body when you're a homicide detective, you're not going to have all the answers, and you know that. But you do know how to ask the right questions. But we live in a completely different time and I think it's a time that is very much - very much propelled by mythology. I sometimes refer to it as the second Middle Ages. Only instead of the church determining mythology, we have cable television doing it. But we're not dealing with - there's no particular value placed on reality. You know, the truth no longer makes us free, it just makes us catatonic. And we want to run away from it.

And so that when you have political discussions you find that instead of the facts being important, what's important is ideology and motivation. I'll give you a small example. You know, Vince Foster, who died during the Clinton years under mysterious circumstances. On a number of occasions, I had the experience of saying to people, 'I'd feel a lot better about how Vince Foster died if I could figure out how he got to the park without any car keys.' Now the logical response to that if you had wanted to tell me I was all wet would have been something like, 'Well, didn't you know they found the car keys later at point X?' It never happened. What I got was, 'You don't believe that Republican crap do you?' These were some very intelligent people.

The attempt to introduce facts into the discussion in Washington is one of the most radical things you can do. It's not appreciated. But as long as you stick to the mythology, you know, you're fine. And it's not just in ordinary politics. I mean, what's economics? Modern economics, to my mind, conservative economics is - the closest thing to it is born again Christianity. You know, instead of Jesus, you have the market. But otherwise, it's the same thing. You know, it's a single factor analysis. And I'm just very glad these folks discovered the markets before they discovered defecation. The gross national product would mean something else, but I mean it would make as much sense. You know - you have to look at life as being very complex - and there's never a single explanation for the way we change. There are a lot of things going on.

Q: One thing that we see come up in administration after administration is this consistent impinging on the Bill of Rights. Can you give us a capsule analysis of why is this such a consistent theme among policy makers over the last few decades?

SMITH: Well, I've often used to that old line about Washington - 'where your laws are made and broken.' There certainly is as much effort expended on getting around laws as there is in making them in this town. And the Bill of Rights is sort of the ultimate obstacle. It's very frustrating if your purpose is to see how much money you can make or how much power you can get - to have such a clear definition of the way things ought to function. And I think it's important for people to understand that - that the people who wrote this Constitution were not paragons. But what they did do and what worked very, very well - was it created enough of an ideal for us to strive towards. That America became a very, very good place to try to do the right thing. It didn't mean that we always succeeded. But it meant that it was a very good atmosphere in which to try. And that's what

the Bill of Rights does, in part, is it makes it possible to try to do the right thing. It in no way guarantees that you will do the right thing. You know, you can have freedom of speech and talk nonsense. But it does give you the opportunity. So I think that it's a little bit like trying to tell a Washington lobbyist that they're not following traditional moral codes. You know, that's an annoyance. Something that - 'we can't function if they put those - with those sort of rules on us?'

SMITH: You know - imagine confronting a Washington lobbyist and saying, "Why aren't you living up to the moral code that the nuns at your school or your parents taught you?" They would think you were incredibly naive. And part of the game in Washington is to appear to be doing the right thing while you're doing something quite different.

Q: I'm curious to hear your comments on the term "national security" and how it's being thrown around so loosely.

SMITH: I think I got through the first half of my life without ever hearing that phrase. I can't tell you when I first heard it or - I think it probably started to be used in my consciousness during the 60's. It's an interesting question. For example - take a recent example. We've spent 50 years getting the Muslim world mad at us. And our present view of national security is to get them even madder at us. And that is alien to what I think is good national security.

My view is that you get people mad at you - then you want to deal fairly and rationally with the most rational of those critics. And in so doing, you eliminate the support for the most extreme and the most irrational of your critics. But you can't do it without responding. And this is something that the - the idea that we can do this by force is just absurd.

I came in here today with absolutely no guarantee that your cameraman didn't have a gun mounted in that camera and was going to kill me. But I knew you, right - you've interviewed me before and there's some trust. And I figured you'd probably hire a fairly honest cameraman, who wasn't about to kill me, right - if the thought even crossed my mind. When I was raising my sons, maybe I should have x-rayed their backpacks when they came home at night, but I didn't need to. Why? What made us safe was trust. In the end, it's the only thing that makes you safe - is having a relationship that works well for both sides.

We accept this absolutely when we're talking about our family, or at work, or in the community or at church - but we don't seem to apply these same principles when we're talking about as a nation. Yet it's clear that you could be much less threatened as a nation if people don't hate you. I mean that's - that's just for beginners. There's a lot of other things you can work on too. But that's a good starting point.

During the buildup to the Iraq war, one of the things that struck me was how many military experts there were on TV - and the near total absence of peace experts. Yet the business of creating a peaceful environment - which is the purpose of national security, I would assume, is far more difficult than it is - anybody can make war. Anybody can start a fight. That's not hard.

To get people who are angry at each other and start to become more rational and more decent with each other - that takes some real skill. And I think that our failing to credit that has caused us a lot of misery and has put this country in very serious danger. I thought, on 9/11 - people began talking about how this was Pearl Harbor all over again. My immediate reaction was "no it's not Pearl

Harbor, it's Dien Bien Phu - which was the battle that the French lost in Vietnam that caused them to leave Vietnam. And what was the lesson? The lesson was, essentially, the one that you can go way back in history and find the big moated castles. Why didn't the moated castles work? Because eventually somebody finds a way to shoot a fireball over them - break into them. The moated castle principle, which is the one that the French had up until Dien Bien Phu and the one we have right today - just doesn't work.

Now what happened was in France, this was within a few years, they elected a general President - General DeGaulle. And within a few years after that, even though he had campaigned to keep Algeria a colony of France, he had freed Algeria and begun the process of getting rid of all of France's colonies. So here was this general who had done the exact opposite in reacting to this sort of experience as George Bush.

When I think about national security, I think about a state of feeling secure. I don't feel secure right now, I feel more endangered than at just about any time in my life. I live six blocks from the Capitol. It came very close to my house. My wife works five blocks from the White House. So this isn't a political question for me. This is also a question of personal survival. And I feel very much endangered by George Bush and his friends and their approach to national security.

The point at which I would feel secure would be one in which I felt I was living in a world in which there was reasonable reciprocal liberty and rights among nations. Not that everything was perfect, but that we had a way to negotiate when things weren't going right. And that we didn't depend upon threats on either side to get our way. The way I look at it is if Bin Laden had been a Unitarian and Sharon an old fashioned, secular Jew and George Bush a mushy Episcopalian - none of this would have happened. What you ended up with - you ended up with three essentially religious nuts - people who were absolutely certain that they knew the right answer. And it has been a disaster. The world is crying out for some 7th Day Agnostics to get us back on course.

Q: Can you talk about the process of impinging on civil liberties and the rollback of rights? Is it a nefarious kind of process, or more banal?

SMITH: Oh, no - it's a bureaucratic process. I mean people don't think about - I don't think most cops think about it. They're just part of a bureaucracy. They're following the rules. And if you press people on it who are involved in something like this, they'll give you some sort of knee jerk answer that they have learned when they were being trained.

Adolph Eichmann was asked about this at his trial. They said "How were you able to do this? How were you able to carry out all this?" His response was, "We had the language to do it. We called it 'office talk.'" And it is the very process of making the abnormal ordinary that is part of real insanity. When that becomes normal - when killing people, or abusing people, or arresting people falsely becomes just a matter of day to day life, that's when you know you're really in trouble.

Q: In terms of the struggle against rolling back civil liberties and incursions on the Constitution, can you talk about the history of citizen involvement?

SMITH: I think what you often find is a fairly small group of people who really stand up at critical moments. And often they're not necessarily the most admired people in the country - people known as radicals. They may have more to lose. They may be more perceptive about what could happen if

we do lose these rights. Part of my own background is Quaker. There were 100,000 Quakers in the 18th century. There are about 100,000 in this country today. But every time there's been a major change for the better in social justice or democratic reform against war, you'll always find a bunch of Quakers there. And you ask yourself why that is? And I think one reason for it is that Quakers have learned to stand outside of history. To live their lives, not indifferent to history - but to realize that while you can't always affect history, you can always affect your reaction to it. I wrote a whole book on the subject called *Why Bother?*, because I found it so fascinating. And I found I was running up against this all the time when I was talking, especially to students. And one of the questions I asked in that book was, knowing what you know now, would you have been an abolitionist in 1830? Would you have been a feminist in 1870? Would you have been a labor activist in 1890? In 1848, there were 300 people who went to a meeting in Seneca Falls, New York. It was the first big woman's meeting in this country. One of the fascinating things about that meeting is only one of those women lived long enough to vote. So would you have said, "That's not worth going to?" And how do we know how to judge the meeting next Thursday? Because we don't have history to tell us what the answer is. We're living in - at that point. But those feminists, those abolitionists, those labor activists, all had that ability to operate independent of history.

My own view is that one of the things that helps is the philosophical concept of existentialism - which has been well described as the philosophy that says that 'only you can take a shower.' You are responsible for everything that you do and you say. Your being is created by your actions and your words. And as one of the existential philosophers said, "Even the condemned man has the ability to choose how he approaches the gallows." And I think it is that sense of having - not a control over history - but control over your reaction to history that makes a difference. And I think it's something which people are going to have to think about a lot more now. Because we're in a long, long period before we recover what we've lost. There's just no doubt about it.

I am fascinated by a part of 1984 that doesn't get a lot of attention. Only 10% of the people described in that book were members of the Party. And only 5% were members of the Inner Party. It is, incidentally, about the same percentage as was with the Communist Party in East Germany during the Cold War. So roughly 90% of the people in that book 1984 lived lives that were really not very well described in the book. They were in several places, and one of the places, Orwell talks about the people in charge didn't have to worry about these folks. They would drink their beer and work and have families and die - and they would occasionally send police through their communities to deal with the more troublemaking members of it.

As I think of what has happened since 9/11 I think we have -- we're approaching more and more that sort of society in which there's a real difference between what's happening in Washington and New York and Paris and Baghdad and Kabul - and what is happening in the rest of Iraq, or in St. Louis or in Des Moines. And it's almost as though the war against terrorism is really a war - a battle of capitals. It fascinated me both with Afghanistan and Iraq, how much of our attention was on Baghdad and Kabul and how little on the rest of the country....

In a strange sort of way, the war against terrorism has become a battle of capitals - Washington, New York, Kabul, Baghdad, Paris, London. The rest of Iraq, the rest of Afghanistan, St. Louis, Des Moines - they're not as important. Because what we're talking about is a power struggle involving this 10% or 5% of the country that are the elite. Now this is both a problem for us, because it's created tremendous stress - you know, you can be from St. Louis and Des Moines and be on the wrong plane - but at the same time I think it creates an opportunity in the way that we can think

about this problem. And that is that the future of democracy and freedom is not good in Washington or in New York. Where it's going to have to come from - it's going to have to come from the rest of the country, where people are not under the same sort of pressure, and they haven't caved in so much, and they haven't sought power so much.

SMITH: It's going to have to come from other places, where people haven't caved in so much, they haven't sought power so much, they're not so afraid. And it's almost as though freedom has become a local option. And we've seen some signs of this already. As you're talking to me, something like 120 cities have come out against the Patriot Act. Some people have taken very strong and admirable positions, public positions - city councils, even police chiefs. And this is how the idea of freedom stays alive. And over time, more and more people get to see the difference between the politics of the capitals and the politics of the outlands. Jacques Italic who was a French government official, once said that we need a new word to describe places like Paris and London and New York, which have - because they have much more in common with each other than any one of them does with St. Louis, you see.

If we're looking for some place to have hope, I think it's in the capacity of smaller places in this country to retain the democratic traditions - to put up signs saying, 'Bill of Rights respected here.' Instead of you know - 'no drug zone.' Those are all possibilities. And then there are a lot of other things that people can do. For example, one of the ways the civil rights movement got going was through freedom schools. The schools didn't teach civil rights, so the civil rights movement created their own schools for young people. The woman's movement was started, in part, by people simply meeting in living rooms.

I have this idea, which has only been an idea, but I'd love to see someone steal it and go with it - which is that you have news salons in which people just get together on a regular basis. And everybody in the room gives their news. And their news can be out of the newspaper. It can be something they experienced, or it could be a poem, or it could be a photograph. It doesn't make any difference. It's something new that has happened to them that seems important. And I think this would be very healthy, because it would get people to think of something that - it would get people to think of news as not something that was delivered to them, but which they could find and create on their own.

And there's nothing really new about this. Minorities have always done this. There have been something like 2,000 labor newspapers in this country over its history. And I'm not talking about shop papers. I'm talking about real newspapers. There's been a very active foreign language press in this country. And where would the civil rights movement be without the African American press? So basically I think the idea of - you can't wait for a Democrat or Republican Congress to give you back your liberties. You have to start building it at home. And sooner or later then, the politicians begin to get the message that something has changed. When that will happen, I don't know.

But the thing that we can do right now is to take the first steps that make it clear that what is happening in Washington is not the value system of our town, for example, or of our school system. That we still believe in the Constitution. And we still believe in the Bill of Rights. And even though we don't have the power to spread our feelings throughout the whole country at this point, we can still have a strong effect on our own community

Q: Since 9/11 there has been multi-partisan support that things of joining together to oppose the

PATRIOT Act and defend the Bill of Rights. Can you reflect on what that says to you?

SMITH: Yeah, I look on the Bill of Rights as sort of the ground rules. And it's the ground rules for our political life and our social life - communal life. And that's quite different than the question of what sort kind of healthcare system you want. So I've often found that very conservative people shared my views about the Constitution and about civil liberties. So that doesn't really surprise me. I think it - it sometimes surprises me that people who I think should be more concerned about it aren't. But I would expect to find a broad range of people who really believe in it - because in a sense it's almost a cultural value rather than a political value. It's a feeling of where you stand in your community. And it is an indication of how important you think an individual, including yourself, is to that community. How essential you are. And that is something which, of course, the media and the government is trying to teach us that we're not very important.

Q: What do you think the importance is of keeping that kind of coalition together?

SMITH: Oh, I think it's - I'm a great believer in crossover. I like crossover music and I like crossover politics. I tell people - you know, I tell my progressive friends, "If you can find an abortion-opposing nun who belongs to the NRA who's willing to help you save the local forest, you know, put her on the steering committee." We don't - we're not going to agree on everything, but the very process of working with somebody who you only agree 50% with - but you're working on something that you do agree with - changes your relationship to that person. And it is an example of a concept which I think really is important, which is one of reciprocal liberty. That liberty is not something I can define for everybody in this country. It's something that I'm going to have to negotiate with - I'm going to have to - maybe I'm making too much noise, you know, in my apartment. So I have my liberty, but you're downstairs from me - you don't have your liberty. You see, that sort of issue.

To me, being the third of six kids, it's just sort of natural. It's not even political with me. I just sort of accepted it as part of the nature of things. But I think it's an important way for people to think of - and I don't think - I think a lot of conservatives - one of the things that scares me about this country, is a lot of conservatives and liberals have taken the view that they really know the answer to how everybody should react, for instance.

Now, I'll give you an example. If you look at the statistics on abortion - the public view on abortion hasn't really changed that much over the years. And think of how much money we've spent trying to convince the other side that they were wrong - and how little time we spent wondering, "How do you develop a society in which people who are strongly opposed to abortion, and people who believe that women should have choice, can live in the same community without being at each other's throats?" And that's the real trick. And it's one of the reasons we have a Bill of Rights - in order to provide for that sort of society. Otherwise, you know somebody's going to get to decide. And it's going to be the 800 pound gorilla. You know it's not going to be a democratic process. And maybe you'll win this year. But next year, you know, somebody else will.