



Humanist Society of New Mexico



November 2008

www.humanists.net/nm/ fmarch@thinkwellassociates.com

HSNM BOARD ANNOUNCEMENT

The Nominating Committee (Jerry Wesner and Leland Franks) has been able to put forth the following slate effective November 2008, pending a vote by members. Since there is no competition, and in fact a vacancy for the Vice President position responsible for our monthly lecture series, the Board has resolved to hold election by acclimation to be validated by members (continued next page)

HSNM Family Co-op

Alternative Children's Sunday School

November 2nd & 16th, 11:00 am

Regular Meetings

Ground Level, College of Santa Fe, Albuquerque
Campus, Pinetree Corporate Center
4501 Indian School Rd. NE

Santa Fe Humanists

Saturday, October 4th, 10:30am

How Are You Doing?

Community Room, LaFarge Branch of the Santa Fe
Public Library, 1730 Llano St.

6599 Jaguar Drive

For more information contact Barbara King
(505) 471- 9255

Upcoming HSNM Meetings

Meetings are free and open to the public and run
from 10:00 to noon (except where noted)

Saturday, November 8th

Informal Meeting

General Discussion

Refreshments: Helen & Jack Fuller

Summit Apartments, 3901 Indian School NE

Saturday, November 15th

Topical Discussion

Capitalism, Regulated and Unregulated

Special Collections Library, 423 Central Ave. NE

Sunday, November 16th

HSNM Book Club

2:00-4:00pm

*Rocks of Ages: Science and Religion in the Fullness
of Life*

by Stephen Jay Gould

Title Wave Books, 1408 Eubank NE

Saturday, November 22nd

Speaker Meeting

Confessions of a Secular Humanist

Harry Willson

Refreshments: Laverne Rison

UNM Law School, Room 2406, 1117 Stanford NE

Humanism is an ethical philosophy that derives its principles from science and reason rather than theology. It asserts the worth and dignity of every person, advocates personal liberty tempered by social and environmental responsibility, and promotes democracy, compassion, and justice. It sees human beings as natural organisms, whose values arise from culture and experience, and holds humanity responsible for its own affairs.

present at our Lecture meeting on October 25th.

President	Fred March
Vice President	Bill Little
Secretary	Carolyn Glen Kaye
Treasurer	John Waldrop

**The Humanist Society of New Mexico
(HSNM)**

A Membership chapter of the American Humanist Association.

The purpose of HSNM is to promote ethical, naturalistic, democratic Humanism among its members and within its community.

Officers

Frederic March: President

Harry Willson: Vice President/Programs

Jerry Wesner: Past President

Ed Root: Treasurer

John Waldrop : Secretary

Ron Herman: Director of Classes

Jeff Cornelius: Family Co-op

Randall Wall: Newsletter Editor

Janet Johnson: Book Club

Ted Cloak: Community Liaison

Phil Smith: Webmaster

Membership Director: Open

Social Coordinator: Open

Publicity Director: Open

Subscription to HSNM Newsletter, published monthly, accompanies AHA/HSNM membership or can be obtained by nonmembers for \$12 annually. Send subscription and membership request to: Humanist Society of New Mexico, P.O. Box 13675, Albuquerque, NM 87192. Send Newsletter submissions to: Editor, Randall Wall at Email paragon2012@comcast.net

The deadline for Newsletter submissions is the third Saturday of each month.

A Lecture Committee will be formed consisting of Bill Little, Shirley Little and myself. Other members of the new Board, not elected but appointed by the President include:

Ted Cloak (E-Mail Network)
Jeff Cornelius (Sunday School Cooperative)
Ron Herman (Director of Education)
Janet Johnson (Book Club Program)
Jerry Wesner (Ex-Officio)

Any member willing to serve on the Board should contact me. The criterion is simply a willingness to assume responsibility for a specific service to the HSNM. Openings currently exist for **Publicity, Membership, Social Chair**, and monthly **Library Meetings**.

Fred March, President
fmarch@thinkwellassociates.com
366-8721

**"Bring Him On" Vincent Bugliosi's
*The Prosecution of George W. Bush for
Murder***

Book Review by Donald Gutierrez
Editor's Note: This piece will soon be published in
Progressive Populist

I

The title of Vincent Bugliosi's *The Prosecution of George W. Bush for Murder* might at first appear audacious or even outrageous. What is really outrageous, though, is that President Bush and his administration have gotten away with lies and executive actions based on deception--massively criminal in character without anyone--until Bugliosi--legally holding Bush to account. That Congress, the media and the public have given Bush a free ride (which infuriates Bugliosi) is not only shockingly true; this societal irresponsibility embodies as well an ethical catastrophe for the nation and the world for which Bugliosi holds Bush ferociously accountable litigiously as to date no one else has.

Bugliosi's prosecutor qualifications are impressive.

He has won 21 out of 22 murder convictions, the most famous of course the Manson Case. He has also won 105 out of 106 felony jury cases. To F. Lee Bailey, Bugliosi is "the quintessential prosecutor." How then does he handle this "case"?

Prosecution operates on two rhetorical levels. First, it projects an intensely personal approach at the reader both compelling but also occasionally off-putting. Bugliosi brings home the horror of losing a son in the war by recounting some horrific account of his death, then asks how you would feel if it were your son. On the other hand, he'll address the reader as "Hey, Estupido, I'm talking to you!" if one hasn't got the point of some stricture of Bush that he regards as obviously major. *Prosecution* attempts to reach as many people as possible with this direct, righteously angry, common-decency strategy which is often effective as polemic, considering the subject and the dramatic nature of his indictment.

On a more formal yet accessible level of discourse, Bugliosi presents a methodical, detailed account of Bush's reasons and alleged lies to justify starting the war, then provides an imaginary court prosecution of former President Bush with a crucial definition of the charge of murder as it relates to Bush's initiating the war on Iraq. This is the legal core of *Prosecution*, supplemented by other crucial concerns such as the seriousness of Bush's crimes, the various costs of the war, what kind of judgment should be rendered Bush, Bush's terrible performance in combating terrorism, Bush not being held responsible for 9/11 occurring on his watch but, instead, heroizing himself by transforming that event into instigating a "War on Terrorism," Dick Cheney and Condoleezza Rice as Bush's co-conspirators in murder, and Bugliosi's sharp disapproval of Congress, the media and the public for accepting Bush's war.

Bugliosi presents Bush's chief initial reasons for attacking Iraq: Saddam Hussein's alleged Weapons of Mass Destruction and his tie-in with Bin Laden in regard to 9/11. Bush insisted that Saddam's WMDs constituted an imminent threat to the United States despite the fact, as Bugliosi observes, that sixteen American intelligence agencies stated Saddam was not a threat. Further, a White House White Paper misrepresented the State Department's Intelligence and Research Bureau which claimed that Iraq was not moving forward on nuclear-arms research. There is also the demonstrated Uranium-from-Niger lie and the 2002 "Downing-Street Memo" which indicated that the intelligence was "being fixed around the policy" by the White House.

Bugliosi continues examining Bush's lies but enough serious ones have been cited here to allow us to consider

Bugliosi's legal procedure for indicting Bush for murder. Bush, Bugliosi claims, "took this nation to war under false pretenses" (p. 116). The President's lies led to the death of thousands of American soldiers and many thousands of Iraqi civilians. In the most riveting part of *Prosecution*, Bugliosi sets up his idea of Bush's defense against Bugliosi's charges and then, in a formidably entrapping style of prosecutorial interrogation, proceeds to demolish it. Bush's argument of self-defense (based on his claim that he was defending America from imminent Iraqi attack) can, Bugliosi asserts, be disproved by carefully demonstrating his lies and contradictions under relentlessly logical interrogation. And if Bush next claimed that Congress in 2002 authorized the war, a prosecutor would assert that "consent is not a defense to the crime of murder" (92). Further, "fraud /Bush's lies to justify attacking Iraq/vitiates consent."

Bugliosi next attempts to show how all this prosecutorial demonstration of lying and misrepresentation by Bush constitute murder. The prosecution would need to prove that Bush did harbor "a criminal state of mind" (94), and, by Bugliosi's line of argument, this would be proved by Bush telling lies that led to the death of American soldiers. Did Bush want those deaths? No, but he committed actions making them all but unavoidable by declaring a pre-emptive--not preventive--war, a crucial distinction to a significant degree underlined by Bush's false WMDs defense claim.

At this point, Bugliosi examines the legal character of murder and relates it to defendant Bush.

For the legal charge of murder to be valid, it must, states Bugliosi, contain two elements: "the prohibited act, referred to in the law as *actus reus*, to be a crime. This act has to be accompanied by *mens rea*, criminal intent....In this case, the 'act' by Bush would be ordering his military to invade Iraq with American soldiers, 4000 of whom have already died because of the war....The necessary intent that would have to be shown, as indicated, is malice aforethought, satisfied if Bush either intended to kill the soldiers by ordering them to war, or he started the war with reckless and wanton disregard for the consequences and indifference to human life" (93).

Bush's defense would be that he was acting in (national) self-defense. But, as his self-contradicting chain of lies would reveal that this was totally untrue, he would, asserts Bugliosi, be shown to have a "criminal state of mind" and thus to be guilty of murder. And if his defense claimed that Bush would never have wished American soldiers to be killed in a war, the (Bugliosi) prosecution would argue that ordering Americans into a war (especially an illegal and unjust one) would

inevitably result in American military deaths, thus sealing the case against Bush.

Bugliosi points out, further, that Bush could be liable to what in law is called the felony-murder rule whereby certain felonies are "so inherently dangerous, in and of themselves, and the risk of death was so high" (97) that a law was needed indicating first degree murder, "even though there was no malice," a ruling that can be administered, according to Bugliosi, "even where the defendant is not the killer"(98).

Bugliosi, not a prosecutor likely to stop half-way, then states that Bush could be indicted for second-degree murder which carries a life sentence. But he stunningly pushes the legal possibilities to their climax: "Bush's alleged crime is so prodigious and on such a grand scale that it would greatly dishonor those in their graves who paid the ultimate price because of it if he were not to pay the ultimate penalty. This is why all attempts should be made to prosecute him for first degree murder" (99). The prosecution of Bush could (should, he argues) be for first-degree murder for which one could receive the death penalty. Moreover, Bugliosi asserts that "most first-degree murder cases are based on circumstantial evidence" (100)--there need not be a smoking gun (or a mushroom cloud). Finally, proving that Bush did not act in self-defense declaring war on Iraq requires proof only beyond a reasonable, not all, doubt.

II

Is Bugliosi's "prosecution" of Bush merely a vindictive fantasy lacking serious grounds for pursuing legal justice? Certainly not according to Bugliosi who, after detailing Bush's lies in office, further attempts to strengthen his case by discussing some terrible consequences of Bush's war. As of 2007, the money for the war could have financed health for all un-insured Americans for perhaps thirty years. Further, most of the world loathes or fears Bush, and thus, to some extent, the country. Consequently, according to a 2006 National Intelligence Estimate Report, the United States is less safe under Bush today than it was before the war. American casualties, as Bugliosi repeatedly states, are well over 4000. He mentions Iraqi casualties as being set at somewhat over 100,000, generally considered a conservative estimation (he fails to mention the millions of Iraqis dislocated from their homes and country). Of course the loss of many billions of dollars for America's social needs (health care, education, bridges, etc.) is another area of outrageous negligence caused by the war and occupation.

Bugliosi suggests effective venues in which Bush

could be tried, the best being in a federal court, the other in a state court, because soldiers killed in the war came from every state in the nation, thus giving any state attorney the right indict Bush. If Bush's indictment still seems improbable, Bugliosi reminds us that General Pinochet was finally indicted at 89 by his country in 2004. Bugliosi, moreover, cannily remarks that in any trial proceeding all potential jurors be asked under oath whether trying a President of the United States would be acceptable to them; if not, they would be dismissed from the jury.

Prosecution contains a "Photographic Brief," seven pages of photos divided into two shockingly contrastive sections. The first shows both Americans and Iraqis ravaged with grief for family and friends killed or wounded in the war; the second exhibits eight photos taken from 2002 on of Bush broadly smiling, grinning from ear to ear, looking like he's having (as he has himself declared) the time of his life. Bugliosi repeatedly presses Bush's insensitive personal happiness on the reader, usually in contrastive juxtaposition to such incidents as one soldier in Iraq writing to his folks to let them know he's okay and that he worries about them, only the next day to be found dead, decapitated, and evidence indicating he had been tortured. *Prosecution* also discusses in detail that Bush vacationed 908 days or over one-third of his total time (so far) as president. While other American presidents, whatever their own war-mongering (an important consideration Bugliosi ignores) are seen even in private looking grim and concerned about a given war during their watch, Bush apparently is mainly grieved because, for example, the White House running track is not long enough for his workout.

Prosecution has its flaws. Bugliosi's righteous if pugnacious anger might occasionally seem excessive to some; he calls Bush, for example, a son of a bitch and a coward and the American public the living dead for not responding to Bush-Cheney-Rice's malfeasance. He also white-washes some former presidents which makes Bush look even worse (Nixon's secret bombing of Cambodia is not mentioned). Many of his quotes lack a source listing and there is no bibliography (on the other hand, *Prosecution* includes 74 pages of notes--one ten pages long--and many of them important to key ideas in his legal, prosecutorial and polemical argumentation). And Bugliosi can be repetitive to a fault, but then incremental repetition is how a good prosecutor proceeds, and Bugliosi is clearly a formidably good prosecutor..

Nevertheless, actualizing the prosecution of President Bush could be very difficult. Enormous institutional pressures would surely be brought to bear--relayed

through the Supreme Court, Congress, the corporatized media, think tanks and so on--to prevent this extraordinary legal action, despite possibly a sizable number of Americans being for it. Bush could also be pardoned by the next president. The pro-Bush forces would, falsely but energetically, claim that such an indictment would seriously denigrate the office of the American presidency itself, using that prestigious shield to defend a felonious president.

Nevertheless, it is momentous that Vincent Bugliosi has thrust this bold, forcefully and cogently argued "case" into the public arena. Prosecuting a former President Bush could now become a potent seed in the American mind. And who knows what young, morally inflamed future state or federal attorney might one day take up the challenge of imposing justice on George W. Bush--and carry it through?

The Definitive Proof

Many centuries ago Thomas Aquinas worked hard at compiling proofs of the existence of God. They were not quite completely convincing, and over the ensuing centuries many theologians and philosophers got into the discussion. Baruch Spinoza, Rene Descartes, Bertrand Russell, Paul Tillich and many others joined in. Sometimes the game switched into trying to prove the non-existence of God. Recently four books which deny the existence of God have become best-sellers; the authors are Dennett, Dawkins, Harris and Hitchens. And I wrote one of my own, *FREEDOM FROM GOD: RESTORING THE SENSE OF WONDER*, but it has not yet become a best-seller.

Thomas Henry Huxley invented the word "agnostic," which felt like a safe position for many. "Not-knowing" is what it means. But what it really means, in most cases, is, "I don't know, and you don't either!" Nowadays the key word seems to be "atheist." The four books mentioned above are shelved in chain bookstores under "atheist lit." "Atheist" is Greek for the Latin, "non-theist," and means simply, "no god." Sometimes it is used to deny the existence of "the god everybody has in mind without thinking about it." Socrates, for example, was executed for being an atheist, even though he believed and tried to obey some sort of "transcendence." He simply didn't take seriously the gods of his enemies.

Many reject the label "atheist" for themselves because one supposedly cannot prove a negative. "You can't prove that there is no God, of some sort, somewhere." Joseph McCabe dealt with that argument in a practical manner. If your wife wakes you in the

middle of the night and says, "There's a burglar

downstairs," you can get up, put on your slippers, grab your shotgun, go down and search the entire downstairs floor of your house, and come back, satisfied of the truth. "There is no burglar downstairs."

Practical atheism, in our time and place, doesn't mean checking out every corner of the universe to see if there isn't some kind of a God lurking somewhere. It means, "Does THAT God, the one described in the Bible, the one worshiped by hundreds of millions of practicing Jews, Christians and Muslims, exist?"

Well, now we have definitive proof. Sarah Palin, candidate for Vice-President of the United States of America, stated on network TV that God approves of the Iraq war. That statement, and the subsequent non-reaction from on high, gives us the final incontrovertible proof that the God of the fundamentalist Christians, Jews and Muslims is not there.

"God is a Spirit, infinite and eternal, infallible, omniscient, omnipotent, omnipresent, benevolent, just, loving, truthful." If that God existed, he would have zapped poor Sarah immediately, for slander and blasphemy. Would he approve all those deliberate lies, and all those dead and maimed? He obviously would not.

Jesus of Nazareth quoted a commandment, "Thou shalt not tempt the Lord thy God." Sarah sure did exactly that. But God didn't take the bait. Because he isn't there.

Abraham challenged God, in one of the early stories, "Shall not the judge of all the world DO RIGHT?" What? Approve this war, with all the lies and terror bombing, door-breaking, mass slaughter, maiming, raping, torturing, false imprisonment, all the limbs lost, all the brain damage, all the cholera and dysentery? It's becoming hard to imagine how anyone could approve of such things – even Sarah herself, let alone a kind, just, loving, almighty God.

What? Can't God do mathematics, or even arithmetic? One million dead in retaliation for three thousand dead? Is God just or not? None of the million dead had anything to do with the attack on the U.S. which is supposedly being avenged.

No self-respecting God would tolerate such a twisting of everything he supposedly stands for. So he must be what we suspected all along – not there at all.

Our country and our species are in very serious trouble, on several fronts. But at least we do have this old question settled once and for all.

Harry Willson

Letter to the Editor

Yes, "Dilawar's thigh, rightly understood, is our thigh." But more importantly, it is our responsibility, as Donald Gutierrez says also (September newsletter). We are the 200 pound thug who murdered Dilawar. Our taxes paid his salary. Our votes in 2000 and 2004 failed to block the ambition of our criminal "commander in chief." We, adult citizens of the United States, have not put an end to idolatrous, speak no evil, hear no evil, see no evil worship of human leaders. We have not yet ended the sense of impunity in powerful people. We need an ethical standard that says to leaders, whatever you've done to others must be done to you.

Dale L. Berry, Grants, NM

And Now for Some Humor

State Mottos

Alabama:

At Least We're not Mississippi

Alaska:

11,623 Eskimos Can't be Wrong!

Arizona:

But It's a Dry Heat

Arkansas:

Litterasy Ain't Everthing

California:

As Seen on TV

Colorado:

If You Don't Ski, Don't Bother

Connecticut:

Like Massachusetts, Only Dirtier and With Less Character

Delaware:

We Really Do Like the Chemicals in our Water

Florida:

Ask Us About Our Grandkids

Georgia:

Without Atlanta we're Alabama

Hawaii:

Haka Tiki Mou Sha'ami Leeki Toru

(Death to Mainland Scum, But Leave Your Money)

Idaho:

More Than Just Potatoes...

Well Okay, We're Not, But The Potatoes Sure Are Real Good

Illinois:

Please Don't Pronounce the "S"

Indiana:

2 Billion Years Tidal Wave Free

Iowa:

We Do Amazing Things With Corn

Kansas:

First Of The Rectangle States

Friendly Philosophers

Monday, November 3th

Open Forum

Bring a Your Own Topic for General Discussion

Monday, November 17th

We Had the Elections, Now What? – Jay Lee Evans

Copper Canyon Restaurant, 5455 Gibson (opposite Lovelace Hospital) in conference dining room. Dinner at 5:30; talk follows.

Atheists/Freethinkers Meetup Group

<http://atheists.meetup.com/75>

Sunday, November 2nd, 9am

Albuquerque Center for Peace and Justice, 202 Harvard SE

Tuesday, November 18th

Social Meeting at 6:30pm at Mimi's Cafe, 4316 The 25 Way, Near Jefferson and I-25

New Mexicans for Science and Reason

Wednesday, November 12th, 7pm

The Square Kilometer Array: A New Telescope for the 21st Century

Trish Henning

UNM Law Building

1117 Stanford NE, Room 2402