This morning I read a piece by David Brooks in the Times. In his usual manner Mr. Brooks tries to come off as gracious before dropping in to his standard patronizing “when will these liberals learn?” mode.

He starts out with an interesting bit, comparing Kerry to Shakespeare’s Henry V. I think Brooks must have been influenced by Anna DeaVere Smith’s Op-Ed from yesterday:

I couldn’t help myself and penned this response:

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Dear Editors;

David Brooks writes, in “All Things to All People” (column, July 31, 2004), “I almost expected John Kerry to mount the stage in full body armor and recite the war speech from `Henry V.'” While Mr. Brooks rightly reports the candidate’s, and the convention’s, focus on war, security and defense, he also notes the delegates’ countervailing beliefs.

Perhaps the delegates would have preferred the speech of William (act IV, sc. i), confiding to a disguised King Henry the soldiers’ true feelings:

But if the cause be not good, the king himself hath
a heavy reckoning to make, when all those legs and
arms and heads, chopped off in battle, shall join
together at the latter day and cry all ‘We died at
such a place;’ some swearing, some crying for a
surgeon, some upon their wives left poor behind
them, some upon the debts they owe, some upon their
children rawly left. I am afeard there are few die
well that die in a battle; for how can they
charitably dispose of any thing, when blood is their
argument? Now, if these men do not die well, it
will be a black matter for the king that led them to
it; whom to disobey were against all proportion of
subjection.

It feels to many of us, Democrats or otherwise, that the present administration behaves more like the counselors of war from another of Shakespeare’s plays; Richard III (act IV, sc iv):

Either be patient and entreat me fair,
Or with the clamorous report of war
Thus will I drown your exclamations.

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And another thing!

For those who thought that the Supreme Court had decided, in Hamdi vs. Rumsfeld, that Guantanamo Bay detainees have a right to due process, the Bush administration still doesn’t think so.

This has been simmering for a while:

http://www.fff.org/comment/com0407h.asp

but is now really bursting to the surface:

http://www.nytimes.com/2004/07/31/politics/31gitmo.html?pagewanted=print&position=

Here is an excerpt from a briefing given yesterday by Navy Secretary
Gordon England:

Q: In this notification of the habeas corpus, it says that these
prisoners can have their, quote, personal representatives for
advice or explanation. But these personal representatives are not
legal people at all. In fact, the personal representatives in
these hearings are not legal representatives. How do they get

advice of any legal rights if these personal representatives have no legal knowledge, military law and that kind of stuff?
SEC. ENGLAND: Well, this is not a legal proceeding. This is an administrative proceeding. So, this is an administrative proceeding, fact-based administrative proceeding to determine they are or are not enemy combatants. So, this is an admini — this is not a legal. This is not a trial. This is fact-based determination of you're an enemy combatant. Separate from that is habeas corpus review.
Q: What if they have questions of their personal representatives on the right to habeas corpus review? Is the Justice Department moving to get these people legal representation?
SEC. ENGLAND: Charlie, I'll have to refer you to the Justice Department. I am in a very narrow — not necessarily narrow — but in a very specific area. Two administrative reviews, annual review, and the tribunal's determination of enemy combatants. Justice Department is handling the habeas because that's a legal aspect. I'm handling the administrative side.
(you may find the briefing in its entirety here:
http://www.defenselink.mil/transcripts/2004/tr20040730-1064.html)
Perhaps this is what John Kerry had in mind when he claimed that "I will appoint an Attorney General who actually upholds the Constitution of the United States"
Here is some analysis of the actual decision
From Frontpage Magazine:
http://frontpagemag.com/Articles/ReadArticle.asp?ID=14225
From FindLaw's Marci A. Hamilton, at CNN:
http://www.cnn.com/2004/LAW/07/01/hamilton.terror.cases/
And from PolitInfo.com:
http://www.politinfo.com/articles/article_2004_07_1_2321.html