

[Bruce Thornton](#) - [Why D.E.I. Needs to Die](#)

[Robert Williams](#) - [China's Influence Activity
in the US Is Unprecedented](#)

[John Yoo & John Shu](#) - [The Democrats Are Using Criminal Law
to Fight Their Political Battles.](#)

[Judd Garrett](#) - [Elephants at a Circus](#)

Why D.E.I. Needs to Die A phenomenon diametrically opposed to our Constitution.

By: Bruce Thornton
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The Reign of the Woke is starting to totter. The excesses of the tyranny of the tiny trans minority are getting significant pushback, from consumers boycotting woke corporate fellow-travelers like Bud Light and Disney, to parents challenging schools that attempt to usurp their authority over their children.

More significantly in the long run, some state universities' governors are rejecting requirements for faculty and scholars to sign loyalty pledges to the Diversity, Equity, and Inclusion ideology.

The latest grove of academe to end this noxious practice is the Arizona system comprising five campuses with 142,000 students. In addition, the Foundation for Individual Freedom in Education has filed suit against California's community college system on behalf of six professors to stop the state's imposition of regulations that require allegiance to highly contested political ideologies, virtually canceling both academic freedom and the First Amendment.

We should all celebrate these pushbacks, since the politicized dogma of "*woke*," as well as the requirement of fealty to it, violates the very core of the university's traditional mission and purpose: "*to know the best that has been known and thought in the world,*" as Matthew Arnold defined it, "*irrespectively of practice, politics, and everything of the kind; and to value knowledge and thought as they approach this best, without the intrusion of any other*

consideration whatsoever,” and “through this knowledge, turning a stream of fresh and free thought upon our stock notions and habits, which we now follow staunchly but mechanically.”

The pseudo-concepts of “*diversity*,” “*equity*,” and “*inclusion*” have long been “*stock notions*” that our “*woke*” commissars “*follow staunchly and mechanically.*” Typical of all tyrannies, these words have been warped into propaganda advertising an illiberal political program of expanding the political power of one faction of citizens at the expense of others’ freedom—the cost being paid by our unalienable rights to freely think, and freely speak in the public square our opinions and beliefs.

This political abuse of language was identified as far back as Thucydides’ justly famous description of the social and civil breakdown that followed the violent revolutions during the Peloponnesian War:

“Words had to change their ordinary meaning and to take that which was now given them. Reckless audacity came to be considered the courage of a loyal supporter; prudent hesitation, specious cowardice; moderation was held to be a cloak for unmanliness; ability to see all sides of a question, incapacity to act on any.”

Our unholy verbal trinity displays the same corruption. “*Diversity*” is the most abused, having been written into federal law by the recently overturned *Bakke vs. Regents* Supreme Court decision of 1978. This word, however, never has been defined by our race-mongers, nor have the benefits supposedly provided by it. But it’s clear that this spurious “*diversity*” never has had anything to do with actual diversity, whether of complex ethnic diversity, or the more critical diversity of individuals, their minds, and their characters.

Instead, old “*scientific*” racism’s crude, indiscriminate, superficial categories like “*black*” or “*white*” —much easier for a government seeking to identify political clients for its purposes of distributing benefits like set-asides in government contracts—now provide the only meaning of “*diversity.*” As David E. Bernstein writes in *Classified: The Untold Story of Racial Classification in America*, “*The government developed its classification scheme via a combination of amateur anthropology and sociology, interest group lobbying, incompetence, inertia, lack of public oversight, and happenstance.*” In short, to achieve partisan political aims, not true diversity.

And, just as 2400 years ago Thucydides recognized, today “*diversity*” in fact means the opposite: a rigid, homogeneous orthodoxy of an illiberal political ideology that brooks no dissent and seeks to silence the true diversity of ideas and opinions in order to aggrandize more power and influence for one faction, the “*woke*” Democrats, at the expense of all the other diverse factions.

Like “diversity,” “equity” also recalls a dysfunction of representative democracy recognized 2400 years ago. True equality is the equality of opportunity and equal rights on a level playing field, where each is free to strive as far as his character, talent, hard work, and yes, luck, can take him. But one of the most pernicious consequences of collectivism has been radical egalitarianism, which depends on levelling off all those disparities of talent, industry, and virtue. As Aristotle wrote, “*it arises from the notion that those who are equal in any respect are equal in all respects; because men are equally free, they claim to be absolutely equal.*”

But since people are in fact unequal in various respects, to create absolute equality requires a tyranny that can take from some to redistribute to others against their will. And given humanity’s innate destructive passions like greed and the lust for power, this leveling will require, as Rudyard Kipling put it, “*robbing selected Peter to pay collective Paul.*” Those who take, moreover, will not base redistribution on merit or even need, but to reward political clients and promote one factional ideology and interests over those of others.

As we have increasingly seen, the result is—apart from the gross violations of our unalienable rights— the dilution of standards and the abandonment of merit in order to ensure the right clients benefit, and the “*disparate impacts*” that naturally follow from diverse differences in talent or virtue, are corrected.

Yet in actual practice, the result is not justice, even for the beneficiaries, who are robbed of the pride of achievement and reduced to dependence on political patrons, but rather injustice as those who do succeed on their merits must be punished to reward those who don’t. But even that injustice is not the worst consequence. Eventually, as the state grows more powerful and intrusive, the masses will indeed become more and more “*equal*” in their poverty and subjection, while the elite aggrandize more and more wealth and power. “*Equity*” then becomes its opposite, inequality.

The last bastardized word, “*inclusion,*” is a mere redundancy. Once “*diversity*” and “*equity*” make their mischief, you will perforce have “*inclusion,*” which means the ruling party’s political clients who now share in the favorable regulations, transfers of tax dollars, social and political recognition, and the privilege of being exempt from the laws that are applied with ruthless vigor to their political enemies. Just compare the fates of journalist Andy Ngo to Antifa thugs, trans activists to pro-life Christians, BLM rioters to conservative Catholics, or Donald Trump to Hillary Clinton and the Biden clan.

Still think we have the 14th Amendment’s “*equal protection of the laws*”?

The DEI phenomenon is diametrically opposed to the principles and laws comprising our Constitution: unalienable rights that inhere in individuals rather than collectives, and are beholden only to “*Nature and Nature’s God,*” not other men; the sovereignty of citizens from whom government derives its powers, and to whom government is accountable; and the primacy of laws rather than the power and interests of corruptible, flawed human beings.

Finally, and most importantly, these empty slogans are nonetheless a threat to the whole purpose of our government in the first place—political freedom and political equality for citizens, families, and civil society. The “*woke*” tyranny of DEI policies weakens all those principles and the freedom they make possible, and as such, it needs to die.

Bruce S. Thornton is a Shillman Journalism Fellow at the David Horowitz Freedom Center, an emeritus professor of classics and humanities at California State University, Fresno, and a research fellow at the Hoover Institution.

China's Influence Activity in the US Is Unprecedented

By: Robert Williams
Gatestone Institute
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"The system is blinking red right now," an unnamed senior FBI official was quoted as saying in a recent report from the Center for Strategic and International Studies (CSIS). *"We have not seen this level of Chinese intelligence and influence activity in and around the U.S. homeland ever."*

China is using all means short of war *"to expand the influence of the Chinese Communist Party (CCP) and weaken the United States and its partners,"* the report continued.

"This campaign involves sophisticated Chinese espionage activities, offensive cyber operations, disinformation on social media platforms, economic coercion, and influence operations targeting companies, universities, and other organizations."

This unprecedented level of Chinese intelligence and influence activity is happening under President Joe Biden, who in February 2022 shut down the Justice Department program known as the China Initiative, which had been focused on countering Chinese espionage. The alleged reason for the shutdown was that it "unfairly painted Chinese Americans and U.S. residents of Chinese origin as disloyal."

Biden's closing of the China Initiative played, of course, right into the CCP's hands. Again, according to the report:

"China is conducting an increasingly active and aggressive campaign to penetrate a wide range of U.S. academic institutions, companies, government agencies, and nongovernmental organizations (NGOs)."

While the Biden administration worries about political correctness, the Chinese Communist Party is successfully using every means at its disposal to weaken the US in all fields.

Here are just a few examples:

ü For more than two and a half decades, China has been stealing US intellectual property, trade secrets, and technology, causing the US a cumulative loss that has been estimated at around at least \$600 billion. As a consequence, China now leads in 37 out of 44 crucial technologies in the technology race with the US.

ü Since 2014, China has hacked and stolen the data of about 80% of Americans, according to Bill Evanina, former Director of the U.S. National Counterintelligence and Security Center.

ü China has sought to infiltrate leading U.S. institutions, including the Federal Reserve, to *"supplant the U.S. as the global economic leader and end the U.S. dollar's status as the world's primary reserve currency,"* a 2022 Senate report revealed.

ü China is waging a disinformation and propaganda campaign in the US that has influenced Americans, especially its elites. According to Miles Maochun Yu, a Visiting Fellow at the Hoover Institution, *"a significant portion of America's intellectual and political elites share the responsibility for perpetrating key CCP propaganda agendas, including misleading the American public to minimize the degree to which the PRC is still a country ruled by a Marxist-Leninist communist party. The manipulation of language is a prime example of this endeavor. Few people in the United States refer to the Chinese supreme leader by his real title, and the only one that matters: General Secretary of the Chinese Communist Party, who is without an exception a die-hard communist ideologue in command of a ruthless Leninist Dictatorship of the Proletariat. Instead, most Americans have almost universally, and falsely, rebranded him as 'president' of China, a much more democratic-sounding but meaningless honorific."*

ü The FBI has named China as *"a grave threat to the economic well-being and democratic values of the United States"* and said that confronting this threat is *"the FBI's top counterintelligence priority."* However, instead of focusing all available resources on countering this *"grave threat"* from the CCP on all fronts, the Biden administration has been busy institutionalizing woke ideology in the federal bureaucracy -- including in the military and institutions such as NASA.

The Biden administration, under an executive order issued in February 2023, now requires all federal agencies to present annual "*equity action plans*" in order to "*advance an ambitious, whole-of-government approach to racial equity and support for underserved communities.*" Since Biden became president, the military alone has spent close to 6 million hours on diversity, climate change, and "*extremism.*"

The other focal point for the Biden administration has been mitigating "*climate change*" -- all while China, during 2022, has been approving the construction of two new coal plants per week.

The US under Biden is arguably not even close to countering the threat that China poses or perhaps even properly understanding it. According to the CSIS:

"[A] close analysis of Chinese activity indicates that Beijing has conducted a broad political warfare campaign against the United States and its partners across the globe. To conduct these actions, Beijing invests substantial resources in understanding the United States, including in translating documents and exploring the contours of U.S. culture and politics. The China International Communications Group, which is owned and operated by the CCP's Central Propaganda Department, distributes the CCP line on numerous issues to overseas audiences, directs research on foreign media, and conducts language training programs. The English-language training market in China was approximately \$75 billion in China in 2022... In contrast, the market size for all language instruction in the United States was only \$1.5 billion in 2022. Even though China has a much larger population than the United States, Beijing still spends roughly 14 times more per capita on English language training than the United States does on all language training. More broadly, the U.S. government and private sector have failed to invest in the language skills and expertise to effectively compete with China.

"U.S. leaders during the Cold War would have been horrified at this discrepancy. The U.S. government invested significant resources in conducting information campaigns and translating Soviet documents into English..."

The Biden administration has unfortunately shown itself to be unable to stop, or even limit, China's continued rise. On the contrary, the connections of Biden's son, Hunter Biden, to China could mean that the US president is beholden to the Chinese Communist Party. Meanwhile, at a recent press conference, when asked whether the administration is concerned that Hunter Biden's ties to China "*pose a national security issue,*" White House National Security Adviser Jake Sullivan replied, "*I don't have any comment on that.*"

The Democrats Are Using Criminal Law to Fight Their Political Battles. It's Very, Very Dangerous

By: John Yoo & John Shu

Newsweek

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In their quest to sink Donald Trump, state prosecutors have expanded the criminal law dangerously far into the realm of politics, and have threatened legitimate First Amendment activity. District Attorney Fani Willis' use of the Georgia Racketeer Influenced and Corrupt Organizations ("*RICO*") Act to charge a political campaign with conducting a criminal enterprise makes innocent political activity into fodder for prosecutors, all without providing defendants a clear guide as to what conduct violates the law. While Democrats may cheer Willis on in her effort to convict Trump and his hodgepodge of allies who sought to overturn the results of the 2020 election, their triumph may turn to regret when Republican prosecutors turn these tools on their own political campaigns.

RICO prosecutions are not limited to organized crime families or gangs, but there has to be an actual criminal enterprise and related criminal acts to further the enterprise. This is true even in Georgia, whose RICO statute is broader than others, including the federal one, because it combines a longer list of predicate offenses with a looser definition of "*enterprise*" and "*racketeering*." A Georgia RICO conviction is a felony that has a statutory prison term of five to 20 years, a fine of the greater of \$25,000 or three times the amount of money gained from the criminal activity, or both a prison sentence and a fine.

Right off the bat, the indictment's first alleged overt act against Trump is his nationally-televised "*victory*" speech on the day after the election, which already goes beyond RICO case norms. Yet at the time of the speech, there was insufficient information available as to whether any voting fraud in Georgia had tipped the scales, no plan existed for alternate electors, and Trump seemed to genuinely believe that he won. Trump's speech was protected under the First Amendment, which protects political speech, even if no one else believes the speaker, and even if it contains false information.

Furthermore, while Georgia RICO forbids defendants to "*acquire or maintain, directly or indirectly, any interest in or control of any enterprise, real property, or personal property of any nature, including money,*" no one alleges that Trump engaged in his post-election

shenanigans because he was trying to gain money or property or control of a business. Moreover, unlike in a traditional RICO case, Trump did not create or belong to a criminal enterprise, as traditionally known, nor did he intentionally commit criminal acts to keep that enterprise going for the acquisition or control of property, money, or businesses. Instead, Trump wanted to be declared the winner of the 2020 election because he genuinely believed that he won, regardless of what some advisers told him.

The indictment also cites as crimes the legal advice that Trump received. This sets a very dangerous precedent, because legal advice, even outlandish or bad advice, should not be criminalized, especially where the issues are novel and untested in court. For example, lawyers in famous Supreme Court cases such as *Brown v. Board of Education*, *Miranda*, *Griswold*, and many others argued against the existing precedent and legal thinking of their time, and certainly, they were not and should not have been prosecuted.

Furthermore, it is quite possible that Trump's post-election lawyers' misguided strategy to create alternate slates of electors and the legal advice supporting it was based on two historical events: the 1876 Electoral College drama between Rutherford B. Hayes (R) and Samuel J. Tilden (D), and the 1960 presidential election drama in Hawaii between Richard M. Nixon (R) and John F. Kennedy (D). In 1876, Tilden won the popular vote and 184 electoral votes, but Republicans challenged the election results in Florida, Louisiana, and South Carolina, because, they claimed, the Democrats engaged in election fraud and intimidated Black voters. Hayes eventually won with 185 electoral votes, but the Democrats had presented alternate slates of electors from Oregon, South Carolina, Florida, Louisiana, and Vermont, knowing that their alternate slates from at uncertified or doubtful. No one was criminally charged, nor should they have been, even though Tilden's nephew, William Tilden Pelton, admitted that he tried to bribe local election officials in Oregon, Florida, and South Carolina.

Similarly, in 1960, Hawaii Democrats challenged Nixon's initial win, signed alternate elector certificates, and sent them to Capitol Hill, even though JFK was not declared to have won Hawaii until later. Again, no one was criminally charged and in fact, the judge praised the Democrats for creating and signing an alternate slate.

In fact, on November 4, 2020, while Pennsylvania was still counting votes, Van Jones of CNN and Professor Lawrence Lessig of Harvard Law published a CNN article citing these events and endorsing alternate electors! Indeed, it's worth noting that after the 2016 election, the Clinton campaign and allied groups such as Unite for America recruited celebrities like Martin Sheen to importune electors not to cast their electoral votes for Trump; electors received death threats, harassing phone calls, and hundreds of thousands of hostile emails. The Clinton campaign also tried to request an intelligence briefing on foreign election intervention to sway the electors

with false information; the Clinton team cooked up the phony "*Steele Dossier*" and knew that it and other claims regarding Trump and Russia were false. Anyone who thinks that Clinton or her campaign staff—an actual organization or enterprise—should not have been criminally charged, as they were not, must therefore also think long and hard about whether Trump should be.

It may have been an irresistibly tempting part of District Attorney Willis's calculus to file criminal charges against the leading Republican presidential candidate, especially because Fulton County is reliably Democratic and has gone for every single Democratic presidential candidate since 1976. However, her over-broad indictment should serve as a cautionary tale against twisting and distending criminal laws beyond their norms. Prosecutors should recognize that what can be charged is not always what should be charged.

John Yoo is a Professor of Law at the University of California at Berkeley. He is also a Nonresident Senior Fellow at the American Enterprise Institute, and a Visiting Fellow at the Hoover Institution, Stanford University. John Shu is an attorney and legal commentator.

Elephants at a Circus

By: Judd Garrett

Objectivity is the Objective

August 25, 2023

If you are older than 50, you'll probably remember the line, "*I served with Jack Kennedy; I worked with Jack Kennedy; Jack Kennedy was a friend of mine; Senator, you're no Jack Kennedy.*" People went absolutely crazy when Senator Lloyd Bentsen delivered that line to Dan Quayle in the 1988 Vice Presidential debate. It was considered the greatest mic drop moment in modern political debates. But what does uttering a line like that have to do with governing our nation? Absolutely nothing. That line was well scripted by Senator Bentsen's handlers. It was practiced and rehearsed over and over again by Lloyd Bentsen, and the only challenge was finding a place to fit it into the debate. It had nothing to do with who was more capable, more worthy, or more deserving of becoming Vice President. But ever since that line was delivered, candidates have been searching to deliver their own "*you're no Jack Kennedy*" line. Unfortunately, too often the American voting public gets caught up and influenced by charged but irrelevant moments like that.

Watching the GOP debate last night, I couldn't help but wonder, at what point are we going to stop doing these so-called "*debates*"? Last night's GOP "*debate*" was not a debate, it was eight

people yelling, talking over each other, trying to get their scripted soundbites in, trying to humiliate their opponent, searching for ways to deliver their well-scripted “*you’re no Jack Kennedy*” line as if they just made it up off the cuff. Last night was embarrassing. It was embarrassing for the GOP. It was embarrassing for the country. That debate had nothing to do with finding out who is the best candidate to become President of the United States. Even when the candidates did state their policy positions, it showed nothing about how they would govern. Their stated policy positions are a result of polling and focus groups designed to find out which positions, which words, and which talking points resonate best with the most voters. They all have managers, handlers, and speech writers who tell them what to say, how to say it, and when to say it, to attract the most voters.

But once they get the job, all of that goes out the window. They govern any way they want or more accurately, they govern how their deep-pocket campaign donors want them to govern which is the opposite of what most people want. The middle class makes up 50% of the American people. You would think that the politicians would be falling all over themselves to please the largest segment of the voting population and put in policies that strengthen the middle class. In debates like last night or on the campaign trail, politicians give lip service to the middle class, but have no intention of helping the middle class. Most politicians in Washington introduce and vote for legislation that is hostile to the middle class, and that’s why the middle class has shrunk from 61% in the 1970s to 50% today. That shows how much our politicians work to bolster the middle class. Why do you think Oliver Anthony’s song, [Rich Men North of Richmond](#), is resonating throughout the country? Somebody is actually feeling the pain of the middle class brought on by the very people who will be vying for the Presidency over the next 15 months.

Last night’s debate resembled more of a reality TV show than a serious Presidential debate. It would be like having a juggling competition to see who’s going to perform your open-heart surgery. It is completely meaningless. Completely irrelevant. The skills displayed in a debate have nothing to do with how the candidate is going to govern. Nobody is ever held accountable for what they say in a debate compared to what they did in office. Once in office, if the elected politician does the complete opposite of everything that they said in the debate – which is the norm – he doesn’t get thrown out of office. So, what is said in these debates means absolutely nothing. They are events put on by the media to make a lot of advertising money because millions of people are gullible enough to watch, and then they are forgotten within 48 hours. If you are determining who you’re voting for based on one of these political debates, you’re not doing enough research on the candidates to make a well-informed decision. These debates represent everything that is wrong with American politics.

But aren't debates part of American political history? Yes, debates like The Lincoln-Douglas debates which went on all day, where the debaters were allowed to speak for 45 minutes to an hour on one specific issue, so they could flesh out their entire thoughts and ideas on that subject. They weren't asked to distill their beliefs on some of the most vital and consequential issues of our time into a 30-second soundbite to get their mic drop moment. That is absurd. It is the Instagraming of politics.

After the debate is over, the talking heads and political pundits on cable TV drone on and on and on mischaracterizing each candidate's points in the debates as if we are not smart enough to understand what was said on that stage. And the casual viewer gets a complete misrepresentation of what each candidate actually claims to stand for. The pundits gladly play the role of Kingmaker by stating clearly who they thought won the debate and who lost which creates another false and inconsequential layer between the voter and the candidate.

So, when you're scratching your head wondering how our country could be \$31.5 trillion in debt and have not fired every politician who got us there, you don't have to look any further than what went on last night in Milwaukee. When a debate like that is used to help determine who becomes the leader of our country, we will inevitably be staring at a \$31.5 trillion National debt because we are using all the wrong criteria to make that decision.

We got our first glimpse of the absurdity of political debates 60 years ago. The Presidential debate between Richard Nixon and John F. Kennedy in 1960 was one of the first televised political debates in our history. The polling after the debate showed that the people who listened to the debate on the radio believed that Richard Nixon won the debate, and the people who watched the debate on TV believed that John F. Kennedy had won. Those polls showed that how you look, how you present yourself, and your image is more important than the substance of your words. And that preference of image over substance has taken over American politics. When that is the case, a \$31.5 trillion National debt is the only logical result because it apparently doesn't matter to the American voter if you caused the country to be underwater in debt, if you look the right way, say the right things, have the right image, or can come up with a mic drop moment, the people will vote for you.

*If you do not take an interest
in the affairs of your government,
then you are doomed to live under
the rule of fools.*

Plato