

Waco: An Incident Superseded

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1. Introduction

In 1995 Simon and Schuster published my account of the 1993 events at Mt. Carmel, *The Ashes of Waco*.¹ Following the exhaustion of its stocks, the book was picked up by Syracuse University Press, which has kept it in print. The book has become the primer for people who are interested in the bloody confrontation between the federal government and the followers of David Koresh, and I am still convinced that it deserves that status.

The work has not been without its critics. Those who apologize for the government's actions accurately sense that my sympathies were not with it, but have not questioned the facts I presented. And some of those who are themselves critics of the government's conduct complain not about the facts I cited, but about those I didn't record.

Both readings of my work seem logical to me. I charged the then-Bureau of Alcohol, Tobacco, and Firearms (ATF) and the Federal Bureau of Investigation (FBI) with ineptitude, arrogance, and negligence in their conduct of the February 28 raid upon Mt. Carmel and during the ensuing fifty-one-day siege, which ended in fire and in the deaths of children and other non-combatants; therefore, the Feds don't like the book. But I did not charge the government's agents with the intent to murder, or the murder of anyone; therefore, some fellow critics of the government think that my exposition falls short of the facts. Some of them, in research carried out after my book was published, found information that they take to mean that the federal government sent sharpshooters into Mt. Carmel's environs on April 19, and that these soldiers—Delta Force men, they say—intentionally felled a half-dozen of Mt. Carmel's residents. I cannot disprove that claim, but no evidence of it was available when my work went to press.

My assessment of the events remains unchanged, partly because I had never intended to raise a controversy so much as to present a minimal proof that manslaughter had occurred. But the book's longevity has surprised me. While I think that I did a workmanlike job of journalism in researching

¹ Dick Reavis, *The Ashes of Waco: An Investigation* (Syracuse, NY: Syracuse University Press, 1995).

and writing it, I have come to believe that its relevance is of another day. The nation for which I wrote the account has changed in a radical way, and that means that the issues raised by the book—which I will list—are no longer as vital as they were in 1995. A couple of them were mooted for practical purposes even before I put pen to paper.

2. Pedophilia

The most important of these charges, leveled in press conferences by federal authorities, was that David Koresh was a child molester. That allegation probably did more to win public sympathy for the assault and siege of Mt. Carmel than any other. Polls taken at the time showed that most Americans wanted the children “rescued” and Koresh jailed.

The facts were that he and his flock, according to their interpretation of the Christian Scriptures, believed that it was his duty to father some two dozen children by virgins. These offspring, they believed, were to sit in judgment over the rest of us during the period following the soon return of Christ. So convinced were they, that parents permitted their unmarried daughters to conceive children with Koresh. Local sheriff’s officers and child welfare investigators had looked into Koresh’s alleged pedophilia, but had been unable to turn up the complaining witnesses needed to bring charges of any kind. The federal government had and has no jurisdiction over pedophilia, and therefore any mention of it by its agents was inappropriate and essentially defamatory.

But that doesn’t mean that Koresh was innocent. It means that he should have been treated as innocent until proven guilty.

3. Freedom of Religion

During the Mt. Carmel events, Koresh and his followers were not only charged with complicity in and the commission of unlawful sexual acts involving minors, but also with cultism. Federal officials and pundits ridiculed them, for example, when they learned that sometimes at supper, the community of about 120 dined on popcorn by Koresh’s order. The picture drawn was that Koresh was an irrational rule-maker who, while always citing either divine inspiration or the Scriptures, ruled the lives of his faithful by caprice.

The facts were that the “Branch Davidians,” as the press named the group, were radical Christians in the tradition of the Seventh-Day Adventist Church, which has for some 150 years, ever since its founding, been regarded as harmless. SDA-ers are vegetarians, and popcorn suppers were celebrated even in the writings of church founder Ellen White. Those who lived at Mt. Carmel would have found nothing untoward about popcorn-based meals.

The facts are also that the First Amendment, which supposedly guarantees “freedom of religion,” says nothing about the difference between a cult and an ordinary church or synagogue, nor do its implementing laws and regulations. A “cult” is essentially a new or miniscule religious group, an outfit usually described as “not like my church.” Cults have always been

around, I suppose, and at one time included a group of less than 100 who followed a figure from Galilee notorious for having said, “If any man come to me, and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple.”²

Plainly put, cults are not illegal. But that doesn’t mean that Americans enjoy “freedom of religion,” because the relevant “freedom” is defined not by the faithful, whoever they might be, but by the law-making authorities.

Janet Reno, when she was a federal prosecutor in Florida, was presented with a case in which a devotee of Santeria was encouraged by his priest to decapitate a fellow worshipper who, the priest said, was possessed by an evil spirit.³ The devotee carried out his pastor’s instructions. In court, he presented a “freedom of religion” defense. Had Koresh been arrested for pedophilia, like the Florida defendant, it is highly unlikely that he would have walked free.

The U.S. Constitution says that the government, the state, as political theorists call it, should not regulate the church. But the state, not the church, defines what constitutes both freedom and regulation.

Precedents to the “freedom of religion” issues that arose at Mt. Carmel had already been set in life, if not in law, many times before the assault of February 28, once as late as 1985, when municipal authorities in Philadelphia fire-bombed a residential block where members of the MOVE religion were residing. Eleven people, including five children and the group’s founder, John Africa, died in the blaze. No great protests followed, probably because Africa and his followers were African-Americans who, in an urban setting, tried to practice a primitive lifestyle: they would not kill cockroaches, for example. If in the MOVE massacre, prejudice trumped the U.S. Constitution, the federal assaults of Mt. Carmel should have come as no surprise.⁴

4. Militarization of the Police

Most if not all Americans, though they approved of federal action at Mt. Carmel, were a bit troubled when during the siege they turned on the television, and saw military tanks patrolling the place. That seemed to be a novel and somewhat frightening use of military gear and military tactics against a civilian population. In 1993, we as a nation were merely on the cusp of the militarization of our federal police forces. Today, thanks largely to hysteria generated by the “wars” on terrorism and illicit drug use, almost

² Luke 14:26, King James Version.

³ *Church of the Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520 (1993).

⁴ See the Wikipedia entry for “MOVE,” accessed online at: <http://en.wikipedia.org/wiki/MOVE>.

every small town in the United States has a SWAT team. Some jurisdictions now field tanks, and thanks to the National Security Agency, the computers of even kids of elementary-school age are now under remote surveillance. Video recorders are popping up everywhere, and soon some of them will be equipped with facial-recognition technology.

These developments follow well-worn tracks in our nation's history. Those we call the Founding Fathers believed that Republic and Empire were incompatible. That's why they looked askance at a standing military, foreign "entanglements," and the like. But their resolve didn't last long.

My book was dedicated to Sitting Bull, because I had learned that his death came in a gunfight with federal troops who had come to arrest him because he had joined the Ghost Dance movement, a religious rising among armed Native Americans—foreign nationals of a unique sort—who believed that when Jesus returned, he would coat the globe with new earth, burying whites beneath it. Sitting Bull was a nineteenth-century Koresh-figure, and with precedents like that, including those of the era's Mormons, Americans had long ago authorized the use of police power against civilian populations. Between 1947 and 1956, McCarthyites who cited "the Russian menace" renewed the tradition by making the propagation of Marxist doctrines a felony.

Even if it's not possible to pinpoint the moment in our drug and terrorism "wars" that has given the greatest impetus to infringements on what was once considered the American right to mind one's own business, or at least to the freedom from unreasonable searches and seizures, it is nevertheless sensible to say that the 2003 Iraq War played a significant role. In 2001 our leaders began to tell us that Saddam Hussein was as vain and dictatorial as, and even better-armed than, David Koresh, and that he was therefore an even greater threat to the rest of us. Though he was not himself accused of sexual crimes, the U.S. government billed his sons as rapists. In a word, Hussein was the Big Foreign Koresh, and our 2003 invasion of Iraq, his Mt. Carmel, was the Big-Time Waco.

But most Americans failed to rise in protest against that war, and today we are told that the attitude that we should assume toward its veterans is summed up in the phrase, "thank you for your service." The ATF and FBI certainly take that approach in dealing with their Mt. Carmel veterans, even at times styling them as "first responders." If critics of Mt. Carmel accede to those designations—and most of them do—it's probably because they haven't yet discovered the virtue of logical consistency.

5. Gun Rights

My chief surprise as the author of *The Ashes of Waco* was that most fans of the book were people who in that day called themselves "patriots" or "Constitutionalists," or were militiamen or members of the National Rifle Association. I welcomed their support, but was dismayed that the readership which I had in mind, liberals who professed to cherish the First Amendment, the civility of police forces, and the like, did not join the ranks of the

government's critics. For their part, Clinton-era Democrats, especially those in the U.S. Congress, held a line: nothing preventable had gone awry at Mt. Carmel, they said.

Over the years, I don't think that the readership of my book has changed very much—but the times have. David Koresh had predicted that the federal government would ban the manufacture of semi-automatic rifles, whereupon, he said, prices for existing semi-automatics would skyrocket. According to him, that was one of the reasons why he invested the Branch Davidians' money to purchase A-15 rifles. In 1994, Congress fulfilled Koresh's prophecy, and those guns remained under a ban for a decade.

But that prohibition expired and gun-rights advocates successfully fought off its renewal, even after the Newtown massacre of 2012.⁵ It does not seem that new restrictions on semi-automatics are an important item on the Congressional agenda today—as if gun-rights advocates have won the day.

But the old pattern, from foreign enemies to domestic oppression, has not gone on holiday. Today the United States is quite freely assassinating contemporary enemies—if not Indians or Mormons or Communists, then Islamic fundamentalists—from the sky, with drones. And a principle of political rule, if not of law, is observable in our past: technologies of control move from outside the polity inward.

For example, barbed wire was invented to control the movement of cattle. It is now used in internment camps and prisons. Military weapons and tactics were deployed against foreign enemies, the British, Mexicans and Indians, then against Mormons, but now the Mayberry PD has followed suit, sending SWAT teams into ordinary neighborhoods. It cannot be long before domestic police departments will deploy drone technology, initially, I'd guess, to combat drug lords and suspected small-time terrorists like the Tsarnaev brothers. At this point, most Americans are not likely to raise placards to protest drone policing because they do not think it will be aimed at them—just as they once thought that ninja ATF teams and tanks wouldn't be trained on Mt. Carmel.

If the noble purpose of the civilian ownership of firearms is to pose a barrier to tyranny, I ask myself, "What can that mean today?" The right to the ownership of light weapons by ordinary citizens may be secure, but what good are those weapons against a well-armed drone? It seems to me that the tussle between Liberty and Empire is nearly at its end—and it looks like Empire has already won.

⁵ See the Wikipedia entry "Sandy Hook Elementary School Shooting," accessed online at: http://en.wikipedia.org/wiki/Sandy_Hook_Elementary_School_shooting.

