the weekly Standard

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MORE NUKES, PLEASE
WILLIAM TUCKER

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The Jesse Jackson Story

BY NOAH OPPENHEIM

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BPA INTERNATIONAL

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Dual-plicity

Documents released through the Freedom of Information Act make clear that the fiber-optic system Chinese technicians have been putting in place to upgrade Iraq's air defense system, and about which the Bush administration has complained, in fact comprises American-made technology sold to China by AT&T in a mid-1990s deal promoted by then Clinton secretary of defense William Perry.

According to *NewsMax.com* reporter Charles Smith, with Perry's explicit backing the sale was made to a Chinese company being run as a front by the military. (The company's head was the wife of the Chinese military's research bureau chief and herself a general in China's army.) With the wheels greased, it's no surprise that AT&T apparently didn't even bother to ship the system to the front company, instead delivering it directly to a Chinese army unit.

But despite the abundant evidence that countries like China and Iraq are routinely using "dual-use" technologies (technologies that can have both commercial and military purposes) to upgrade their military capabilities, there is increasing pressure from the business community in this country (and the members of Congress who listen to them) to eliminate or lighten export controls over these items.

The latest such attempt comes from the Senate Banking Committee, which last week voted to send to the floor a Swiss cheese version of the Export Administration Act. The only dissent in the committee came from Richard Shelby of Alabama, the head of the Senate's intelligence committee—which gives you a clue about the weight given national security concerns in the bill.

Last year, when Phil Gramm's Banking Committee made a similar effort to please business exporters, the chairmen (Warner, Helms, Shelby, Thompson, Kyl, and Roberts) of six of the Senate committees concerned with national security blocked it. We know the effort to weaken export controls is hugely popular with exporters. But perhaps before he proceeds further, Gramm could take a poll of U.S. airmen flying over Iraq and find out how popular the bill is with them. ♦

We'll Always Have Paris

When a global terrorist asks Homer Simpson to choose a target, either France or Italy, and Homer chooses France, the terrorist quips, "Funny. Nobody ever picks Italy." Indeed, it is just as rare to find THE SCRAPBOOK taking sides with the French. But that's where we find ourselves after a recent blowup over whether Paris or Beijing would be the better site for the 2008 Olympic Games. Following harsh criticism for its human rights violations (including Mike Murphy's piece in the March 19 WEEKLY STANDARD), Beijing fired back by improbably slamming fellow contender Paris. A recent *People's Daily* reported that in Paris, "Certain urban areas leave something to be desired when it comes to cleanliness. In particular, errant dogs and rabid dogs are increasingly numerous. If this plague isn't controlled, it could harm their Olympics 2008 bid."

Umm . . . how to put this? Let's just say, if THE SCRAPBOOK were giving Beijing PR advice on how to get the Olympics, inviting comparisons of the treatment of dogs in France with their treatment in China would not make our list of helpful hints.

Meanwhile, on Capitol Hill, 52 House members, including Dick Gephardt and Tom DeLay, are proposing a resolution condemning Beijing's application to host the 2008 games, saying that China's "extrajudicial killings, use of torture, forced confessions, arbitrary arrest and detention of prisoners" make it unworthy to play host to the games. Let us hope the International Olympic Committee gets the message. ♦

Marriage Type Love

In 1998, there were more divorces than marriages in 35 of Oklahoma's 77 counties. When he became governor, Frank Keating vowed to reverse this tide. The governor's team has come up with what David Blankenhorn of the National Fatherhood Initiative says is the most comprehensive strategy for promoting marriage he has seen. "You need a search warrant," Blankenhorn says, to find a politician with the courage to say government has a legitimate interest in promoting marriage.

But Keating's team aims to do more than talk up the benefits of marriage. The initiative will promote pre-marital counseling, which many think is associated with a lower divorce rate. Working with nurses and social workers and clergy of all denominations, the marriage initiative plans to identify a significant population of unmarried live-ins with children who are open to the idea of marriage but do not pursue it. Such individuals will be apprised of classes, counseling, and other social services available to them should they want to get hitched.

The fiercest opponent of the Keating marriage initiative isn't the culture of divorce and single parenting. It is a state senator named Kevin Easley, who has opened a smear campaign against Mary Myrick, a private contractor working on

the initiative. Last week Easley called a press conference to mock expenses listed in her publicly filed billing records to the state. As one AP story put it: "A consultant is billing taxpayers thousands of dollars to read books, view videos, and perform other questionable tasks tied to Gov. Keating's marriage initiative, a senator charged Tuesday." It's enough to make one wonder whether Easley believes reading books is a suspicious activity. Obviously, culling research material is an essential part of the work Myrick is doing for the state. The book, incidentally, was *The Case for Marriage* by Linda J. Waite and Maggie Gallagher. Would that all state contractors had such good taste in policy literature.

Easley has also accused Myrick of being a covert political strategist working to boost the prospects of Republican candidates. True, Mary Myrick was once a political consultant and most of her clients were Republicans. But since 1990, she has worked on only one campaign, in 1994, Rob Johnson's losing primary battle against Steve Largent. Other than that, her work has been confined to things like marketing and management consulting. Clearly, what irks Kevin Easley is the possibility that Oklahoma's popular Republican governor may be on the verge of a major policy victory. ♦

Life Imitates Parody

George W. Bush
Comportment Initiative

5. Cell phones. Do not accept cell phone calls during meetings. (Obviously this does not apply to calls from your broker informing you of imminent declines in the value of your stock options.)

—Weekly Standard *Parody, published Monday, March 19*

Ringing Cell Phone Irks Bush

Add one to the list of things that annoy President Bush: cell phones ringing in the middle of his meetings. . . . As they spoke to reporters, Bush and [Ariel] Sharon were interrupted not once, but twice, by the singsong trill of cellular telephones. Bush called out to an aide by name and chastised him, saying, "Are you in charge of the cell phones? You didn't do a very good job of telling them to turn them off."

—*Associated Press, Tuesday, March 20*

Paperback Alert!

Senior editor David Brooks's best-seller, *Bobos in Paradise*, is now out in paperback, from Touchstone, a bargain at $14. We realize that it's inconceivable Scrapbook readers haven't already purchased at least one hardcover copy, but the paperback makes a nice gift for a friend who mysteriously failed to buy the book a few months ago, and no longer has his dot-com job.

Also available for purchase in your local bookstore, in paperback too, from Brookings for a mere $15.95, is *Bush v. Gore: The Court Cases and the Commentary*, edited by E.J. Dionne Jr. and our own William Kristol. It consists of the major court cases from the five week Florida war, along with 62 of the best contemporaneous commentaries—including eight from The Weekly Standard. Guess what? Bush still wins. And his side wins the debate in the book. So if you want to annoy any of your liberal friends, this is the perfect gift. ♦

Casual

SLIGHTLY AMAZING GRACE

Afghan holy men aren't the only ones swinging the wrecking ball these days. Just last Sunday in my suburban Catholic church I came across evidence that cultural vandals are laying waste to Western icons, too. The cantor announced a page number from the hymnal, the organist pulled out the stops, and the congregation began singing what must be the best-loved hymn in the English-speaking world:

Amazing Grace! How sweet the sound
That saved a wretch like me;
I once was lost, but now am found;
Was blind, but now I see.

Except that's not the way it was printed. Now we sing of the amazing grace "that saved and strengthened me." John Newton's famous words have apparently been updated because, thanks to a kind of cosmic grade inflation, nobody is a wretch anymore.

My first thought was that this makes the grace a little less amazing. After all, I'm not the epic sinner that Newton was: an 18th-century sailor who deserted from the British Navy and became a slave-trader, before being saved by God's grace. And I don't think too many of my fellow parishioners are either. So if we're really singing about our non-wretched selves—as the termites who've chewed the offending language out of our hymnals seem to think we are—then maybe it should just be Adequate Grace or Impressive Grace. But of course, the point of the hymn is that we all *are* wretches, each in his own way. At least that's what most Christians thought before the self-esteem movement came along to flatter them.

My second reaction was embarrassment for my co-religionists. Not having a great hymn tradition in this country, Catholics have imported dozens of Protestant chestnuts in recent years. And if its emphasis on human depravity strikes some hymn-selection committee (yes; this sort of damage is always inflicted by committee) as too Calvinist for delicate Catholic sensibilities, then maybe we should just dispense with "Amazing Grace" altogether, as we did for a couple of centuries.

All good hymns are good theology set to music—but Newton's classic is also a not-bad piece of verse, an autobiographical testimonial, and the focus of 250 years of shared Christian feeling. The hymn's rewriters are not just retheologizing; they're tampering with poetry and trampling on history.

Darren Gygi

But it turns out that Catholics are hardly the sole offenders. The good Benedictine monks at St. John's Abbey in Collegeville, Minn., who provided the reworded "Amazing Grace" to my church have lots of company. This is an ecumenical search-and-destroy mission. Anglicans do it, and Presbyterians, too. A lot of the work involves gender bending ("Good Christian Men, Rejoice" into "Good Christian Friends, Rejoice") and de-bellicizing ("Onward Christian Soldiers" has been confined to barracks). The worst of it, though, is the self-esteem incursion.

A professor of English at Southern Illinois University, Brian Abel Ragen, first sounded the alarm in 1994. Not only had the wretches been banished, he discovered, but also the worms. Isaac Watts's venerable hymn asks:

Alas! and did my Savior bleed
And did my Sovereign die?
Would he devote that sacred Head
For such a worm as I?

Can't have that. The last line now reads "sinners such as I." Such changes, Ragen noted, "have more to do with the sensibilities of modern, middle-class Americans than with either traditional Protestant or Catholic beliefs." A 1997 *St. Louis Post-Dispatch* account of Ragen's crusade provides all the gory details of the wrecking crews at work.

> "I fought hard in our committee that we needed to keep [the word wretch] because that is how the author felt about himself, a former captain of a slave ship," said the Rev. Dr. David P. Polk, project editor of the 1995 *Chalice Hymnal*. . . . The "anti-wretch" flank on his committee "wanted to get away from the kinds of expression in hymns that regarded human beings as lowly, worthless, with low or no self-esteem."

Anyone with organizational experience can understand what went on here. There are two kinds of people: those with the patience and willingness (masochistic streak?) to serve on committees that meet off and on for four years, and those who lack such patience. Alas, the committee-servers run the world.

The only good thing about the new hymnals is that they're bound to wear out. American churches tend to be lagging social indicators. The self-esteem movement that is now the rage in churches hit our other institutions about twenty years ago and has long since provoked a counterreaction. If my calculations are correct, in another decade or so, the hymn committees will be less interested in self-esteem than in historic preservation. Authentic period instruments and 18th-century choral settings will be all the rage. And once again it will be the congregation that is wretched, not the hymns.

RICHARD STARR

History In The Making

Andrew Ferguson criticizes me as part of his general attack on evolutionary psychology. His reasoning is confusing ("Evolutionary Psychology and Its True Believers," March 19). I have argued that Darwinian biology supports the conservative appeal to natural moral law as rooted in human biological nature. I understand that Ferguson rejects this. But I do not understand his alternative.

Rather than appealing to natural law or Darwinian science, he suggests conservatives should base their moral arguments on "empirical grounds." He doesn't explain what this means. Moreover, he states his agreement with Richard Dawkins, who insists that what is the case must be separated from what ought to be. If Ferguson accepts this is/ought dichotomy, then how can he recommend that conservative moral reasoning be founded on "empirical grounds"?

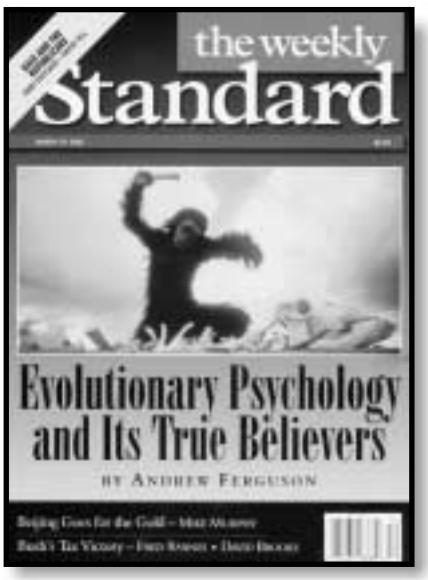
Ferguson gives more attention to Peter Singer than anyone else, apparently because he thinks Singer correctly understands the moral and political consequences of Darwinian biology. I don't share his respect for Singer's intellect. "Singer believes, with good reason," Ferguson writes, "that sociobiology validates his new non-speciesist understanding," which supports infanticide and euthanasia. But then Ferguson admits that "nothing in sociobiology requires an acceptance of infanticide or euthanasia." Did I miss something here?

In his Weekly Standard article a few years ago on Francis Fukuyama, Ferguson argued that human beings are "autonomous selves" who exercise "free will" beyond the constraints of human nature. In this new article, he speaks again of human beings as freely choosing "selves." Do these "selves" have bodies? And if so, does their embodied nature influence their choices? Or does the freedom of these "selves" require that they be disembodied? And if so, how is that possible?

If Ferguson is arguing for a complete separation between biological nature and human freedom, then I would reject this as a false dichotomy. A biological explanation of human nature does not deny human freedom rightly understood if we define freedom as the capacity for acting as one desires. Believing that human nature can be radically transformed by human will belongs to a tradition of leftist utopianism that conservatives should reject. If Ferguson is defining "free will" as an uncaused cause, then the only "free will" is God's.

Larry Arnhart
Northern Illinois University
DeKalb, IL

Andrew Ferguson shoots and scores with his article on sociobiology. Religious stories of origin are not safe stories of the long-ago past, but function



actively today to justify current cultural constructs and power inequities between groups. Sociobiology functions as a right-wing origin myth. Complex human behaviors are, to use a term from cultural theory, "overdetermined," i.e., determined by a multiplicity of factors, not all of which are necessarily equal in force or impact.

Notions of monolithic causality should be suspect. Culture and genetics may both sometimes play a role—it is only our desire for *the* cause that forces a misguided pick of one or the other approach. I believe it is most likely that culture determines far more aspects of human behavior than does genetics, and I am admittedly more comfortable living with this perspective than with that of sociobiology, which would assign immutable causes to the bulk of my behaviors (and, thus, to my range of possibility for different behaviors).

Your article was an interesting and informative read, particularly for those who may have been duped into believing that sociobiology is not a religious quest.

Michael Stewart
Arlington, VA

The Weekly Standard's cover story on evolutionary psychology was so uninformed that it is useless as a portrayal of evolutionary psychology or the issues it raises. Because the misunderstandings are pervasive, we will focus on just four points.

First, sociobiology and evolutionary psychology are not one and the same—there are key scientific differences that led us to call the new field something other than cognitive science, sociobiology, anthropology, or even ethology.

Second, the claim that evolutionary psychology is about "genetic" explanations, whereas other psychological and cultural theories are not, is just wrong. All theories about human behavior rely on claims about the human mind; all claims about the structure of human minds entail claims (tacit or not) about the genes and environments that interacted to build them.

Third, the notion that a theory within evolutionary psychology is "circular" because it can explain both infanticide and a mother's love is ignorant about the very nature of science. One might as well say that physics is circular because it can explain why a ball sometimes goes up and sometimes comes down. Parental investment theory makes specific predictions about the divergent conditions under which parents will—and will not—be motivated to care for offspring. These predictions about parental psychology are eminently testable, and have been tested on humans and other species with great success.

Fourth, many scientists—astronomers, geologists, biologists, archaeologists—would be surprised by the claim that the past is unknowable. Many things useful to guiding research about the human mind are known with near certainty about our evolutionary past (there were two sexes, women became pregnant and nursed, humans hunted,

Correspondence

children had to be fed, salt availability was limited, etc.). Moreover, theories about selection pressures—such as sexual selection theory, which Ferguson mocks—have been vetted on data from thousands of animal species, and have become far more reliable than any competing theory yet developed in the social sciences. Ferguson should examine the evidence before pronouncing it nonexistent for ideological reasons.

LEDA COSMIDES, JOHN TOOBY
University of California, Santa Barbara

THANK YOU for Andrew Ferguson's much-needed review of evolutionary psychology. Well done as it was, however, the piece falters, perhaps owing to its intended audience, when it comes to lay blame.

In the case of evolutionary psychology, the standard etiology of cultural decay—it passes from the academic elite to the unsuspecting American—simply won't do. Ferguson acknowledges as much when he takes to task the many conservatives who embrace this Social Darwinism recidivus, but balks at naming the reason for its second coming. It has not, as he implies, "gone straight [from the intellectual establishment] into the drinking water," and hence into our hearts and minds. Rather, it is the result of a triumphant free-market ideology eating itself.

When Darwin was describing a mechanized, brutally competitive state of affairs in the natural world, it was London, and not the Galapagos, that colored his picture.

JOE SCHWARTZ
Washington, DC

ANDREW FERGUSON'S article demonstrates one thing with great clarity: Darwinism, whether of the right- or left-wing variety, has long since left the realm of science and has become a religious faith—with its own true believers, heretics, and self-proclaimed orthodox interpreters. Like other faiths, it begins with a few uncertain facts upon which it constructs a vast theology that is both self-sustaining and unquestionable to its believers.

The arguments Ferguson hurls at evolutionary psychologists—that they rely on assumptions and speculations about a long gone era, and that their theories cannot be scientifically established—apply equally to the Darwin enterprise. In fact, from anthropology to sociology, the same criticisms apply to the validity of all so-called "social sciences." When historians theorize about how some seemingly insignificant event influenced the course of history, their assumptions cannot be validated scientifically.

Ferguson's article illuminates another characteristic of our contemporary academic theologians: their constant resort to using obscure language to disguise what they are really saying, and to impress their fellow academics. Ferguson quotes the following description of evolutionary psychology methodology penned by Barbara Herrnstein: "[it] is a process of self-enclosed speculation directed by a set of mutually determining, mutually validating assumptions, descriptions, and hypotheses . . . a virtual prescription for self-affirming circularity." Which is to say, in plain English, it is a circular argument and therefore invalid!

DONALD J. KECK
Powder Springs, GA

SUCH DEVOTION TO A BELIEF is truly remarkable on the part of evolutionary sociobiologists. The review of the genetic record results in the unmistakable conclusion that evolution is fact, and that as a result we are in some measure psychologically shaped by our genes, and the remainder (a considerable remainder) by our culture and environment. Witness religion created by and for man to bring our psyche to a higher plane of existence.

RICHARD MOORE
Tolland, CT

IN HIS OVERVIEW on sociobiology and its critics, Ferguson writes that Edward O. Wilson "is emphatic that religion and science are incompatible, and that the practical achievements of science make religion intellectually untenable."

How, then, does he account for the following from Chapter 3 of Wilson's *Naturalist*: "Science became the new light and the way. But what of religion? From the beginning I never could accept that science and religion are separate domains, with fundamentally different questions and answers. Religion had to be explained as a material process, from the bottom up, atoms to genes to the human spirit."

Is it not possible that Wilson, fully immersed as a youngster in the Southern Baptist tradition, and still leaking outward signs of faith (he wept during Martin Luther King Sr.'s service at Harvard's Memorial Church in 1984), may be a Christian in the sheep's clothing of a sociobiologist?

JOHN C. DONNELLY
Palm Beach Shores, FL

IF ANDREW FERGUSON is accurately portraying evolutionary psychology, then this country is in worse shape than I had imagined. In many ways, however, I'm not surprised. The faith that most evolutionists have in Darwinian theory goes far beyond the faith that I have in my God.

What I find most intriguing is the amount of speculation, faulty logic, and circular reasoning that inhabits the many diatribes Ferguson details. These are supposed to be scientists. "Science" is a latin word meaning "knowledge," and "scientist" literally means "one who searches for truth." It seems that one should embrace truth, regardless of where it leads. Basing a way of life, political views, and life decisions on evolutionary psychology is a great waste of time. It's a way to justify some personal views, such as Peter Singer's, that are viewed as abhorrent by regular people.

PAUL PIGOTT
Tallahassee, FL

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Memo to the President: Goldilocks Is Dead

Goldilocks is dead, and George W. Bush should admit it. The president has been selling his tax cut plan by saying that it's not too big and not too small—it's just right, like Goldilocks's chair. This strategy of disciplined constancy worked well for Bush in Texas, and has so far in Washington. He stays on message. He sticks to his guns. It's a nice contrast to Clintonian promiscuity, and to the style of normal politicians who overreact to the day's events.

But Bush's passivity is not going to work in this instance. The collapse in the financial markets and the downturn in the broader economy have transformed the landscape. Members of Congress are getting way out in front of the original Bush proposal. "There's a consensus that we need to do something that will have a stimulative effect," senator Olympia Snowe told reporters last week. The Bush administration hasn't been hostile to moves to speed up the tax cut, but it hasn't been leading them either. And that's a problem. Because if Bush is not leading, then Democratic leader Tom Daschle will be leading, or Olympia Snowe will be leading. Or Robert Rubin and the "Keep the Money in Washington" chorus will be leading. And that will not produce helpful changes in the tax code. Nor will it be helpful to the Bush presidency.

The gloom on Wall Street is spreading to Capitol Hill. It is pushing centrists, who are the swing votes, in a Clintonian direction—trying to please two opposite constituencies at the same time.

There comes a time early in every new administration when the White House has to decide whether it is going to be on offense or defense. The Bush administration faces such a moment now. Congress is on the verge of setting the agenda on spending policy, on campaign finance, and now on tax policy. If the Bush administration is going to retain control of the agenda on these and other issues, it will require a quicker and more aggressive style over the next several weeks.

That will mean, first, acknowledging the deficiencies in the original $1.6 trillion Bush proposal. It is so back-loaded as to be almost meaningless. As Alan Reynolds noted in the *New York Post* last week, 81 percent of the tax cut in the Bush plan is delayed until after the year 2006. Of the total $1.6 trillion cut that the administration promises, taxpayers would see only $300 billion over the next five years. That's so small it's dwarfed by a typical day's trading losses on Wall Street. And as for the additional $1.3 trillion that is supposed to be returned to taxpayers between 2006 and 2011, don't hold your breath. Congress will probably revisit tax policy long before that, and re-imagine whatever faraway mirages are promised today.

The challenge for the administration is to grapple with the situation that confronts us right now. The gloom on Wall Street is spreading to Capitol Hill. It is pushing centrists, who are the swing votes here, in a Clintonian direction—trying to please two opposite constituencies at the same time. The centrists want to do something that appears stimulative, but they don't want anything too big because they don't want to endanger the surplus (and with it their spending plans). So they are headed toward a policy outcome that is Dick Morris-like in its triangulated triviality. They will offer some sort of front-loaded, targeted tax cut lite that looks like leadership but does nothing really to stimulate the economy. It's the worst of both worlds. You don't get meaningful tax reform, and since there is no real stimulative effect, the economy sours and you get lower federal revenues anyway.

The centrists are about to be further spooked by revised surplus estimates. Already some Wall Street firms have been lowering their guesses. In January, the Congressional Budget Office projected a $281 billion surplus in 2001. Last year, the Wall Street firms projected higher surpluses than the CBO, but last month they pulled back and estimated a $270 billion surplus. This month, they are gloomier. Merrill Lynch lowered its projected surplus

guess to $250 billion, and Wells Fargo is projecting a $225 billion surplus this year and a $185 billion surplus next year, 40 percent lower than the CBO estimate for 2002.

In Washington, we all know, the prevailing assumption is that the U.S. economy exists in order to feed the government. As revenue estimates come down, the keepers of the conventional wisdom will cry: *Big tax cuts must be sacrificed. Never mind if the economy goes into recession and millions lose their jobs. The federal budget must be balanced. That's the important thing.* Unfortunately, the Bush administration bought the foolish logic of this argument when it described its tax cut as a "refund." If there's no surplus, it stands to reason there can be no refund.

The first thing the administration needs to do is break out of this Beltway mindset. It needs to ask not what the economy can do for the government, but what the government can do for the economy. That leads to a politically and economically sensible grand compromise. We'll offer one version, and we'll call it the Kemp-Daschle-Bauer plan—but the details are less important than a commitment to moving now on an attractive and substantial package of tax cuts.

Start with something that is truly stimulative, capital gains rate cuts. The Bush people claim that lowering the top marginal income tax rate will stimulate economic growth. Well, maybe there are bunches of well-to-do slackers who will radically alter their behavior if their top income tax rate is cut from 39 percent to 38 percent in one year, then 37 in the next and 36 in the next and ultimately to 33 percent, but we've never met such creatures. We're for lowering the top rate, but it's not clear it's worth the political capital in the short term. Meantime, capital gains taxes really do distort economic activity. Every time they have been cut, there has been a significant stimulative effect because people could more quickly alter their investment patterns, producing more capital for investment. That's the Kemp part.

Then comes middle-class relief, the Daschle part. Senator Daschle wants to reduce the tax on the first $12,000 of taxable earnings to 10 percent from 15 percent. That measure alone gives all taxpayers an additional $600 a year, a tax savings that could be felt immediately if withholdings were adjusted. Then you could add other middle-class benefits and finish up with tax relief that strengthens families and so pleases social conservatives like Gary Bauer. The administration could strongly support the steps that Bill Thomas's House Ways and Means Committee took last week, for example, doubling the child tax credit and expanding marriage penalty relief so that it extends to families with non-working spouses.

Warding off a recession will require leadership. And retaining dominance of the political agenda will require leadership. If the White House clings to a good-times tax plan that was drawn up two years ago, then congressional centrists will lead—poorly. If he seizes the moment, President Bush can put together a majority tax-cut coalition that will serve the country, and his administration.

—David Brooks, for the Editors

Closing Time for the Bar

And happy hour for conservatives.

BY TERRY EASTLAND

ON SATURDAY, MARCH 17, the *New York Times* broke the story: President Bush's legal advisers had "told the American Bar Association that they want to end the group's nearly half-century role as a semiofficial screening panel for judicial nominees." The story had the earmarks of one leaked by sources seeking to save the ABA's role: "In a letter sent today to Mr. Bush"—and obviously made available to the *Times*—"Senators Charles E. Schumer of New York and Patrick J. Leahy of Vermont, both Democrats, said, 'We firmly believe that ending the long-established practice of ABA review would dilute the quality of the federal bench.'" The paper reported that ABA officials and Bush lawyers would meet the following Monday.

Other news outlets quickly pursued the story. After the Monday encounter, both sides made polite remarks. "It was a cordial meeting," one Bush aide told me, "with chances to ask a lot of questions." As the week wore on, more Democrats—including representative Richard Gephardt—spoke up for maintaining the ABA's role. So did the nation's liberal editorial pages. Would Bush cave? Hardly. On March 22, White House counsel Alberto Gonzales wrote ABA president Martha Barnett to inform her of the president's decision: "The Administration will not notify the ABA of the identity of a nominee before the nomination is submitted to the Senate and announced to the public."

Sudden as it seemed—candidate Bush never vowed to cut the ABA out of judicial selection, as Bob Dole had in 1996—the move was also entirely defensible.

Under the Constitution, the president has the power to nominate and, subject to Senate confirmation, appoint federal judges. Obviously, the Constitution doesn't entitle the ABA or any other group to help the president in this task. A president, of course, is free to ask the ABA to evaluate prospective judges—though it should be pointed out that the ABA, unlike the president and the Senate, is not politically accountable.

Dwight Eisenhower was the first president to involve the ABA in the selection process. From 1953 on, it was standard practice for administrations to give the ABA the names of likely nominees. The group would evaluate each individual's fitness and rate the candidate "well qualified," "qualified," or "not qualified." For years, the ABA restricted its evaluation to "professional qualifications" such as competence, integrity, and judicial temperament. In the late 1970s, however, the rules governing the ABA's Standing Committee on the Federal Judiciary were amended to permit consideration of "extreme" political views if they were thought to affect a candidate's judicial temperament. Additional rule changes a decade later gave the committee still more latitude to weigh a candidate's ideology or philosophy.

Alberto Gonzales

Jay Lincoln

Terry Eastland's most recent book is Freedom of Expression in the Supreme Court: The Defining Cases *(Rowman & Littlefield).*

By then the committee's role in judicial selection had become thoroughly controversial. The ABA itself had ceased to be a mere professional association for lawyers and had assumed the classic behavior of a political interest group. By the early 1980s the group had begun to assert itself through court filings, legislative testimony, and formal position statements. It did not shy from contentious issues, such as abortion, and on these it almost always adopted a liberal position. All the while, its Standing Committee was giving Reagan judicial nominees low ratings—lower, conservatives pointed out, than similarly qualified Carter nominees. The suspicion that political assessments were pushing down the ratings of conservative nominees and worsening their chances of confirmation was not easily dispelled.

The matter came to a head when Reagan selected Robert H. Bork for the Supreme Court. Bork was among the most qualified lawyers ever to be chosen for the Court, and the Standing Committee rated him "well qualified." But four members took the unusual step of dissenting, finding him "not qualified." Their dissent was leaked to the *New York Times*, and it was big news, providing a key talking point for Bork opponents and deepening Republican distrust of the ABA.

President George Bush considered doing what his son has now accomplished. But the elder Bush faced a Democratic Senate and a Judiciary Committee vowing to consider only nominees who had been evaluated by the ABA. Meanwhile, the ABA itself promised that the Standing Committee would not take ideology into account but would focus instead on professional qualifications.

The committee's role in the selection process wasn't an issue for Bill Clinton, nor is it likely to be for any Democratic president. But during Clinton's eight years in office, the ABA continued to cut a liberal profile, endorsing, among other things, the Clinton health care plan, racial set-asides, and a moratorium on the death penalty. In a remark that more prudent members of the ABA would doubtless like to have struck from Lexis-Nexis, its then-president George Bushnell called the Republican majority in the 104th Congress "reptilian bastards."

After that, Republican objections to the ABA's role only intensified. In 1997 Orrin Hatch—then and now chairman of the Senate Judiciary Committee—declared that the ABA would "no longer play a special, officially sanctioned role in the [Senate's] confirmation process" but could testify before his committee on nominations, along with everyone else.

Thus, a Republican consensus on the role of the ABA was more or less in place when Bush became a presidential candidate. Just when Bush himself decided to move against the ABA is unclear, though it seems fair to surmise that it didn't take him long. One senior Justice Department official told me there was "uniformity" of opinion on the ABA issue among those advising the president on judicial selection.

When ABA officials met with Bush's lawyers, they faced a skeptical audience. They argued that the Standing Committee's role was "essential" to the process. But the president's lawyers were unmoved. Nor did they buy the practical argument advanced by ABA allies—that an ABA "not qualified" rating can provide the White House cover when it deems some senator's best friend not ready for the bench. As the White House apparently understands, more is at stake in judicial selection than maintaining good relations with certain senators.

The fundamental issue is the direction of the courts, and Bush, to judge by his campaign statements, wants to nudge them down a conservative path. Removing the ABA from the selection process is a step

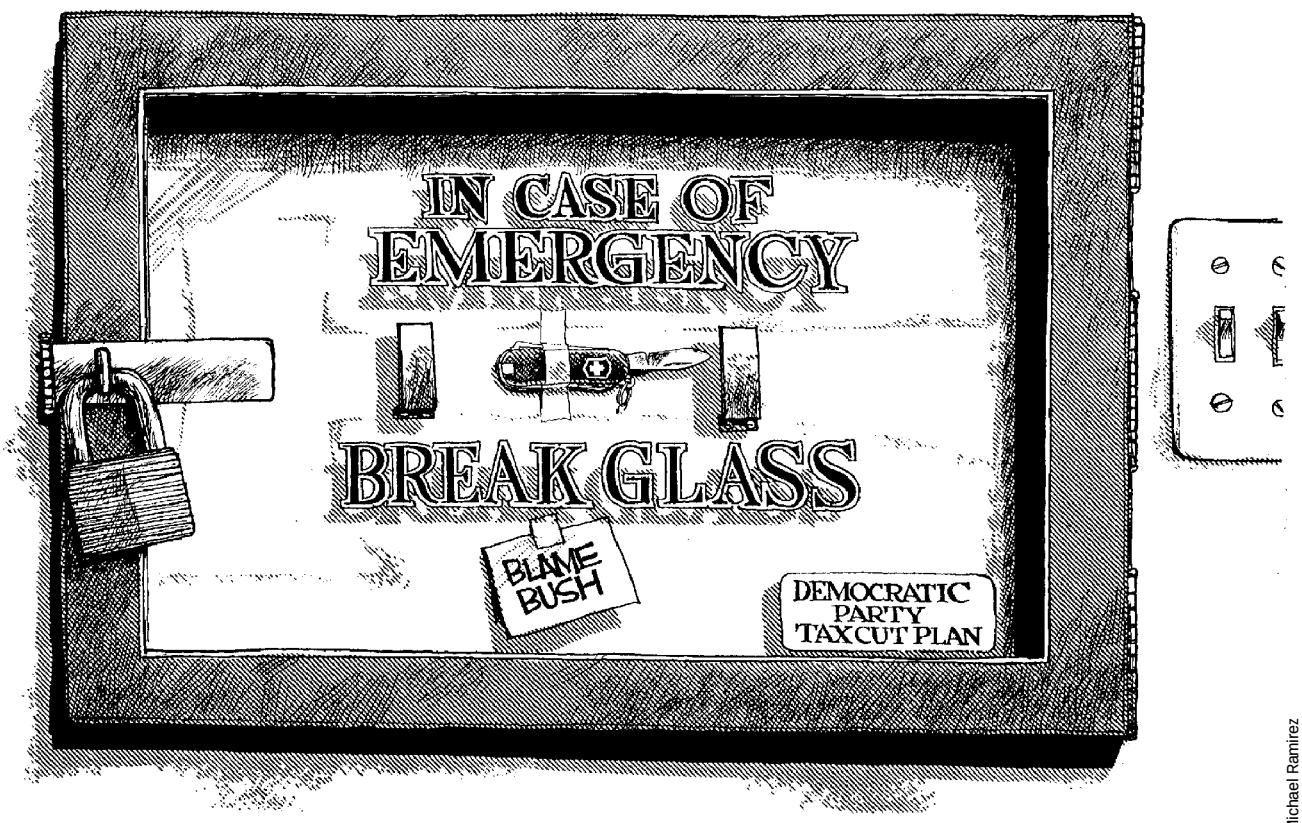
toward this goal. Only now does Bush have—as his father and Reagan did not—unqualified power to nominate individuals of compatible judicial philosophy. And note this: Today there are 94 vacant seats on the bench to fill.

Bush's decision is likely to further raise his stock with conservatives. Indeed, no one—not the ABA's Barnett, Senate Democrats, or liberal pundits—cared as much, one way or the other, about the ABA's role in judicial selection as conservatives. Gonzales's letter to Barnett spoke to them loud and clear: "It would be particularly inappropriate," Gonzales wrote, to grant the "politically active" ABA "a preferential, quasi-official role" in the selection process.

That phrase, by the way—"a preferential, quasi-official role"—appeared no fewer than three times in Gonzales's letter. Bush's deployment of the word "preferential" was revealing. In essence, his argument against the ABA's involvement in judicial selection was not a hard-edged political one challenging the ABA's liberalism, as conservatives might have liked, but a fairness one, likely to have broader appeal. Why, Gonzales asked in his letter to Barnett, should the ABA "have its voice heard before and above all others"? How can such a "preferential arrangement" be "appropriate or fair"? Not incidentally, Gonzales, a rumored likely choice for the Supreme Court, may also have scored with conservatives for taking the point on this issue.

Bush's deployment of the word "preferential" was revealing. In essence, his argument against the ABA's involvement in judicial selection was not a hard-edged political one but a fairness one, likely to have broader appeal.

The fairness argument Gonzales made was a sign of the less combative politics the president prefers, as was his decision to have his lawyers meet with the ABA's. There didn't have to be such a meeting. Bush could have simply announced his decision. But the president, says White House spokesman Scott McClellan, "wanted to give [the ABA officials] a fair opportunity to express their view." Or, as another Bush appointee told me, "There's a George W. Bush way of doing things. For him, it was a reasonable thing to do before you cut them out." Due process, you might say, before expulsion. The ABA, of all groups, should understand. ♦



Michael Ramirez

George W. Bush and the R-Word

There's a good reason the new administration is talking recession. **BY JOHN PODHORETZ**

GEORGE W. BUSH and his team have been expressing unflagging concern about the state of the American economy almost from the day the re-re-recounting was stopped in Florida. "We may be on the front edge of a recession here," Dick Cheney said in December. "A warning light is flashing on the dashboard of the economy," Bush said in February, and he later told a crowd in South Dakota, "You know better than me that the economy is slowing down."

Democrats are shocked by Bush's pessimism. At a joint press conference on March 15, the minority leaders of the Senate and House sought to pin blame on the president. "The Bush administration has been talking down the economy now for some time," said Tom Daschle. A minute later, Dick Gephardt read off the same talking point in case reporters weren't paying sufficient attention: "I think that what we're seeing is a talking down of the economy, the suggestion of a slowdown."

The consequences of this dire talk, according to Daschle, have been severe: "What's happened is that the consumer confidence level has fallen very precipitously over the last few months as a result of the R-word utilization more and more." Not to be outdone, Gephardt pulled out a chart: "You see how consistent consumer confidence has been until Dick Cheney started, really, in December, and the president chimed in, and everybody began to, frankly, scare consumers."

The media have snapped to attention. CNN did an evening of shows dedicated to the idea that Bush was at least partially responsible for the nation's economic troubles. Liberal columnists and pundits have fallen all over themselves to blame Bush for "talking down the economy."

Indeed, it has already come to be a cliché that Bush is just doing what all incoming presidents do upon taking office, which is to blame his predecessor for the tough hand he's been dealt. And Bush was dealt a tough hand indeed: Before he was sworn in, economic growth had already contracted by 80 percent, factory inventories were growing, and the stock market had turned bearish.

But while that may be part of the story, it's not really the motivating factor behind the administration's gloomy talk. The new president is clearly determined to avoid the ham-handed conduct of the last Republican administration—and the fact that the last Republican administration was his father's only makes matters more interesting.

George Bush the Elder subscribed to the same notion that underlies the criticism offered by Daschle and Gephardt—that a responsible president should speak in soothing terms about the economy in order to keep consumer confidence high and prevent panic. And so, from the moment the economy first dipped into recession during his presidency in the summer of 1990, he and his advisers did everything they could to assure the American people not to worry. This turned out to be politically disastrous, for it only made them look

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woefully detached from reality.

"I do not think that nationally we're in a recession," Bush the Elder said in September 1990 when the economic downturn was indeed mostly taking place in the Northeast and California. In November 1990, he said of the recession: "It will not be deep, and we will come out of it relatively soon—six months at most." The recession, he claimed, would not last longer than "a couple of quarters," and would be succeeded by a "robust economy."

His aides were similarly upbeat, to the point of unintended hilarity. "I don't think it's the end of the world even if we have a recession," said then-Treasury secretary Nicholas Brady, Bush's best friend—at a time when the unemployment rate was rising near 7 percent. "We'll pull back out of it again." Michael Boskin, the head of Bush's Council of Economic Advisers, announced with fanfare in June 1991 that the recession had ended—just before the economy did what came to be called a "double dip" back into negative growth.

By October 1991, Bush's unwillingness to acknowledge the severity of the recession had sliced his approval rating from its unimaginable high of 91 percent at the conclusion of the Gulf War to around 37 percent (where it would remain, flatlined, until he received exactly that

HITTING BOTTOM

Michael Ramirez

percentage of the vote in the 1992 election). Finally, on October 25, Bush ended the happy talk. "The economy has been sluggish," he admitted in a move universally considered a major concession. "It has not been nearly as good as I would like to see it."

And yet, only six days later, Bush fell back into nice-speak. The economy, he told visitors to the White House, "had turned a corner." It was, he said, "headed for recovery." He refused to take aggressive measures to deal with the economic slowdown besides his advocacy of a reduction in the capital gains tax, to which the Democratic Congress stood in steadfast opposition. Oh, he had plans, the American people were told, but he had decided to wait to announce them in his State of the Union address at the end of January 1992. Why? Office of Management and Budget director Richard Darman had convinced the president to wait because "in the general public's mind, there's a ritual, a rhythm of renewal . . . to the State of the Union."

But the State of the Union added little that was new—and then-House Speaker Tom Foley criticized it in a response that was exactly the reverse of the Gephardt-Daschle complaint. "For too long, we were told to wait, that things would get better on their own," Foley said. "There was even an effort to talk us out of the recession."

The sense that the elder Bush was out of touch with the suffering of ordinary Americans gave rise to the insurgent Republican candidacy of Patrick J. Buchanan, the rise of Ross Perot's independent challenge, and ultimately the election of Bill Clinton. The Bible says the sins of the father are passed down to the sons, unto the fourth generation. But political blindness is not sin, and it's heartening to see that George W. Bush knows what his father did wrong—and is determined not to repeat those mistakes, no matter how much Tom Daschle and Dick Gephardt want him to. ♦

Don't Know Much About Hiss

A new century of whitewashing Alger Hiss begins.

BY LEE BOCKHORN

THE RECENT DRAMA surrounding FBI agent Robert Hanssen comes at a time when we are reminded of another famous American spy case. April 1 marks the hundredth anniversary of the birth of Whittaker Chambers, one of the true heroes of the 20th century's long twilight struggle against tyranny—and March 22 marked the fiftieth anniversary of the imprisonment of Chambers's antagonist, Alger Hiss, in whose honor the New York University Libraries have just launched a website.

Titled "The Alger Hiss Story: Search for Truth," the website was created with grants from, among others, the Nation Institute—a spinoff of the *Nation* magazine and home of the last sorry band of believers in Hiss's innocence—with participation from the Hiss family, including Hiss's son Tony, a visiting scholar at NYU.

A press release from Vintage Books, which published Tony Hiss's 1999 memoir *The View From Alger's Window*, declares that the site "takes

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very seriously its scholarly responsibility to present all the charges against Alger Hiss fully and without distortion." Its mission is to be "a reliable, factual, and even-handed source of information" about the case for scholars, archivists, teachers, and all who "Search for the Truth."

Well. The front page of the site features a few newspaper clips of headlines announcing the 1950 guilty verdict in Hiss's perjury trial, accompanied by the question: "Justice . . . or just the beginning?" A perusal of the site quickly makes clear that this "Search for Truth" is really a tendentious simulacrum of scholarly inquiry. The site does provide a substantial number of digitized primary documents from the case, mostly defense files that were previously available only at the Harvard Law School Library. But beyond that, the "even-handed" scholarship turns out to be mostly a collection of screeds, many of them articles from the *Nation* written by longtime Hiss apologists like John Lowenthal and Victor Navasky.

They recycle the usual canards offered by Hiss's defenders—for instance, that the FBI forged incriminating documents to make them look as though they had come from Hiss's Woodstock typewriter—and pro-Hiss interpretations of the other famous elements of the case: the Bokhara rug, the prothonotary warbler, the Pumpkin Papers. The Hiss case, it becomes clear, was part of some tremendous and sinister effort—a vast right-wing conspiracy, you might say—designed to frame Hiss, and led by that 1950s Kenneth Starr, a young congressman named Richard Nixon.

Scenes from a website: Extra . . . Extra . . . Extra . . . How Venona Clears Alger Hiss (top); We Remember Alger—Hiss with Douglas Fairbanks Jr., Anita Loos, and Van Johnson (center); and the Alger Hiss photo album (bottom)

The site won't do much to change the minds of those who have read *Perjury: The Hiss-Chambers Case*, Allen Weinstein's definitive 1979 account, or Sam Tanenhaus's critically acclaimed 1998 biography of Chambers, or the several recent books on the mid-1990s release of the Venona transcripts—which convinced all but the most unreconstructed of leftists that Hiss was exactly what Chambers claimed he was: a Communist, a spy, and a traitor.

You can't really fault Tony Hiss and other members of the family for clinging to the fantasy of Alger Hiss as First Victim of right-wing yahoos. But what is shameful, if not surprising, about this belated effort to rekindle agnosticism over Hiss's treason is that it has the imprimatur of a major university.

Fortunately, all their efforts cannot gainsay Chambers's monumental book *Witness*, which, despite the occasional bitterness that creeps into its prose, demands recognition as one of the great American literary achievements of the 20th century. But conservatives looking for lessons from Chambers should also remember that on two points he proved to be staggeringly wrong: first, his pessimistic conviction that in leaving communism to defend the West he had switched from the winning side to the losing one (a view he modified somewhat later in life); and second, his belief that "in the struggle against communism, the conservative is all but helpless."

What Chambers could not possibly have known when

he wrote *Witness* was that a struggling B-movie actor named Ronald Reagan would one day become a conservative; and then become president; and would then defy the liberal establishment by calling the Soviet Union an Evil Empire and awarding Chambers a posthumous Medal of Freedom in 1984; and would, most importantly, provide the statesmanship and strength of purpose to help bring Soviet communism to its knees.

Reagan, with his quintessential optimism, recognized something that Chambers could not: As he noted in his first inaugural address, "We must realize that no arsenal, or no weapon in the arsenals of the world, is so formidable as the will and moral courage of free men and women." Chambers himself demonstrated that courage, in a powerful act of witness that he knew would ruin his career and subject him to obloquy from the likes of the NYU Libraries. Such courage, of course, is ultimately what makes our freedom possible, and worthwhile. ♦

Who's Afraid of Productivity?

Government bureaucrats, that's who.

BY JAMES FREEMAN

HOW MUCH MONEY could government save taxpayers by using the latest technology? Some public officials don't want you to know the answer. Janet Caldow directs IBM's Institute for Electronic Government in Washington, D.C., which helps educate public-sector managers about new technology. The institute sponsors a series of reports at Harvard's Kennedy School of Government on the wise use of computers. According to Caldow, the release of the latest report was delayed because of complaints from government officials.

The report, now available on Harvard's website, highlights "best-practices" to make government agencies more efficient—with the implication that those agencies not following best practices are wasting your money. Further, the report makes clear that many agencies are botching their investments in information technology, with projects that "come in late and over budget and have often failed altogether."

And the news gets more depress-

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ing. When computer network projects fail, the culprit is generally not the technology but the bureaucrats. According to the report, "it has recently become clear that the most significant challenges are related to interpersonal and organizational politics." Computers, then, could make government more efficient, but government employees won't let them. This isn't a message that politicians like to send to taxpayers.

The team that issues the papers, the Harvard Policy Group on Network-Enabled Services and Government, includes representatives of numerous federal departments and 17 state governments. The lead researcher, Scot Barg, says that he didn't hear from any unhappy public officials while drafting the report. But he adds, "They're concerned about expectations."

According to Barg, public servants have seen studies showing phenomenal savings when commercial banks move from paper to electronic transactions. These officials are afraid their agencies might be expected to deliver similar results.

And there's no denying the power of information technology to reduce transaction costs. To take the bank example, a 1999 Gartner Group study found that a transaction handled by a bank teller costs more than a dollar, but the same transaction conducted over the Internet costs less than 5 cents. And there are already success stories in various pockets of the government. The Department of Education moved financial aid applications online and cut the processing cost for one form from $2.55 to 90 cents. The state of Arizona hired IBM to move its vehicle registration process onto the Internet and cut costs by more than 70 percent.

It's called "e-government." *Federal Computer Week*, a trade publication, reports that some agencies have saved up to 20 percent on procurement by conducting online reverse auctions, where companies bid to provide products or services. A study funded by PricewaterhouseCoopers estimates that our various levels of government could save more than $50 billion per year just by using online procurement and doing the job half as well as private companies.

Strangely, though, few people in government are asking how the new tools can cut costs. Jeremy Sharrard covers the e-government market for Forrester Research, a leading forecaster for the tech industry. When he attends conferences and panels on the uses of the Internet, the potential for *cheaper* government through technology is not a topic for discussion among government employees. "I haven't heard that on or off the record," says Sharrard, adding, "They understand the implications of that idea."

The potential for cheaper *government through technology is not a topic for discussion among government employees.*

No bureaucrat, of course, wants to let appropriators know that his agency could make do with a smaller budget. "You risk marginalizing yourself," says Sharrard. "If you do e-government too well, you may reduce your budget and lose your prestigious position." As a result, according to Sharrard, government managers aren't bothering to keep track of their e-savings: "They're just not measuring."

Congress has largely played along, making process improvements, not cost reductions, the aim of investments in technology. One exception has been California Republican Steve Horn, who plans more hearings this year in his House Government Reform subcommittee on efficiency. Horn says he'll look at specific practices that could save money.

The potential is enormous—so whether the savings are returned to taxpayers or remain in agency budgets is a multi-billion-dollar question. History suggests that any "tech dividend" will be "reinvested" in bureaucratic missions and staff. In recent years, as Washington has spent more and more on information technology, the cost of government has continued to grow.

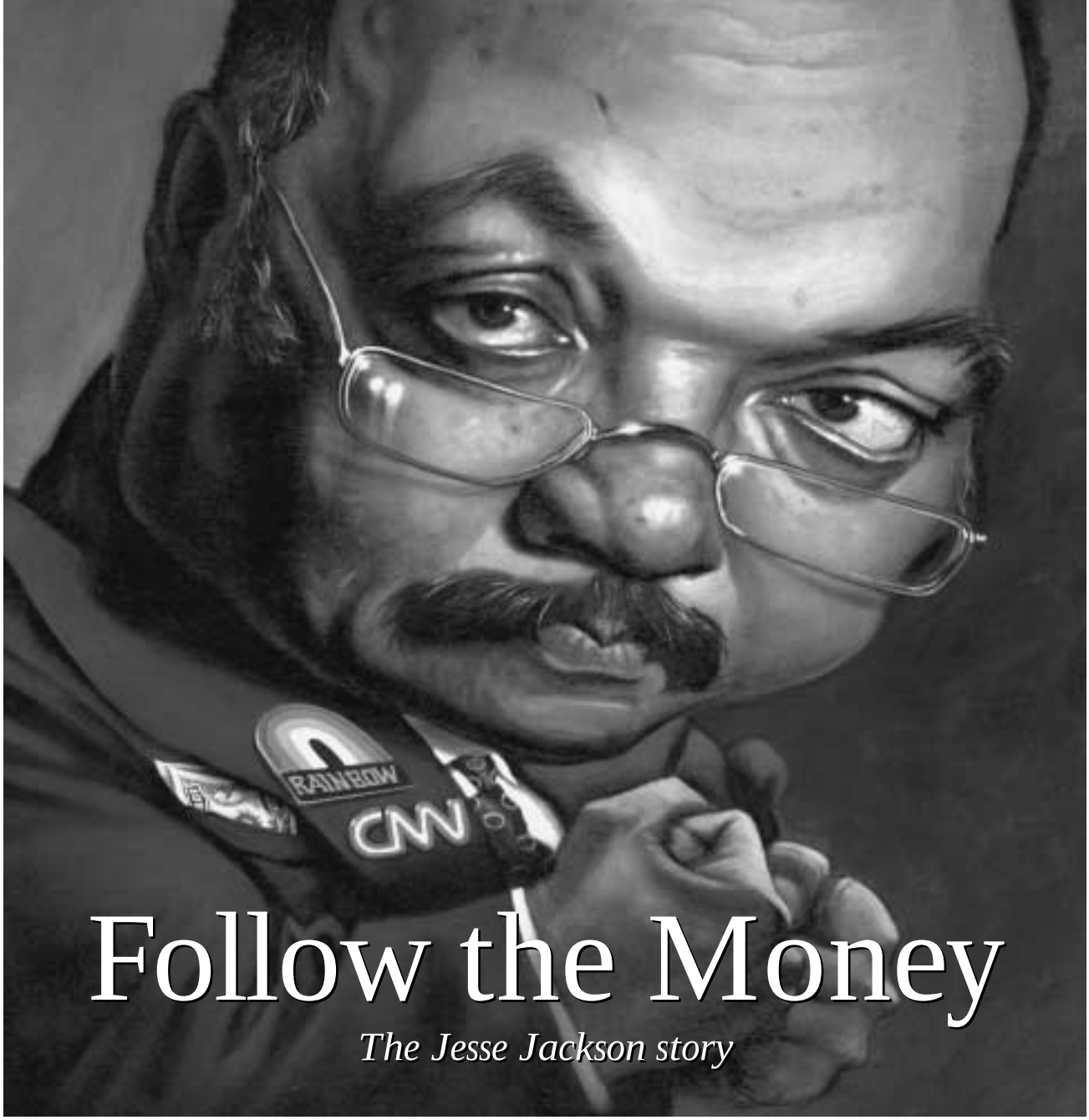
In every other industry, computers have allowed people to do more while spending less. The PC was a death warrant for corporate middle managers in the 1980s, contributing to well-publicized layoffs but turbocharging American competitiveness. Fed chairman Alan Greenspan has noted the dramatic jump in worker productivity in the late 1990s and cited digital technology as the cause.

If any organization should see huge savings from digital technology, it's the government. A vast amount of what government does is collect and distribute information and money—exactly what computers and digital networks do cheaply and efficiently. So where's our tech dividend?

Last year, according to the Council for Excellence in Government, which counts former presidents Bush, Ford, and Carter as honorary co-chairmen, Washington spent $40 billion on information technology. That's more than the annual revenues of Intel, the world's largest computer chip maker. Where's the return on this investment?

As the experts explain, you have to wait several years to see the benefits of investment in technology. Fair enough. So go back to 1994, when according to the General Accounting Office the federal government spent $23.5 billion on information technology—more than the 1994 revenues of Intel, Microsoft, and Cisco *combined*. Where's the return? Why hasn't government gotten cheaper?

There's every reason to believe that, for an operation as immense as the federal government, the tech dividend will be enormous. Congress should track it, and grab it, and return it to the original investors before a self-interested bureaucracy swallows it up. ♦



Follow the Money

The Jesse Jackson story

By Noah D. Oppenheim

On March 8, the Reverend Jesse Jackson held a press conference in Chicago. All the country's major newspapers sent reporters, and all three cable news networks covered the event live. Jackson had promised to explain the byzantine finances of his nonprofit empire—in particular, the omission from tax forms of payments to employee Karin Stanford, the mother of his illegitimate child.

Jackson would eventually get around to offering his explanation—a simple accounting oversight, devoid of "impropriety"—but only after most TV networks had tuned out, apparently bored by the testimonials from a long parade of Jackson's friends.

The most memorable of these character witnesses was Jim Reynolds, owner of Loop Capital Markets, a Chicago investment bank. Before singing Jackson's praises, Reynolds described how, after 20 years in the world of finance, he had founded his own firm. Reynolds boasted of Loop, "We're the number one underwriter of public securities . . . in this city and state. We've been at business approximately three years." And Reynolds explained his firm's meteoric rise: "A significant part of the access that we've enjoyed . . . has only been made possible through the tireless efforts of Reverend Jackson."

In the weeks since his press conference, Jackson's

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dealings have come under heightened scrutiny. Questions have arisen about more than the personal embarrassment that originally sparked the public's interest. Even more troubling than the apparent misuse of charitable dollars to conceal an extramarital affair are Jackson's "tireless efforts" on behalf of minority businessmen such as Reynolds. While Jackson says he is working to tear down the walls of "economic apartheid," his tactics bring to mind an old-style protection racket.

Thanks to the reporting of Tim Novak, Chuck Neubauer, and Abdon M. Pallasch in the *Chicago Sun-Times* and Eric Slater and Myron Levin in the *Los Angeles Times* in the past two months, a clear pattern can be traced in Jackson's dealings with corporate America: Under the guise of "civil rights activism," Jackson coerces companies into conducting business with his friends and, very often, donating large sums of money to his own organizations. Rather than threaten broken kneecaps, Jackson threatens boycotts and the stigma of being labeled racist by this country's most prominent black leader.

Some of Jackson's shakedowns:

• In 1997, Viacom announced its intent to sell 10 radio stations to two other companies for $1.1 billion. Jackson's Rainbow/PUSH coalition filed a petition with the FCC, seeking to block the deal. After negotiating with Jackson, Viacom and the two buyers set aside $2 million to "promote minority ownership of broadcast properties." Jackson dropped his opposition to the deal. His Citizenship Education Fund received $680,000 to organize two conferences.

• In May 1998, telecommunications firms SBC and Ameritech reported their desire to merge. Jackson declared the merger "fundamentally undemocratic" and proclaimed, "Consumers, workers, women, and people of color are being excluded and left behind." As their fight with Jackson dragged into the following year, SBC and Ameritech contributed $500,000 to his Citizenship Education Fund. Ameritech also sold a portion of its $3.3 billion cellular business to Jackson's friend Chester Davenport. Soon thereafter, Jackson pronounced the merger "in the public interest."

• In January 1999, Jackson flew to Seattle, where thousands of Boeing employees had filed a racial discrimination lawsuit. Negotiations had been going on for over a year. Jackson met with Boeing head Phil Condit and reached a settlement in days. Less than a week later, Boeing made a $50,000 donation to the Citizenship Education Fund—the first of several. In the following months, Boeing also directed hundreds of millions of dollars in pension funds to be managed by minority-owned banks, many with connections to Jackson. Meanwhile, almost 2,000 of the original 13,000 minority plaintiffs in the Boeing suit formally protested to the court that the proposed settlement was inadequate.

• In May 1999, the Pepsi Bottling Group was preparing a $2.3 billion public offering. Jackson pressured Pepsico CEO Roger Enrico to involve a minority-owned investment bank in the transaction. Against the objections of his top financial officers, Enrico gave in to Jackson at the last minute, naming Utendahl Capital Markets as co-managers of the offering. Utendahl has since donated tens of thousands of dollars to the Citizenship Education Fund.

• In October 1999, Clear Channel Communications sought to merge with AMFM Inc. Jackson raised concerns about the merger, arguing that minorities should be able to buy any radio stations made available if the deal materialized. When the saber-rattling was over, Inner City Broadcasting, operated by longtime Jackson friend Percy Sutton, bought nine of those stations in major cities. Jackson and his wife Jacqueline are part-owners of Inner City. Their stake, originally worth $10,000, is now worth between $850,000 and $1.2 million.

• Also in 1999, Jackson agitated against the merger of AT&T and TCI. He dropped his opposition after the companies hired Blaylock & Partners, a minority-owned investment bank, to float an $8 billion bond offering. AT&T subsequently gave $425,000 to the Citizenship Education Fund. Blaylock gave $30,000.

All told, Jackson's charities currently take in approximately $15 million a year in tax-exempt donations, most of that money stemming from Jackson's intervention in corporate transactions, according to Slater and Levin's analysis of financial records released by the groups. The tax-exempt status of these donations deserves emphasis. Not only is the shareholder being fleeced, but by extension the government is being robbed. Of course, Jackson's raids on the public coffers are not always so indirect.

This past summer, the state of Illinois awarded Jackson's Rainbow/PUSH Coalition $763,000 to enroll poor children in the KidCare health insurance program. For months, Jackson had been attacking governor George Ryan for his failure to increase KidCare participation. Jackson's complaints stopped as soon as the contract was awarded.

The grant was unusual in two respects. No other organizations were allowed to bid for the work. And, while all other community groups in Illinois are paid $50 for every child they enroll, PUSH's money came in a lump sum with no strings attached. Since July 1, when PUSH

received the grant, 37,000 children in Illinois have been signed up for KidCare. PUSH has been responsible for signing up only 151 families. The state might have achieved the same result by paying another group just $7,550, a savings of about 99 percent.

Besides the obvious waste to taxpayers, the KidCare case highlights the question: Who benefits from Jackson's exceptional ability to extract money from corporations and the government? Jackson has claimed the $763,000 his organization received from Illinois was necessary to pay a staff of "maybe two or three," travel costs, and overhead. But records examined by the *Sun-Times* indicate most of PUSH's KidCare outreach efforts were integrated into regularly scheduled events held at the organization's headquarters. While other groups were signing up thousands of children, PUSH signed up hardly any. It seems fair to say that Illinois's poor kids gained little. Where did the money go? And what of the millions each year Jackson reaps by leaning on American business? Toward what good works do his organizations direct those funds?

Any investigation of these matters is made difficult by the complexity of Jackson's empire. He is nominally the head of several charities, including the Rainbow/PUSH Coalition, PUSH for Excellence, the Citizenship Education Fund, and People United. He also runs the political action committee Keep Hope Alive. There are indications that funds are often transferred between the nonprofits, but their IRS filings are egregiously sloppy, making their precise workings difficult to pin down. Jackson did not respond to requests for comment for this story, but his suspicious record-keeping is currently the subject of a complaint to the IRS filed by the American Conservative Union. To cite just one inconsistency among many: On a 1999 form, Jackson is listed as president of the Citizenship Education Fund; on another form for the same year, he is omitted from a list of the group's officers.

Still, some facts can be ascertained, even beyond the $35,000 that the Citizenship Education Fund paid to Jackson's mistress as part of a severance and relocation package. In 1999, PUSH spent about $1.3 million on unidentified consultants. Jackson pays himself a salary of $120,000, and maintains a security detail that costs about $62,000. (He earns an additional $260,000 as a talk show host on CNN, and an undisclosed amount from speaking engagements.)

One of PUSH's largest expenditures is for travel—particularly for Jackson, who personally spent $614,000 jetting around the country in the year 2000. Jackson estimates he travels about 250 days a year, bringing his average daily expenses to about $2,500. At the very least, it would appear that Jackson does not stay at the Holiday Inn. Over and above the apparently generous per diem he allows himself while on the road, Jackson estimates that his income approaches $430,000 a year. Still, he insists, "We've always made the choice to live rather modestly."

Jackson and his allies argue his sizable income and expensive upkeep are beside the point. The Reverend Al Sharpton recently lectured a critic, "It is legal for Reverend Jackson to be paid. Slavery's against the law, sir." Sharpton and others prefer to shift the focus away from Jackson and toward the progressive causes he champions. But the justice of those causes is even less clear than PUSH's accounting methodology.

Jackson describes the purpose of his PUSH travel as "voter education [and] voter registration." But, while PUSH purports to be a nonpartisan organization, there is ample indication that Jackson's message is no general call to civic involvement. In a separate complaint filed recently with the Federal Election Commission, the American Conservative Union alleges that many of Jackson's public appearances last year were coordinated with the Gore-Lieberman campaign, and many involved explicit advocacy on behalf of Democratic candidates. (Certainly Jackson's speech to the Democratic National Convention fit this description.) The Democratic National Committee reimbursed PUSH for much of Jackson's travel during the election, belying the supposedly nonpartisan nature of his work and provoking concern that party soft money had been spent illegally on a political campaign.

The merits of Jackson's crusade against "economic apartheid" are even more dubious. The beneficiaries of his work are not the black underclass, or even the booming black middle class. Chester Davenport, who was given a piece of the SBC-Ameritech merger, was already worth close to $100 million when Jackson encouraged his inclusion. Inner City's Percy Sutton is similarly well-off. Why such men deserved the support of a civil rights group remains a mystery. Jackson's explanation for focusing on large telecommunications mergers: "It's where the most money was." He says the success of men like Davenport and Sutton inspires the entire community.

Jackson also claims that forcing companies to do business with minorities is "a win-win situation." We already know what Jackson and his friends win. It's less obvious what's in it for the companies. When asked why Davenport was included in the sale of Ameritech's cellular business, a company spokesperson explained, "Primarily they brought to the table the opportunity for us to

do business with a minority firm." One wonders how the value of that opportunity is reflected in quarterly reports.

Of course, the cost of refusing to bow to Jackson can be quite real. Boycotts can hurt a company's bottom line. Perhaps worse is the potential damage to its reputation. When T.J. Rodgers, CEO of Cypress Semiconductors, disputed Jackson's suggestion that Silicon Valley was a bastion of racism, a Jackson-allied group announced, "We can now officially describe Cypress Semiconductor as a white supremacist hate group."

Jackson himself does not shy from casting such aspersions when assailing his critics. At his March 9 press conference, he lashed out at those concerned about the mismanagement of his charities: "These groups—they were against us marching for public accommodations. They were against us marching for the right to vote. They were against us marching for open housing. They were against us fighting to free Mandela in South Africa. . . . They are fundamentally extremist, right-wing groups."

If Jackson's critics are right-wing extremists, is it right-wing extremism to question the respect Jackson continues to be afforded in our public life? After receiving Jackson's endorsement in last year's presidential election, Vice President Al Gore declared it "a high honor" to have earned the confidence of "a true national leader." George W. Bush, too, treats Jackson with deference, including him among the former presidents and other dignitaries he telephoned following the Supreme Court's decision in *Bush* v. *Gore.* And Bush (like Bill Clinton, Barbra Streisand, Jerry Falwell, and other notables) called Jackson with words of encouragement after his affair was reported. Yet all the politicians' groveling cannot hide from the rest of us that Jackson is really a talented extortionist, debasing the cause for which he claims to fight. ♦

More Nukes, Please

They're the safest, cleanest, cheapest way to generate electricity

By William Tucker

While California frets over rolling blackouts and Washington sounds the alarm about a new energy crisis, the electrical generating industry has quietly passed a milestone. In 1999, nuclear energy—the forgotten player in the arena—became the nation's cheapest source of electricity.

In fact the news is even better than that. Recent improvements in safety techniques and operating procedures have raised the nuclear industry's "capacity factor" (the percentage of time the plants are on line) to an almost unbelievable 90 percent. Coal plants run at only 69 percent of capacity, while oil and natural gas generators run at about 30 percent—mainly because their fuel is so expensive that it's profitable to shut them down whenever possible. Hydroelectric dams, at the mercy of rainfall and snowmelt, ran at only 40 percent last year. While fossil fuel plants must be shut down every week or two for routine maintenance, Three Mile Island Unit I (the one that didn't melt down) set a record in 1999, having operated for nearly two years without interruption.

These accomplishments have occurred with minimal fanfare. Indeed, nuclear power was barely mentioned last week when President Bush and Energy Secretary Spencer Abraham warned of a looming energy crisis. "If you ask Joe Public how many nuclear reactors are operating in the country, they'll probably tell you 10 or 12," says Tom Shiel, spokesman for nuclear operations at Duke Power. "They have no idea we have 103 reactors and that we're producing 20 percent of the nation's electricity. The truth is we've been happy to stay out of the public eye for awhile. As far as this industry is concerned, no news is good news."

Even so, public attitudes are changing. Twenty years ago, nuclear power was personified by Jack Lemmon being chased through the control room by a gun-toting utility executive in *The China Syndrome*. Today most young people know about nuclear power because Homer Simpson works at a nuclear plant. More than 60 percent of Americans now approve of nuclear power, and 51 percent think we should build more reactors. Ironically the same majority believes that other Americans don't agree with them. It may be time for a breakthrough.

On March 7, Senator Pete Domenici of New Mexico introduced the Nuclear Energy Electricity Assurance Act, designed to reignite the nation's nuclear effort. "We must abandon our old fears of nuclear energy and embrace a technology that holds the potential of easing us out of our energy woes," he said. In February, Scott McNealy, CEO of Sun Microsystems, told the National Press Club that his home state had better start thinking about nuclear power: "I have not yet heard anybody utter the phrase 'nuclear power' in California, . . . but in terms of environmental costs and competitiveness, I just don't see any other solution." A month before that, Craig Barrett, CEO of Intel, said essentially the same thing: "Nuclear power is the only answer, even though it's politically incorrect."

In fact, nuclear power probably can't do much to help California escape its electricity shortage in the short run (only eliminating price controls will do that). But as a long-range alternative it is looking more and more attractive. Although only two new plants have opened nationwide since 1990, remarkable advances in operating procedures at existing plants have added generating capacity equivalent to 23 large new reactors over the past decade. Nuclear operating costs are now at an all-time low—*half* of what they were in 1990. In 1999, electricity from nuclear plants averaged 1.83 cents per kilowatt-hour, as opposed to 2.07 cents for coal, 3.24 cents for oil, and 3.52 cents for natural gas.

"These figures can only improve as natural gas becomes more expensive," says Marv Fertel, senior vice president of the Nuclear Energy Institute, the industry trade group. "We still have higher construction costs, but we're basically immune to increases in fuel prices. Uranium is as common as tin and relatively easy to process." Over the past 10 years the uranium costs of nuclear power

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Fox Television

Nuclear energy, Simpsons-style

have actually decreased from .92 cents per kilowatt-hour in 1990 to half a cent in 1999.

How did this revival occur? Basically, nuclear power escaped the claustrophobic environment of regulated utilities and federal bureaucracy and entered the private sector. More than one quarter of the nation's 103 reactors are now "merchant" plants—owned by the new independent energy companies rather than the regulated utilities of yore. Exelon, formed last year from the merger of PECO Energy and Chicago's Commonwealth Edison, owns the nation's largest "fleet"—17 reactors at 10 sites in Illinois, New Jersey, and Pennsylvania.

"We've built up a wealth of operating experience," says David Knox, a nuclear expert at Exelon's Chicago headquarters. "In the early 1990s, it would take the industry anywhere from a month to six weeks to do a refueling [i.e., changing the fuel rods, which must be done every 18 months]. In 1998, we did one in 30 days. Last fall we set a record by completing a refueling in 15 days. All this means you've got more time when your reactors are generating electricity."

Newly optimistic about the technology, many owners are applying to the Nuclear Regulatory Commission for 20-year extensions to the original 40-year operating licenses. Homer Simpson and his neighbors couldn't be happier. When Constellation Energy went for renewal on its Calvert Cliffs plant in Lusby, Maryland (which produces 25 percent of Maryland's electricity), almost the entire county turned out in support. "We had no local opposition," says Mary Krug, a former county commissioner. "Three-quarters of the plant employees live in Calvert County. They donated over a quarter of a million dollars last year to the United Way. They're a very good corporate citizen." Calvert Cliffs also employs 1,200 people and pays $20 million a year in county property taxes.

But are these advances being bought at the price of safety? Quite the contrary. In 1994, former NRC chairman Ivan Selin warned that deregulating utilities and selling reactors to private companies might create "incentives to cut corners" on safety. Now the agency admits this was wrong. "The industry has made tremendous strides," says Victor Dricks, spokesman for the NRC. "Both the number of safety system activations and scrams [automatic protective shutdowns] are about one-tenth of what they were in 1985. Safety and economic efficiency can go hand in hand."

"With proper management you can serve both masters," agrees David Lochbaum, nuclear safety engineer with the Union of Concerned Scientists, which, although often critical of nuclear power, is not completely opposed. "When private companies started buying reactors, people said, 'They'll run them until they melt down, collect the decommission money, and move on to something else.' That's not happening. These companies know their future is riding on safety. If one nuclear reactor melts down, they'll lose their whole fleet."

In retrospect it appears that nuclear power's notorious safety problems had more to do with government monopolies than the technology itself. In a remarkable analysis published right after Three Mile Island ("Who Caused Three Mile Island?" *Reason*, August 1980), industrial psychologist Adam Reed noted the real problem with nuclear plants was the cloistering of the technology in the NRC's precursor agency, the Atomic Energy Commission. Shunning the private insurance companies—which had

established the Underwriters Laboratory for the explicit purpose of promoting electrical safety—the government overseers missed an entire generation of research about human factors in operational safety. "Some of the manufacturers of nuclear power reactors had highly competent engineering psychologists working for their other divisions, but the AEC insisted on keeping nuclear reactor work secret and isolated," wrote Reed.

> By 1970, no new design for a toaster or blender at General Electric could get off the drawing board without being examined by an expert in human factors. Yet the same company was designing, manufacturing, and delivering nuclear reactors that had never even been seen, much less examined, by an engineering psychologist. . . . It was only after Three Mile Island that engineering psychologists asked what the hell was going on in nuclear power plant control rooms. What they saw made them shiver.

In those days plant operators faced a panel of hundreds of identical gauges and switches, many of which could be read only by climbing ladders. Gauges that recorded responses were often on the other side of the room from the switches that controlled them. At many plants the fuel rods were raised and lowered by pulling one of two identical levers that sat side by side. In one famous instance, operators tried to differentiate the levers by attaching Heineken and Michelob tap handles—only to have the utility order them removed for fear of being fined by the NRC. "The Nuclear Regulatory Commission imposed safety standards," wrote Reed. "But in 1979, its regulations were still based on the most recent safety research of 1954."

Predictably, the Three Mile Island accident occurred when an improvised cardboard maintenance tag obscured a signal light on the control panel. A resulting human error activated the automatic emergency core cooling system, which lit a red light saying that water had successfully entered the core. But operators mistook the red light as a danger signal that *too much* water had entered the core and emptied it, setting off a partial meltdown. Homer Simpson would have felt right at home.

Today these government-sponsored hijinks are a thing of the past. "Every nuclear reactor has its own site-specific simulated control room," says Fertel of the Nuclear Energy Institute. "On average, our operators spend one week a month in a training environment. They do more simulation practice than airline pilots."

"We share safety information quickly, openly, and thoroughly throughout this entire industry," adds Karl Neddenien, spokesman for Constellation Energy. "We're as knowledgeable about every other plant in the world as about our own. Our first concern is safety."

Other issues that gave nuclear power a black eye have also changed dramatically. During the 1980s, not much was known about the long-term effects of exposure to low levels of radiation. Natural background radiation exposes people to 250-350 millirems per year, while sitting on the property line of a nuclear plant would add an additional 1 millirem. Extrapolating from the damage done by poisonous levels of exposure, and *assuming* that there is "no safe dose" of radiation at any level, antinuclear activists such as Drs. John Gofman and Ernest Sternglass were able to conjure up visions of thousands of children dying of cancer because of the construction of a nuclear plant.

In 1991, though, the National Cancer Institute published a report concluding that there is "no general increased risk of death from cancer for people living in 197 U.S. counties containing or closely adjacent to 62 nuclear facilities." Moreover, demographic studies have since revealed that cancer rates vary inversely with exposure to background radiation. People living on the Rocky Mountain Plateau receive the highest doses of background radiation in the country (through radioactive minerals in the mountains and greater exposure to cosmic rays) yet have the lowest rates of cancer in the country. This has spawned a counter-theory which says that high levels of background radiation may be *healthy*. Just as a vaccine stimulates the immune system against microbial invaders, so small doses of radiation may stimulate the body's known mechanisms for repairing genetic damage.

Neither is the disposal of high-level wastes the problem it once seemed. France (70 percent nuclear) and Japan (50 percent) are reprocessing spent fuel rods into more fuel, which reduces the volume of waste by a considerable amount. Reprocessing has been outlawed in this country since President Jimmy Carter issued an executive order in 1978, but that could be rescinded at any time. (Actually, uranium prices are so low that reprocessing is uneconomical right now.)

Since 1987, the Department of Energy has designated Yucca Mountain in Nevada as a permanent geological repository for the nation's 40,000 metric tons of spent fuel (2,000 tons added each year). The site has a capacity of 70,000 tons and could probably be extended to 120,000. But political opposition in Nevada has blocked the effort. In 1998, the department reneged on a commitment to start handling high-level wastes. Instead, the wastes remain at reactor sites, stored in pools of boric acid or corrosion-proof casks. Although no one wants a build-up, they can probably remain there indefinitely. The real impediment is that the federal government is not offering Nevada sufficient reward for taking the repository. If a system of finan-

cial compensation can be devised, the problem will probably solve itself. "At least we know where the wastes are," says Rod McCullum, senior project manager for used-fuel management at the Nuclear Energy Institute. "Other technologies just spew them into the atmosphere."

If the country does elect to renew the nuclear effort, it will undoubtedly be because of energy shortages and their accompanying environmental costs. "If you're at all worried about air pollution or global warming, you've got to take a serious look at nuclear power," says Florida senator Bob Graham, a Democratic co-sponsor of the Domenici bill. California has pushed conservation and renewables to the limit yet still finds itself woefully short of electricity. The demand for clean air across the country has steered utilities into burning natural gas—yet this is backfiring as demand pushes prices up. Even if California succeeds in building its 10-15 new gas-fired generators—as governor Gray Davis insists it will—there is a serious question whether the state will have enough gas or pipeline capacity to run them.

Nuclear power has always been handicapped by the perception that the "Atoms for Peace" program that gave birth to the industry wasn't really practical or cost-effective but was pursued only as a way of assuaging wartime guilt over Hiroshima and Nagasaki. As history marches on, this argument is getting harder and harder to accept. If war guilt was the motive, how come Japan has the world's third-largest nuclear program?

A better way of understanding the industry is to realize the significance of Albert Einstein's equation $E = mc^2$. Fossil fuels are built on energy stored in *chemical* bonds created by sunlight, which is itself a release of nuclear energy. The earth has vast reservoirs of these fossil fuels, but they represent relatively low levels of energy and will eventually become harder and harder to access. Einstein's equation says that most of the energy in the universe is locked up in *matter itself*. When matter is transformed into energy—as it is in the sun or a nuclear power plant—the amount of energy produced is going to be the amount of fuel multiplied by *the square of the speed of light*, a factor of *one quintillion*. The amount of matter transformed into energy by the first atomic bomb was *one gram*.

This explains why small amounts of uranium can produce such fantastic quantities of energy. It is the nature of the universe. If we are to persist as a civilization—without burning up half the earth's furniture in the process—it seems only sensible that we should avail ourselves of some of that energy. ♦

The Cowboy Poet and the End of the West

By Bill Croke

William Albert Allard's photograph of cowboys, with Claude Dallas on the left. NGS Image Collection.

Elko, Nevada

The word "buckaroo" is an American corruption of "vaquero," the Spanish word for cowboy. Unlike their counterparts on the Great Plains, the stockmen of the Great Basin—comprising large parts of Utah, Nevada, Idaho, and Oregon—had strong connections with the Southwest and Mexico. "Lariat," "cincha," "concho," "latigo," and "remuda" were all parts of their vocabulary. They wore big hats and rode on Garcia saddles. A related Basque influence gave them woolly sheepskin chaps and a better sense of cooking than the Midwest typically knew.

You can spot them in a widely reproduced 1970s *National Geographic* photograph by William Albert Allard, which shows a set of horsemen galloping through the sagebrush. The sky behind them is black with storm. They wear yellow rain slickers or long black dusters and high-crowned hats. They ride with purpose—though what the purpose is, who can say anymore? The rider on the far left is a bespectacled man named Claude Dallas, the buckaroo who, in 1981, shot down the two Idaho Fish and Game officers who caught him poaching deer in the remote Owyhee region of southwest Idaho.

If he can't make the valley,
And won't see another day,
He won't let them have this pistol;
He'd rather throw his prize away.

In the last twenty years the dying buckaroo culture of itinerant wranglers, cowhands, and camp cooks has inspired the revival of a minor genre of American literature. Known as "cowboy poetry," it may be far healthier than the culture it celebrates and seeks to preserve.

One can't say that cowboy poetry is dismissed in elite academic circles as nothing more than doggerel: It *would* be dismissed that way, if anyone in elite academic circles had ever heard of it. But this regional phenomenon is responsible for the cowboy-poetry gatherings that are held every weekend in locations scattered across the West—not to mention a cottage industry of small-press books, CDs, cassette tapes, calendars, T-shirts, etc. Prominent venues are Santa Clarita, California, Lewistown, Montana, and Riverton, Wyoming.

Those are the Sagebrush Shakespeare big leagues. And the World Series or Super Bowl of cowboy poetry is *the* Gathering held for a week each January in Elko, Nevada, under the auspices of Elko's Western Folklife Center and a long list of prominent corporate sponsors. This past year the event was designated the official "National Cowboy Poetry Gathering" by the United States Senate.

A town of eighteen thousand people on Interstate 80, Elko is about as remote from anywhere else in the West as you can get: 236 miles west of Salt Lake City, 186 miles south of Boise,

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289 miles east of Reno, and 470 miles north of Las Vegas. It has an airport, with a terminal about the size of a large convenience store—though Elko County is the fifth-largest county in the nation, bigger than Delaware, Rhode Island, Connecticut, Maryland, and the District of Columbia combined. It is a vast, empty land, what geologists call "Basin and Range."

In fact, the Great Basin is misnamed. It's made up of over a hundred and fifty mountain ranges separated by wide valleys with scattered small towns and two thousand ranches raising a half million head of cattle. This ocean of sagebrush also has twenty-five thousand feral horses roaming wild—with federal protection, to the consternation of the ranch owners. Indeed, for most of those ranchers, the federal government is a stern and uncompromising landlord in matters of grazing fees, environmental regulations, and the unpopular mustangs. Elko is a speck in this huge landscape, but long before there was Las Vegas, there was Elko.

Library of Congress

The town dates to 1868, when it was a stop on the new eastward-reaching Central Pacific Railroad. A community of ranchers and gold miners sprung up around the depot. Today, the health of the local economy is dictated by beef prices, gold prices (several hardrock mines operate in the area), and a national economy robust enough to encourage visits by tourists interested in hunting, fishing, and summer pack trips in the nearby Ruby Mountains, or the indoor recreation of casino gambling and legal prostitution. The casinos are lively twenty-four hours a day. A steady stream of truckers roll off the Interstate and make a beeline for the bordellos.

At the far end of Idaho Street, near the Interstate, is the Red Lion Inn, Elko's newest and most popular casino, shiny and squeaky clean with Las Vegas pretensions. (I lost a ten dollar roll of quarters in the slots there one evening, then spied a crumpled five-dollar bill on the floor between two slot machines. The casino taketh, and the casino giveth away—minus its commission.)

Downtown are the Stockmen's Hotel and the Commercial Hotel, venerable seedy monuments to Elko's colorful past, dim and smoky places with worn carpets. Sharing the walls with deer and antelope trophies are signed photos of Golden Age of Hollywood regulars Joel McCrea, Dorothy Lamour, and especially Bing Crosby, whose picture or caricature decorates bars, diners, and fast-food restaurants all over town. Crosby owned a ranch outside of Elko in the 1940s and 1950s, and used to ride a horse in the Fourth of July parade as the town's honorary mayor. He was to Elko what Frank Sinatra was to Las Vegas.

The Stockmen's and the Commercial are typical of the town. Elko has seen better days. In the residential neighborhoods off Idaho Street, I saw well-kept middle-class homes next to weedy vacant lots and rundown trailer parks. Some of Elko's trouble can be traced to declining gold prices, but the bulk of it is due to the failing ranch economy.

We're coming to take everything that you have,
Your credit's no good, so we've found.
And the only thing that you have left now of value,
Strange as it seems, is the ground.

Today, a rancher's greatest enemy is not drought, blizzards, or plagues of grasshoppers, but estate taxes. Across the West, private land is increasingly valuable for uses other than livestock. Add the fact that the market for beef is oversupplied by corporate agribusinesses fattening mass-produced herds on feedlots, and you have a recipe for intergenerational disaster. The cowboy poets' gathering echoes with horror stories of elderly ranchers—masters of large spreads—making poor estate-planning decisions or dying intestate, and their children having to sell to developers just to pay the estate tax.

But he had him a rifle and twenty-odd shells,
And he sets on the porch by the door;
For he has decided that, oddly enough,
They ain't going to take anymore.

Then there's the recent New Economy mania for acquiring ranches at which the wealthy can indulge their Ben Cartwright fantasies. Christie's, Sotheby's, and other famous auction houses now routinely list trophy ranches, and pages of them are found in the "Weekend Journal" section of the *Wall Street Journal*. A decade ago Ted Turner bought the legendary Flying D Ranch near Bozeman, Montana:

Library of Congress

Thomas Eakins's *Cowboys in the Badlands* (1888). Corbis.

129,000 acres running from the Gallatin River to the crest of the Madison Range.

Turner had hundreds of miles of interior fences removed so he could raise a large herd of free-ranging bison. He was saluted by environmentalists at the time for his foresight in "land stewardship," and because "property rights" is a mantra in the West, the locals felt that Turner could do what he pleased with his ranch. But his New Age buckaroo experiment sparked a real-estate boom and the rising assessed valuations of nearby properties. Suddenly it was chic to be a rancher in Montana.

Ironically, Ted Turner and his ilk—as they chant the dogma of "preserving open space"—are partly responsible for the subdivision and ranchette sprawl of the Bozeman-Gallatin Gateway area and the end of the traditional agricultural economy of the Gallatin Valley. Turner also owns large ranches in South Dakota and Nebraska. He owns 1.5 percent of New Mexico, including the Vermejo Park Ranch at 580,000 acres, the state's largest property. Hard on the heels of Sierra-Pacific Industries, a California and Oregon timber company, Turner is America's second-largest landowner.

Not surprisingly, one of the underlying themes of the Elko Cowboy Poets Gathering is the decline of the family ranch. At the Convention Center I attended a two-hour seminar entitled "Securing Ranching's Future." A woman from Texas talked about diversifying her operation by promoting the selective hunting of sage grouse in season. Phrases like "land trusts" and "conservation easements" were thrown around. But in the end, the statistics were overwhelming: There has been no new net income in Rocky Mountain cattle ranching in the last thirty years; in Montana, the annual net income from farming and ranching is roughly equal to the net government subsidy by the U.S. Department of Agriculture; the number of people under age thirty-five in livestock production has dropped 58 percent in the last thirty years.

Lately I've noticed some pain in my joints,
Gets worse as the weather gets cold.
The Doc says I need to go someplace that's warm,
But shoot, it's just age takin' hold.

At a press conference at the Stockmen's Hotel, Michael Martin Murphey mourned that Western art could survive only if ranch life did. "Otherwise, we're just reenactors, like those guys who dress up to reenact Civil War battles." I asked Murphey—a popular, red-bearded, fifty-five-year-old singer of Western songs—if he was cheered by the arrival of the new administration in Washington. Given the unpopularity of President Clinton's public-land policies in the West, I was surprised by Murphey's tepid opinion of George W. Bush: "I like his opposition to the estate tax," he said. "Otherwise, I didn't hear much during the campaign concerning agricultural policy. So we'll see."

The next morning, in the address that opened the Gathering, the poet Waddie Mitchell—with his trademark waxed mustache and broad brimmed brown hat—focused his brief remarks on the conflict over the public lands in the West and the administrative shift over the years from "dominant use" to "multi-use." Sounding like the old Sagebrush Rebellion warrior he is, Mitchell talked about the West's half a billion acres of public-domain land, constantly wrangled over by environmentalists and the so-called "extractive industries," including ranching. "How can anyone prove he's an environmentalist?" And how can environmentalists say that ranchers like Mitchell who work hard to improve their federal leases are not environmentalists?

Still, there are 40 percent fewer cattle on the range since 1984, the first year of the Elko Gathering, and Mitchell closed his speech with the question, "Are we here to celebrate or eulogize the cowboy life?"

That question lies at the heart of cowboy poetry. Is it a vibrant, contemporary art form or a reenactor's commentary on the stuff of museums? Cowboy poetry's great sin among the culture snobs is that it's recited, rhyming verse as entertainment—and so is presumed to offer no great insights into the human condition. The average cowboy—indeed the average native Westerner—is by nature pragmatic, stoic, and utterly lacking in irony. This gives the poetry, though leavened with tragedy, a comic tinge. It's poetry that wants to have a good time.

I've been known to spend time in barrooms,
Call 'em saloons if you choose,
But whether I stay and spend all my pay
Depends on lots more than the booze.

Robert Burns, Rudyard Kipling, Robert Service, and Robert Frost are the main influences on cowboy poetry—insofar as it has discernible literary roots. But you have to add in the Celtic ballad tradition, the precursor of the early American Appalachian folk idiom that has also given us old-time fiddle music and bluegrass. The first cowboy poems were ballads recited or sung to the accompaniment of fiddle, guitar, and harmonica. The classic scene is the campfire after a long, hard day trailing cattle. This tradition was first chronicled by the early folklorists Howard Thorpe and John Lomax. Thorpe's *Songs of the Cowboys* (1908) and Lomax's *Cowboy Songs and other Frontier Ballads* (1910) are the first scholarship that we have. Lomax followed up with a more thorough treatment of the tradition with *Songs of the Cattle Trail and Cowboy Camp* (1919). In the 1920s, the poets Curley Fletcher, Badger Clark, and Bruce Kiskaddon—cowboys all—inaugurated the first poet gatherings at rural rodeos.

Born and reared on a ranch sixty miles from Elko, the best-respected of the current cowboy poets, Waddie Mitchell, remembers that the half-dozen annual journeys he took as a child to town were "like a trip to the city." Steeped in the ranch life,

Top two photos: Library of Congress

Bill Croke

Waddie Mitchell

Mitchell's verse is known for its vivid imagery and sometimes unpleasant ranch realism. In "Story with a Moral," the tale of a lone buckaroo finding a dead cow, he recites:

Her eye sockets were alive with maggots that thrive
On dead flesh, putrid yellow and green,
And the hot sun burnin' down, turnin' pink things to brown,
Spewin' oily gunk in the stream.

It sounds better than it reads. In recitation—he can go for an hour without consulting a text—Mitchell shows a very professional sense of timing and diction. He can bring down the house with "The Throwback":

He'd have to savvy the ropes and
Be proficient with his lariat skill,
For the man who can't handle this basic job,
His worth to the outfit is nil.

Now you'd think with this list of requirements
That the job would've been hard to fill,
But the human race now and then breeds a throwback,
And for some reason these men fit the bill.

Mitchell's rival, Baxter Black, is Mark Twain served up with a little Groucho Marx. Black is the "Poet Lariat" of the "Sagebrush Shakespeares," since he alone enjoys a national audience, thanks to the humorous radio monologues he does for National Public Radio. Most cowboy poets are stationary in recitation, but onstage Black adds a vaudevillian touch, driving his audiences wild with gymnastic antics and pratfalls. He honed his raconteur's craft in obscurity, supporting himself as an itinerant "large-animal veterinarian" at big cattle outfits from Idaho to California, and many of his funniest bits are about veterinary medicine as practiced in the rural West.

If there is a modernist branch of cowboy poetry, Paul Zarzyski represents it—though he laughed when I asked him if he was the cowboy's Ezra Pound. A former rodeo rider and student of the serious poet Richard Hugo at the University of Montana, Zarzyski

strives mightily to make his sharp, pun-filled, free-verse poems do anything but rhyme. Using a favorite rodeo metaphor, he told me, "I try to make every line an eight-second bucking-horse ride."

When I nod
and they throw this gate open to the same
gravity, the same 8 ticks
of the clock, number 244 and I
will blow for better or worse
from this chute—flesh and destiny up
for grabs, a bride's bouquet
pitched blind.

About as far as you can get on the other end of the spectrum is the work of Wallace McRae. McRae, a ruddy-faced sixty-four and considered a lovable curmudgeon by his peers, is the author of several volumes of verse detailing his life of ranching in the Tongue River region of eastern Montana, particularly the town of Colstrip, home to five generations of McRaes.

They somehow share a secret bond
As each one recollects:
TogetherSeparateSilently.
Each pays his last respects.

You'll hear no keening to the vaulted
skies
But the good hands know when a good
hand dies.

At the 2001 Cowboy Poetry Gathering at the Elko Convention Center, most of the Stetson hats worn by the visitors were the well-brushed western specialty-store kind, as were the new sharp-creased Wranglers and five-hundred-dollar custom-made boots sporting cactus or cowboy-on-a-bucking-horse designs. My first thought was that no one on the convention floor could be familiar with horses in anything but a strictly recreational way.

Then I saw one man, different from the others. He was walking through the crowd, and I stopped him and asked if I could take his picture.

He was short and wiry and looked to be about sixty with a weathered face, gray hair, and a drooping, silver walrus mustache. He wore a high-crowned gray hat, a soft leather vest, blue neckerchief, faded jeans, and scuffed brown boots. He was a little pigeon toed and bow legged, the way horsemen always are, and he wasn't at all excited about getting his picture taken.

"Smile if you like," I said, and immediately regretted saying, as I saw his steady stare in the viewfinder.

"I ain't smilin'," he said.

As I took the shot I dropped the notebook sandwiched under my arm. "You dropped your tally book," he said disinterestedly. "You're not worth much without your tally book."

I shook a hand that felt like rough quartz, introducing myself and the magazine I was writing for. He said, "My name's Kack."

"Cat?"

"Kack," he repeated testily. "You know what a kack is?"

"A saddle," I said confidently.

"My saddle," he said, as if to correct me. "Any good man's saddle."

"Right," I said. He gave me a slight smile and walked away. I never got his real name; he probably would have thought my asking for it an imposition. Besides, he had told me who he is. He is Kack. And Kack is a buckaroo.

I thought about him as I flew from Elko to Salt Lake, the first leg of the journey home. There was a full moon, and as the plane crossed over the shiny snow ranges, I looked down to see one ranch light shining up from the vastness below.

One ranch light beneath the big buckaroo moon. ♦

B&A

China Tan

In Amy Tan's fiction, American daughters despise their Chinese mothers. BY SUZANNE D'MELLO

In her enormously popular first novel, *The Joy Luck Club*, Amy Tan took up the relations of immigrant Chinese mothers and their assimilated daughters, shifting her story back and forth from pre-World War II China to modern-day San Francisco, alternating the voices of the mothers with the voices of their daughters.

For her second novel, *The Kitchen God's Wife*, she explored the relations of immigrant Chinese mothers and their assimilated daughters, shifting her story back and forth from pre-World War II China to modern-day San Francisco, alternating the voices of the mothers with the voices of their daughters.

The Bonesetter's Daughter
by Amy Tan
Putnam, 353 pp., $25.95

And now, in *The Bonesetter's Daughter*, Amy Tan has decided to investigate the relations of immigrant Chinese mothers and their assimilated daughters, shifting her story back and forth from pre-World War II China to modern-day San Francisco, alternating the voices of the mothers with the voices of their daughters.

The central character in *The Bonesetter's Daughter* is Ruth Young, a woman in her late forties who makes a living as a ghostwriter in San Francisco. The books she doctors—she thinks of herself as a "book doctor"—are of the self-empowering, inspirational, New Age kind. But Ruth heeds not the wise advice she dispenses in her books. Unable to assert herself, she is caught between the selfishness of her lover and the

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querulousness of her aging mother, LuLing, who has become even harder to manage with the onset of Alzheimer's.

But then one evening, while clearing out the piles of paper in her mother's house, Ruth comes across a manuscript—an account, in Chinese, of LuLing's memories of childhood in China. As Ruth begins to read the manuscript, the novel shifts to LuLing's voice. Ruth learns that, as a child, her mother had a nursemaid called Precious Auntie to whom she felt a strong bond. But in her teenage years, LuLing discovered that she was actually the illegitimate daughter of this nursemaid. These traumatic family revelations are set against a backdrop of the 1940s: the excavation of Peking man, the Japanese invasion, and the rise of Chinese nationalism and communism.

Precious Auntie is an angry creature, whose unsuccessful attempt to commit suicide by setting herself on fire has left her face so badly disfigured that her mouth has melted away and she cannot speak. Once Precious Auntie again attempts to kill herself (this time succeeding), LuLing flees to America, leaving her tragic life and memories behind—at which point the novel returns to the present, with Ruth's story and point of view taken up again.

Tan has always used this device of moving back and forth between the separate stories of mother and daughter; she has admitted, in fact, that she wrote *The Joy Luck Club* as a series of short stories. But in *The Bonesetter's Daughter*, the device leaves the character of LuLing oddly disconnected: a fleshed-out Chinese girl and a pasteboard immigrant mother. Tan has insisted that *The Bonesetter's Daughter* is more deeply autobiographical than her earlier work—which has unfortunate implications, for it means that the all-American Tan views with sympathy and imagination her mother's hard life in China, and views with *no* sympathy and imagination her mother's hard life in the United States.

The transformation of the loving, resourceful young woman in China into the "difficult, oppressive, odd" mother in America is something Tan doesn't fully explain, perhaps because, from a literary point of view, it admits of no explanation. But readers are nonetheless supposed to intuit the cause of the change: It is America and what America does to the immigrant mothers who don't assimilate and what it does to their daughters who *do* assimilate. In *The Bonesetter's Daughter*, there's something deeply revealing about the casual assumptions made in popular American fiction these days.

As in most of Tan's work, the immigrant mother serves primarily as the butt of the novel's humor, her poor English and strong accent, thrift, and cultural awkwardness mined for easy laughs. "To LuLing, cloth was classified as 'cost too much,' 'too slippery,' 'scratchy skin,' and 'last long time.' And there were only two kinds of trees: 'shady' and 'drop leaf all time.' Her mother couldn't even say Ruth's name right. It used to mortify Ruth when she shouted for her up and down the block. 'Lootie, Lootie!' Why had her mother chosen a name with sounds she couldn't pronounce?"

The great irony is that since her first novel, Tan has been praised for her deeply understood and deeply felt portrayals of Chinese mothers and daughters. Reviewers almost universally single out this aspect of her stories to rave about. But the truth is that Tan's understanding of her mother as a struggling immigrant in this country was never more than superficial, and it was always very far from compassionate. In the author's latest novel, Tan's mother comes off just as badly as she did in the first. ♦

B&A

The Silenced Woman of Silent Films

Why Lois Weber has not been rediscovered.

BY LISA SINGH

Poor Lois. Even her name seems old and unhip, hardly the right sound for a woman once hailed as a daring filmmaker. The critics' darling for a time around World War I, Lois Weber—"Lois the Wizard," "the Wonder Girl"—met her end without any fanfare. It was 1939 when America's first woman director—once as famous as Cecil B. DeMille and D.W. Griffith—died from a bleeding ulcer at the age of sixty. In a business with a short memory, her death caused barely a ripple, and the smallness of the obituary *Variety* granted her spoke to this film pioneer's sad end.

For better or worse, Weber was an artist and moralist in one. Once a missionary, she saw silent films as a "blessing of a voiceless language." "In moving pictures I have found my life work," she said in her heyday. "I can preach to my heart's content." Her most famous and successful work was *Where Are My Children?* (1916). A high-moral melodrama about abortion, it earned Weber's home studio, Universal, an astounding $3 million in a day in which a ticket cost less than fifty cents.

It was back in the 1970s that feminists began looking to film for cultural icons from decades past. Their revival of the "lost voices of women," however, has largely passed Weber by—even while massively celebrating directors of lesser achievement, especially Dorothy Arzner, who has a film award named in her honor. (Arzner, whose best-known film is the 1933 *Christopher Strong*, was just beginning her film career as

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Lois Weber

largely as a bit of trivia: America's first native-born woman director.

It's an astonishing circumstance in which to find the silent filmmaker who achieved more in her lifetime than any woman in Hollywood since. Not only did she own her own production company at one point, but—long before Streisand claimed the distinction—Weber actually was the first woman to write, produce, direct, and star in her own film. She shaped most of her films from beginning to end, making her not just their director, but their creator.

Both Photos: Everett Collection

Weber's was winding down.) *Where Are My Children?* was recently restored by the Library of Congress, with some funding from the New York Women in Film and Television. But as the critic Jennifer Parchesky puts it, "People tend to want to apologize for [the film's antiabortion stance]. For most contemporary feminists, that's not a public position you want to have connected to your feminist foremother."

"She was very much a Christian and her filmmaking was very much didactic and moralistic. That was a bit of a problem for us as feminists," says E. Ann Kaplan, author of *Motherhood and Representation: The Mother in Popular Culture and Melodrama*. Since her death, Weber has been the subject of no major retrospective. Only three of her feature films are on video, and there's just one book on her, *Lois Weber: The Director Who Lost Her Way in History*. Its author, Anthony Slide, could interest no major publisher in the manuscript, which was ultimately printed in 1996 by an academic press. A pair of recent cable-TV documentaries on women filmmakers (one produced by Barbra Streisand) discuss her, but

Indeed, in the early 1900s, in a day when women commonly contributed to productions at major studios, Weber surpassed the nine other women directors at Universal to become the highest paid of the bunch. "I would trust Miss Weber with any sum of money that she needed to make any picture," said studio founder, Carl Laemmle. "She knows the motion picture as few people do and can drive herself as hard as anyone I know." Weber was routinely ranked with D.W. Griffith as the industry's top filmmakers, and she was the first woman admitted to the forerunner to the Directors Guild of America.

An inveterate social commentator, she used her films to tackle some of the most pressing issues of the day. *Where Are My Children?* came at a time when Margaret Sanger was making news for illegally disseminating birth control information. Based on a story by writers Lucy Payton and Franklin Hall, *Where Are My Children?* tells of Richard Walton, a district attorney and "great believer in eugenics" played by Tyrone Power Sr., who sympathizes with a doctor on trial for dispensing birth-control information among the slum's "wretched poor." While unwanted children abound there, the same isn't true of the attorney's own home. Soon he learns a shocking truth: His wife—and her elite circle of friends—are childless because of their visits to a prominent doctor secretly doing abortions. In a heated encounter, he confronts his wife, calls her a "murderess." He eventually forgives her, but "throughout the years with empty arms and guilty conscience she must face her husband's unspoken question, 'Where are my children?'"

Though Weber's film contains no "feminist message" any modern feminist could embrace, a few have tried to find one. Kaplan has even argued that *Where Are My Children?* isn't antiabortion at all, but pro-choice. She bases her claim on the fact that the film includes a working-class subplot about a housekeeper's daughter who dies from a botched abortion. Kaplan thus argues that the film makes the case for "legalized, and safe, abortion." But it's not what you'd call a convincing argument. In the film, the district attorney himself prosecutes the girl's abortionist, making it clear that all abortion—whether among the working class or the elite—is murder.

Lavishly praised by critics of the day, the film was hugely successful for Universal. It was not the only attempt to make a movie on the subject. Shortly before and after its release, male directors (far less known than Weber) filmed such productions as *The Question*, *The Miracle of Life*, *Faith*, and *The Valley of Decision*. In *The Question*, for instance, a

Everett Collection

Top: Rich women in What's Worth While
Bottom: A seduction in For Husbands Only

married woman, Grace, lavishes all her maternal instincts on her dog, while ignoring her husband's pleas to start a family. When she does become pregnant, she has an abortion, and her distraught husband soon has an affair with his secretary. That woman, in turn, becomes pregnant, but later dies in childbirth. The film ends with Grace reuniting with her husband and adopting the child.

By the dawn of the Jazz Age in the 1920s, public taste had shifted. Moviegoers were increasingly tired of films that dealt with the weighty issues. They wanted a change, and many prominent directors, like Cecil B. DeMille and Erich von Stroheim, obliged in frothy sex comedies with titles such as *Why Change Your Wife?* and *Foolish Wives*. This shift was hardly what Weber had intended when she entered film a few years back. "Pictures," she once said, "must have some definite foundation in morality. For certainly those are the things that endure."

Born in 1879 to an upholsterer and his wife, Weber was reared in a religious home near Pittsburgh. Her early training was musical, and at sixteen she became a concert pianist. Soon, she devoted her musical talents to helping the Church Army Workers, a missionary group for which she sang and played the organ at its rescue mission in a red-light district. "It gave life a bitter taste for a while," she said later. With the death of her father, an uncle advised her to try the stage. "As I was convinced the theatrical profession needed a missionary, he suggested that the best way to reach them was to become one of them, so I went on the stage filled with great desire to convert my fellow man." She tried comedy, but gravitated toward drama and joined a road company, where she married its actor-manager, Phillips Smalley. For a time, they continued their careers separately, but in 1906—perhaps at his urging, no one knows—she quit to set up home in New York.

Life as a homemaker was unsatisfying, and in 1908 she decided to work for a movie production company, Gaumont. Smalley joined her in a writing-directing-acting partnership. Their surviving films show that as actors, both Weber and Smalley were more than competent. But as filmmakers, it's unknown to what extent he contributed to their joint pictures, among which was *The Jew's Christmas* (1913), about how a family's love overcomes anti-Semitism.

By 1914 Weber was the dominant player in the partnership. In the allegorical drama *Hypocrites*, she showed her knack for being both moralistic and risqué. Described by one critic as "a thinly veiled sermon," it told of a monk, Gabriel, who works at sculpting the perfect image of Truth, in the form of a naked woman. When he shows the finished piece to the masses, they are shocked. Unwilling to gaze at Truth, they kill Gabriel. Many scenes in the hour-long film (which was recently restored when a copy was found in Australia) show a woman, "Truth," in full frontal nudity.

The press, covering its New York debut, was enthusiastic; the *New York Times*, for its part, called it "daring and artistic." *Hypocrites* caused its own stir—for different reasons. As Slide notes, the mayor of Boston sat through less than two reels before branding the film "indecent and sacrilegious." And in Ohio, the film was banned by the state censorship board. Today, viewers could find Weber's use of nudity blatantly obvious, even hokey, but that would be unfairly dismissive. It's a masterful film, with some compelling allegorical

scenes. (In one, the crowd takes the easy road, rather than climb a steep hill with Gabriel.) The monk even seems to embody Weber's own view of art's purpose; on the surface he's like a Greek sculptor who seeks—and glorifies—beauty. But like Weber herself, Gabriel never does so for its own sake.

"To the greatest woman producer in the world—Lois Weber," was Anna Pavlova's toast to her in 1916, after the famed Russian ballerina made her first of only two screen appearances in Weber's *The Dumb Girl of Portici*. Amid such applause there soon came Weber's *Where Are My Children?*, the success of which she followed with a film called *Shoes*. The piece told of a working girl too poor to buy new footwear. In one breathtaking shot, the camera pans on her lone figure walking through the rain, then zooms in on her feet. Despairing, the girl later submits herself to a wealthy man, only to return to her mother's home the next day, defeated. There's no exchange of words. The camera simply focuses on her tear-smeared face, her vapid stare, then moves to her feet—with their shiny new twelve-button shoes. Its young star, Mary MacLaren, later recalled that Weber was a moralist off the set, too. "She took me outside one day and said, 'Mary, listen. Don't ever dare let a man kiss you.' She had very strict ideas about morality and everything, and she wanted to preserve me as I was."

With a string of films devoted to controversial topics behind her, Weber entered the 1920s a critical surveyor of the loosening moral standards she saw around her. Rather than bend to the whims of shifting public tastes, she had left Universal and set up her own company, Lois Weber Productions. More fully at the helm than ever before, she soon devoted her talents to writing and directing a series of dramas about the challenges of modern marriage. Perhaps this was her way of compromising: If moviegoers were interested in sex comedies, she'd give them scenes of marriage.

Not only was Weber, as one modern critic has said, "obsessed with the details of middle-class life, with proper form and correct behavior," but her

Museum of Modern Art

The climactic revelation of the abortion in Where Are My Children?

views on what makes a good marriage would largely be regarded today as primitive. Among one of her later dramas was *What Do Men Want?*, which takes its title from George Bernard Shaw's *Heartbreak House* and tells of a married man whose "vague unrest" leads him to another woman. Unfortunately, the film doesn't survive in its entirety. But others from the period do: *Too Wise Wives*, a drama about a wife overly concerned with pleasing her husband, and *The Blot*, a story about class divisions and the low pay of clergy and professors. (Slide, most notably, regards *The Blot* as Weber's masterpiece.)

But the critics were less than kind in the 1920s than they had been the decade before. ("Typical Weber exaggeration," went one review, "and rather tiresome.") One piece of bad press followed another, and her company folded. For reasons not fully known, her marriage to Smalley also ended. Though she directed a few more pictures, and even returned to Universal for a time, she never recaptured her former glory. But even at this low point in her career, she declined to direct a film version of the successful play *Topsy and Eva* because she thought it was insulting to blacks. She was wise to reject the offer; the film includes such racist humor as a stork dropping a black baby into a trash bin.

Poor Lois. Her memory has suffered one misfortune after another. Most of the 127 films on which she is known to have worked—of which she both wrote and directed the majority—have perished. She left behind no letters, and the people with whom she worked are long dead. The manuscript of her unpublished autobiography, *End of the Circle*, was stolen and never recovered. Her sister gave the prints of six Weber films to the Academy of Motion Picture Arts and Sciences in the 1940s for safekeeping, but the academy did nothing to preserve them until the early 1970s, when the Library of Congress was able to borrow and copy what was left. By then, one film, *Jewel*, was gone, as were parts of *What Do Men Want?* and *The Hypocrites*. Lois the Wizard, the Wonder Girl, the filmmaker who could once claim *Where Are My Children?* as a grand achievement, is largely gone from film consciousness.

Her colleague Cecil B. DeMille once said that he was no believer in women directors—but "Lois Weber is an exception." When her career stalled, she almost lost herself. There were rumors that she even had a breakdown. But Weber kept working until the end. Whatever her artistic legacy may now be, at least one thing is clear: The world of fashionable film scholarship is in no hurry to remember a woman who believed that one could make art for morality's sake. ♦

The New York Times

NEW YORK TIMES MONDAY, APRIL 2 ,2001

Brooklyn Museum to Feature Taliban Show

By LAWRENCE KLEPP

The Brooklyn Museum of Art will mount a major exhibition, titled "Sensation II," of the work of the controversial young Afghan group known as the Taliban, according to museum officials.

"We consider the Taliban very important artists," said museum director Arnold Lehman. "They're nothing if not transgressive. And as I pointed out during the controversy over the original 'Sensation' show in 1999, 'It's part of the challenge that artists of our time present us with, because they all seem to abhor complacency.' With 'Sensation II' we continue the Brooklyn Museum's mission of offering the public extremely abhorring art."

The fact that the Taliban have destroyed Buddhist sculptures in Afghanistan is "regrettable," another museum official, speaking anonymously, conceded. "We would have preferred something a little more, um, Catholic, frankly," he said. "Buddhism is really hot right now and, like, totally sacred, thanks to Hollywood, and we would hate to offend anyone there or in other Buddhist cultures. But hey, at least it's a major religion, and we feel this early phase of the Taliban's oeuvre has the kind of incredible potential for greatness that you rarely see outside a Hirst cow carcass or an Ofili dung impasto."

The Taliban, a cutting-edge group whose artistic aims include conceptually redefining women as house pets, issued a statement saying that they are looking forward to "Sensation II" and are specially preparing a major installation work for the show which will seek to question and subvert the museum space and the surrounding hegemonic, Eurocentric, logocentric cultural space, employing the traditional materials of Taliban folk art, including dynamite caps, fuses, and lit matches. The work is tentatively entitled "Purée of Infidel." Asked for comment, museum officials reaffirmed their commitment to freedom of expression and the significance of

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