the weekly
Standard

AL QAEDA AROUND THE WORLD
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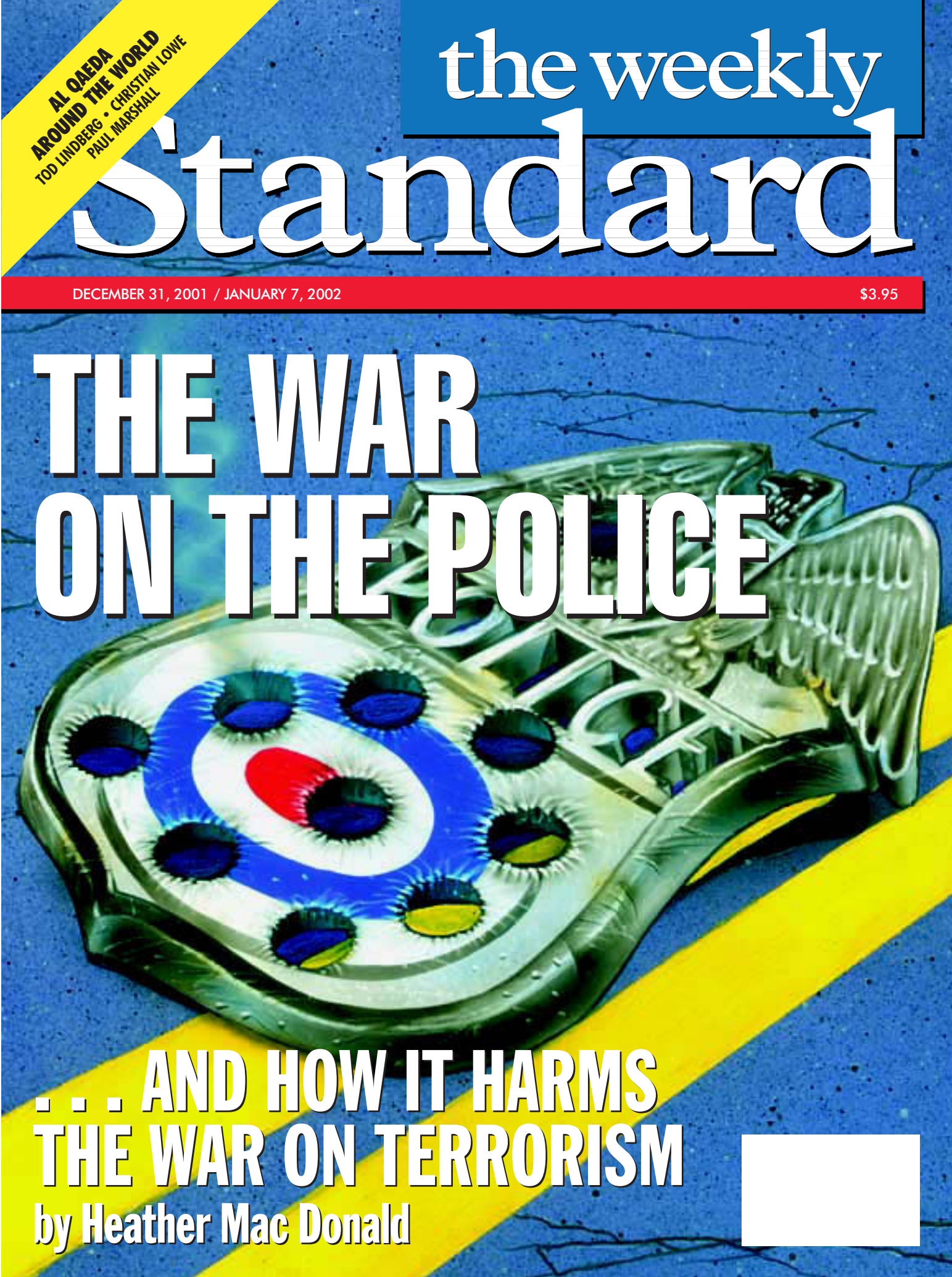
PAUL MARSHALL

DECEMBER 31, 2001 / JANUARY 7, 2002 $3.95

THE WAR ON THE POLICE



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by Heather Mac Donald

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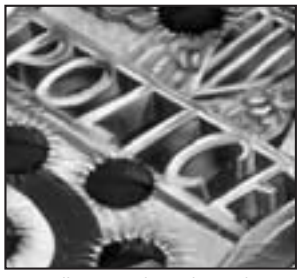
Contents

December 31, 2001 / January 7, 2002 • Volume 7, Number 16

Articles



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Features

Books & Arts

the weekly Standard

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Selective Indignation in Our Time

Arco Arena in Sacramento is one noisy place, as anyone who has ever watched a Sacramento Kings game can attest. So it had to be unpleasant for *Sacramento Bee* publisher Janis Besler Heaphy when the families and friends of California State University grads brought their basketball manners to her commencement speech on Dec. 15 and heckled and hooted her off the stage.

There should be no place for such suppression of speech on college campuses or anywhere else in a free society such as ours. In saying this, we link arms with the *New York Times*, the *San Francisco Chronicle*, the *Los Angeles Times*, the *Modesto Bee*, the *Orange County Register*, the Scripps Howard News Service, the Associated Press, Gannett News Service, the *Houston Chronicle*, *USA Today*, the *Miami Herald*, *National Review*, the *Milwaukee Journal Sentinel*, and a few others we probably omitted.

And mind you, it's not because a newspaper publisher was shouted down that we're all upset. It's the principle of the thing. True, Heaphy's speech was one long, tedious recitation of Anthony Lewis clichés about the threat to civil liberties in America in wartime. For instance, if Osama bin Laden's "words are suppressed [by the Bush administration], should we then censor the words of anyone who might oppose the administration or disagrees with a United States policy?" Obviously not. By the same token, Heaphy should have been allowed to speak. To be fair to the students, they had learned after four years to sit through inanity with their mouths shut; it's too bad their guests couldn't do the same.

The same goes for the famous critic of feminism, Christina Hoff Sommers, a resident scholar at the American Enterprise Institute who was recently invited to address a U.S. government conference organized by the Department of Health and Human Services and attended by HHS officials, and grantees of the department's Center for Substance Abuse and Prevention. As reported by Stanley Kurtz two weeks ago in *National Review Online*, Sommers suffered a double indignity. First, "CSAP official Linda Bass summarily interrupted, and commanded Sommers to end her talk. Minutes later, as Sommers was forced by a hostile crowd to defend her claim that scientific studies ought to be used to help evaluate the effectiveness of government drug-prevention programs, Professor Jay Wade, of Fordham University's department of psychology—an expert on 'listening skills'—ordered Sommers to 'shut the f— up, bitch,' to the laughter of the others in attendance."

This is every bit as outrageous as the behavior of the commencement guests in Sacramento. In saying so we're sure we will be joined by the *New York Times*, the *San Francisco Chronicle*, the *Los Angeles Times*, the *Modesto Bee*, the *Orange County Register*, the Scripps Howard News Service, the Associated Press, Gannett News Service, the *Houston Chronicle*, *USA Today*, the *Miami Herald*, *National Review*, the *Milwaukee Journal Sentinel*, and others.

Funny thing, though. With the sole exception of *National Review*, which broke the story, and Fox News's Bill O'Reilly, who interviewed Sommers last week, the legions of First Amendment paladins haven't breathed a word about the silencing of Sommers. We're sure it's just an oversight. ♦

Mumia Dearest

Mumia Abu-Jamal, SCRAPBOOK readers will recall, was convicted in 1982 of murdering Philadelphia police officer Daniel Faulkner, and subsequently sentenced to death. Since then, the dreadlocked Mumia has become a poster boy for American oppression among campus radicals, latte leftists, and Euro-weenies—all determined never to let the facts obscure their fight for "justice."

Antioch College honored Abu-Jamal by choosing him as the school's commencement speaker last spring. (He delivered the address by tape.) National Public Radio considered hiring him to phone in dispatches from death row. The Paris city council even made him an honorary citizen last year, the first person to have received that distinction since Pablo Picasso, in 1971. "Free Mumia," they cry.

So it was only a mixed blessing for them when last week U.S. District Court Judge William Yohn found—in a 272-page decision—a novel reason to throw out the death sentence, leaving Abu-Jamal with life imprisonment. No matter that the original sentencing has in the past two decades been reviewed exhaustively: twice by the Pennsylvania Supreme Court and twice by the U.S. Supreme Court. None of those jurisprudential amateurs—many of them heroes of the left—was able to find fault with the sentencing. But Yohn is more creative than most.

The brief version of the crime goes like this: Abu-Jamal's brother was stopped by Philadelphia police officer Daniel Faulkner on Dec. 9, 1981, and resisted arrest. Abu-Jamal, watching the scene from his taxicab across the street, fired five shots at Officer Daniel Faulkner—hitting him first in the back, then in the chest, and finally, from point blank range, between the eyes. When the police captured Abu-Jamal, his gun held five spent cartridges, and

in his chest was a bullet from Faulkner's gun. Four eyewitnesses testified against Abu-Jamal.

Yohn determined that the jury was not instructed about potential "mitigating" circumstances of Faulkner's murder. Perhaps not surprisingly, given the forward march of time, the original judge in 1982 was not able to order the jury to consider a 1997 interpretation of a 1988 Supreme Court ruling, which found that jurors need not unanimously agree on any "mitigating circumstances" in order to consider them.

So Yohn has ordered a new sentencing hearing for Abu-Jamal within 180 days, or, the judge wrote, the cop-killer will remain in prison for life. This has only encouraged the Free Mumia network, which immediately staged rallies at Philadelphia City Hall. "We have built a worldwide movement out of Mumia!" screamed Pam Africa, a Free Mumia activist, at Philly's City Hall. Which, we suppose, goes to show that you can build a worldwide movement out of just about anything.

But surely polite society must be losing patience with a movement organized around race-baiting cop hatred, right? Well it depends on how you define polite society.

Maureen Faulkner, the widow of the 25-year-old policeman Abu-Jamal gunned down, appeared on CNN's *The Point with Greta Van Susteren*, the evening Yohn's decision came down. She described a painful twenty years spent in and out of the courtroom, waiting for Abu-Jamal finally to be executed. "What people don't realize," she explained, "is our family when we go into the courtroom, we are screamed at."

Upon hearing this, van Susteren, an inexplicable holdover from CNN's pre-Walter Isaacson days, badgered Faulkner about fairness: "Maureen, if indeed—I mean, this decision by this judge today can be reviewed by a federal court of appeals. But in the event a federal court of appeals agrees with this trial court judge that the sentencing process—not the verdict but the sentencing process—was unfair, do you want the system—do you want this to be fair, even though obviously this is terribly tragic for you?"

Twenty years, a lengthy trial, numerous reviews, a media maelstrom, insults from wackos, and lest we forget, a dead husband. And all Greta can think to ask is, "Do you want this to be fair?" ♦

What Did Hamas Do Wrong?

Here's Colin Powell's answer, from a Dec. 16 *Fox News Sunday* interview: "Hamas, a terrorist organization, started killing innocent civilians with car bombs in Jerusalem, Haifa, and elsewhere. And they attacked this process; they attacked innocent Israelis. But even more fundamentally and troubling, they attacked Yasser Arafat and his authority to lead the Palestinian people toward a cease-fire and a process of peace."

Really? "Even more fundamentally and troubling . . . ? ♦

Casual

Penman

An article in a recent issue of the *Women's Quarterly* bemoans the absence of the teaching of handwriting in schools, pointing out that this is especially a hardship on young boys. Handwriting apparently comes less easily for boys than it does for girls. "Boys are graphologically challenged," the article reports; a professor of special education at the University of Maryland named Steve Graham adds that boys being poorer at penmanship than girls "is one of the better established facts in the literature."

The boys in my class in the Daniel Boone School in Chicago were certainly much worse penmen than the girls. I don't remember any girls having a bad handwriting. For a girl in fifth or sixth grade to have a poor handwriting was, somehow, a judgment upon her. A girl with a wretched handwriting, during the *ancien régime* under which I grew up, was practically a slut; it was not done, unthinkable, impermissible. Being slobs and brutes, boys were also permitted to be wildly errant penmen. The highest most could hope to attain was a merely passable handwriting. Elegant penmanship might even have put in doubt one's masculinity.

Lessons in penmanship took place daily. We had workbooks, much wider than they were tall, with lines ruled like music paper. Instruction entailed making cursive letters, lower case and caps, twice or thrice the size of normal handwriting. The Palmer method was taught. I'm not entirely sure what old Palmer's method was, except endless repetition of the construction of letters from models, and then the joining and spacing of these letters. Once a woman, sent by the workbook's publisher, arrived to demonstrate how certain letters were made. She was large and zealous, and I can remember her doing the capital S over and over, singing out, with each perfect S she formed, "Swat, swat, swat [and then as she ended her stroke], swat that skeeter." Her obvious insanity brought light comic relief to the general boredom of the subject.

I don't think I had the worst handwriting in the room, but mine was close to the bottom. Mildly precocious in learning to print letters, I adopted,

Darren Gygi

as a child of three or four, a grip on the pencil in which the top of my pencil slanted off to the left, causing many people to take me for a lefty. As for grip itself, it resembled nothing quite so much as the Cobra Twist, a combination half-nelson and leg lock, the *coup de grâce* hold of a handsome South American wrestler who went by the name of Cyclone Anaya.

I didn't have any difficulty with this rococo grip, but I knew my teacher would, and so, when she walked down my aisle during penmanship lessons, I changed to the conventional grip. When alone, though, I stayed with the Cobra Twist, which seemed to serve me well enough. But my writing never really attained the fluency that the Palmer method promised; try as I might, I could never quite achieve the old Palmer flow, and haven't to this day.

I admire people whose carefully measured penmanship suggests an orderly character. A deteriorating handwriting is often one of the signs of aging, yet I remember getting longhand letters in the most perfect penmanship written well into his eighties from the philosopher Sidney Hook. While still in the Soviet Union, Solzhenitsyn is said to have written his books in the most astonishingly minute yet perfectly legible handwriting, leaving no margins whatsoever on the page. This made for the smallest possible manuscripts, all the better for smuggling out of the country.

I have been working on my handwriting for better than half a century, making little alterations but with no real success. Over the years, I have changed the capital A's, G's, and S's in my script; I have added a flourish to n's that end words; I try to remind myself to cross my t's in the upper middle rather than at the very top and to make my l's, h's, and b's higher than my t's, k's, and f's. I have bought expensive fountain pens and *raffiné* inks to aid me in this effort. With ballpoint pens, I have always felt as if I were driving a car with bad tires and unreliable brakes, and, as would be the case in such a car, my handwriting was all over the road.

What can be detected in my handwriting is a certain yearning for elegance that distinctly doesn't come off. The general effect is rather like a hobo wearing an ascot. My handwriting always seems, somehow, out of uniform, even slightly unsober. Might it be that I do not take sufficient pains? Erik Satie took as much as twenty minutes to write a six-line postcard, sometimes more than half an hour to address a letter, but then he aimed at calligraphic works of art. So, in our own day, does Tom Wolfe, whose letters are not only amusing to read but pleasing to gaze upon. I, meanwhile, struggle for mere legibility. I can still read my own handwriting, but am not always certain others are able to do so. I should have swatted lots more of those flamin' skeeters.

Joseph Epstein

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Correspondence

Lock 'em Up

Thanks to Stephen Schwartz for his critique of the recent legislation calling for a Justice Department review of the alleged mistreatment of Italian Americans during World War II ("The Right Way to Lock Up Aliens," Dec. 10). Although Schwartz does not mention it, it should be noted that since passage of the Italian-American bill, Senator Russ Feingold has introduced a similar piece of legislation covering the WWII treatment of German Americans, and that last January, as he has every year since 1989, Michigan representative John Conyers introduced a bill calling for a commission to consider proposals for compensating African Americans for slavery.

The genesis of these current review efforts can be found in the infamous Civil Liberties Act of 1988, which called for all persons of Japanese ancestry who had been evacuated, relocated, or interned during World War II (including former enemy aliens now living in Japan and Japanese Americans who renounced their U.S. citizenship to fight for Hirohito) to be paid reparations of $20,000 each, along with an apology from the U.S. government for the "racism, war hysteria, and failure of political leadership" on the part of our wartime government.

The Japanese-American legislation was strongly opposed by the U.S. Justice Department at the time and was described by then Assistant Attorney General John Bolton as "an ill-conceived precedent that would encourage other politically well-organized groups to seek similar . . . compensation for injustices, real or perceived, resulting from (past) government action."

Schwartz correctly observes that those who now criticize our government's wartime relocation policy the most know the least about it, but in light of current events, the basic reasons behind President Roosevelt's Executive Order 9066 authorizing the WWII evacuation of ethnic Japanese from the West Coast deserve more emphasis. There was much more behind FDR's relocation decision than concern over the control of Shinto temples by the Japanese government.

More than a year before Pearl Harbor, the U.S. military intercepted messages to and from Tokyo and its U.S. consulates that suggested ongoing espionage activities organized and directed by Japanese consular officials involving the use of then-unidentified resident alien Japanese and Japanese Americans as agents. The thinking today is that the relocation involved only U.S. citizens. In fact, 60 percent of the adults who were relocated were Japanese nationals, enemy aliens subject to detention under long-standing U.S. and international law. Two-thirds of the American citizens of Japanese ancestry affected by the relocation orders were the minor children of those enemy aliens, and at least 90 percent of those who were over the age of 17 held dual citizenship. Thousands of them were educated in Japan. Some had even served a tour of

duty in Japan's armed forces.

Unfortunately, some among us continually engage in self-flagellation over the WWII Japanese relocation and attempt to exploit that episode in our history by equating it with the current detainment of resident aliens of Arab heritage or the Muslim faith. For our war against terrorism to be successful, we must not allow common-sense security precautions to be subverted by muddled thinkers who would gamble with the nation's defense in the guise of defending "civil liberties," which are constitutionally inapplicable to resident alien enemy sympathizers and agents.

William J. Hopwood
Miami, FL

Osama bin West?

The comparisons between medicine and terrorism in Eric Cohen and William Kristol's "Dr. West and Mr. Bin Laden" frighten me (Dec. 17). If advocates of anti-medicine seek to stop the dehumanization of man by cloning, do they intend to retract all the steps leading up to medicine's present? Why are past accomplishments cheered and future possibilities chided?

Since man was instilled with the capacity for reason—his greatest asset—medicine has fought to rid humans of weakness. The purpose of medicine is clear: to address humankind's greatest weakness, mortality.

To imitate Cohen and Kristol's logic, the march of biological progress has slowly eroded our mortality through the machinations of such biological terrorists as Koch, Pasteur, and Salk. Should we declare war on Stockholm for aiding and abetting the Nobel Committee?

Scott L. Smith Jr.
College Station, TX

I must take exception to Eric Cohen and William Kristol's linking cloning and terrorism. One can disagree with the concept of cloning, and one can fear the potential for evil inherent in it. But to equate Dr. West with Osama bin Laden is a bit of a stretch. Whatever one thinks of West's work, it cannot be credibly asserted that he is doing that work to intentionally harm others. All scientific research has the potential to produce results that can harm the human race. It is, however, quite another thing to actively plan, finance, and participate in the deliberate murder of thousands of innocent people each year, as Osama bin Laden has been doing for many years. The two are not even in the same stratosphere.

I found this comparison especially disconcerting in light of Terry Eastland's "General Ashcroft" (Dec. 17). The piece made light of the fact that the U.S. attorney general has been called a member of the American Taliban. Similarly, in her "Crybaby Left" (Dec. 17), Noemie Emery complains about a rather unintelligent remark by Barbara Kingsolver, who compared President Bush to Osama bin Laden.

The Vatican Has Her Back to the Wall

So said a leading French cardinal in a public attack on a high-ranking cardinal in the Roman Curia. Because of that, said the French cardinal, certain decisions "cannot suffer further delay" and must be made "promptly." What decisions? The French cardinal cited certain "disciplinary and doctrinal knots" — e.g., sexuality, marriage, and the role of women in the Church.

Now, it's our understanding that decisions about those matters were authoritatively made long ago by the Church, and that there are no "knots" here — certainly no *doctrinal* knots — that need untying.

The French cardinal continued: "The times we live in are marked by a profound evolution of the moral...conscience. Couldn't this evolution bring us [in the Church] something new...something that would present itself in a 'rationality' other than that of antiquity and of the Middle Ages?... Should we not further expose some of our concepts and practices to the challenge of the rationality and the sensitivities of today...?"

For those of us familiar with the code language of cardinals, it's clear that the French cardinal was saying that the Church is stuck in antiquity and the Middle Ages, and needs to appease the Spirit of the Times by overhauling her teachings.

The mindset of that French cardinal is typical of the large "progressive" (or accommodationist) bloc in the Church. And he made bold to say, "Those in charge [in the Vatican] have their backs to the wall."

And maybe he's right. *But so what?* St. Athanasius had his back to the wall. So did St. Thomas More. And so did Winston Churchill at the beginning of World War II. None of them capitulated.

Yes, Rome *does* have her back to the wall, but in no small measure because many prelates have refused to defend papal teaching, have chosen to play the role of Neville Chamberlain or Marshal Pétain in today's Church.

Today we need prelates, priests, and laymen with Churchillian spirit. A mere 18 days before the fall of France, Churchill said that even if all the Continent should fall to the Axis powers, "We shall not flag or fail.... We shall fight in the seas and oceans...we shall fight on the beaches, we shall fight on the landing-grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender...."

The struggle ahead will be difficult. We know that many loyal Catholics feel beset on all sides — outmanned, outgunned, isolated. That too was Britain's plight. She stood alone. But she did not flinch — and she prevailed.

St. Paul urges us to "fight the good fight" (1Tim. 6:12). And so, to paraphrase Churchill on the day after the fall of France, let us orthodox Catholics brace ourselves against those who collaborate with the *Zeitgeist* and let us so steel ourselves for victory that even a thousand years from now men will say, *This was their finest hour.*

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Correspondence

It is difficult for those of us on the Right to breathe without Peter Jennings or Susan Sontag comparing us with the Taliban. We are rightly irritated by those comparisons, knowing as we do that it is just hyperbole. The Right should stop using hyperbole for its own sake. That way we can more credibly denounce the hyperbole spewing from the Left.

BRYAN KADRICH
Grosse Pointe Woods, MI

FLAGS "R" US

I WOULD LIKE TO CORRECT the statement in Noemie Emery's "The Crybaby Left" (Dec. 17) that alleged that Central Michigan University banned patriotic displays. When I first heard about this, I asked my son, who attends CMU. He was unaware of any restriction, and so was his residence hall director. Some students were asked to take down obscene displays, but that was it. A couple of weeks ago the president of CMU sent a letter to all parents emphasizing that not only were students allowed to put up patriotic displays, they were encouraged to do so.

ROD ANDERSON
Chelsea, MI

KICKED IN THE RIORDAN

AS CAN BE SEEN from Wladyslaw Pleszczynski's "How Republican is Riordan?" (Dec. 17), the Riordan conundrum for conservative Republicans is much like their conundrum over Senator John McCain. Riordan in 1992 called for gun confiscation, so the National Rifle Association will not support him. His would-be supporters in the Los Angeles Unified School District are less than excited, because of the corruption discovered while he was mayor, and the fact that he was perfectly happy with the selection of former Colorado Democrat Roy Romer as head of the district. Likewise, pro-lifers have as much heartburn as the pro-Second Amendment crowd.

Riordan is tied to ineffectual police leadership at the time of the Rampart Police scandal and the current Federal Consent order (Davis is locking up all the major law enforcement endorsements). In essence, there is not much there for conservative Republicans.

Where Riordan can give Davis some trouble is in the Los Angeles area, by battling Davis for some of his own base. Los Angeles was not hammered as hard during the power blackouts as the rest of the state, but the deficits to the state budget are going to be controversial for Davis. At the city's Department of Water and Power, Riordan's benign (and distant) oversight did not result in either debt or blackouts.

Moderates may back Riordan, but they do not walk precincts. Activists, mostly conservative ones, do. But they won't walk for Riordan without intervention from the White House.

I am an NRA election volunteer coordinator in the West San Fernando Valley, and I could not sell Riordan for governor to the gun owners and conservatives I know, even if his opponent were Dianne Feinstein. To these solid conservatives, there is no difference between the two.

ANTHONY CANALES
Granada Hills, CA

RITTER CZECHS OUT

ALAS, AS I SAT DOWN to read the latest issue of THE WEEKLY STANDARD, I got only as far as THE SCRAPBOOK's piece on Scott Ritter (Dec. 24).

It's clear that, as they say in the vernacular, Ritter has some "issues," both substantial and of substance. Apart from his troubling comments suggesting that a Radio Free Europe transmission tower might be a "legitimate" target, however, it seems he also has some problems with geography. As Ritter mentions, Radio Free Europe is indeed in Prague. Prague, though, has not been in Czechoslovakia since January 1993, when that country was peacefully divorced and Slovakia and the Czech Republic became independent states.

This may appear to be a minor point compared to the horrific attacks of September 11, but it is worth noting that the government of Slovakia, under Prime Minister Dzurinda, was among the first to offer support to the United States after the attacks. In a time when allies can provide important support to our global efforts, we now have two—Slovakia and the Czech Republic—where before there was only one.

Thank you for allowing me to be "geographically correct."

JAN ERIK SUROTCHAK
Chairman, Friends of Slovakia
Pen Argyl, PA

SHARE AND SHARE ALIKE

RUSSIA IS SEEKING to import and process used nuclear fuel because it is a potential source of energy, not waste ("From Russia to Iran with Love," Eli J. Lake, Dec. 17). Because of design and operating characteristics, nuclear fuel must be replaced when only a portion of the total fuel has been used. This "nuclear waste" consists of enormous amounts of fuel, which can be harvested and reused.

The United States considers the used fuel valueless, and the decision where to store it is currently hung up in Congress. The U.S. method for storing used nuclear fuel is susceptible to terrorist attack. Instead of a centralized storage location at Yucca Mountain, we have over 100 temporary storage sites at nuclear power plants around the country.

We should trade with Russia. We could give them our used nuclear fuel and they could give us the energy equivalent in oil. According to a report by the old U.S. Atomic Energy Commission, a cubic foot of nuclear fuel has the energy content of 7.2 million barrels of oil. This would be a win-win situation.

BILL BURNS
Fulton, NY

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the weekly Standard

Tom Daschle, Dr. No

Is there a starker contrast than the one between the glorious triumph of American arms abroad and the grubby selfishness of our politics at home? While American soldiers, seamen, and pilots risk their lives in and around Afghanistan, while the American people rally around their nation's cause with a new sense of seriousness, the atmosphere of inspired patriotism leaves no practical mark on Capitol Hill. There, the season of war has been a golden season for lobbyists and for well-connected pleaders. Everybody expects the path of legislation to be greased with a certain amount of pork barrel spending and special-interest favoring. But we also expect that in times of crisis, selfishness will exhibit some sense of restraint, or even a hint of shame.

But that hasn't been the case. Given the chance to put together a stimulus package, each party reached for a grab bag of old chestnuts without even pretending to make an intellectual case that these measures would actually stimulate the economy. The defense authorization bill was larded with so much corporate welfare that military needs were scarcely detectable underneath the incrustation. There was, for example, a $30 billion subsidy for Boeing, which Senator Phil Gramm called the most egregious bit of pork he'd seen in his 22 years of service. Democratic congressman Patrick Kennedy embodied the spirit of the moment with a letter to his constituents boasting of the $90 million in special favors he had managed to smuggle into legislation this year.

The Democrats are going to wage a relentless war on the Bush tax cuts. Tom Daschle looks like Bambi but he bites like Jaws.

It's been a stiff contest to see who would win the title of chief cynic, but Senate Majority Leader Tom Daschle has smugly walked away with the prize. His behavior over the past weeks has been a case study in putting party before country. Machiavelli could sit at his knee.

His chief accomplishment was to kill the stimulus package. Here's why he did it: In order for the stimulus package to pass in this closely divided Congress, each party would have to get some of what it wanted. Democrats wanted spending programs for the unemployed. Republicans wanted accelerated tax cuts to spur investment. But Daschle and the Democrats hope to run against the Bush economy, and the Bush tax cuts, in 2002 and 2004. They think the budget will be in deficit and the cuts will be in disgrace by then.

But the Democrats would not be able to run against tax cuts in 2002 and 2004 if they agreed to accelerate them in 2001. Therefore, Daschle could not compromise. He had to kill the stimulus package. All of the majority leader's maneuverings of the past few weeks—including his cockamamie insistence that no package could be passed unless it was approved by two-thirds of the Democratic caucus—have been designed to get to "No."

In killing the stimulus bill, Daschle and the Democrats left a lot on the table. Republicans caved on issue after issue over the past weeks. The conservative press turned on the bill as they saw it lurching leftward. By the end, Daschle could have brought home over $30 billion in unemployment benefits, $13 billion in health benefits for the unemployed, and tens of billions of dollars in rebate checks for families earning under $31,200 a year.

If he had truly been concerned about the plight of the unemployed, Daschle would have taken all that money, especially in return for a puny tax cut for the middle class—a drop in the rate from 27 percent to 25 percent. But politics trumped policy. He needs to run against the cuts, and so could accept no compromise.

Republicans are secretly relieved that the stimulus bill, which was substantively pretty bad, didn't go through. Moreover, there are signs that they are in pretty good shape politically. A CNN/*USA Today* poll reveals that the public prefers Republican economic plans to Democratic economic plans by 9 percentage points. A Fox News/Opinion Dynamics poll gives the GOP a solid 11-point edge in a generic congressional ballot.

But this is no time for Republican complacency. In the first place, the stimulus package debate revealed that the Republican party has lost its ideological muscle tone. Remember, before Ronald Reagan came to town, this was a comfortable, corporatist party. Reagan gave Republicans an intellectual mission. But after he left, the party slipped back into Bob Michel corporatism—and the minority sta-

tus that goes along with it. Then came Newt Gingrich and Dick Armey to give it ideological muscle again. Now it is sliding back toward K Street flabbiness. The ideas the Republicans stuffed into the original stimulus package had no intellectual coherence. The supply-side lessons have been forgotten. Milton Friedman's warnings about the futility of Keynesian pump-priming were ignored. Instead it was mostly favors for the boys.

The Democrats don't need a sense of intellectual mission to win. They have special interests who will lobby for more spending. The structure of Washington is rigged to support bigger government. Republicans can only seize the initiative when they are fired by ideological zeal. If they revert to their corporatist instincts, as they appear to be doing, then the future will be a series of shabby retreats, punctuated by a few gifts for well-connected corporations.

With all due respect to Dennis Hastert, Bill Thomas, and Trent Lott, it will now be up to the Bush White House to refire the Republican party, to give coherence to its mission, and to show how Republican policies will benefit the entire nation. In light of that task, several questions arise.

First, is George W. Bush's compassionate conservatism a strong enough branch to carry the weight of GOP domestic policy? Second, have the events of September 11 fundamentally altered the political landscape, requiring a new political approach? Third, is all this moot? Will the next few years be so dominated by foreign policy that domestic policy will take a back seat?

Speaking at an American Enterprise Institute forum recently, Bush consigliere Karl Rove suggested he does not believe that the events of September 11 have fundamentally altered the political landscape. Rove is still speaking the language of compassionate conservatism. He poured cold water, for example, on the idea of expanding national service as a way to build character and institutionalize patriotism among the young.

Rove may be right that political realities will change less than many think. It's a cliché to say that periods of war generate periods of activism, but history is not so simple. Was the post-Civil War period noted for activism? Isn't it more accurate to say that World War I killed Progressivism and heralded a period of quietism? Didn't World War II similarly squelch the New Deal?

Still, the president is taking a huge risk if he thinks that he can return to the style of politics that prevailed before September 11. For one thing, compassionate conservatism was already petering out. Then, too, the public does seem to have been strongly affected by recent events. The triumph in Afghanistan has created a sense of confidence that this country can tackle big problems. The victory need not lead to a period of liberal revival, as some Democratic fantasists have argued, but it does relegitimize the central institutions of government. It does give people a sense that we can actually shape our future rather than being blown about by forces beyond our control. Moreover, the contrast between the parts of government that work—the Defense Department—and the parts that don't—our tax code—is stark. We can be proud of our country, but can we be proud of the political machinery in Washington? The whole situation cries out for big thinking, for a sense of revitalized mission, for reform.

The next 12 months could be ugly. The political mood is sour. Democrats are going to wage a relentless war on the Bush tax cuts. Tom Daschle looks like Bambi but he bites like Jaws. The danger for the Republicans is not that the public will abandon conservatism and turn to the Democrats: Voters still have little taste for the orthodox liberalism that the Democratic party is reverting to. Instead, the danger for Republicans is that they will fail to seize the moment. They will sink back into a tawdry corporatism. They will become acquiescent partners in a period of political drift, during which government will grow mindlessly bigger and the current moment of high patriotism will pass, leaving only a sour mood of disenchanted ennui.

—David Brooks, for the Editors

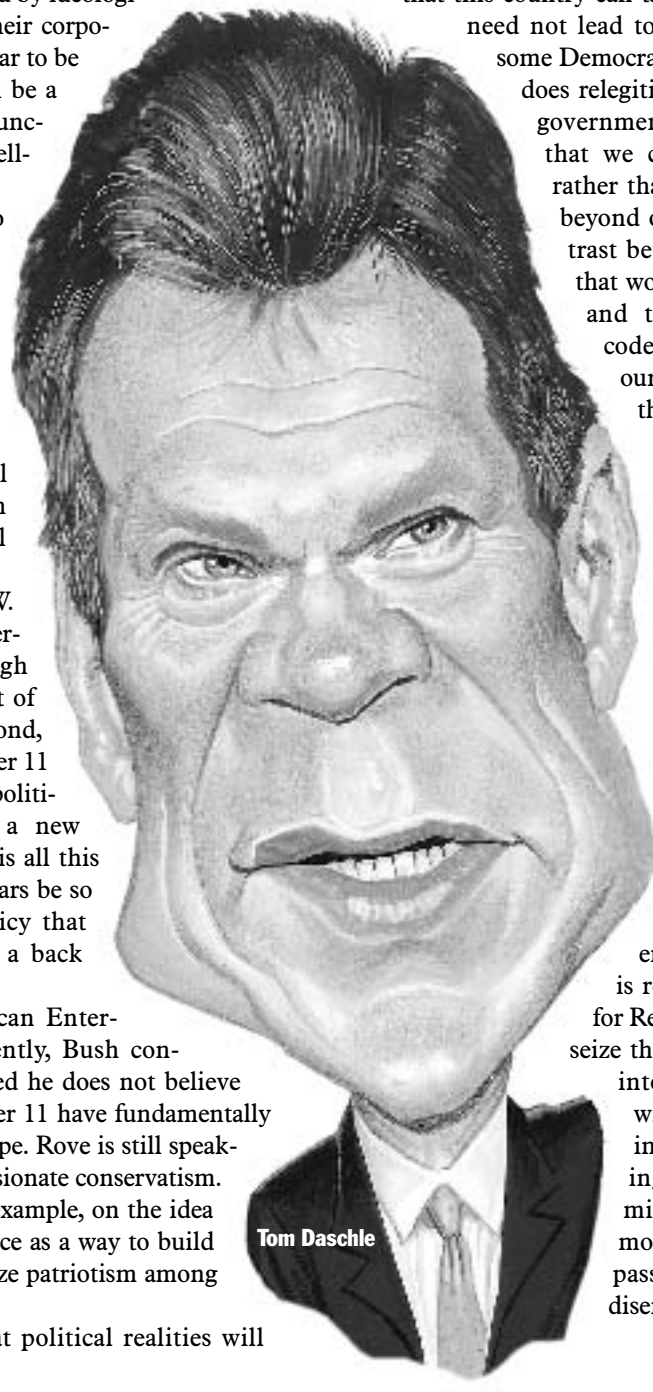

Illustration by Ismael Roldan

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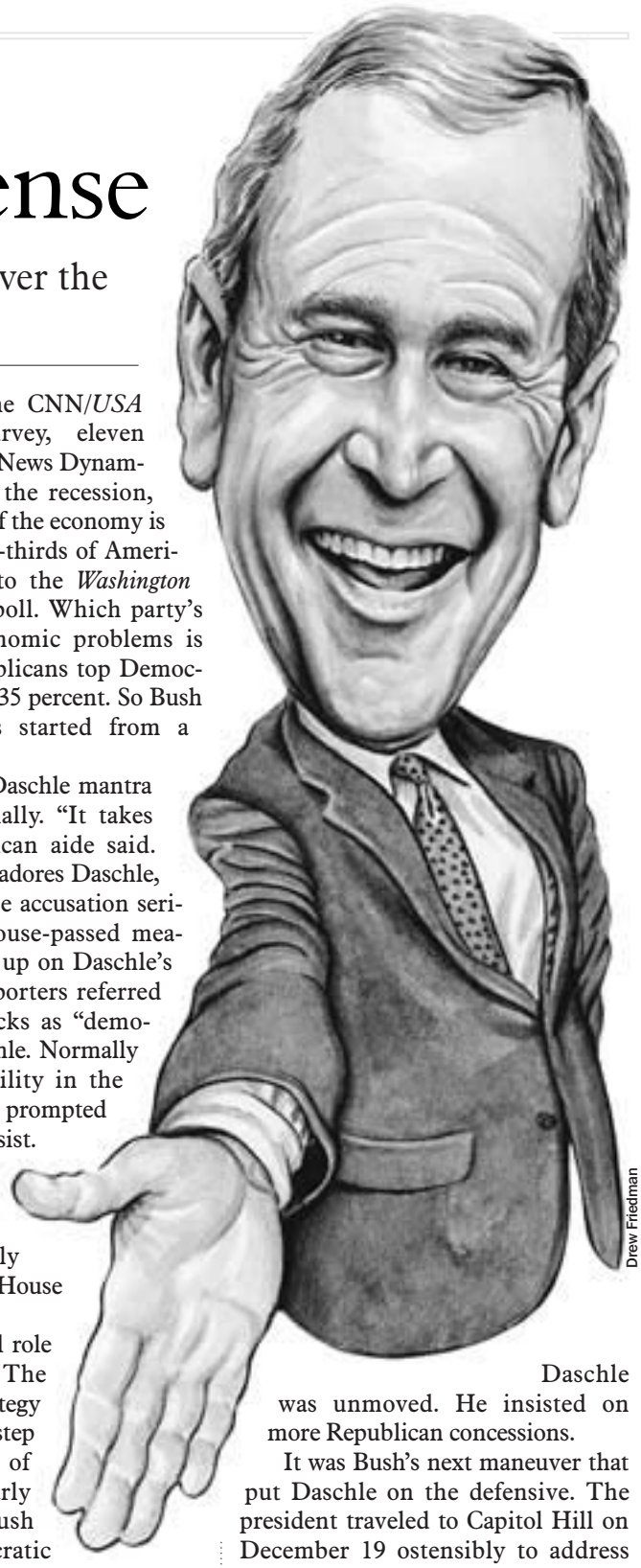
Dems on Defense

How Republicans won the PR battle over the stimulus package. **BY FRED BARNES**


Drew Friedman

SENATE MAJORITY LEADER Tom Daschle never had it so good. For weeks, the White House made concession after concession on an economic stimulus package and Daschle pocketed them without making concessions of his own. In the House, Republicans passed a stimulus bill that Democrats ridiculed and even some Republicans regarded as an embarrassment. President Bush and Republicans were on defense, Daschle and Democrats on offense. But the week before Christmas, the tables turned. Suddenly Daschle looked and sounded like a man on the defensive. He—not the White House or congressional Republicans—got the lion's share of the blame for not enacting a stimulus bill that lacked much stimulative potential but was popular with the public nonetheless.

How did Republicans pull this off, especially against Daschle, as smooth, clever, and likable an operator as Washington has seen in years? They did so by engaging President Bush publicly in partisan battle, exactly what he'd shied away from since September 11. And they rallied the entire GOP apparatus in Washington to serve as a Greek chorus, chanting monotonously that Daschle is an obstructionist, who is blocking legislation for crude partisan reasons.

First, however, Republicans on Capitol Hill had to come to grips with a new fact of life in post-September 11 America: They're a lot more popular than Democrats. It's not just Bush. After the terrorist attacks, Republicans as a party pulled even or slightly ahead of Democrats in the generic congressional ballot. Now they have a lead outside the margin of error. It's five points in the CNN/*USA Today*/Gallup survey, eleven points in the Fox News Dynamics poll. Despite the recession, Bush's handling of the economy is supported by two-thirds of Americans, according to the *Washington Post*-ABC News poll. Which party's approach to economic problems is preferable? Republicans top Democrats 44 percent to 35 percent. So Bush and Republicans started from a strong position.

Still, the anti-Daschle mantra didn't work initially. "It takes time," a Republican aide said. The press, which adores Daschle, refused to take the accusation seriously, though House-passed measures were piling up on Daschle's desk. Instead, reporters referred to the GOP attacks as "demonization" of Daschle. Normally such strong hostility in the media would have prompted Republicans to desist. But this time, they stuck with the anti-Daschle theme, partly because of White House encouragement.

Bush's personal role was crucial. The White House strategy was to gradually step up criticism of Democrats. In early December, Bush called on Democratic leaders to act on a stimulus package. In his radio address on December 8, he cited Senate leadership for failing to enact a stimulus package. The next day on *Meet the Press*, Vice President Dick Cheney singled out Daschle as the obstructionist who had bottled up a stimulus. Daschle was unmoved. He insisted on more Republican concessions.

It was Bush's next maneuver that put Daschle on the defensive. The president traveled to Capitol Hill on December 19 ostensibly to address the Republican and Democratic caucuses in the House and Senate and the GOP conference in the Senate. But the important session was a public gathering with three Senate Democrats—John Breaux of Louisiana, Ben Nelson of Nebraska, and Zell Miller of Georgia. Bush had

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been talking to all three, and especially Breaux, for weeks about a stimulus. They wanted a bill to pass and disliked the two partisan alternatives. They agreed with the president on a compromise stimulus bill that cut the middle class income-tax rate from 27 percent to 25 percent and provided a tax credit for health care for the jobless.

The agreement was significant for a tactical reason: It showed the Bush-backed measure had a majority of at least 52 votes in the Senate. When the House replaced its earlier bill with the new Bush-Breaux measure, the majority became Congress-wide. "I look forward to working with both bodies, in any way I can, to convince those who are reluctant to get a bill done that this makes sense for America, so we can leave for Christmas knowing full-well that we've done the people's business," Bush declared. Republican Leader Trent Lott tried to bring up the stimulus on the Senate floor the next day, but Daschle blocked it.

On defense, Daschle made his case at numerous forums. He said a supermajority of 60 votes would be required to pass a stimulus bill. Of course, this was true only because Democrats would filibuster or make procedural objections (as Daschle himself did). The Bush bill, he said, would increase the deficit and boost interest rates but not help the economy much. Daschle insisted Republicans wouldn't negotiate on unemployment benefits and health care. Actually, Bush and Republicans had already caved on both. But the Bush bill would deliver health care subsidies the wrong way, Daschle said. This was green-eyeshade stuff. At a breakfast with journalists, he repeatedly listed everything the Senate *did* pass in 2001, as if to say, "I am not an obstructionist."

One constituency was highly satisfied with Daschle's performance. That was most Senate Democrats. He carried out their wishes in deep-sixing the stimulus bill, though he left open the possibility of raising it again in early 2002. "It may be dormant for now, but it's not dead for good." Maybe not, but Daschle will have to compromise if a stimulus bill is going to be revived. Bush didn't seem terribly interested. He said he has no intention of calling a special session of Congress to enact a stimulus.

Daschle, tough and resourceful, will live to fight another day. And the White House has just the issue to fight over—terrorism insurance. Daschle blew up a bipartisan agreement that would have provided federal backing for terrorism insurance because it barred punitive damages and limited attorney' fees, thus alienating the trial lawyers' lobby. Without a government backstop, insurance companies say they won't offer such insurance after December 31. This could lead to the cancellation of real estate developments, new buildings, and other projects. If it does, Daschle will once more face the wrath of Republicans. ♦

The God Issue in 2002

The Democrats' faith-based dilemma.

BY FRANK CANNON AND JEFFREY BELL

"GOD BLESS AMERICA." These words have been repeated millions of times since September 11. They have echoed in countless stadiums across the country, been sung by a bipartisan group of congressmen on the Capitol steps, appeared on hundreds of thousands of yard signs, bumper stickers, and billboards. And in Rocklin, California, they were posted on a sign outside Breen Elementary School.

The reaction of the American Civil Liberties Union was swift and predictable. In a letter to the school board the ACLU argued that the posting of "God Bless America" on a school marquee is unconstitutional, that the words convey "a hurtful, divisive message" to a group of "religiously pluralistic" students.

The school district held its ground. It cited a California Supreme Court decision declaring "God Bless America" to be a traditional, nonreligious, patriotic phrase. The dispiriting debate was thus joined. "God Bless America"—is it a "hurtful" and "divisive" form of hate speech, or a patriotic bromide, akin to cheering "Hooray for America"?

No one seemed interested in defending the obvious: that "God Bless America" is an invocation of divine aid and comfort, the need for which we feel with special urgency at a time of national agony and crisis. The entry of "God" into the public square, even in such seemingly benign and inoffensive form, is a positive evil in the eyes of the ACLU, and too impolitic to acknowledge in the view of the offending school board.

America's Founders, of course, would have taken a far different view of the debate over the Rocklin case. Thomas Jefferson, on behalf of the school board, might well have argued that it is critical to affirm the link between God and the origin of American liberty—particularly for the benefit of the impressionable young minds at Breen Elementary School. In "Notes on the State of Virginia" in 1782, Jefferson wrote, "Can the liberties of a nation be thought secure when we have removed their only

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firm basis, a conviction in the minds of the people that these liberties are of the gift of God?"

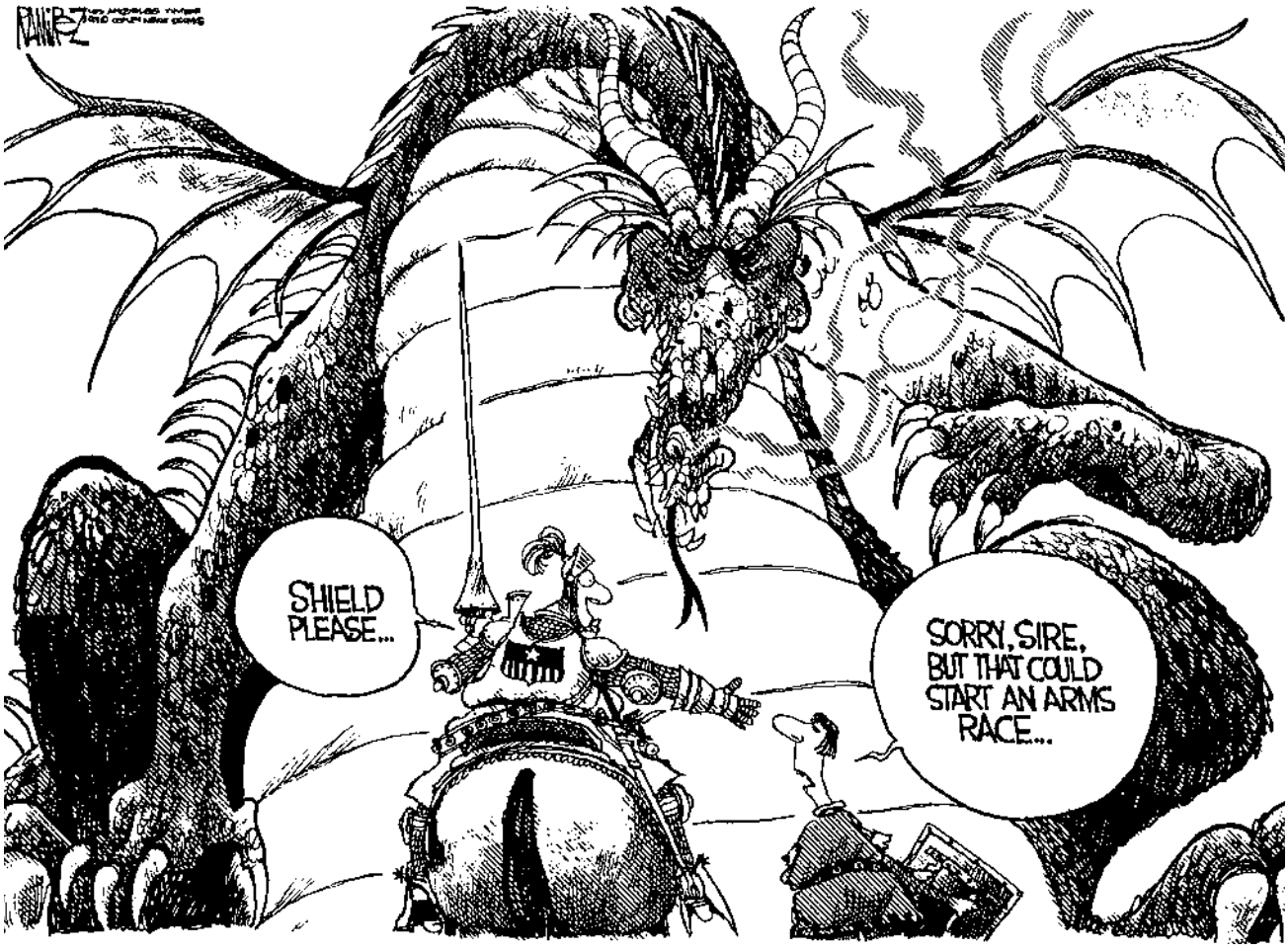
Through the centuries since, our presidents have understood that the bedrock of the American concept of democratic equality is this understanding that our rights come not from Washington but from the Creator. President George W. Bush placed himself squarely within this tradition in his inaugural address when he made what he described as a solemn pledge. He said, "I will work to build a single nation of justice and opportunity. I know this is in our reach because we are guided by a power larger than ourselves who creates us equal in His image."

In the months since the terrorist attacks, the American people have begun to reevaluate the place of God in their lives. The Pew Research Center for the People and Press commissioned a study in mid-November that contained this remarkable finding: "Fully 78 percent now say religion's influence in American life is growing, up from 37 percent eight months ago, and the highest mark on this measure in surveys dating back four decades." In response to a horrific event fueled by religious fanaticism, in other words, the American people seem to be placing a renewed emphasis on the value of religion in their own lives.

The public policy implications of this phenomenon will be tested in at least two Senate debates likely to play out in the coming months: the president's faith-based initiative, and the scheduled debate this spring on a proposal by Sen. Sam Brownback of Kansas to prohibit human cloning.

From his primary campaign on, President Bush has heavily promoted his faith-based initiative. He included a reference to the proposal in his inaugural address: "And some needs and hurts are so deep they will only respond to a mentor's touch or a pastor's prayer. Church and charity, synagogue and mosque lend our communities their humanity, and they will have an honored place in our plans and in our laws." The faith-based providers minister to the least among us because they understand, with the Founders, that the homeless man retains political equality with the most affluent corporate executive. Far from operating outside the American political tradition, faith-based providers give concrete meaning to the notion that we are all created equal.

Senate Majority Leader Tom Daschle, for his part, was adamantly opposed to allowing the president's



Michael Ramirez

initiative to be considered in the Senate this year. He declared the House-passed bill, H.R. 7, dead on arrival five months ago. Despite the president's willingness, in the wake of September 11, to set aside what liberal critics consider the most objectionable parts of the House bill in order to focus on providing emergency relief to address the dire straits of many small community-based charities, Daschle refused to budge from his position.

President Bush continues to press his case and has made it clear he expects a Senate vote on some version of the faith-based bill in early 2002. This impending confrontation will represent an important test of whether post-September 11 religious expression will be given a renewed position of respect in the public policy debate.

On an even more fundamental level, the cloning debate will reveal whether America remains committed to the notion that all individuals derive their worth and their liberties from their Creator. Here again, the president has staked out a clear position. He has condemned the cloning of embryos as "wrong" and warned that "we should not as a society grow life in order to destroy it." The House of Representatives passed a comprehensive ban on human cloning in July, but the Senate under Daschle's leadership has yet to act. The issue should be brought up there in March. The debate will go a long way toward revealing whether the sacredness of the individual is an immutable American principle or subject to redefinition based on technological developments.

A belief in the centrality and literalness of the principles of the Declaration of Independence has sustained America in our times of crisis. At the heart of that understanding is a simple truth that American elites have come to treat with contempt or embarrassment: God is the author of our equality and our liberties. The policy debates of 2002 may answer this question: Does our nation still hold to this fundamental truth? ♦

Freedom and the Arab World

Terrorism thrives where people aren't free.

BY JOSHUA MURAVCHIK

IN THE AFTERMATH of September 11, the rulers or cabinet ministers of Iran, Malaysia, Jordan, Syria, Pakistan, and Saudi Arabia urged America to focus on the "root causes of terrorism." A good case can be made, however, that they themselves are the "root cause." The fact that the September 11 killers almost all came from one of the richest countries on earth, Saudi Arabia, and were mostly middle class themselves, makes nonsense of the conventional wisdom that poverty is the underlying source of terrorism. Rather, what is most distinctive about the Islamic world, where most modern terrorism germinates, is the prevalence of autocratic and tyrannical government.

This reality is brought into dramatic relief by data released this week by Freedom House in its authoritative annual survey, "Freedom in the World." The spread of democracy spurred by the end of the Cold War has made elected government the norm around the globe—except in Islamic countries. The new study shows that of the 47 countries with mostly Muslim populations, fewer than one quarter are "electoral democracies," while more than three quarters of the world's other 145 governments are.

This is only the beginning of the disparity. Freedom House assesses whether a country is an electoral democracy and whether it is "free." The latter is a much tougher standard. Not that Freedom House uses the term "democracy" loosely as some people did in the old days of "people's democracies." To be counted democratic a country must have fair and competitive elections. Still, many democracies, especially the new ones, have not yet firmly established the rule of law, due process, independence of the press, and the like, so they are counted by Freedom House as only "partly free." To qualify as "free," a country must have democratic elections as well as a gamut of civil liberties and citizens' rights.

Lots of countries do meet this standard. Of the non-Muslim countries, 58 percent are "free" and only 14 percent are "not free," i.e., strict dictatorships. The remaining 28 percent fall in that middling category of "partly free." But among the Muslim countries the proportions are reversed. Only one country—Mali—out of 47 ranks as free, 2 percent of the group. Thirty-eight percent are partly free, and a whopping 60 percent are "not free." The 47 Muslim-majority states, in other words, account for a majority of the world's "not free" states. Moreover, Freedom House also provides a list of the least free nations, based on its meticulous scoring of various kinds of liberty. The "worst of the worst," it calls them. No fewer than 7 out of this rogues' gallery of 10 are predominantly Islamic states—Iraq, Libya, Saudi Arabia, Sudan, Syria, Turkmenistan, and Afghanistan (before the B-52s got there). Only Burma, Cuba, and North Korea rival them in repression.

These striking political discrepancies cannot be attributed to the overall underdevelopment of the Islamic group in comparison with the West, for the contrast shows up within

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regions. For example, of the 15 states that once made up the Soviet Union, 6 have Muslim majorities and 9 do not. Of the former, 5 are not free, and the best one (Azerbaijan) is only partly free. Among the 9 non-Muslim post-Soviet states the picture is brighter: Three are free, 5 partly free, and only one (Belarus) rates a "not free." In Asia there are 7 mostly Muslim countries, none of which is free: Three are partly free, while 4 are not free. In comparison, freedom is flourishing among Asia's 32 other countries: Eighteen, a solid majority, are free, while 7 each are partly free and not free. A similar pattern is evident in Africa, where 20 states have Muslim majorities, and only one of these, Mali, is free, with 9 partly free and 10 not free. The 33 African states that do not have Muslim majorities present a different picture: Eight are free, 15 partly free, and 10 not free.

The ratings in Africa also dispel the notion that lack of freedom is itself merely a reflection of economic backwardness. True, social scientists find a significant correlation between democracy and the wealth of countries. But the 53 African states as a group have an average income (equivalent to about $2,300 per person) that is less than half of the average among the 47 Muslim-majority states, and yet there is appreciably more freedom and democracy in Africa than among the Muslim states. Indeed, since the two groups overlap, the Muslim members pull the ratings of the African group down; while the Africans elevate the overall ratings of the Muslim states. Indeed, they account for 7 of the paltry 11 electoral democracies. Mali, that sole exemplar of freedom in a majority-Muslim country, underscores the weakness of economic explanations. It is one of the world's poorest countries, with an average income around $700 per person.

None of these damning numbers proves that Islam is inherently incompatible with freedom and democracy. A generation ago, before the spread of democracy in Asia, it was often said that Confucian values were inimical to democracy. And a generation before that, when democracy had withered in Latin America, Italy, Spain, and Poland, much the same was said about Catholicism. Now such generalizations sound like bigoted ignorance.

The absence of a free press seems to cause a kind of epistemological retardation conducive to paranoia and lunatic conspiracy theories (e.g., "the Mossad did it").

Weighing further against the assumption of a fixed Islamic affinity for repressive governance is Freedom House's striking observation that the state of freedom has deteriorated among the Muslim countries in the last 20 years while freedom has been growing faster than ever all around them. If the problem were inherent, then why would it be worsening? More likely it stems from some dynamic causes, especially the rise of radical Islam, which has encouraged repression on the part of those regimes that are influenced by it as well as those that are trying to stamp it out. Probably, too, the obsessive hatred of Israel that has been the centerpiece of Arab political culture in the current era has had a self-poisoning effect. It is the Arab world, in particular, that makes the status of freedom among Muslims as bleak as it is; in comparison, shoots of freedom are visible in Islamic countries in sub-Saharan Africa (Mali, Nigeria), Europe (Turkey, Albania), and South Asia (Bangladesh, Indonesia).

This climate of unfreedom is the swamp where terrorism breeds. The repression, humiliation, and violence that are the daily portion of people living under autocratic regimes nurture rage and fanaticism. And the absence of a free press seems to cause a kind of epistemological retardation conducive to paranoia and lunatic conspiracy theories (e.g., "the Mossad did it"). Moreover, the lack of democracy means not only that grievances go unaddressed but also that people fail to learn the virtues of moderation and compromise.

The implications of all this are quite different from what those who raise the issue of "root causes" intend. Far from pointing toward a relaxation of military efforts, it suggests that the more terror-loving tyrannies the United States can topple the better. Not only will their demise clear the ground where seeds of freedom may then take root, but the example will embolden and inspire those who dream of freedom in the region.

This is not to say that military methods are sufficient in themselves. They should be complemented by a sustained effort to foment political change in the Islamic world. Conventional wisdom doubts our ability to export democracy, even while many voices are raised in favor of new "Marshall Plans" to stimulate economic development in the Middle East and elsewhere. Experience shows, however, that we have had more success in spreading democracy than in inducing economic development. If we put that experience to work in the Middle East, buttressed by battlefield campaigns against the tyrants who sponsor terror, we can go far in stamping out terrorism and its root causes. ♦

Indicting a Terrorist

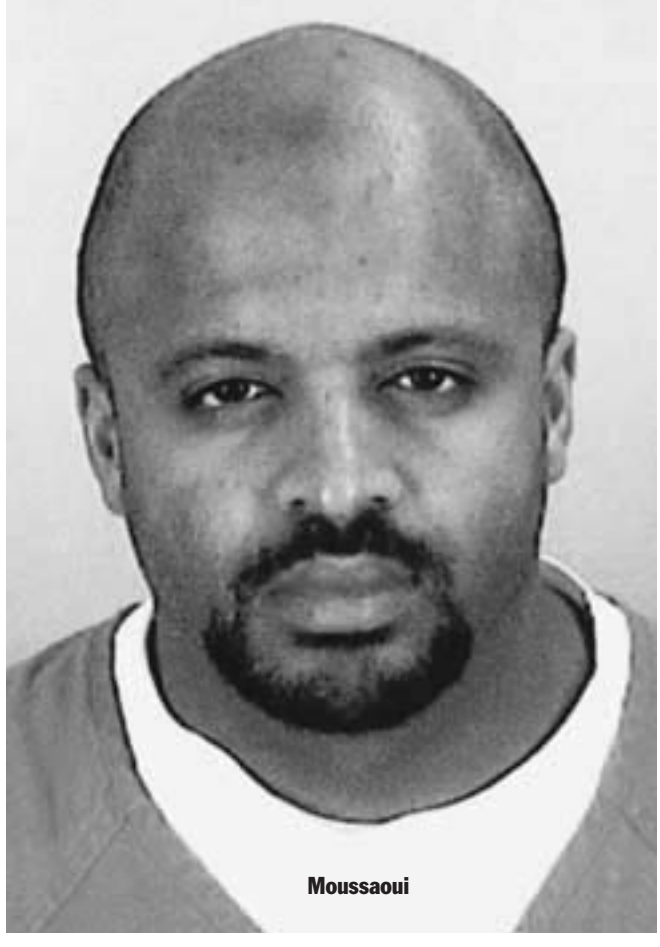
Why Bush decided against a military tribunal for Zacarias Moussaoui. BY TERRY EASTLAND

In early December, President Bush had to decide what to do about Zacarias Moussaoui. Moussaoui is the French citizen of Moroccan descent who entered the United States back in February. On August 16, having aroused suspicions at a flight school in Minnesota, he was detained on visa violation charges. He's been in custody ever since. The government believes he was part of the al Qaeda operation of September 11 that massacred more than 3,000 Americans. Presented with the evidence against Moussaoui, Bush had two alternatives: try him in a military tribunal, or prosecute him in the federal courts. Bush chose the latter.

The president of the United States has a duty to see that the laws are faithfully executed, but rarely do presidents get involved in decision-making in a particular case. Bush's choice to get involved in Moussaoui's case has a simple explanation: We're at war. And because we're at war, Bush, acting on his authority as commander in chief, issued an order in November authorizing military tribunals to handle cases against non-citizen terrorists and their accomplices. Because Moussaoui is not an American citizen, Bush had the option of asking for a military tribunal.

Vice President Richard Cheney has said Bush had two reasons for going with the ordinary justice system. He thought the case against Moussaoui was strong. He also agreed with an assessment that Moussaoui could be prosecuted without compromising national security.

Handed up on December 11, the indictment charges Moussaoui with conspiracy, specifically with conspiring to commit acts of terrorism, destroy aircraft, use weapons of mass destruction, murder U.S. employees, and destroy property. The indictment names 23 co-conspirators, including Osama bin Laden and the 19 (dead) men who hijacked the four planes that were smashed into the World Trade Center Towers, the Pentagon, and a field in rural southwestern Pennsylvania. The indictment alleges no direct contact with the hijackers. But the circumstantial evidence stacks up.



Moussaoui

Getty Images

According to the indictment, Moussaoui's actions mirrored some of those of the 19 hijackers. He trained at an al Qaeda camp in Afghanistan. He attended flight schools in the United States. He got funds from sources in Germany and the Middle East. He inquired about crop-dusting equipment that could be used to commit terrorism. The government's view of Moussaoui is that, in the words of Attorney General John Ashcroft, he was "engaged in the same preparation for murder as the 19." The strength of the case against Moussaoui—and bear in mind that Bush likely was told more about the case against him than is in the indictment—can be seen in the obvious difficulty his lawyers will have. As former federal prosecutor Andrew McBride says, they will have to explain the circumstantial evidence by "alternative means," and that would seem awfully hard to do.

As for national security concerns, the issue here is whether there is evidence against Moussaoui that the intelligence agencies would rather not reveal but which is necessary for conviction. In national security cases, defense lawyers have been known to force the government to choose between dropping charges and revealing secrets. Presumably if the Moussaoui case had presented this kind of dilemma, Bush would have opted for a military tribunal. One top Justice Department lawyer told me

Terry Eastland is publisher of The Weekly Standard.

that the evidence in the case is not problematic from a national security standpoint. In her reading of the indictment, Victoria Toensing, who oversaw terrorism cases as a deputy assistant attorney general during the Reagan administration, says that the evidence seems likely to "have been gathered in conformance with the Constitution. The case for a tribunal is when you get your evidence from all kinds of places you can't reveal."

In choosing between a military tribunal and the ordinary federal courts, Bush also may have considered the fact that the Defense Department has yet to issue the rules under which tribunals would operate. That system is, like some pages you find on the web, under construction. And Bush may have been impressed with the Justice Department's strong desire to hold onto the case. In recent years, the department has been criticized for its counterterrorism work. After September 11, it made fighting terrorism its top priority. One White House official says Justice made "repeated expressions" as to how morale would be hurt if those at the department and in the FBI who "had worked so hard on this investigation" were to see Moussaoui "taken out of [the ordinary justice] system and put in the military system."

Moussaoui is due to be arraigned in the Eastern District of Virginia on January 2. The district is known for its "rocket docket"—the speed with which cases are disposed of—and for pro-government juries. Moussaoui has been assigned capable public defenders. The Justice Department's prosecution team includes veterans from the U.S. attorney's office in the Eastern District of Virginia and from the office—long familiar with terrorism prosecutions—in the Southern District of New York.

Lawyers who've practiced in the Eastern District say the trial could be held as early as May but is more likely to take place in the late summer or early fall. So *United States* v. *Zacarias Moussaoui* is going to be with us for a good while, a very public reminder of what happened on September 11. ♦

Giving Sophistry a Bad Name

Princeton's Peter Singer, baffled by charity.

BY PETER BERKOWITZ

In response to September 11, people from many walks of life performed their jobs with spirit and guts and aplomb. Exhibiting a high degree of seriousness and professionalism, the police and the firefighters, the doctors and nurses, the ground zero construction crews and the media, the mayor and the president, and the military and their man Rummy in the Pentagon have risen to the occasion. Alas, if Peter Singer's latest offering is in any way representative, the same cannot be said of academic moral philosophers.

Singer, the reader may recall, is the Ira W. DeCamp professor of bioethics and fellow at the Center for Human Values at Princeton University, best known for his writings on behalf of animal rights, in defense of euthanasia, and in support of the right of parents to have their severely handicapped newborn children killed. He favors massive global redistribution of wealth, having argued in the *New York Times* that American households have a moral obligation to live on $30,000 a year or so, enough to cover necessities, and give whatever remains of their income to the world's poor. And sex with animals, he maintained earlier this year in a breezy essay for the online sex magazine *nerve.com*, is fine so long as the act does not injure the animal.

Singer has sold more books than any other living professor of philosophy. He is often praised as a brave and iconoclastic thinker, willing to follow the logic of an argument wherever it may lead. What his arguments frequently reveal, however, is their author's imperviousness to reasoned inquiry, insensitivity to evidence and opposing points of view, and odd unfamiliarity with fundamental features of moral and political life.

True to form, in a piece posted in *Slate* on December 12 and headed "Who Deserves the 9/11 Cash Pile?" Singer sets out to debunk the conventional wisdom about how funds raised for the families of the victims of the terrorist attacks should be distributed. His analysis is a minor miracle of compressed incoherence.

Understandably, the grieving families differ on how the more than $1.3 billion that the public has thus far donated should be spent. Do the families of police officers and firefighters deserve more charity than other victims' families because their loved ones died in the course of saving others? Or do the families of all casualties in the attacks deserve equal treatment? A classic moral dilemma pitting the claims of desert against the claims of equality, right?

Not by Professor Singer's lights. For him there is no dilemma because the answer is transparently clear:

> It makes sense for the community to reward the families of those who die while bravely trying to save others, for doing so both recognizes and encourages acts of great benefit to the community. This is not a matter of equity or distributive justice but sound social policy.

Put aside the questionable empirical assertion (for which Singer offers

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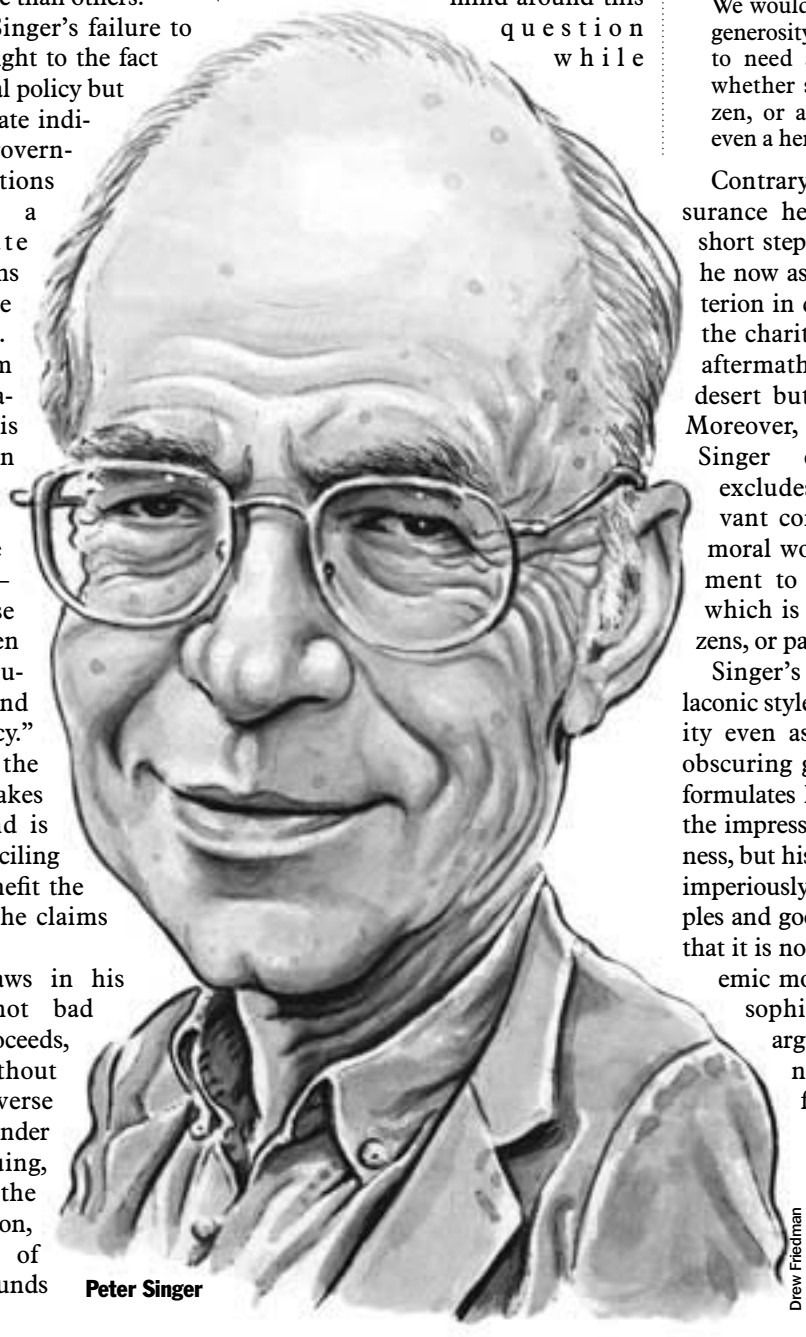
no evidence) that giving more money to the families of those who died seeking to save the lives of others would in fact encourage more of the same. Put aside as well Singer's failure to consider the cost of unintended consequences—whether, for example, giving more money to a few families would spark resentment among the vast majority of the families, whose loved ones were not struck down in the line of duty, and whether unequal giving would promote the undemocratic and illiberal idea that some lives are worth more than others.

Put aside also Singer's failure to give any moral weight to the fact that it was not social policy but the choices of private individuals and non-governmental organizations that resulted in a disproportionate amount of donations on behalf of police and firefighters. The root problem with Singer's reasoning is that his conclusion—that in this case, the claims of desert triumph over the claims of equality—is based on a false distinction between "equity or distributive justice" and "sound social policy." Actually, one of the factors that makes social policy sound is its success at reconciling incentives that benefit the community with the claims of equal treatment.

As if these flaws in his thinking were not bad enough, Singer proceeds, abruptly and without explanation, to reverse course in the remainder of his article, arguing, on the basis of the same false distinction, that the question of how to distribute funds to those in need is not a matter of sound social policy after all, but rather a matter of equity and distributive justice.

When one, Singer says, takes a larger view and places the loss of life in New York and Washington in global perspective, then one is forced to ask, "How can we justify giving such huge sums to the families of the firefighters and police when we do so little for people in other countries whose needs are much more desperate?" Difficult as it is to wrap one's mind around this question while American parents and widows and children continue to grieve and struggle to rebuild their broken lives, Singer's question is a real one. The mind-numbing numbers of the desperately poor across the globe do present a baffling challenge to the moral conscience.



Peter Singer

Drew Friedman

Professor Singer, however, is not baffled. Once again, the answer is to him crystal clear—only it's the opposite of the answer he proffered five paragraphs previously:

> We would be a better nation if our generosity was more closely related to need and less closely tied to whether someone is a fellow citizen, or a victim of terrorism, or even a hero.

Contrary to the unequivocal reassurance he gave his readers a few short steps earlier in the argument, he now asserts that the decisive criterion in determining how to spend the charitable contributions in the aftermath of September 11 is not desert but rather equal treatment. Moreover, in characteristic fashion, Singer casually derogates or excludes from his calculus relevant considerations, such as the moral worth of the human attachment to one's own, one form of which is care for one's fellow citizens, or patriotism.

Singer's simple language and laconic style create the illusion of clarity even as they sow confusion by obscuring genuine complexities. He formulates hard questions which give the impression of intellectual seriousness, but his one-dimensional answers imperiously ignore competing principles and goods. One is tempted to say that it is not philosophy or even academic moral philosophy but rather sophistry to which Singer's arguments in *Slate* give a bad name. Thankfully, Singer's failure to perform his job well has not hampered the many upon whom we have relied since the September 11 attacks in the performance of theirs. ♦

Jihad Comes to Indonesia

Bin Laden's allies attempt a hostile takeover.

BY PAUL MARSHALL

Photos by Sam Dealey

THE ROAD BETWEEN Poso and Tentena on the Indonesian island of Sulawesi runs past burned-out homes, stores, and churches, and is blocked by checkpoints adorned with pictures of Osama bin Laden. Some have signs proclaiming him "our leader." Islamic militias stop vehicles and check identity papers. Christians have been dragged out of cars and buses and summarily shot.

The checkpoints are the work of the Laskar Jihad militia. In the last two years it has slaughtered thousands. It has also forcibly converted other thousands to Islam, and then circumcised them, men and women, sometimes with scissors. Its goal is to kill, convert, or drive out all non-Muslims, mainly Christians, from Indonesia's eastern islands and to implement Islamic *sharia* law throughout this sprawling and populous country.

Indonesia is about 85 percent Muslim, but many parts of the east have Christian majorities and are sparsely populated. Some areas, such as Maluku and Irian Jaya, have had independence movements. In the 1970s, the Indonesian government began a "transmigration" program to move people from the overcrowded central islands, mainly Java, to these less populated regions. In addition to its economic motives, the government hoped to make Islam the majority religion in all parts of the country, and so dampen separatist sentiment.

The transmigration effort fueled ethnic and religious tension. Locals feared becoming minorities in their own areas and believed that newcomers were getting government preferences, including the best jobs. Eventually there was violence. The worst carnage came in the Maluku islands, some 1,400 kilometers northeast of Indonesia's capital, Jakarta.

In 1998, an argument between a Muslim and a Christian over bus fare led to pushing and shoving, then riots, then full-scale religious war. In the last two years in Maluku there have been 9,000 killed and half a million refugees.

Still, many in Maluku thought peace was still possible, and Muslim and Christian leaders jointly called for reconciliation. These hopes were dashed by Laskar Jihad's intervention in mid-2000. Using tales of Christian attacks on Muslims, some of them true, the group recruited youths in Java, its headquarters. In full view of Indonesian security forces, it outfitted its recruits with white uniforms, gave them military training and automatic weapons, and shipped off thousands to the east.

With the arrival of the Jihad forces, what had previously been religious clashes, with dead on both sides, became one-sided religious cleansing and slaughter. The Jihad swept through Maluku, burning homes and churches, and killing and driving out Christians, as well as the few Hindus and Buddhists. The government stood passively by until early 2001, when the arrival of government special forces brought some order, though sporadic bombings, burnings, and massacres continue.

The Jihad then turned its attention to the neighboring island of Sulawesi, where there had been similar violence. In July 2001, 750 jihadists arrived, after notifying the local governor of their coming. In the next few months, more arrived, broadcasting their goal of driving out all Christians and instituting *sharia* law.

They set up roadblocks, put up bin Laden posters, and, using armored bulldozers, automatic rifles, and the occasional rocket launcher, isolated and surrounded 60,000 Christians in the Poso area, threatening to finish them off before Christmas. In the first week of December 2001, government security forces finally arrived, and there is now a measure of peace. But

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there are fears that the Jihad will move into northern Sulawesi, and kill again until someday government forces catch up with them.

There are other radical Islamic groups in Indonesia. The province of Aceh, at the northernmost tip of Sumatra, has long been hospitable to militant Muslims. Its Islamists have always been highly restrictive, out of step with the easy-going ways in the rest of the country, and have fought for independence in order to create a pure Islamic state along the lines of Saudi Arabia or Afghanistan. The Indonesian army has repressed them in a decades-long brutal war.

After Indonesia's first truly democratic elections in 1998, the new president, Abdurraham Wahid, sought to end the Acehnese rebellion by reining in the army and meeting some of the militants' demands. In July 2001, the Indonesian legislature gave the province more autonomy and allowed it to institute Muslim courts and *sharia*. This past October, as part of its program to implement its version of Islamic law, the local government in Aceh Singkil district ordered the destruction of churches and forbade Christians to practice religion in their own homes. The order allowed five small church buildings to remain "as a sign of Islamic tolerance."

Religious tensions have steadily worsened throughout the country in recent years. Church burnings were one or two a year before 1995, but the figure has escalated to hundreds a year. During Indonesia's economic collapse in the 1997 Asian financial crisis, there was an eruption of violence, much of it directed against ethnic Chinese, the predominant merchant class and a frequent scapegoat in troubled times. Most Indonesian Chinese are Christians, and there was a strong religious element to the attacks, with many non-Chinese as well as Chinese churches torched. This religious violence has continued. Over Christmas 2000, churches were bombed in 18 cities including Jakarta, killing 40 and wounding hundreds.

Christian fortifications (left) and church (above) in the Maluku islands.

This Christmas, the government has deployed 5,000 people in Jakarta alone to head off further violence.

Terrifying anywhere, these trends are especially ominous in Indonesia. Despite the country's myriad divisions and problems, Indonesian Islam has historically been tolerant. It arrived in the country starting in the thirteenth century, brought by merchants, not conquerors. Its moderate Sufi style took hold in a largely Hindu culture adept at absorbing and taking the edge off incoming religions. Muslim and Christian villagers often helped each other build mosques and churches.

Abdurraham Wahid once epitomized this tolerance. Before entering politics, he was head of Nahdlatul Ulama (NU), a village-based educational and social network with up to 40 million members, making it the largest Muslim organization in the world. Wahid proved a lousy politician; it takes a certain perverse genius to be impeached 591-0 and removed from office, as he was on July 23, 2001. But he had been a great religious leader. As head of NU, he said that his favorite novel was Chaim Potok's *My Name is Asher Lev*, and could explain why. His denunciations of Islamist violence were full and frank, with no ifs, ands, or buts. He sent NU members to protect churches under attack by radicals.

Some clues as to how this openness has been undercut may be found half a world away, in Spain. When Spanish police cracked an al Qaeda cell in Madrid last month, they reported that the cell had sent hundreds of militants to Indonesia for military training. Intelligence officials say that these cadres had gone to three training camps, one in Java, one in Maluku, and one in Aceh.

Other connections are now apparent. Laskar Jihad's head, Jaffar Umar Thalib, fought alongside bin Laden in Afghanistan. There are many reports of Pakistanis and Arabs fighting with Laskar Jihad. The Indonesian government long denied any link between Laskar Jihad and al Qaeda, but on December 11, the head of Indonesian intelligence, Abdullah Hendropriyono, finally agreed with his American counterparts that the two were linked. Similar ties are apparent with other growing radical groups, including Darul Islam, in Java, which has been targeting Americans, and boasts of sending 200-300 people a year to bin Laden for training and indoctrination.

What does all this mean for America's war on terrorism? Well, shielding people from being slaughtered or mutilated for their religion is a worthy goal in itself. But even for hard-nosed realists, there are other good reasons to be involved in Indonesia.

A member of OPEC, Indonesia controls most of the sea routes to

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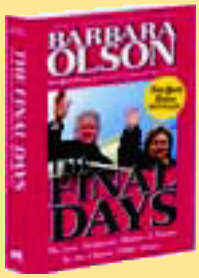

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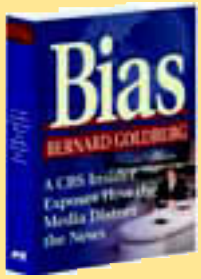

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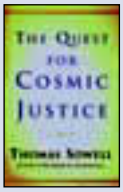

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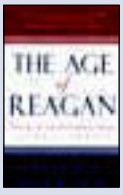

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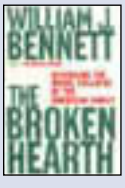

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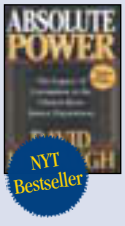

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Asia. The Strait of Malacca, next to Aceh, is the world's busiest shipping lane. If you want to go from Europe or the Middle East to East Asia, you must either go through Indonesian waters or take a 6,000-mile detour into the Pacific and back through the Philippines. Indonesia also borders China (according to that country's government maps of the South China Sea). An Islamist or fragmented Indonesia would have dramatic repercussions for the politics of Asia and the world and would present a national security nightmare for the United States.

At the very least, Indonesia's travails highlight the fact that we are in a global struggle. The war on terrorism is unique, yet it has certain parallels with the Cold War. It engages us against an ideological movement that recruits across international borders and whose political ambitions are worldwide. It requires us to fight against those who fight against us. It obliges us to undercut and marginalize the ideology that breeds these enemies, and to support those people and movements that also resist them.

Our military cannot fight everywhere, but there is room to encourage and aid countries fighting their own Islamic radicals. If the Laskar Jihads and Darul Islams flourish, then anti-American terrorism will flourish as well.

The United States broke off military ties with Indonesia in 1998 because of its army's brutality in suppressing the independence of East Timor. There is a strong case now for engaging, training, and reforming that military, and pressuring Indonesia's recalcitrant politicians to use it well. The defense appropriations bill passed by Congress on December 20 allows funding for counterterrorism training for armies in Southeast Asia. Indonesia should be allowed to benefit from it. There is an equally strong case for shoring up the friends of democracy and freedom in Indonesia, the world's largest Muslim country, and so sending a signal of hope to democratic forces in the rest of the Islamic world. ♦

Black Hawks Back to Somalia?

The Special Forces should fare a lot better this time. **BY CHRISTIAN LOWE**

Is Somalia next? Reports from the region suggest U.S. Special Forces teams have been in the Somali countryside scouting possible al Qaeda sanctuaries and drumming up local support. Yet the mere suggestion our troops could go back into that wasp's nest provokes anxiety.

Some of the U.S. military's most seasoned and best trained troops took a beating in Mogadishu during the U.N. famine-relief mission in 1993. Images of dead Americans dragged through the streets by drug-crazed Somali bandits will forever color thoughts of our military's involvement in that lawless land.

But the military—and their civilian leaders—appear to have learned the lessons of those failures and translated them into operational doctrine. American forces toppled the Taliban regime and ferreted al Qaeda operatives out of their supposedly impenetrable caves, with only a few friendly fire casualties, in less than three months.

Contrast that with the 18 elite Rangers and Delta Force commandos killed and 84 wounded in just 17 hours of furious fighting in the crowded streets of Mogadishu. These forces had no effective air support, and help on the ground arrived too late.

Those fighting the Afghan war have benefited from the work of a small cadre of military thinkers who vowed that the mistakes leading to the carnage in Mogadishu would never be repeated. Researchers at the services' war colleges, notably Kenneth Allard of the National Defense University, have minutely analyzed the Somalia operation. At least as important, virtually everyone involved in military planning has read and taken to heart the book about the tragic events in Somalia by *Philadelphia Inquirer* investigative reporter Mark Bowden, *Black Hawk Down*.

For the last eight years, special operations forces and strategists in the Pentagon and elsewhere—notably Maj. Gen. David Deptula and retired Marine Corps Maj. Gen. Paul Van Riper—have been pushing the services to change the way they train for and fight wars. They call the murky conflicts of the future 4th Generation Warfare. September 11 worked like a slap in the face to concentrate all military minds on the new realities. The war in Afghanistan makes plain that 4th Generation Warfare thinking has begun to take hold.

In the new type of war, precision ground forces develop the intelligence needed to paint an accurate picture of who and where the enemy is and how to ferret him out. These forces need support, on the ground and from the air, when they get into trouble. More important, Allard suggests, the commandos must be free to decide how best to accomplish the mission and not have it decided for them by the brass. Information needs to go directly to those who are hitting enemy forces.

Fourth-generation adversaries often strike in unexpected ways, and it's best to counter them from unexpected directions and to think preemptively. As one Defense Department strategist suggests, you don't take a sledgehammer to knock down a chair, you knock

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AP / Wide World Photos

U.S. Special Forces at the Mazar-i-Sharif airport (left) and shopping for water and supplies in Kandahar (right).

out one of its legs and render it useless. In Pentagon circles, this oblique approach is called Effects-Based Operations, and the Afghanistan war demonstrates its possibilities.

From the moment the war began, precision ground forces such as Army Green Berets, British Special Air Service troopers, Navy SEALs, Rangers, and Delta Force commandos—and even covert CIA operatives—were employed to strike at the heart of al Qaeda and the Taliban. Rather than using a sledgehammer to take the enemy down, these operators acquired intelligence and fostered working relationships with anti-Taliban fighters to help do their work.

Well trained, aggressive, and resourceful, Special Forces operate best when given leeway to get a job done on their own terms. This, coupled with massive and precise bombing, explains why there have been so few U.S. casualties—or Afghan anti-Taliban casualties—in this fast-paced war. But the commandos did, on occasion, need to call in air support to pound them out of a pinch.

In Somalia, the commandos begged for the fearsome AC-130 Spectre gunship to help get them out of intense firefights in downtown Mogadishu. But a nervous Clinton defense secretary, Les Aspin, never made the gunship available. With its precise and overwhelming firepower and hours-long loitering time, the Spectre is a ferocious weapon. It's also a symbolic weapon that Clinton officials thought would "escalate" the Somali conflict more than was comfortable, so they pulled that punch and let the commandos fend for themselves.

Now that's changed. In Afghanistan, Spectres regularly strafed enemy forces and swept the ground ahead of Special Forces' escape routes. And when our forces slip back into Somalia to finish off al Qaeda cells and camps, gunships will be covering their backs.

Perhaps the biggest change since the Somalia operation is a better understanding of the still-evolving concept of Effects-Based Operations. In Afghanistan this concept is best illustrated by the continuous bombing of entrenched al Qaeda and Taliban forces. It wasn't the destruction of the forces themselves that was the goal, it was their defeat—a telling distinction. The bombing rattled the enemy to such an extent that they gave up without much of a fight. Remember the predictions that a bloodbath would ensue when anti-Taliban forces entered Kunduz? It never happened, yet the enemy was defeated. And the cave to cave fight to knock al Qaeda out of Tora Bora? Nope. The terrorists were defeated without a bloody assault on the ragged mountain stronghold.

The battle in Mogadishu nine years ago is considered by the ill-informed to have been a defeat of mighty America. Not since Vietnam had the United States lost so many in such a short engagement. But troops who were involved in the fight know better. They know that for every American killed, more than 30 Somali guerrillas perished. They also know that Mogadishu taught Pentagon thinkers powerful lessons. It showed us the future of warfare, and what we learned we're now turning against our enemies. ♦

The War on the Police

. . . and how it harms the war on terrorism.

By Heather Mac Donald

I've been amusing myself recently with the following experiment: I call up the most strident anti-police activists of recent years, people like Georgetown law professor David Cole, who argues that every aspect of the criminal justice system is racist. I ask these police critics the following question: Suppose that in the wake of September 11, the FBI decides to check out recent graduates of American flight schools to see who else may be plotting to use airplanes as weapons. Which students, I ask, should the FBI investigate—all of the would-be pilots, or a subset of them?

Without exception, I get the following answer: "The FBI should investigate everyone."

"Everyone?" I respond, "that's a big number. You'd be stretching the resources of the FBI dangerously thin. Wouldn't you look," I ask, "at a student from Saudi Arabia more closely than you would at someone from Kentucky?"

Nope, comes the reply. The FBI has to investigate everyone equally to avoid racism. A civil liberties law professor from St. Louis University even insisted: "I'm sure the FBI has the resources to investigate everybody."

Now I have drawn the following conclusions from my experiment: First, these self-described policing experts know absolutely nothing about police work. Any police investigation has to use known facts to narrow the scope of the inquiry, since manpower is finite. In this case, the FBI would be nuts *not* to use the nationalities and religious identities of the 19 hijackers to search for their co-conspirators among flight school alumni, since the hijackers themselves define their mission in religious terms.

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Yet despite their obvious ignorance, the police critics in my canvass and others like them have controlled the public discourse about law enforcement for the last half-decade, creating a public relations and policy nightmare for cops.

I also conclude from my experiment that if these professional police-bashers exert the same influence over counterterrorism as they have over domestic policing, we're all in trouble. Indeed, we may have missed an opportunity to avoid the terror of September 11 because of their baneful effects.

It seems worth exploring, then, the premises of the anti-police crusade and its implications for fighting terrorism.

Since the 1960s, anti-cop sentiment has been a fixture of elite American culture. Never did it reach the prominence, however, that has been achieved by the anti-racial profiling movement of the late 1990s. That movement is the most powerful assault on policing in decades, spawning fatuous presidential pronouncements and a spate of ill-conceived bills in Congress, the states, and localities. Nearly every week, police officers from across the country traipse off at taxpayer expense to sundry racial profiling conferences (I've been to a few myself) to hear how racist they are.

All this has been achieved without a shred of credible evidence that so-called racial profiling is a widespread police practice.

The anti-profiling juggernaut is based on a patent fiction: that all racial and ethnic groups commit crime at the same rate. Oh c'mon, you say. No one believes that anymore. Well, listen to New Jersey senator Robert Torricelli, who asserted in a Senate hearing in March 2000 (and you're going to have to use creative language skills to understand him): "Statistically it cannot bear evidence to those who suggest that certain ethnic or racial groups disproportionately commit crimes. They do not."

Such willful blindness lies at the heart of the racial profiling crusade. The debate around racial profiling is

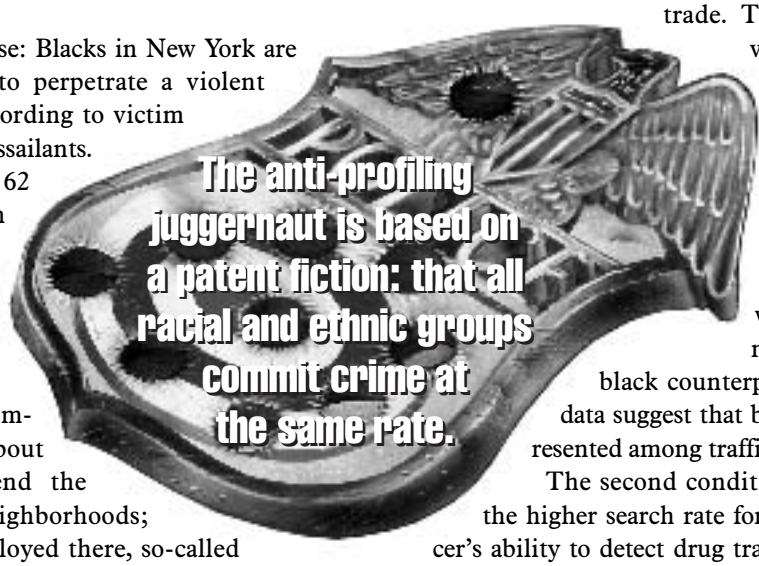
ultimately a debate about how to interpret numbers—specifically, the high stop and arrest rates of minorities. The people screaming about racial profiling hope to persuade the public that if the police stop and arrest proportionally more blacks than whites, for example, it's because officers are racist.

But there's obviously another possible explanation: Blacks are stopped and arrested more than whites because they commit more crimes; so-called racial profiling has nothing to do with it.

To see how this debate plays out in practice, let's look at a statistic beloved of anti-police activists in New York. Blacks are 25 percent of New York City's population, but are the subject of 50 percent of the stop-and-frisks conducted by the New York Police Department.

Now this statistic provides clear evidence of police bias, as the activists claim, only if all groups commit crimes at equal rates.

But the facts are these: Blacks in New York are 13 times more likely to perpetrate a violent assault than whites, according to victim identifications of their assailants. Blacks commit about 62 percent of the assaults in New York City, so they are actually being frisked less than what their level of crime would predict.



Crime data and community complaints about crime, not racism, send the police to minority neighborhoods; once the police are deployed there, so-called racial profiling would be useless, because most people on the street are of the same race. Instead, the police look at suspicious behavior and location—a known drug corner, say—in determining whom to stop. This is just good police work.

The arguments in the drug arena are just as specious. In April 1999, then-New Jersey governor Christine Todd Whitman famously accused the New Jersey state troopers of racial profiling on the highways. The value of this accusation to the racial profiling juggernaut cannot be overestimated. Only problem was, Whitman's allegation was based on junk science.

According to the state's data, black drivers constitute 53 percent of consensual drug searches conducted on the New Jersey turnpike, but only about 13 percent of the turnpike population. Again, this looks like racial profiling *if* whites and blacks transport drugs at equal rates. But if blacks are more likely to engage in drug trafficking than whites, *and* if troopers can recognize the non-racial signs of a drug courier once they have pulled over a car, then a higher search rate for blacks merely reflects good law enforcement, and likely has nothing to do with race.

The Whitman study was silent on the question of what the actual incidence of drug trafficking is among different racial groups, so its conclusion that the police are searching "too many" blacks is worthless.

Is there evidence that minorities dominate the retail drug trade in this country? Absolutely. Police investigations and the resulting arrests consistently reveal minority control of local drug markets. Critics dismiss drug arrest data as a function of officer racism. But homicide data, which no one has yet had the gall to attribute to police bias, also demonstrate racial imbalance in the drug trade. The proportion of black victims and killers in drug turf- war homicides—about 65 percent—actually exceeds the proportion of drug offenders in state prisons who are black—about 60 percent. Unless white dealers are notably more pacifistic than their black counterparts, the drug homicide data suggest that blacks *are* in fact overrepresented among traffickers.

The second condition necessary to explain the higher search rate for black drivers is an officer's ability to detect drug trafficking from behavioral cues, regardless of race. And indeed, once the police have pulled over a car, they have plenty of color-blind ways to spot a drug vehicle.

* Do the driver and passengers know each others' names, for example, or agree on their destination, origin, or reason for travel? Drug couriers almost never do.

* Is the driver nervous?

* Does his amount of luggage match his itinerary?

* Are there signs that the compartments of the car have been turned into drug and gun chambers?

The fact that the hit rates for finding contraband have tended to be equal on black and white drivers suggests that the police are using the same set of cues to search members of each group. If those cues correlate with black drivers more often than white, we shouldn't blame the police. Yet that is precisely what the anti-racial profiling crusade does, in an attempt to deflect attention from the overwhelming problem of minority crime.

To sum up, the first tenet of recent anti-police discourse is the false notion that crime commission is spread evenly across society.

The second is hyperbole. After the Rodney King beating, activists strove mightily to make police brutality a national issue. They ran up against a hard fact: Real police brutality—the conscious use of excessive force—is thankfully a rare, rare occurrence these days.

No problem; the anti-police crowd merely redefined the term to encompass anything they don't like. Thus, for the last several years, the press has routinely conflated stop-and-frisks and alleged racial profiling with brutality. Even asking questions of civilians in minority neighborhoods has been presented as a form of police abuse. The entire gamut of activist organizations has jumped on the bandwagon; Amnesty International preposterously denounced the United States in 1999 for police brutality, a cause it elevated over human rights abuses in China.

The result of this campaign against the police has been officer demoralization and unnecessarily strained police-community relations in minority neighborhoods. In those cities where the anti-police rhetoric has been particularly virulent, such as Cincinnati or Los Angeles, the cops have pulled back from discretionary activity, like getting guns off the street.

Crime has shot through the roof.

Unfortunately, it's not the American Civil Liberties Union that pays for police demoralization, it's the minority victims of crime. As I've discovered, in poor neighborhoods, law-abiding minority citizens are legion who see criminals, not the police, as the biggest threat in their lives, and who support law enforcement with all their hearts. The mainstream press, however, never seems to find them. Too busy running after Al Sharpton or Kweisi Mfume, I guess, for another incendiary quote.

Now the fictions and exaggerations of contemporary police-bashing, including the assault on racial profiling, would be bad enough if they resulted only in more domestic lawlessness. But I fear that they have also left us vulnerable to terrorist attacks.

In 1996, Vice President Al Gore chaired a commission on aviation security to strengthen airline defenses against terrorism. When word leaked out that the commission was considering a profiling system that would take into account an air passenger's national origin and ethnicity, among other factors, in assessing the security risk he posed, the anti-law enforcement, as well as the Arab, lobby went ballistic. The counsel for the ACLU fired off an op-ed to the *Washington Post* complaining that "profiles select people who fit the stereotype of a terrorist. They frequently discriminate on the basis of race, religion or national origin."

Now when the author invoked the terms "stereotype" and "discriminate," the reader was supposed to shriek in revulsion and march on the FAA in protest. But can we turn off our exquisitely honed racism radar for a moment and consider the question of terrorist profiles with cold reason? The ACLU's counsel complains that "profiles select people who fit the stereotype of a terrorist." But a stereotype in this case is nothing more than a compilation of facts about who has attacked American interests in the past and who, given what we know about the networks that promote anti-American terrorism, is most likely to do so in the future. It is al Qaeda and its brethren that have defined themselves by religion and regional interest, not American law enforcement.

Islamic anti-American terrorism is *ipso facto* perpetrated by Islamists to avenge American imperialism in the Middle East. If we concentrate our investigation on Middle Eastern Muslims, we are not playing the odds, we are following the terrorists' own self-definition.

Such hard truths about the terrorist threat, however, violate the central precept of our modern discourse about crime and law enforcement: that all groups commit crime, or, in this case, terrorism, at equal rates. So the Gore commission dutifully abjured the inclusion of national origin, religion, ethnicity, and even gender in its recommended passenger profiling system. The result, the Computer-Assisted Passenger Profiling System, or CAPPS, now in use in U.S. airports, omits precisely those criteria that are the major predictors of a predisposition to anti-American terrorism. Instead, CAPPS looks only at such behaviors as cash payments for tickets, and one-way trips, behaviors which terrorists can easily change.

And the anti-law enforcement ethos of the time further emasculated the terrorist-fighting potential of CAPPS. Because questioning or searching someone is now seen as akin to brutality—even, apparently, when performed by private security guards—the CAPPS system was used until September 11 only to secretly screen checked luggage; the owner of that luggage could not himself be searched, for that would be discriminatory.

Had a fully rational profiling system been put into place instead of CAPPS, one that takes advantage of everything we know about anti-American terrorism, there is a chance that the September 11 plot would have been foiled. As it was, two of the September 11 terrorists were flagged that day, presumably because of their travel itineraries and method of payment, but, consistent with the rules of the system, only their checked luggage was scrutinized. Had they themselves been searched, security officials might have wondered why two Arab men already

under suspicion were carrying box-cutters, and looked further.

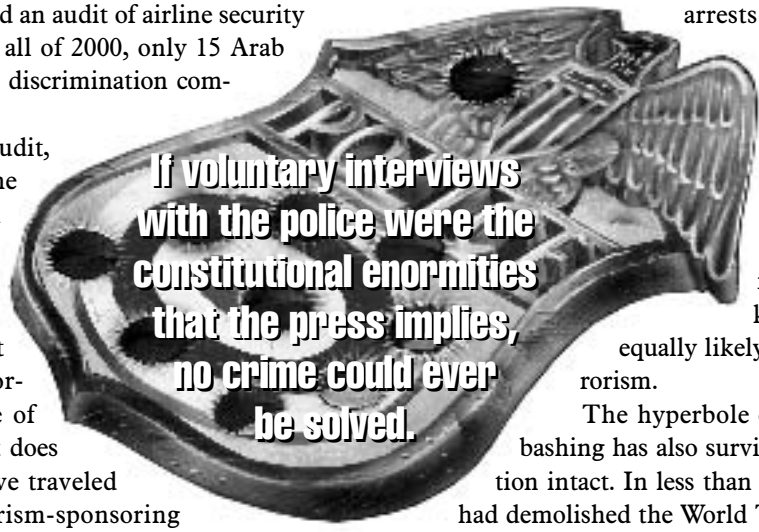
After the implementation of CAPPS, as the hijackers were learning to fly and casing their targets, the promoters of the equal crime and terrorism fiction busily kept up the pressure. Hussein Ibish of the American-Arab Anti-Discrimination Committee fumed in early 2000 that Americans were really hung up on this silly notion of Islamic terrorism. "Shadowy Arabs and Middle East terrorism fit into the mind of the media," he sneered. Of course an Algerian had just been caught with explosives to blow up the Los Angeles International Airport for the millennium, and Jordan had foiled other millennial plots against American interests in the Middle East. But we can't notice those facts, since doing so would contribute to stereotypes.

Islamic advocacy groups also incessantly complained about airport searches. The Department of Transportation penitentially ordered an audit of airline security checks, even though in all of 2000, only 15 Arab Americans actually filed discrimination complaints.

The results of that audit, performed last June at the Detroit Airport, remain a secret. It's not hard to guess why.

Let's assume that the audit shows that CAPPS still disproportionately selects people of Arabic ancestry, since it does flag passengers who have traveled frequently to terrorism-sponsoring states. Under the logic of the equal crime and terrorism fiction, the FAA would have to discard the travel criterion, since it is unacceptable that any group be shown to have a greater likelihood of terrorist associations than any other group. Before September 11, it is quite conceivable that the FAA would indeed have monkeyed with its passenger screening system until it created something that flags all groups equally.

Doing so, of course, would mean purging CAPPS of any remaining factors that actually do predict terrorism. No big deal—police and fire departments have long been forced by the federal government to discard any job qualifications that conflict with the goal of proportional racial representation in hiring. Thus, if black police applicants don't score as well as whites on cognitive tests, the answer is to race-norm the tests or get rid of them entirely. The University of California is about to discard the SAT for the same reason.



But after September 11, the FAA may be a little less willing to sacrifice safety for political correctness, so it is simply keeping the audit under wraps. On the other hand, even Dan Quayle was subjected to a full bag search recently at Ronald Reagan Washington National Airport, as a potential terrorist.

If indeed the FAA is having second thoughts about the imperatives of the anti-law-enforcement agenda, the primary keepers of that agenda have been totally unfazed by September 11. No sooner did the FBI begin investigating the attacks than the cries over racial profiling began, enthusiastically amplified by the mainstream media.

On September 21, the *New York Times* quoted unnamed civil liberties lawyers complaining that "there are signs of profiling in the pattern of arrests so far." In other words, only racism explains those arrests. Absent FBI bias, imply the *Times*'s sources, terrorist suspects would come in a rainbow of religions, nationalities, and ethnicities, because, as we all know, all groups are equally likely to commit crime or terrorism.

The hyperbole of contemporary police-bashing has also survived the terrorist destruction intact. In less than 24 hours after the planes had demolished the World Trade Center, newspapers and TV stations across the country started comparing America's likely response to the attack to the mass internment of Japanese Americans in World War II.

I asked University of Toledo law professor David Harris, easily the loudest voice in the anti-racial profiling crusade, whether the New York police could rationally choose to focus their terrorism intelligence-gathering on mosques in Brooklyn or Catholic churches in Bensonhurst. "Why would I want to speculate on that?" he shot back, ducking the question. I asked discrimination law professor Melissa Cole if there's an equal chance of a Scandinavian and Arab Islamic cell member. "I don't see why not," she said brightly.

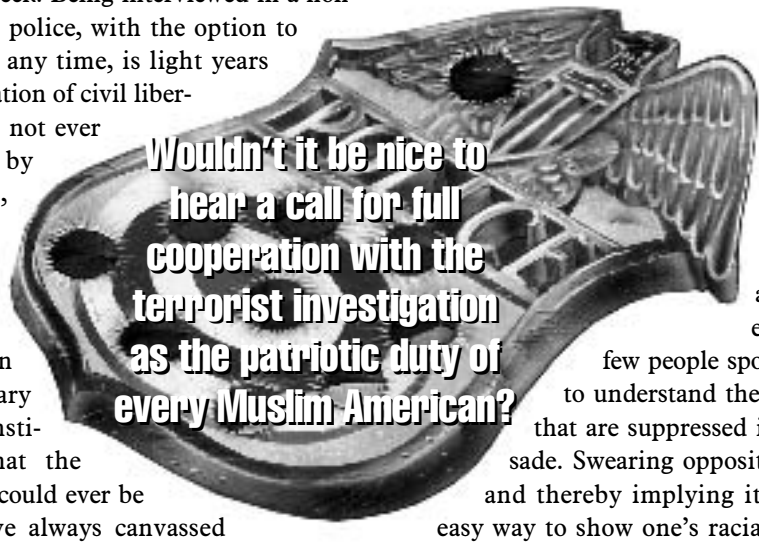
One of my favorite headlines came on September 24, in the *New York Times*: "War on Terrorism Stirs Memories of Internment." This, at a time when the government had detained 75 immigrants, or .001 percent of the Arab population in the country. The cumulative total of detainees

is now a little over one thousand, or .03 percent of the Arab-American population. A "vast dragnet," screams the *New York Times*. I think it unlikely that we will be reading about mass deportations any time soon, however.

The fury over the detention of suspects was nearly eclipsed, however, by the uproar over Attorney General John Ashcroft's plan to interview 5,000 young males who arrived from terrorism-sponsoring states over the last two years. That's .1 percent of the Arab-American population.

A "dragnet approach that is likely to magnify concerns of racial and ethnic profiling," brays the ACLU. Not a day passes when the media do not righteously report the indignation and supposed panic that this plan has stirred in the Muslim community. The chair of the Islamic Mission of America denounced it as "encroaching on my civil liberties." Hussein Ibish compares it to McCarthyism—always a crowd-pleasing analogy with the left.

Time for a reality check. Being interviewed in a non-custodial setting by the police, with the option to cut off the interview at any time, is light years from constituting a violation of civil liberties. No one has a right not ever to be asked a question by the police. (Of course, the immigrants whom Ashcroft wants to talk to are not even American citizens, but we'll leave that objection aside.) If such voluntary interviews were the constitutional enormities that the press implies, no crime could ever be solved. The police have always canvassed local communities for leads after serious felonies. Now, however, the anti-law-enforcement lobby and Muslim advocates want to deny the FBI that basic law enforcement tool after the bloodiest crime ever committed on American soil. What would the ACLU and the Arab lobby have the government do—sit back and just hope that no one is planning another catastrophic attack?



Perhaps if the spokesmen for the Muslim and Arab communities had exhorted their people to come forward and help the government early on, the FBI would not need its canvass. But from September 11 forward, Arab-American and Muslim leaders have played victim politics, portraying the Arab-American community as the object of American bigotry rather than as a critical participant in the war on terror. They have done so by exploiting the twin pillars of contemporary anti-police rhetoric—the fiction that all groups commit crime at equal rates and the hyperbole that casts any action by the police as hostile and lawless.

It's not too late for the leaders to change their tune—wouldn't it be nice to hear a call for maximum cooperation with the terrorist investigation as the patriotic duty of every Muslim and Arab American? I wouldn't count on it, however. Victimology is too ingrained a habit in American culture today.

So far, Attorney General Ashcroft appears admirably indifferent to the hyperventilating anti-cop crowd as he plots his post-9/11 strategy. But don't assume that some corners of the government are not second-guessing themselves about potential political fallout. The Immigration and Naturalization Service, for example, has made no effort to track down Middle Eastern visa violators unless asked to do so by the FBI, for fear of the racial profiling charge, reports the *New York Times*.

There is a lesson to be drawn from our current predicament: Bad ideas have consequences. We let them fester at our own risk.

As the campaign against the police gathered steam in the 1990s, few people spoke up against it, or tried to understand the complexities of policing that are suppressed in the anti-profiling crusade. Swearing opposition to racial profiling—and thereby implying its existence—became an easy way to show one's racial good faith, even if the swearer had not the slightest idea whether cops really practiced it. Now a construct that was bogus from the start is intruding itself into a battle even more serious than the war on crime.

Before September 11, certain culture war disputes were beginning to seem routine and futile in their ritualistic repetition—I'm thinking of the battles over the multicultural curriculum, victim politics, and even women in the military. For every denunciation of academic trendiness, for example, colleges added three new courses in "America the Bad" or "Victims We Should Know." But it turns out there were real-world stakes in those battles after all. Thus, the hot new book on campus is *Empire*, whose co-author is an actual terrorist, serving a sentence for his involvement with Italy's Red Brigades. It turns out these curricular and cultural disputes are momentous and profound. You have to fight bad ideas, because you never know when they will turn into matters of life and death. ♦

How to Fight a Superpower

Al Qaeda as an NGO

By Tod Lindberg

President Bush has described the struggle against terrorism in which we are engaged as the first war of the twenty-first century. Presumably he means more by that designation than a nod to the calendar. He is also referring to a new kind of war. But what kind? Well, the novelty is that the United States finds itself at war for the first time against a non-governmental organization.

Such conflicts are not entirely without precedent. Governments have often fought guerrilla movements bent on their overthrow, for example. And history also offers examples of conflicts in which military force has been systematically deployed against non-state actors, for example in the suppression of piracy and the slave trade, or, more recently, in the "war" against drug trafficking. But still, the current war against terrorism is different.

First of all, Osama bin Laden's al Qaeda organization is not a guerrilla force bent on our overthrow. The United States has the power to force "regime change," as international relations scholars would say. The terrorists do not. Neither are they pirates, slavers, or narcotraffickers. All of the latter are or were pursuing merely private aims, namely, winning riches (and, one must add, getting their kicks). There is no sense in which the terrorists can be construed to be acting for private gain (though they and their sympathizers no doubt took private pleasure in the attacks). The motivation of pirates was not to threaten British interests by interfering with the right of free passage on the high seas. This threat was a byproduct of the plundering of booty. The purpose of the slavers wasn't to strike a blow at believers in newfangled rights of man. Again, the offense against human dignity, requiring an urgent response, was a byproduct of actions undertaken for entirely different reasons. The case of the narcotraffickers is analogous. In all three examples, the private character of the motives of the malefactors invites us to view them as criminals and the government actions against them as police work, even if conducted by military forces.

Some are inclined to view the terror attacks through this same prism of criminality. But this misconstrues the terrorists' motivation. Those who plan and perpetrate such attacks want to inflict harm on the United States for political reasons. They want us out of the Middle East. In their view, and they are surely correct, the best means of coercion they have at their disposal is the terror attack. Therefore, they attack with terror. And therefore, we respond to them as an external enemy, albeit one with agents on our soil—an enemy that is neither merely criminal nor, in any meaningful sense, revolutionary. We wage war, and the fact that our enemy is not necessarily or even mainly a particular state does not make what we are doing anything less than waging war. But it is a new kind of war—the first war against an NGO.

The 1990s saw the dramatic rise of the non-governmental organization, or NGO. The influence and prestige such organizations have come to enjoy across a whole range of issues is really quite remarkable. From the dashing and glamorous *Médecins sans Frontières* to the proliferating human rights watchdog groups worldwide, from the increasingly visible groups courageously delivering humanitarian assistance in conditions of absolute misery to the explosive growth of missionary Protestantism in Latin America, from the international profusion of "civil society" groups to the almost unstoppable ability of the major environmentalist groups to set the international terms of discussion in their area of interest, NGOs are on the march. The classic example is the case of Jody Williams, the woman from Vermont who, by means of the Internet, all but singlehandedly created a network of NGOs campaigning for a ban on land mines, for which she shared the Nobel Peace Prize in 1997.

Professors of government at elite campuses nationwide report that for students, at least before September 11, the keenest area of interest is not international rela-

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tions or comparative politics, but international NGOs and the "soft" security issues with which they have become associated: the environment and global warming, AIDS, globalization and its discontents. Conferences of NGOs can rival in size and attention meetings of the G-8 or the International Monetary Fund. Nowadays, it is quite common for the presence of NGOs to overwhelm the official national participants at world meetings of all kinds. Indeed, some have joked—and it's really not a joke—that the government of Canada has essentially turned itself over to NGOs. These organizations have achieved an unprecedented degree of respect and legitimacy internationally.

Why? Or rather, why now? Many have propounded theories on the subject, but the theories often suffer from the defect that those putting them forth are also cheerleaders for NGOs—as a new way for people to make their voices heard, as a new route to direct political participation, as a response to new challenges globally and locally, as a way to pressure nations to think beyond national interest, as the only institutions left with the hope of humanizing the global advance of capitalism, etc. No doubt this is all true to some degree. But there is another explanation for the rise of the NGOs that has the virtue of allowing us to see why al Qaeda and its terrorist brethren can properly be said to constitute the dark side of the NGO. It is no accident that NGOs and al Qaeda increased vastly in significance in the decade after the end of the Cold War. They are a logical response to a world that is essentially unipolar.

When the United States emerged as the "world's sole superpower" following the collapse of the Soviet Union, many theorists and commentators thought that American preeminence would be short-lived. A bipolar world characterized by superpower rivalry might be fairly stable, and a multipolar world based on balance-of-power politics could potentially be stable, but a unipolar world? Surely this was a recipe for strife, as other powers would rapidly join forces to balance the biggest power. While the end of the Cold War might have ushered in a "unipolar moment," it was apt to be little more than a moment.

It turns out that this analysis was wrong. The definitive essay on the subject, by William C. Wohlforth, appeared as the lead article in *International Security* in summer 1999. In it, he swept away decades of international relations clutter and established that a unipolar order was likely to be stable, durable, and peaceful in terms of relations among states. His analysis comports perfectly with the evidence of the past decade, and in this regard, September 11 changed nothing. Where the United States has taken an interest—which is not everywhere in the world and in everything going on—the United States has had decisive influence. Sometimes this has taken the form of military action (Iraq, Bosnia, Kosovo), sometimes of the extension of security guarantees (in Europe through an expanding NATO, in East Asia, in the Middle East), and sometimes, as in Central and Latin America, there has been a long commitment to intervene to keep foreign powers out. U.S. dominance extends well beyond the sphere of security; no other country has nearly the influence of the United States in writing rules for international conduct in areas from trade to the Internet to bank secrecy. And again, what is equally striking is that there is no area in which the United States takes *any* interest in which it does not also have dominant influence.

It seems difficult to the point of impossibility for the United States to act as if it were any less powerful than it is. To a degree, and especially in areas that have long been of only peripheral concern, the United States can forswear action. U.S. non-intervention in response to the horrendous slaughter of 800,000 Tutsis by Hutus in Rwanda in 1994 is one such example, as was the Clinton administration decision to abandon Somalia following an October 1993 gunfight in Mogadishu with local militia that left 18 American soldiers dead. The breakup of Yugoslavia teaches a related lesson. In the effort to stop the bloodshed and ethnic cleansing there, the United States at first tried to defer to the leadership of European governments. But it turned out that Europeans did not have the means to broker and enforce a peace, and this failure transformed what started as a crisis on the periphery of Europe into a full-blown European crisis. The United States finally took the lead, having learned that the failure to do so results not in others' taking the lead but in no leadership at all.

There was a time when other governments could effectively oppose and sometimes humiliate the United States. Most of these instances, from the Vietnam war to the "Brezhnev Doctrine," had a Cold War backdrop, in which the principal antagonist was not just the local adversary but also the Soviet Union (the taking of U.S. hostages by revolutionary Iran was an exception). But it is, in truth, no longer possible for other governments to plague the United States in this fashion, certainly not without the risk of overwhelming retaliation. One of the most striking details of the Somalia debacle, in Mark Bowden's brilliant telling in *Black Hawk Down*, was the near-certain expectation among Somalis that the United States would return in huge force to avenge the American dead. Our retreat came as quite a surprise to them.

What is true of security is also true in other areas, starting with diplomacy. The United States was once powerless to stop the United Nations General Assembly from passing a resolution equating Zionism with racism. In response to the nuclear threat, the United States found itself in protracted and bitter negotiations with the Soviet Union, the product of which were arms control agreements deemed by a significant segment of American opinion to be disadvantageous to the United States. Now, the United States is essentially at liberty to make drastic unilateral cuts in its nuclear arsenal while at the same time breaking out, with no more than pro forma Russian opposition, from the model of nuclear deterrence embodied in the Anti-Ballistic Missile Treaty.

The inability of other governments to effectively oppose the United States extends to the whole slew of international agreements on subjects ranging from land mines to chemical weapons to the establishment of an international criminal court to global warming. In all of these cases, the configuration is essentially the same: The United States stands alone against the governments of most (if not all) of the rest of the world. And the result is that the United States prevails, or at least is not imposed upon. Many have decried this as a case of uniquely bad American manners—an unwillingness as a matter of principle to work with other nations or to join world opinion. But the United States is not behaving doctrinally. It acts in accordance with the reality of its power. After all, matters that arise before the "international community" look different to its far-and-away most powerful member than they do to the array of lesser powers. A ban on land mines is controversial for a country with 35,000 troops stationed across the demilitarized zone from North Korea in a way that it simply is not for any other country, not one of which has a remotely comparable security agenda.

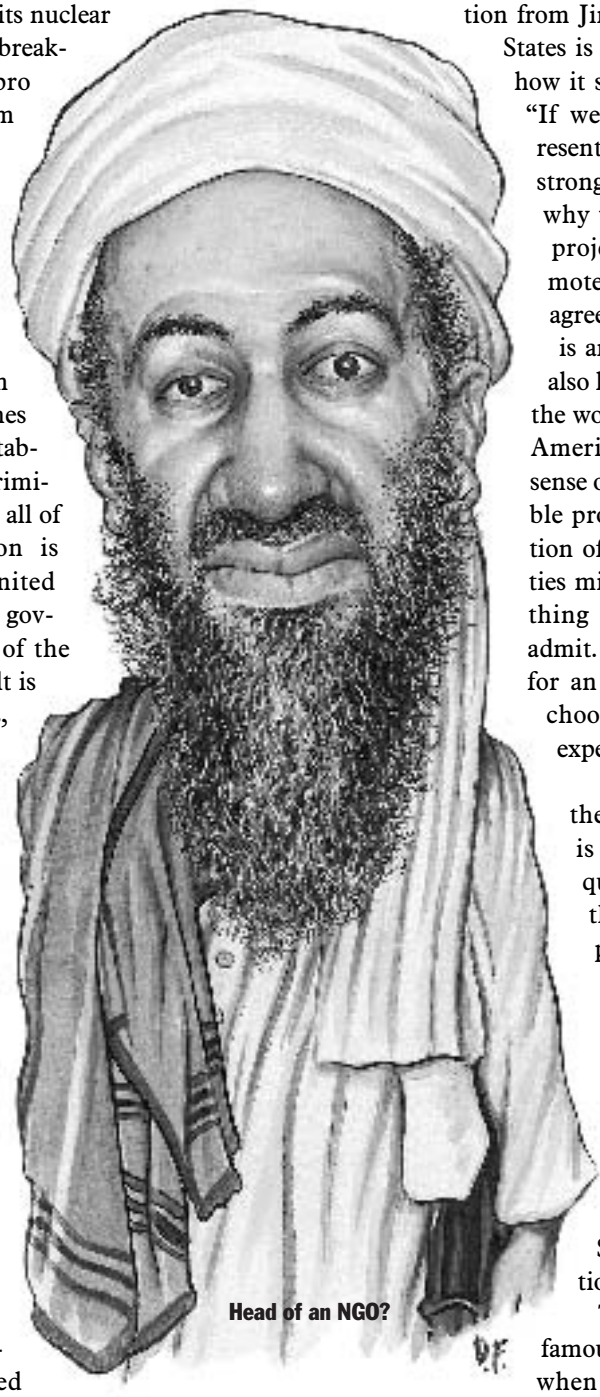

Illustration by Drew Friedman

Some call this arrogance. The French foreign minister, Hubert Védrine, has famously dubbed the United States the "hyperpower." This rankles Americans, who do not like to think of themselves as arrogant and resent it when others think of them in this way. Candidate Bush made this point with some insistence in one of his debates with Vice President Gore. In response to a question from Jim Lehrer about how the United States is perceived around the world and how it should conduct itself, Bush said, "If we're an arrogant nation, they'll resent us. If we're a humble nation, but strong, they'll welcome us. And that's why we've got to be humble and yet project strength in a way that promotes freedom." Gore, interestingly, agreed: "I think the idea of humility is an important one. But I think we also have to have a sense of mission in the world." This is the quintessentially American outlook: humility *and* a sense of mission in the world; the humble projection of strength and promotion of freedom. That these two qualities might not be reconcilable is something neither man was prepared to admit. Yet there is not much doubt that for an American president, forced to choose, it's the humility that's expendable.

Védrine is profoundly right. But the arrogance in question—if that is the word for it—is neither a quality of national character nor the cumulative result of discrete policy choices but a byproduct of *hyperpuissance*. In practical terms, its meaning is that in the areas in which the United States engages—and other countries have remarkably little influence on the United States in deciding what those areas will be—the United States meets no effective opposition from other governments.

True, the United States suffered a famous diplomatic blow in May 2001 when it was voted off the United

Nations Human Rights Commission. This was said to be comeuppance for, precisely, our international arrogance: Other nations rallied to teach the United States a lesson. But this interpretation of events exactly misses the point. The necessary condition for depriving the United States of a seat on the commission was that the voting was by secret ballot. The supposed comeuppance was administered by nations that, if they had to vote openly, would have been unwilling to oppose the United States. These governments could only act furtively—a further illustration of the difficulty in challenging U.S. power.

The profusion of international non-governmental organizations during the 1990s can therefore be seen as a quest for influence in a world overwhelmingly dominated by the government of the United States. The supporters and funders of this movement, besides their immediate policy goals, hope to establish the legitimacy of non-state international actors in their efforts to circumscribe or bypass national governments. Two conclusions follow. First, the structure of the system is such that national governments are inadequate vehicles for their ends. Second, insofar as the current system is one in which the United States dominates and intends to continue dominating, dissatisfaction with this system is willy-nilly dissatisfaction with the United States.

Now, to be sure, there are any number of NGOs operating in the world today that seek to advance some of the ideas with which the United States has long been associated, including democratic politics, market-based economics, religious pluralism and tolerance, and trade liberalization. It's striking, however, that such NGOs generally have as their object the reform of national policies, country by country—bringing particular nations more into line with the world order the United States has long been promoting. Their activism reflects a fundamental satisfaction with the status quo, including U.S. dominance, and seeks from other governments greater conformity to the norms of the status quo. NGOs of this sort, though they may operate in more than one nation, are largely national in focus. Note that there is, for example, no mass, international "pro-globalization" movement. As long as the U.S. government is pro-globalization, such a movement would be superfluous.

The truly international NGOs (INGOs, in the lingo) therefore tend to be arrayed against the status quo. Does it go too far to suggest that a structural characteristic of INGOs is opposition, in one form or another, to the continuing dominance of the United States? Perhaps it does go too far, in the way of other such quasi-Marxist analyses. But it does not go too far to say that INGOs have become the premier vehicle for opposition to the status quo—and not just for socialists. Also for the likes of Osama bin Laden.

In *International Civil Society*, an intelligent Marxist analysis (unburdened by cheerleading until its concluding pages) of how INGOs have influenced world affairs, Alejandro Colás defines a "social movement" as "a sustained and purposeful collective mobilization by a group of people in pursuit of socioeconomic and political change." Such movements, "[b]y espousing and propagating universal ideologies; by providing examples of how collective action can be meaningful across the globe; and, most importantly, by organizing internationally, . . . have for decades been extending the boundaries of political action beyond the territorial state. It is in this sense that international civil society becomes the relevant site of world politics." Just so. And it is clearly not just the relatively benevolent likes of the global environmental movement that meet these criteria. Nothing in Colás's descriptions excludes al Qaeda.

Colás is not taken in by the starry-eyed "progressive" presuppositions common among cheerleaders of the INGO movement—for example, that "global civil society is . . . representative of an otherwise marginalized 'global people's power' or a disenfranchised 'global citizenry.'" Notably, he points out that "many agents of international civil society are themselves thoroughly unaccountable and undemocratic."

I think Colás runs into trouble trying to subsume too many disparate social movements under the rubric of class struggle provoked by the global spread of capitalism. But he is not wrong to point to a common element of dissatisfaction. The INGOs, to put it politically, are dissatisfied with the U.S.-dominated status quo and determined to work around it in order to work against it.

But how successful in finding a way around the state system, ultimately, are the INGOs—and the DONGOs (donor-organized non-governmental organizations) and the BONGOs (business-organized NGOs) and the QUANGOs (quasi non-governmental organizations) and now, we may perhaps add, the TONGOs, the terrorist-organized non-governmental organizations? Is it really true that the state system is in decline as a result of a profusion of non-state actors and the vast increase in the influence they wield?

Consider the puzzlement in the early days after September 11 surrounding the very idea of striking back at the elusive al Qaeda. Some worried about how effective U.S. military power could ever be against a loose collection of terrorist cells operating across national bound-

aries—in this asymmetrical war, our TONGO enemy could strike at will, at any place or time, and all our conventional power, it was said, would be useless as the enemy faded into the surrounding mists. But if true, this line of reasoning has some interesting implications. For example, there is no doubt that in terms of sheer military power, the United States could topple any government (i.e., effect "regime change") in any country in the Middle East or Central Asia (though not necessarily with impunity; there could be grave consequences). Which is to say that if Osama bin Laden became the ruler of Saudi Arabia, for example, the United States could defeat him handily. But does that really mean that bin Laden is more dangerous and formidable operating on the run from caves in Tora Bora than he would be presiding in the state with the world's largest oil reserves? Would Saddam Hussein be an all the more implacable foe were he operating not out of innumerable palaces in Baghdad but as head of an international Baathist conspiracy? Of course not. This reasoning is simply wrong.

Thomas Friedman of the *New York Time*s has theorized about the replacement of superpowers by "super-empowered individuals," actors unconstrained by the limitations traditionally affecting states. Long before September 11, Osama bin Laden was one of his prime examples. And while there is no doubt that his contention has been amply confirmed by the events that day, the days since have demonstrated that the concept needs refinement. Bin Laden is an individual, but what "super-empowers" him is not his individual ambition or capability but the network, the TONGO, he created.

Moreover, it quickly became apparent that the workings of al Qaeda were intimately bound up with the actions of at least one state, the Taliban government in Afghanistan. It is still unclear whether it is more accurate to say that the Taliban had some control over al Qaeda or that al Qaeda in fact controlled the Taliban; what is undeniable is that the first objective of the U.S. war against the al Qaeda TONGO was toppling the Taliban government. President Bush has put other states on notice that harboring terrorists will bring similarly dire consequences. So it is unlikely to be a fluke of Afghanistan that the first U.S. war against a non-governmental organization should quickly turn into a war between states.

Once again, this is but the limit case of a general pattern. With regard to the immense influence of NGOs on the government of Canada, one must ask: Doesn't this tell us more about the government of Canada than about NGOs? The NGOs didn't muscle their way into Ottawa; they were invited. In accounting for the phenomenon, shouldn't one look first to the particular circumstances that might lead Canada to welcome their arrival and influence, rather than to supposedly immutable powers of incursion on the part of the NGOs? Canada has a number of special characteristics, one of which is complete physical security, thanks to the United States, and another of which (the flip-side of the coin) is concern about maintaining national identity next to its oversized neighbor. The former may serve as the grounds for a strategy to deal with the latter: If the United States is the preeminently arrogant power, Canada has nothing to lose by distinguishing itself as the world's most humble power. Inviting in NGOs and embracing multinational institutions are a means to this end.

Or consider the Kyoto agreement on global warming. NGOs were immensely influential in raising concerns about the effects of global warming in general and for that matter in helping to draft the treaty itself. But once the treaty was drafted, its fate was in the hands of states, and in particular, in the hands of the most powerful state, the one whose rejection of Kyoto effectively scuttles it. Revealingly, the most cutting denunciations of the Bush administration announcement that the United States would not seek to ratify Kyoto came not from NGOs but from European governments committed to the treaty. Indeed, the nation most enthusiastic about the new role of NGOs, as Christopher Caldwell has written in *Policy Review*, is France. But this is assuredly not a French passion to be like Canada. France has global ambitions of its own, and one means of pursuing them is by advancing the cause of NGOs—precisely as a bulwark against the hyperpower.

Revealingly, the most cutting critics of the Bush administration's scuttling of Kyoto were not NGOs but European governments.

Again, Colás is on point: "While international relations cannot be reduced to relations between states alone, very few actors in world politics operate without the mediation of the state." Or: "The experience of world conferences during the 1990s suggests that, to adapt a phrase, 'global civil society is what states make of it.'"

And in particular, global civil society is what the United States makes of it. This is because it is above all U.S. predominance to which the proliferation and the increasing salience of the NGOs is a response. Undeniably many of these non-state actors are benevolent. But undeniably, too, it's as NGOs that our adversaries will increasingly organize themselves and through which they will try to work. ♦

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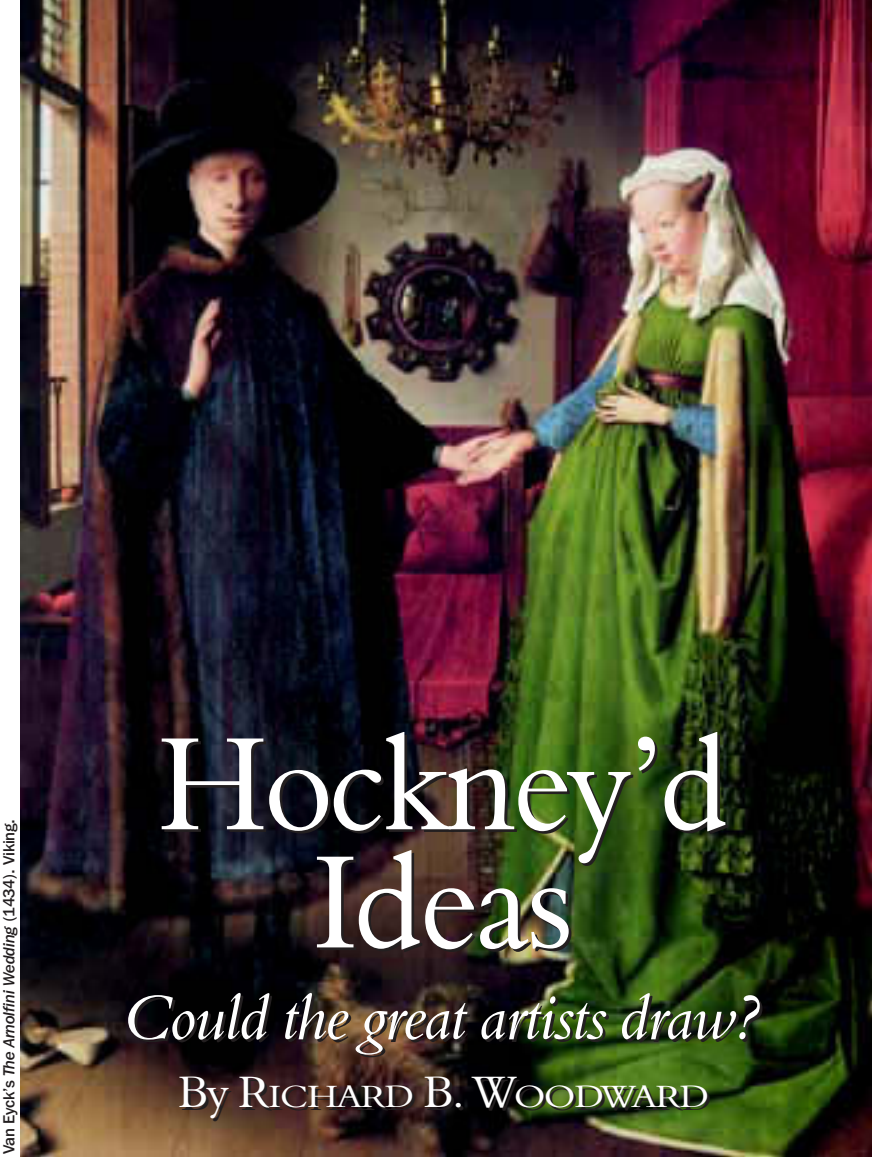

Van Eyck's *The Arnolfini Wedding* (1434). Viking.

Hockney'd Ideas

Could the great artists draw?

By Richard B. Woodward

When David Hockney shared his hunches about optics and art history with the *New Yorker* nearly two years ago —which reported them with some (but not enough) skepticism—did he imagine the uproar or the opportunities he would provoke?

In the wake of that *New Yorker* story announcing Hockney's thesis that the Old Masters painted with help from secret technology, there came a flood of offers to help develop his conspiracy theories. The BBC let him expound in a seventy-five-minute documentary. Hockney and his assistants prepared a coffee-table book tie-in, entitled *Secret Knowledge* (rights for which were shopped to American publishers at an asking price of $600,000), a package that Hockney has been promoting in recent months with interviews on radio, television, and in newspapers around the world.

Only cicerones of the order of Sir Kenneth Clarke, Robert Hughes, and Sister Wendy have commanded media exposure on this scale. Finally, this December—in a kind of apotheosis normally reserved for such monuments of art scholarship as Panofsky or Gombrich—a two-day symposium was organized in Hockney's honor at New York University's Institute of the Humanities. Convened to discuss his self-proclaimed discoveries were some of the most illustrious art historians: Svetlana Alpers, Rosalind Krauss, and Michael Fried. Joining them were Susan Sontag, painters Chuck Close and Philip Pearlstein, and the former director of the Getty Museum, John Walsh, among others.

Secret Knowledge
Rediscovering the Lost Techniques of the Old Masters
by David Hockney
Viking, 296 pp., $60

Serious people, serious money, serious respect. But maybe Hockney isn't surprised at what's happened. As an Englishman residing since the 1960s in Los Angeles, he must have observed that celebrities are often granted improbable liberties to advance pet causes, however outrageous; and that the media, with an insatiable hunger for controversy, are megaphones for all kinds of glamorous amateurs and nuts, provided they're sufficiently well-connected.

Hockney is not a nut. One of the few high-profile contemporary artists to describe for a general public how he looks at the work of other artists, he has an alert and curious mind. He enjoys thinking through the technical problems of making and seeing art. A 1990 documentary in which he analyzed a seventeenth-century Chinese scroll is marked by acute observations about a tradition far removed from his own.

Still, after looking at his book and the BBC film, and especially after attending the NYU conference where his slipshod arguments and naiveté were held up to the bright light of history and logic, I find it hard not to picture Hockney alongside those literary sleuths who periodically since the mid-nineteenth century have uncovered "proof" that Shakespeare didn't write Shakespeare's plays and poems.

Of course, it's not foolish to wonder about the anomalies that are sometimes visible in Western paintings. But Hockney shows all the signs of being a coddled celebrity whose every aperçu is treated reverently by those flattered to earn his attention. He seems to have no one strong or trusted enough who could sift his intriguing insights from his banalities, the thoughtful guesses from the harebrained. Proud to be a working artist rather than an art historian shuttered in a library, he suffers

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from an overwhelming belief in his own eye. As in his earlier books on photography, he seems oblivious to earlier scholarship. It would be thrilling to report that the plucky sixty-four-year-old autodidact has uncovered what the Ph.D'd professionals have for decades overlooked. But, about the Old Masters, it turns out Hockney is largely wrong.

As he writes in *Secret Knowledge*, Hockney began his journey at a London show of Ingres's drawings that left him "awestruck." The lines seemed so tiny and "uncannily 'accurate'" that he was sure, from his own experience, they could not have been "eyeballed," by which he means drawn freehand. (Sontag characterized this logic as: "Because I can't do it, they couldn't have done it.") More, the confidence of Ingres's hand reminded Hockney of an Andy Warhol drawing made from a projected photograph.

From this he decided Ingres must have used an early projection technique called *camera lucida* to draw portraits. Suddenly Hockney began to notice correspondences everywhere. A host of classic painters came under his suspicion for using lenses and mirrors to achieve their effects. His assistants photocopied works from the canon of art history textbooks and hung them on the wall of his studio, where Hockney eyeballed them to identify paintings with an "optical look."

Secret Knowledge bears the scars of this method. Hastily assembled for the market, it is divided into three unintegrated parts: a large group of famous paintings reproduced with a few paragraphs of commentary by Hockney; historical texts about optics through the centuries; and sixty-two pages of back-and-forth faxes between the artist and various art historians and scientists he hoped to enlist for his cause.

The case for the use of optical devices by the Old Masters begins with the observation that mirrors and lenses were widespread in Europe as early as the fourteenth century, with artists learning about the physics of light as Renaissance scholars translated the writings of ancient Greeks and medieval Arabs. Over the following centuries, many visual inventions—particularly *camera lucida* and *camera obscura*—applied this new science, both to improve observation and as devices of wonder, until 1839 when photography trumped them all with its chemically fixed illusions.

There is nothing controversial about any of this. Artists have never

tried to hide a familiarity with lenses or mirrors. Jan Van Eyck's *The Arnolfini Wedding* (1434) prominently features a convex mirror. Leonardo da Vinci investigated the science of optics in his notebooks. In the sixteenth century several Italian mannerists demonstrated their bravura technique by painting objects or figures reflected by mirrors, as in Parmigianino's *Self Portrait in a Convex Mirror* or Savoldo's *Portrait of a Man*. Several artists' manuals from the period diagram the *camera obscura*, a box with a hole that reflects the lighted scene in front of it up onto a plate for tracing.

But Hockney leaps from these facts to the claim that European painters could not have achieved their celebrated precision of detail, grace of line, or three-dimensional realism without these optical aids. Only the application of optical devices explains the new connectedness of space and figures that historians have long noted appeared in Florentine art around 1420. The development of single-point perspective and oil paint were, according to the Hockney theory, comparatively minor. Only the secret trick of lenses and mirrors accounts for the special skills of Rubens, Caravaggio, or Vermeer.

As several of the NYU panelists pointed out, there is no written proof for any of this. Leonardo's notebooks never mention a lens being used to project an image for drawing. Odd, that an artist so famously curious about technology, and without any of our Romantic qualms about applying it to art-making, would fail to cite such a device or the principles behind it. Odder still, that the legions of painters who copied his innovations and studied his techniques over the centuries never knew this secret either.

Hockney and his supporters hope to steer around the enormous lacunae in the historical record with various dodges. They claim that knowledge of image-projectors was either lost, or kept hidden as a kind of trade secret, or suppressed by everyone's favorite heavy, the Catholic Church. Hockney's explanations for why so much of the record is missing require a massive *X-Files* cover-up.

The problem only becomes worse when he analyzes Old Master paintings themselves. Hockney and his chief ally, Charles Falco, a professor of physics at the University of Arizona, believe that even if painters could never admit they relied on visual technology, one can nonetheless identify the telltale signs in what Hockney calls the "optical look." So, in Lorenzo Lotto's *Husband and Wife* (1543), Falco finds in an oriental carpet both a blur and a "correction" of perspective as the pat-

This page: Art Resource. Opposite page: Viking.

Above: Vermeer's Art of Painting *(1666).*
Opposite page: Ingres's drawing of Madame Godinot (1829).

tern recedes away from the viewer. This can only mean, he argues, that the painter refocused an optical device.

Puzzling as this detail is, it requires—as do other Falco examples—that the artist moved or "bumped" the lens for the evidence to fit. When Hockney tests his theories with his own hand, as when he tries to duplicate a Van Eyck and a Caravaggio in the BBC documentary using a lens fitted into a dark tent, the results are even less convincing. On location in Bruges, he singles out the chandelier in *The Arnolfini Wedding* as impossible to eyeball and proves this with a crude freehand rendition.

It's true that we see how clear the chandelier's outline becomes when projected onto canvas by a lens inside a dark tent. But Hockney never moves from this to show us how well he could paint a Van Eyck using this secret knowledge; Hockney can't draw it freehand and so would need to trace a projection, but how exactly does that demonstrate what Van Eyck did? Hockney's attempt to stage-manage a version of Caravaggio's *Card Players* is less dishonest but just as farcical. Painting with optics by candlelight doesn't look any easier than freehand.

This is perhaps the highest hurdle faced by Hockney. If he's right, then most of the masterpieces collected in his book were originally painted upside down and reversed. As David Stork of Stanford University noted, this is an extremely awkward way to view and paint something—and if so many Old Masters took up the technique for so long, wouldn't some restorer or curator have noticed the brush-strokes in Van Eyck and Caravaggio and Ingres going up instead of down? Indeed, as Richard Wollheim added, shouldn't the use of these optical devices be even more apparent in the work of third-raters than in, say, Rubens?

About the only good news Hockney received was from Samuel Edgerton of Williams College, who, forty years ago, conducted an experiment by drawing the Florentine Baptistry in perspective using a flat mirror. It's conceivable Brunelleschi had such help in 1425 when he astounded his contemporaries by performing a similar feat. Unaware of Edgerton's work, Hockney repeats the trick with a lens. Both examples offer tantalizing clues that, at least for large stationary objects in sunlight, a mirror or lens can aid the drawing of complex lines in perspective.

Part of the problem is that Hockney seems never to have decided exactly what "opticality" is. Is it the rich three-dimensionality or the finely traced lines that constitutes the "photographic look" in European art around 1420? We don't need optical devices to account for three-dimensionality; the new mathematics of perspective and chiaroscuro better explain the fifteenth-century breakthroughs, which is what writers since Vasari in 1568 have believed.

In fact, devices to help with tracing won't take an artist very far. Even the *camera obscura*, suspected for decades as being behind the blurs and tiny white circles in certain areas of Vermeer's canvases, would be impractical for constructing a large demonstration piece like *The Art of Painting*. Such technology, even if used in places, doesn't lead us to a deeper understanding of Vermeer's hand and art.

At the NYU symposium, Susan Sontag charged Hockney with being a spokesman for a "Warholization of art." That isn't entirely fair. Unlike Warhol, Hockney reveres the Old Masters and the art of painting. And his rejection of academic orthodoxies is brave. Hockney seems, at last, an innocent rather than a cynic.

Looking for any faint confirmation of the Hockney hypotheses, Charles Falco seized on recent headlines that Thomas Eakins in the 1870s and 1880s traced from photographs. The evidence is sound and newsworthy. For the first time, a nineteenth-century painter has been caught collaborating hand-in-glove with the insidious

machine. A paper by Nica Gunman, a conservator from the Philadelphia Museum of Art, suggested why Eakins kept this a secret: He had been extravagantly praised by a critic for a composition he knew was traced from a photograph; shame secured his silence.

But the Eakins evidence cuts both ways. Several of his celebrated early canvases, including *Max Schmitt in a Single Scull*, from 1871, were painted without a camera, as his many preparatory drawings prove. One could hardly ask for a more "optical" painting, and yet we know it was rigorously "eyeballed" with highly technical freehand sketches. Schooled in the Beaux-Arts tradition, Eakins didn't need a lens to draw with remarkable skill. Like Ingres and hundreds before him—and too few after—he didn't need smoke and mirrors. He was just another talented, well-trained, hard-working artist who knew how to draw. ♦

BCA

The Bourgeois Detective

Charlie Chan, conservative.

BY S.T. KARNICK

Critics have never cared much for Charlie Chan, but the portly Chinese-American detective has been a favorite for three-quarters of a century. Detective-Sergeant Charlie Chan of the Honolulu police became a globally recognized figure through the five novels Earl Derr Biggers published between 1925 and 1932. Numerous films featuring Chan quickly followed. He was featured in a radio series from 1932 to 1948 and a television series starring J. Carol Naish—to say nothing of a comic strip, a short-lived mystery magazine in the 1970s, and even an animated television series for children.

When Biggers conceived *The House Without a Key*, the first of his Chan stories, he wanted a new kind of investigator. Born in Ohio and educated at Harvard, Biggers had achieved success as the author of conventional romantic melodramas featuring a dollop of mystery, his most popular being the novel *Seven Keys to Baldpate* (1913), which George M. Cohan adapted into a popular Broadway play.

S.T. Karnick is editor-in-chief of American Outlook *magazine, published by the Hudson Institute.*

Biggers noticed that mystery writers had created Sherlock Holmesian "master detectives" of nearly every stripe—except one. "Sinister and wicked Chinese are old stuff," he remarked, referring to Sax Rohmer's Dr. Fu Manchu novels and countless imitations, all using Asians as stock villains. "But an amiable Chinese on the side of law and order had never been used." So Biggers simply reversed the stock characteristics, replacing villain with hero, evil with good, arrogance with humility, greed with generosity, power-lust with serenity, ostentation with modesty, and brutality with courtesy.

Biggers seems not to have realized how popular such a simple reversal of characterization would prove. In *The House Without a Key*, he does not even introduce Chan until more than a quarter of the book has passed, and even then the hero does not appear at all formidable: "He was very fat indeed, yet he walked with the light dainty step of a woman. His cheeks were as chubby as a baby's, his skin ivory tinted, his black hair close-cropped, his amber eyes slanting. As he passed . . . he bowed with a courtesy encountered all too rarely in a work-a-day world, then moved on."

Described by another character as the best detective on the Honolulu police force (which may not be intended as a particularly strong endorsement), Chan is first seen in action in a humble posture typical of his character in all the years since: "The huge Chinese man knelt, a grotesque figure, by a table. He rose laboriously as they entered. 'Find the knife, Charlie?' the captain asked. Chan shook his head. 'No knife are present in neighborhood of crime.'"

Biggers plays Chan against the Great Detective stereotype by introducing his hero with a failure, his inability to find the murder weapon. But Chan proceeds to solve a complex mystery of murder among wealthy transplanted Bostonians, and all the important facets of his character are present from the start.

In his first conversation, Chan offers one of his trademark aphorisms: "The fates are busy, and man may do much to assist." He is unassuming but intelligent, perceptive, and direct: "Humbly asking pardon to mention it. I detect in your eyes slight flame of hostility. Quench it, if you will be so kind." He is always polite: "Mere words can not express my unlimitable delight in meeting a representative of the ancient civilization of Boston."

In the novels, Chan tends not to dominate scenes in which he appears, and he is almost preternaturally calm and equable. No great physical specimen, Chan is a middle-aged family man. He speaks in a "high, sing-song voice," and, as befits a man whose first language is Chinese, his grasp of English is somewhat tenuous, though often rather poetic: "Story are now completely extracted like aching tooth."

Despite his travails with English syntax, Chan is not ignorant. He knows the islands and their inhabitants. Like Sherlock Holmes, he can tell the difference between tobaccos. Red clay on a car's accelerator pedal, a fresh bullet hole hidden behind a recently moved picture, a murdered parrot, a stolen antique pistol: "All the more honor for us," he says in *The Chinese Parrot*, "if we unravel [the mystery] from such puny clues."

All pictures: 20th Century Fox / Everett Collection.

Warner Oland as Chan in Charlie Chan in Paris *and* Charlie Chan in Egypt *(both 1935).*

Biggers's Charlie Chan novels are neither psychologically complex works nor models of literary style, but they are pleasant romances with a smattering of social criticism and a good deal of common sense. And Chan is an original and interesting character. But he is best known from his numerous film appearances. Pathé first brought him to the screen in 1925 in a serial of *The House Without a Key*, but it was only in the 1931 Fox film *Charlie Chan Carries On* that the real Chan emerged. The detective did not appear until near the end of the film, yet audiences responded very positively to Swedish-born Warner Oland's portrayal, especially the character's pithy aphorisms such as "Only a very brave mouse will make its nest in a cat's ear." (Oland, interestingly enough, had just finished portraying the evil Dr. Fu Manchu in three films for Paramount.)

Fox quickly purchased the rights to *The Black Camel*, the fourth Chan novel, moving the detective to the center of the story and teaming Oland's Chan with a sinister psychic played by Bela Lugosi in a story concerning the murder of a movie star. But it was not until several films later, in 1934, that the series really took off, when Fox assigned John Stone as associate producer and the studio ran out of Biggers novels to adapt. Stone came up with the idea of setting the stories in interesting locations around the world, beginning with *Charlie Chan in London* (1934), and he introduced comic relief in the form of Keye Luke as Number One Son, Lee Chan, in *Charlie Chan in Paris* (1935). Stone also strengthened the main character by reducing Chan's use of aphorisms (and giving him better ones to say), decreased the love-story element, and established the convention of Chan gathering the suspects near the end of the film for a reconstruction of the crime and identification of the killer.

The budgets were quite serviceable for a B picture series, with such supporting performers as Ray Milland and Boris Karloff. The investment paid off: Costing between $250,000 and $275,000, the films made more than a million dollars apiece. After Oland's death, in 1938, Fox assigned Sidney Toler to the role. Toler was not nearly as good an actor, and his Chan is not as placid and charming as his predecessor's. But Toler's character was more formidable: taller and more vocally expressive and physically agile than his predecessor. Toler also brought out more of Chan's humor, to good effect. To ensure the series didn't decline in popularity, Stone made sure to create especially suspenseful and unusual story lines. *Charlie Chan at Treasure Island* (1939) is in fact one of the best of the series, with Cesar Romero in an excellent performance as the Great Rhadini, a debunker of phony psychics.

Within three years, however, the series was in decline, in part because of a loss of inspiration after the grueling pace of three films per year, but also because of the wartime contraction of international markets. The series moved to the very-low-budget Monogram Studios, and when Toler died, in 1947, he was replaced by Roland Winters. The Monogram films are widely reviled by critics for their absurd plots and abundance of low humor, but they did well for such low-budget fare, and the series lasted until 1949.

In his best films, Charlie is an almost ideal human being: wise, calm, observant, humble, polite, patient, affectionate, and generous, but also, when necessary, crafty, devious, and merciless. He frequently uses subterfuge to trick the killer into revealing guilt, as in *Charlie Chan at the Circus*, where he sets up a fake operation on an injured circus performer to lure the murderer into trying to finish the job. Comedy helps the films avoid sappiness. Near the beginning of *Charlie Chan in Egypt*, we see the great detective awkwardly riding a donkey and unceremoniously falling off. In *Charlie Chan at the Wax Museum* (1940), Jimmy Chan, mistaking his father for a wax figure, kicks Charlie in the backside.

As befits a successful police detective, Chan is highly observant. When he walks into a bank in *Charlie Chan in Paris*, his eyes rove as if by long-ingrained habit, examining everything, and he even checks his watch against the bank's clock. "You've certainly got an eye for detail," says a man helping him, to which Chan sagely replies, "Grain of sand in eye can hide mountain." He is adept with the

Sidney Toler as Chan in Charlie Chan at the Wax Museum *(1940).*

use of technology, saying, "Good tools shorten labor," in *Charlie Chan at the Circus*, but he is not overly dependent on it. His detection techniques blend both ancient and modern ways of thinking, a major theme of one of the best of the films, *Charlie Chan in Egypt*.

Also of great value is Chan's remarkable patience. He always takes his time in following the evidence and deducing its meaning, while the other policemen and Charlie's well-meaning sons inevitably rush about trying to do everything too quickly, jumping to absurd conclusions. "Theory like mist on eyeglasses—obscures facts," he says in *Charlie Chan in Egypt*. In *Charlie Chan at the Wax Museum*, he says, "Suspicion is only toy of fools."

This composure clearly flows from the character's great humility. When a dignitary raises a toast to him in *Charlie Chan in London*, saying, "To the greatest detective in the world!" Chan demurs: "Not very good detective, just lucky old Chinaman." A British policeman repeatedly calls him Chang, but Chan seems to take no notice of it. Such selflessness affords him an extraordinary but undemonstrative courage. In *Charlie Chan at the Circus*, Lee says, "It's kind of creepy here in [the murder victim's] room," to which his father replies, "Then recommend you brush teeth, say prayers, and go to bed." After an attempt on his life, Chan tells Lee that they can go back to sleep: "Enemy who misses mark, like serpent, must coil to strike again."

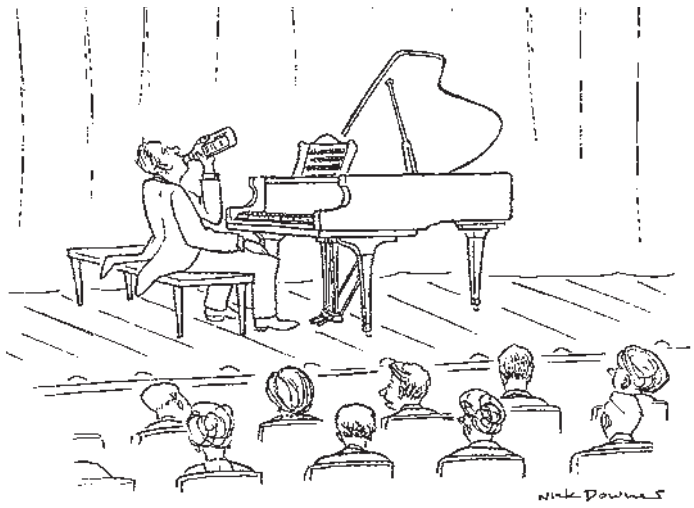
Chan's humility also makes him a model for the virtues of bourgeois conventionality and self-control. Short and plump, soft-spoken, always well-groomed but never ostentatious, Chan wears simple dark suits or plain white suits befitting his tropical home. Also highly conventional is Chan's attitude toward sexual morality. He is a loving family man, with eleven children in the first book and thirteen later—at a time when the American birthrate was dropping rapidly. He keeps photos of his children on his dresser when traveling. Moreover, those of his children who are not blundering about in trying to help him solve cases are quite well-behaved. In *Charlie Chan at the Circus*, they all come running when Lee blows a whistle, even though they'd obviously much rather watch the show.

The importance of Chan's personal life is explored in *Charlie Chan at the Olympics* (1937), when a gang of spies kidnaps Charlie's son Lee to force the detective to turn over a newly invented radio-controlled plane. Charlie is devastated, which Oland shows especially well through his dejected posture and body movements. (By this time, the actor's mind was seriously deteriorating because of alcoholism, but his tranquil mien made the character seem even more serene and charming.) The anxious parent does not overcome the great detective, and Charlie cleverly manages to retrieve his son without giving up the plane. "You're a fine officer," says an associate. "You went through with your duty even though it meant risking your son's life." Charlie calmly responds: "Better to lose life than to lose face."

In each Charlie Chan film, order and peace are disrupted by ambition. Chan, representative of all that is humble, decent, good-natured, and conventional, investigates the crime and discovers the perpetrators, who are almost always motivated by a desire for more good fortune than society and circumstance allow them to obtain morally and legitimately. Gamblers, spies, Nazis, saboteurs, thieves, forgers, embezzlers, grave robbers, occultists, smugglers, drug runners, jealous lovers, greedy relatives: These are the villains in the Chan stories, and they are victims of their own disdain for others. In Charlie Chan's world, people turn to crime not because of deprivation but because they see themselves as more deserving than others. Chan sees to it that these individuals are expelled and order is restored.

Hence, ironically for a man of Chinese descent, Chan not only works to strengthen the Western, Christian, bourgeois moral order but, perhaps equally important, he exemplifies it. The use of non-Chinese actors to play Chan has caused controversy in recent years, but the films' upholding of Western values may be the real reason multiculturalists so despise them. Actually, the films seldom take explicit notice of Chan's ethnicity, and in the few instances when someone other than Charlie himself does so, it is presented as very bad form. In *Charlie Chan at the Opera*, for example, the low-class Inspector Nelson (William Demarest) refers to Chan as "Chop Suey" and says, "No Chinese cop is gonna show me up!" In *Charlie Chan on Broadway*, the same policeman (now played by Harold Huber) suggests that a band play "Chinatown, My Chinatown" to greet Chan, but a nearby reporter says, "You'll have to excuse the Inspector's broken English—he's a Brooklyn immigrant."

Charlie Chan's new, real-life enemies among his multiculturalist critics represent forces similar to those he has always fought—people who despise the bourgeois social and moral order because they consider themselves better than the sheep who accept it. Given Chan's past history, however, the odds are strong that the great detective will triumph over them, too, and serve future generations as a figure at once entertaining and edifying. ♦



"His pieces all begin with an open fifth."

Tolkien, the Book

Rereading Lord of the Rings

BY J. BOTTUM

The endless talk about *The Lord of the Rings* almost—*almost*—convinces me to see the movie. We live in the highest age of moviemaking, and J.R.R. Tolkien was unfilmable in any convincing way before computer-aided techniques came along.

But then, we also live in the lowest age of moviemaking, for current cinema lacks the capacity to convey the things Tolkien was aiming at in his—well, in his what? Novel? Saga? Fantasy? No literary word describes it, for it is less a book than a *world*, a place to crawl inside for a while. Maybe it's true for all children, or maybe only for children of a certain unhappy stripe, but there are moments in the huge, unmanageable waves of childhood when one needs most of all to escape. Remember that old library ad campaign *Reading is FUNdamental*? This is the opposite. It isn't reading for fun; it is—as the desperate boy in *David Copperfield* calls it—"reading as if for life."

The thickness of its world is the main reason *The Lord of the Rings* succeeds. Tolkien, a Cambridge scholar of ancient northern languages, managed to stir the Icelandic sagas into his dwarves, the Norse legends into his elves, the Anglo-Saxon chronicles into his men, and 1920s children's fiction (especially *The Wind in the Willows*) into his hobbits—with the general idea coming mostly from William Morris and the pseudo-medievalism of the Victorian Pre-Raphaelites.

It's an absurd combination that ought to collapse of its own weight, as do most other entries in the fantasy genre *The Lord of the Rings* defined. But Tolkien *worked* at it, all through World War II, scribbling out a dozen volumes of material (all subsequently published) he intended only as background. Though he was close to C.S. Lewis, Tolkien disdained *The Chronicles of Narnia* for their sloppiness. The consistency of Tolkien's world is what lets the reader dwell within it.

As it happens, Tolkien's world is an enormously sad one—although that, too, has its attractions for children reading as if for life. From the hobbits' Shire to the elves' homes in Rivendell and Lórien, from the dwarves' halls in Moria to the lost kingdoms of men in Arnor and Númenor, the past is always better than the present. The book is full of words like *dwindle*. Powers have decayed, beauty has declined, and evening has come upon the world. Sauron's ring of evil is a device for change, and the three great elven rings that stand against it are tools only for preserving.

Still, Tolkien's characters know evil is evil, even in an age of decline, and they rouse themselves to fight against it. But their victory at the end of the book is sorrowful, with much lost in the midst of Sauron's defeat and the restoration of the old kingdom.

There was a certain class of Englishman—Tolkien's class, in fact—that went to war this way in 1939: with enormous courage, duty, *noblesse oblige*, and sorrow at the passing away forever of the old world.

In the foreword to a later edition of *The Lord of the Rings*, Tolkien raged against allegorical readings of his tale. And he's right that he didn't construct anything like the *Faerie Queene*, *Animal Farm*, or *The Lion, the Witch, and the Wardrobe*.

But in another sense, the book is nothing except an allegory for the passing away of England—all England, in every age. The dwarves inhabit medieval baronies, and they are under attack. Strider, the heir of the ancient royal house, walks in the age of the Restoration. The hobbit Frodo lives in 1830, and his pre-Victorian, coach-and-inn world is threatened. The elf queen Galadriel dwells in 1913, and her Edwardian land of strawberries and cream is soon to disappear forever. Denethor, the steward of Gondor, rules the British Empire in 1939 as it begins to slip away.

But though England as Middle Earth cannot be saved, humans—and hobbits, dwarves, ents, elves, wizards, and even the twilight's dwindling gods—have a duty to fight evil. And so they gather themselves and undertake their last, great heroic quest. That is the true worth of *The Lord of the Rings* for children: It takes them in fantasy out of the real world—and then returns them in duty back to it. ♦

J. Bottum is Books & Arts Editor of THE WEEKLY STANDARD.

Parody

New York Times* columnist Anthony Lewis has retired. After 50 years in journalism, he says he has learned that sometimes "human beings don't get along," which is "very disappointing." Lewis attributes the persistence of such conflict to "certainty," which is "the enemy of decency and humanity in people who are sure they are right, like Osama bin Laden and John Ashcroft." *—News item

U.S. Warplanes Hammer Downtown Washington; Ashcroft Remains Defiant

By ERIC SCHMITT

WASHINGTON, Dec. 9 — The war against certainty President George W. Bush vowed to wage three weeks ago reached a new level of intensity today as American aircraft carriers anchored in the Chesapeake Bay sent waves of Navy jets to bomb what military officials called "the Justice Department's spiritual capital," a two-block complex of buildings along Pennsylvania Avenue, this city's major thoroughfare.

At a subsequent Pentagon briefing, Rear Adm. John Stufflebeem reported that the planes had met minimal resistance and had struck all their intended targets. Stufflebeem said a preliminary assessment indicated that this latest raid had "seriously degraded the Justice Department's ability to make up its mind about stuff."

Complicating administration efforts to paint the air campaign as a success, however, was fresh evidence that Attorney General John Ashcroft, the Pentagon's ultimate target, remains very much alive—and firmly committed to the importance of firm commitments. CNN, a low-budget cable television network favored by enemies of the United States, broadcast a new interview with Ashcroft late this evening. In it, he proclaims that "man's capacity to achieve certainty through reason and moral reflection is a gift of God."

"I am sure that I am right about this," the grainy, amateurish videotape shows Ashcroft telling an admiring, red-vested visitor, identified only as a much-feared Washington mullah who fashions himself the "Prince of Darkness."

"Certainty" is the English language word for a militant doctrine glorifying the application of logic or other forms of intelligence to the solution of worldly problems. John Ashcroft's role as a ringleader in the certainty movement was first reported by former New York Times columnist Anthony Lewis in December 2001. After hesitating for several months, President Bush later acknowledged that certainty is "the enemy of decency and humanity," and expressed regret that he had failed to consider this fact when deciding whom to appoint to his cabinet.

> Rumsfeld calls the destruction of China's embassy an "unfortunate error."

Speaking off the record, White House aides admit that the longer Ashcroft remains at large, the more politically difficult their current strategy becomes. Sensitive to allegations that they are making war not just against the Ashcroft Justice Department but against Washingtonians generally, Pentagon planners had hoped to have their air campaign wrapped up early, before the region's mid-winter religious observances got underway.

That now seems unlikely. Weather forecasters say the Washington area will soon see its first light snowfall, a signal for one of the most sacred local rituals, in which tradition-minded men and women slow their automobiles to a crawl and gesticulate wildly from their driver's seats.

It is not clear what the Pentagon will do if snow arrives before Ashcroft's Justice Department loyalists are subdued.

The certainty movement's insistence on the importance of fixed principle continues to be regarded as blasphemy by certain native tribes—the criminal defense attorneys and corporate lobbyists who centuries ago conquered Washington's K Street corridor, for example. In public, most of the leading warlords in this "Northwest Alliance" say they continue to support the Bush administration's efforts to expel John Ashcroft and his ilk from their homeland.

But at least a few tribal chieftains are beginning to grumble that the Pentagon has little to show for its efforts to date. Collateral damage from errant ordnance is especially worrisome, one well-known warlord said today. "With all these bombs going off, it's almost impossible to catch a cab to the Palm," complained Jack Quinn, who, like many Washingtonians, goes by both a first and last name. "Does your president understand this?"

Some American analysts, especially on the political right, already call the air war a "failure," and say it is past time for the Pentagon to send in U.S. ground troops. "Face it," urges William Kris-

Continued on Page C4

the weekly Standard
DECEMBER 31, 2001 / JANUARY 7, 2002

Regulation Is the Biggest Pest of All

Henry I. Miller is a research fellow at the Hoover Institution and the author of *To America's Health: A Proposal to Reform the Food and Drug Administration.*

Agriculture in northern California, one of the region's major industries, is under threat from an insect called the glassy-winged sharpshooter. These leaf-hoppers carry Pierce's disease, a lethal bacterial infection of grapevines, citrus, and other plants, for which there is no cure. They have migrated from Mexico and are now causing millions of dollars in damage annually to California's vineyards.

But the worst is yet to come: the infestation currently threatens the San Joaquin Valley's 800,000 acres of table, raisin, and wine grapes, and involvement of the premier wine-making regions of Napa and Sonoma cannot be far off.

The meager weapons available to attack the sharpshooter include inspecting plants shipped from areas known to be infested by the insects and spraying chemical pesticides; scientists are also experimenting with a wasp that preys on the glassy-winged sharpshooter. In the long run, however, these methods will likely fail. As Dale Brown, president of the Napa Valley Grape Growers Association, acknowledges, **"genetic resistance is where we want to go." But this definitive solution has been made hugely expensive and impractical by regulatory obstacles erected by the Environmental Protection Agency (EPA).**

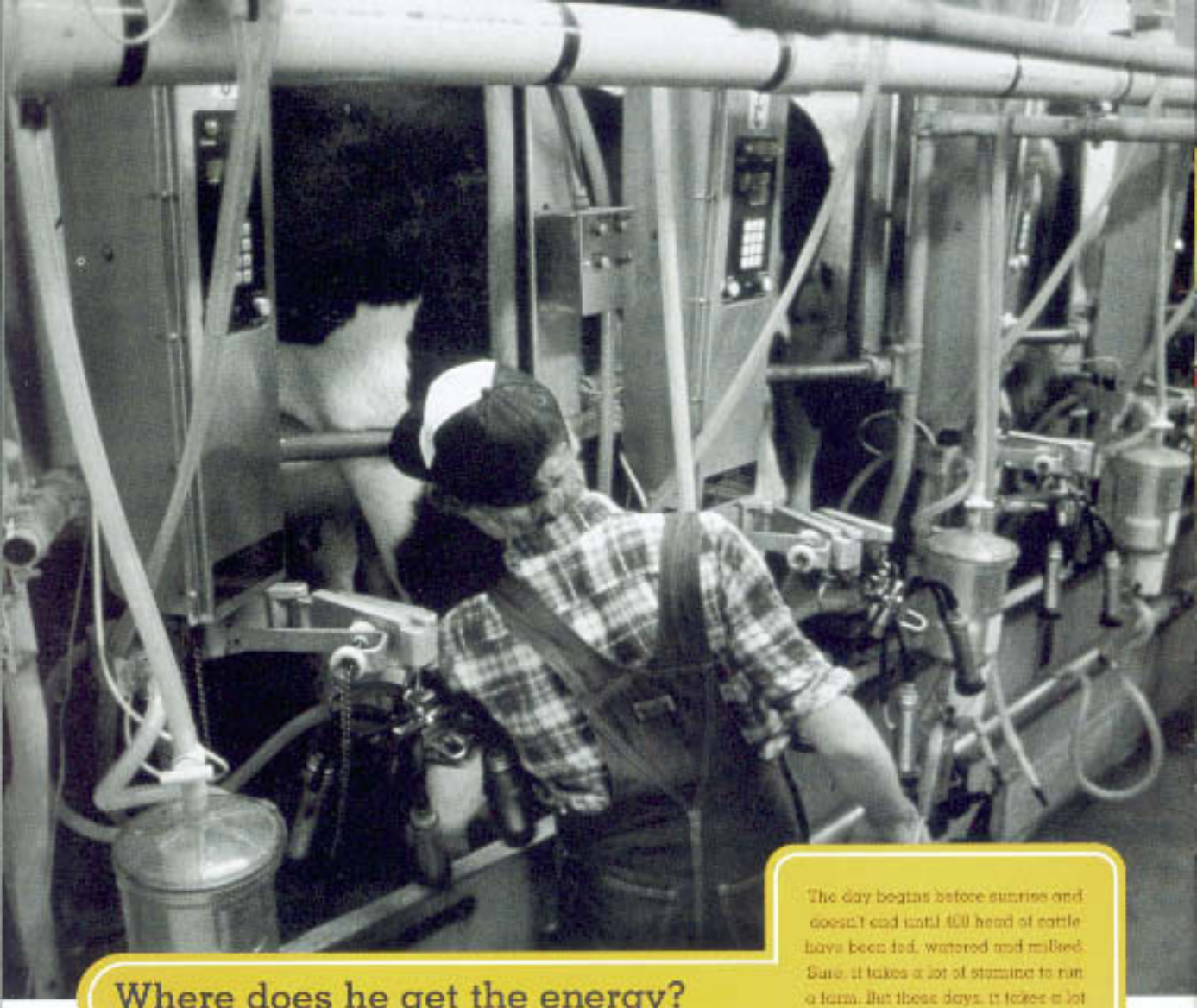
To introduce or enhance resistance to Pierce's disease in grapevines, one logical approach is to transfer genes that confer resistance into grapes from distantly related, noncommercial grapes that possess natural immunity. But conventional grape breeding is a notoriously slow process, and attempts to use more-sophisticated and efficient gene-splicing techniques have run afoul of EPA regulatory policies.

The EPA treats any plant that has been modified with gene-splicing techniques to enhance its pest or disease resistance as though it were a chemical pesticide. This policy flaunts the widespread scientific consensus that gene-splicing is more precise, circumscribed, and predictable than other techniques and that foods from the new, insect-resistant gene-spliced plant varieties have lower levels of contamination by toxic fungi and insect parts than those from conventional varieties. Thus, these gene-spliced varieties not only increase yields and make better use of existing farmland but are a potential boon to public health. Moreover, by reducing the need for spraying chemical pesticides on crops, they are environmentally and occupationally friendly. Yet the EPA holds gene-spliced plants to an extraordinary standard, even requiring hugely expensive testing as though they were pesticides. **These policies are, in effect, a punitive tax on a superior, and badly needed, technology.**

Dozens of major scientific societies have condemned the policy, warning that it will discourage the development of new pest-resistant crops, prolong and increase the use of synthetic chemical pesticides, increase the regulatory burden for developers of pest-resistant crops, expand federal and state bureaucracy, limit the use of biotechnology to larger developers who can pay the inflated regulatory costs, and handicap the United States in competition for international markets.

All these predictions have come true. California is already reaping what the EPA regulators have sown; they should now be held accountable.

— Henry I. Miller



Where does he get the energy?

The day begins before sunrise and doesn't end until 400 head of cattle have been fed, watered and milked. Sure, it takes a lot of stamina to run a farm. But these days, it takes a lot of electricity as well. Today's high tech farms use more power than ever, placing additional demands on our electricity supply. And there are even greater challenges ahead. But with government and community support, America's power companies can build the generation facilities and transmission lines our nation needs to operate. But today's farms have the energy to keep feeding America. Visit www.eei.org to learn how America's progress depends on power.

electricity
America's Power Source

EEI Edison Electric Institute
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