the weekly Standard

AUGUST 25, 2003

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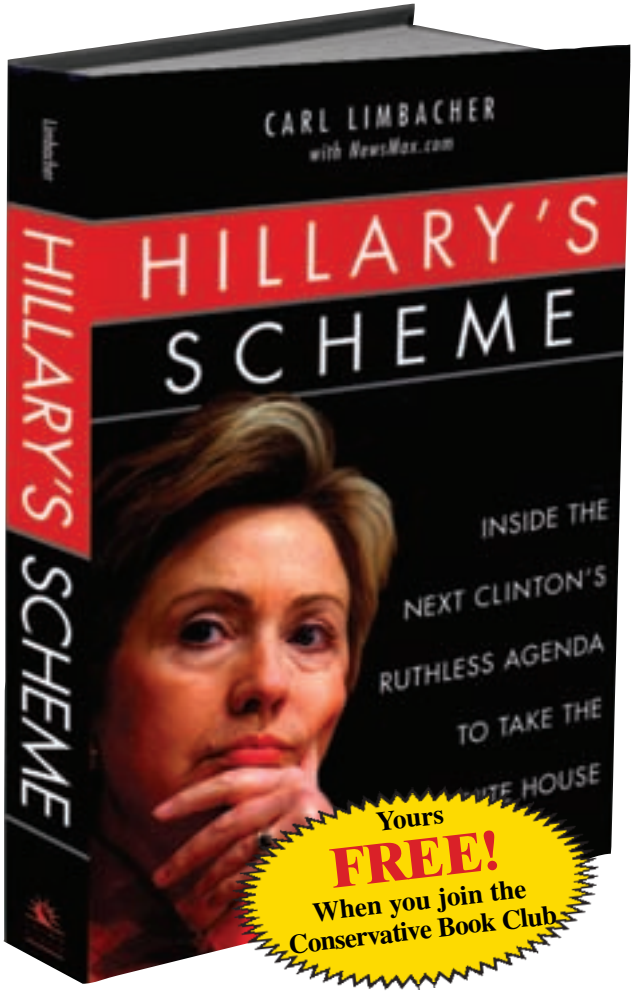
THE NEOCONSERVATIVE PERSUASION
IRVING KRISTOL


# The Disgrace of the BBC

by Josh Chafetz

# REVEALED…The Clintons' plans to make Hillary President!

*And ruthlessly destroy any obstacle in her way*




Your worst fears may be about to come true. **Hillary's Scheme: Inside the Next Clinton's Ruthless Agenda to Take the White House** exposes the Clintons' long-range, highly detailed plan to make Hillary President of the United States – and yes, despite her official denials, she's still mulling over a run in 2004.

In shocking detail, investigative journalist Carl Limbacher here blows the lid off the New York senator's plans for a grand political coup, something she has been carefully and quietly plotting for more than 20 years. With a patience, doggedness, and thirst for the truth that few reporters have displayed, Limbacher got the full story of Hillary's plans by conducting extensive research into Hillary's past and securing exclusive interviews with Clinton insiders. He even questioned Hillary herself! Limbacher uncovers the juicy morsels, backroom deals, and insider wrangling surrounding Hillary's presidential ambitions—the hidden details that the mainstream press is too intimidated by (or enamored of) the Clintons to tell you about.

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# For-Profit Hospitals Lead to Gains in Productivity

**Daniel P. Kessler is a research fellow at the Hoover Institution and an associate professor at the Graduate School of Business at Stanford University.**

Americans have very different views about for-profit hospitals. Some believe that the financial rewards inherent in for-profit ownership might provide incentives for hospitals to contain costs and respond effectively to patients' needs—for the same reasons that free markets work in the economy at large. Others believe that, because it is difficult for patients and society to evaluate the quality of health care, the opportunity to earn profits might lead hospitals to take advantage of patients or otherwise "cut corners."

These differences in views are at the root of several important policy debates. **Should nonprofit and public hospitals be allowed to convert to for-profit status and, if so, with what restrictions?** Should nonprofits' exemption from taxes, access to tax-exempt bonds, and ability to solicit tax-deductible charitable contributions be preserved or be limited?

Recent research suggests that for-profit hospitals have created significant productivity gains. To investigate this question, my colleagues and I analyzed data on the medical expenditures, mortality, and rates of cardiac complications of elderly Medicare beneficiaries hospitalized for new heart attacks between 1985 and 1996. We found that geographic areas with for-profit hospitals have approximately 2.4 percent lower levels of hospital expenditures per patient but virtually the same patient health outcomes.

We identified several ways that for-profits keep costs down. Areas with for-profits have both lower labor and lower capital costs. When an area's elderly population declines, for-profit hospitals eliminate unneeded beds quickly, whereas nonprofits eliminate them much more slowly. (Interestingly, public hospitals are almost as responsive to population declines as for-profits.)

**These effects are a combination of direct effects of for-profits on their own patients' costs and of spillover effects on neighboring nonprofits' behavior.** The bulk of the 2.4 percent savings is achieved when the for-profit presence increases from near zero to only a small fraction of admissions in the area. Direct effects of for-profits on their own patients' costs cannot by themselves account for the savings we observe.

Our study is only one piece of a larger puzzle. We evaluated the effects of ownership on only one facet of health care—productivity. Other studies find that ownership may affect important social and economic outcomes, such as hospitals' propensity to exploit Medicare's complex regulated price system. Also, we examined only one illness and one patient population; the effects may be different in other settings. Finally, our measures of health outcomes—readmission to the hospital and mortality—may fail to capture fully all the health consequences of differences in ownership.

The debate over the effects of for-profit ownership of hospitals must reflect the complexity of hospital care. But with expenditures on hospital care exceeding $350 billion a year, the productivity benefits of free markets and competition deserve careful consideration.

*—Daniel P. Kessler*




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Carly Kipp, Blackfeet. Biology major, tutor, mom, pursuing a doctorate in veterinary medicine, specializing in large-animal surgery.

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the weekly Standard

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# Wesley Clark's Imaginary Friend

Does Wesley Clark have an imaginary friend? The retired NATO commander and possible Democratic presidential candidate has been muttering darkly for several months that opportunists in the White House seized September 11 as a pretext to take out Saddam Hussein. Clark maintains that he received a call at home the afternoon of September 11, 2001, urging him to say on CNN that the attacks on the World Trade Center and the Pentagon were connected to Iraq. But Clark has now provided three versions of this story, and they don't add up.

**Version One:** On *Meet the Press* on June 15 of this year, Clark asserted that intelligence about the Iraqi threat had been hyped. "Hyped by whom?" asked moderator Tim Russert.

CLARK: "I think it was an effort to convince the American people to do something, and I think there was an immediate determination right after 9/11 that Saddam Hussein was one of the keys to winning the war on terror. Whether it was the need just to strike out or whether he was a linchpin in this, there was a concerted effort during the fall of 2001 starting immediately after 9/11 to pin 9/11 and the terrorism problem on Saddam Hussein."

RUSSERT: "By who? Who did that?"

CLARK: "Well, it came from the White House, it came from people around the White House. It came from all over. I got a call on 9/11. I was on CNN, and I got a call at my home saying, 'You've got to say this is connected. This is state-sponsored terrorism. This has to be connected to Saddam Hussein.' I said, 'But—I'm willing to say it, but what's your evidence?' And I never got any evidence. And these were people who had—Middle East think tanks and people like this, and it was a lot of pressure to connect this and there were a lot of assumptions made. But I never personally saw the evidence and didn't talk to anybody who had the evidence to make that connection."

That was an astonishing accusation of corruption in the White House, and unsurprisingly it caught the eye of several astute observers. Sean Hannity followed up two weeks later on Fox's *Hannity and Colmes*: Referring to the Russert transcript above, Hannity said of the call, "I think you owe it to the American people to tell us who."

**Version Two:** Clark replied, "It came from many different sources, Sean."

HANNITY: "Who? Who?"

CLARK : "And I personally got a call from a fellow in Canada who is part of a Middle Eastern think tank who gets inside intelligence information. He called me on 9/11."

HANNITY: "That's not the answer. Who in the White House?"

CLARK: "I'm not going to go into those sources."

*New York Times* columnist Paul Krugman also understood that Clark was playing with live political ammunition, and he wrote a July 15 column attacking the White House and headlined, "Pattern of Corruption."

"Gen. Wesley Clark says that he received calls on Sept. 11 from 'people around the White House' urging him to link that assault to Saddam Hussein," wrote Krugman.

Last week, rather belatedly, the *New York Times* published a July 18 letter from Clark purporting to "correct" the record.

**Version Three:** "I would like to correct any possible misunderstanding of my remarks on 'Meet the Press' quoted in Paul Krugman's July 15 column, about 'people around the White House' seeking to link Sept. 11 to Saddam Hussein," Clark wrote to the *Times*.

"I received a call from a Middle East think tank outside the country, asking me to link 9/11 to Saddam Hussein. No one from the White House asked me to link Saddam Hussein to Sept. 11. Subsequently, I learned that there was much discussion inside the administration in the days immediately after Sept. 11 trying to use 9/11 to go after Saddam Hussein.

"In other words, there were many people, inside and outside the government, who tried to link Saddam Hussein to Sept. 11."

In other words, and let's have a show of hands here: How many of you believe Gen. Clark really got that call?

If you read version three carefully, you will see that Clark has now exonerated the White House of his most serious accusation. Much as he wants to put a sinister spin on the matter, all Clark is saying is that the White House was more sensitive to the Iraqi threat after 9/11.

That leaves the question of the call. It's true that journalists protect sources all the time. But there are also times when a source deserves to be burned, and this is one of them. We're not talking about a normal journalist-source relationship here. We're talking about someone who urged the former supreme allied commander of NATO to go on national TV on 9/11 and assert a provocative untruth.

What conceivable reason can Clark have for protecting this joker? This is not someone he called for information. This is someone who called *him*—who wanted to *use Clark*—to plant a phony story. And why is this grossly irresponsible "fellow in Canada who is part of a Middle Eastern think tank" privy to "inside intelligence information"? You would think Clark has a positive duty to expose the man. But that assumes he exists. ♦


## Terry McAuliffe, Mythmaker

Normally, The Scrapbook wouldn't bother to parse the statements of Democratic national chairman Terry McAuliffe. He's the man who "guaranteed" last year that Jeb Bush wouldn't be reelected governor of Florida (Bush won by 13 points). He supported campaign finance reform, then set out to circumvent it. Now he's waxing insanely optimistic about 2004: Recently, as he left a building near Capitol Hill, McAuliffe spotted a Fox News correspondent and shouted, "Bush is gone!"

But McAuliffe is pushing a new conspiracy theory that deserves scrutiny. In a nutshell: The Clinton impeachment, the 2000 presidential election, Texas reapportionment, and the California recall are part of a "pattern," says McAuliffe—a pattern of Republicans' undermining democracy.

Well, let's go to the videotape. Impeachment? That turned out to be a political loser for Republicans. And even if impeachment had succeeded in ousting Clinton, Al Gore would have succeeded him. Even worse for Republicans, had Gore been running in 2000 as the incumbent, he'd probably have defeated George W. Bush.

But what about the 2000 race? Sure, Democrats are mad the U.S. Supreme Court decided the outcome. They wanted the low-wattage Florida Supremes to make the call. Most independent surveys have concluded Bush would probably have won under any reasonable statewide recount in Florida.

Then there's Texas, now an overwhelmingly Republican state. All statewide elected offices are held by Republicans. Both houses of the state legislature are Republican-controlled. The only exception is the U.S. House delegation, which is 17-15 Democratic as a result of a Democratic gerrymander in 1991. Democrats naturally want to hold this advantage, though it's unrepresentative and undemocratic. To block a Republican redistricting bill, Democrats fled the state to prevent a vote in the legislature. Who's undermining democracy?

Finally, California. The recall provision was put in the state constitution in 1911 by Progressives, the liberals of the day. It was for use should special interests grow too influential with officials in Sacramento. Today they have, especially the government employees' unions. In the 1960s, Democrats failed to get a recall of then-governor Ronald Reagan on the ballot. Now, 1.6 million voters—Republicans and Democrats—have signed petitions for a recall of Democratic governor Gray Davis. This is democracy at its grass-roots finest, with more elections and more accountability.

McAuliffe has a problem, but it's not a Republican conspiracy. It's the decline of the Democratic party on his watch. A new poll by Mark Penn, a Democratic pollster, finds public identification with the party at its lowest point since before the New Deal. Good work, Terry. ♦

## Speaking of California

The Daily Standard's special correspondent Bill Whalen—a fellow at the Hoover Institution—will be providing regular (and excellent, if we may say so) coverage of the recall campaign at *weeklystandard.com*. ♦

# Casual

## Desert Warriors

Three weeks ago, Mike came home. He's the brother I wrote about on this page after he'd finished Marine boot camp and shipped out to the Persian Gulf as a helicopter mechanic aboard the USS *Boxer*. The whole family flew to Miramar, the Marine Corps air station in San Diego, to welcome him. He and his buddies were choppered off the ship to keep their arrival separate from the Navy sailors'.

The streets near the base are lined with palm trees and were packed with Marines cruising around in jeep convertibles, so the place had the feel of a Southern California college town. But there were fighter planes taking off in the distance. A girl Marine with a 12-gauge shotgun slung over her shoulder demanded our identification at the base's north gate.

Hundreds of people were already at Hangar 4 when we arrived. Young women in dressy skirts and high heels waited at the front of the hangar holding teddy bears and flowers. The local Navy League was handing out posterboard, wooden props, and markers, and kids were sprawled on the floor writing messages like "Welcome Home Daddy" and "Your Princess Missed You."

From our place at the front of the crowd, we looked over a vast expanse of concrete known as the flightline. We all squinted straight ahead into the sun, expecting the helicopters to fly in over the Sierra Madre mountains. But right on schedule, a thunderous roar rose behind us, and over the hangar 15 green, tractor-trailer sized CH-53 helicopters appeared in formations of five. Huge speakers blared George Thorogood & the Destroyers's "Bad to the Bone" as the choppers flew past the hangar, circled, landed, and then taxied into rows of five. The giant, noisy rotors kept on spinning for a few minutes, producing the gusts of wind the mechanics call rotor wash. Then the pilots got the command to cut their engines.

One by one, the troops began to emerge from the backs of the helicopters and make their way down ramps to the ground. By this time the music was "Proud To Be An American." They marched into the center of the flightline and stood in formation to be greeted by their commanding officer. When the command dismissing them finally came, they yelled in unison, "Ooh-rah!" and scattered in a rush to find their families.

Darren Gygi

It took us a little while to single out Mike in the sea of Marines, all dressed in their beige desert uniforms and boonie hats. But we saw him before he saw us. We recognized him from behind. Overwhelmed by the moment, he could only tell us over and over how good it felt to be home.

Mike had lost weight in the desert heat, so we took him to a Mexican restaurant in a mission-style strip mall to get a fattening lunch. We sat on a patio with a view of the mountains. My father told the waitress, "This man just got back from Iraq, and he would like an ice-cold beer." She carded Mike, and when he produced his military ID showing he was two months shy of 21, she looked at it, nodded, and went to get the drinks.

Only then did Mike open up. The stories started tumbling out. For most of the war, he worked 16-hour days on the flight deck of the *Boxer*, running to work on the helicopters as soon as they landed. After the Americans captured Jalibah airfield, in southern Iraq, Mike's squadron relocated to the desert.

There they had a lot of free time and not much entertainment. One day he noticed, making its way through the sand, an enormous insect that he said looked like a brown, upside-down praying mantis with sacs all over its body. The critter—a camel spider, he learned—crawled near his gear, and to get rid of it he flicked it away with his foot. It immediately recovered and charged back at him, and even tried to climb up his boot.

Amused by its feistiness, Mike and his friends decided to stage a death match between the spider and a scorpion. The match turned into a tournament. Every night after dinner they'd put the spider and its latest challenger in an empty MRE box and wait for one of them to attack. Usually, Mike said, they just stared at each other, and he had to shake the box to get them to fight. The camel spider dispatched a week's worth of scorpions, so they put it up against a foot-long gila monster, which it managed to cow but not kill. Eventually, they got bored with the game, and let the undefeated champion go.

When our drinks arrived, we raised a glass to Mike and all the other troops, hoping that each of them would make it back safely and enjoy a homecoming as happy as ours.

**Rachel DiCarlo**

## Love and Marriage

Stanley Kurtz ("Beyond Gay Marriage," August 4/August 11) is right to say that legal or social normalization of polygamy and polyamory would be bad. But he sees same-sex marriage as leading down that slippery slope, when it is in fact a barrier.

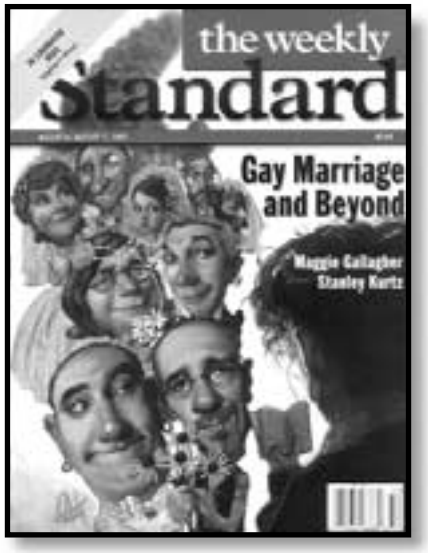
Homosexuals are asking for nothing more than what all heterosexuals take for granted: the ability to marry one person they love, as opposed to zero people, or two or three or more people. The position of gay people today is akin to that of women before suffrage. And, just as women's suffrage strengthened the one-person-one-vote norm by universalizing it, so same-sex marriage strengthens the principle that everyone should be able to wed one's life partner.

Polygamy and polyamory advocates may be out there, but it is an illusion to think that banning gay marriage will slow them down. To the contrary: The ban on same-sex marriage gives impetus to "marriage-lite" alternatives (domestic partner rules and the like); and those alternatives will be, if anything, more vulnerable to polyamorists' lobbying than marriage is. Three-way domestic partnerships, should they arise, would surely tug marriage in the same direction. In any case, Kurtz risks seeing marriage end up as just one among many single- and multi-partner arrangements.

The best and probably only way to defend marriage is to insist on the principles that make it unique and universal: "If you want the benefits of marriage, you have to get married," and "One person, one partner, no exceptions." Same-sex marriage reaffirms and strengthens both principles.

Jonathan Rauch
*Washington, DC*

As someone who is quoted in Stanley Kurtz's "Beyond Gay Marriage" and who has first-hand knowledge about some of the assertions therein, allow me to make a couple of clarifications. First, the ACLU did not "step in to help [polygamist] Tom Green during his trial," and its policy on the religious practice of plural marriage that Kurtz quotes predated Tom Green's case by many years. Second, the quote attributed to me has no bearing on the alleged relationship between same-sex marriage and state-sanctioned polygamy. It is true that the families I have spoken with who are living in plural marriage express the same kinds of anxieties that many lesbians and gay men express in homophobic locales—that if "outed" they will be fired from their jobs, lose their children, or be the victims of similar kinds of discrimination. Just as the Supreme Court in *Lawrence* found that these kinds of "secondary effects" require careful scrutiny of laws criminalizing sodomy, I believe they require careful scrutiny of laws criminalizing plural marriage. Indeed, as a religious practice plural marriage ought to be entitled to the highest degree of constitutional protection and subjected to "strict scrutiny."




If, as Kurtz insists, plural marriage (or same-sex marriage, for that matter) inevitably results in the kinds of "devastating" social consequences he fears, then the states should have no problem proving that in a court of law, and courts should have no problem concluding that those practices can properly be proscribed. What Kurtz fears is that just as the courts have found no reasonable justification for anti-miscegenation laws (which he utterly fails persuasively to distinguish from bans on same-sex marriage) and now sodomy laws, they will find no reasonable basis for prohibiting same-sex unions or plural marriage, let alone a compelling justification. But thoughtful conservatives should be able to agree with one point: that when it comes to the use of state power to criminalize or even prohibit the voluntary formation of certain kinds of intimate associations between consenting adults, the government should be held to the highest standard of proof.

Stephen Clark
*Salt Lake City, UT*

Stanley Kurtz fails to understand that the meaningfulness of marriage springs from the bond the participants share with one another. Marriage, as far as the government is concerned, has always been a mere contract between people. Unless gay marriage can be shown to be more than a civil rights issue, then there is little legal ground on which to deny homosexuals the ability to marry, short of an amendment to the Constitution. This amendment could define marriage as between a male and a female or, more generally, between two individuals. The latter amendment would be much easier to pass than the former and would allay Kurtz's concerns of polyamory, although he neglected to mention the possibility.

As long as gay marriage remains a civil rights issue, the case against gay marriage is doomed. One can always find statistical evidence to oppose the expansion of group rights, but the expansion of rights is a matter where statistics and possible drawbacks matter very little. Isn't marriage, homosexual or otherwise, stronger and better than its poorest examples?

Benjamin Isaac
*Larchmont, NY*

## Married With Children

Maggie Gallagher's arguments in "What Marriage Is For" (August 4/August 11) seem divorced from reality. Gallagher's principal point is that marriage between a man and a woman should be protected to further the human species and to raise children in wedded bliss. But gay marriage hardly means the human species will die out or that everyone will turn gay.

One of her weakest points is that we have no similar public stake in any other

family form—in the union of same-sex couples or the singleness of single moms. Gallagher further argues that heterosexual marriage helps to ensure "sexual fidelity [and] mutual caretaking." As a recent government report states, the incidence of HIV infection among gay and bisexual men is on the rise, increasing 17 percent since 1999. Wouldn't gay marriage also encourage sexual fidelity and mutual caring among gay partners? Doesn't the public have a stake in decreasing the spread of HIV/AIDS?

Gallagher goes on to say that "if marriage is just a way of publicly celebrating private love, then there is no need to encourage couples to stick it out for the sake of the children." But marriage is not just about children. There are, as Gallagher admits, other legitimate forms of marriage. Gay relationships can and should benefit from the same social and legal structures that support and define these childless marriages.

Gays and lesbians are becoming parents in greater numbers. With or without inclusion in marriage law, the gay parenting trend will continue. Gays and lesbians—just like marriage—have in some form or other been a part of many cultures for many years. What of the children of gay couples? Shouldn't they benefit from and be protected by the stability of a legally recognized gay marriage? Or are the children of gay parents not on Gallagher's mind when she speaks of "the equal dignity and social worth of all children"?

STEPHEN ANDERSON
*Richmond, VA*

## Killing Me Softly

JOHN YOO ("Legally Dead," August 4/August 11) may be technically correct that no law prohibits the targeting of specific enemy leaders in war, but he misapprehends the reasons why until recently the United States and most other nations acceded to such a ban, and why current U.S. policy, as it stands, is hypocritical.

The difference between killing in war and assassination is not that assassination is for "political reasons," while war is not. After all, as Clausewitz said, war is just politics by other means. The basis for the distinction is historical, predicated on technical developments in warfare that occurred at the end of the Middle Ages. Prior to the gunpowder revolution, heads of state frequently fought at the front rank of their national armies, and not infrequently died there. With the greater and more impersonal dangers cannon and muskets brought, heads of state chose to lead their armies, in general, from relatively safe areas. There were exceptions, of course: Napoleon and Frederick the Great, to name but two. Lincoln, whom Yoo cites as an example of "political assassination," was probably the president who most closely fit the mold of Frederick or Napoleon, and he was the last president to actually come under enemy fire (at Fort Stevens). But in purely legal terms, how was Lincoln's intense and active involvement in directing the Civil War different from Saddam's actions?

The distaste for assassinating enemy heads of state has to do with the recognition that in modern times, while leaders may wear two hats, directing both government and armies, they are removed by custom from actual combat. So for purposes of warfare, rightly or wrongly, they have been and are essentially treated as civilians. There was no legal or moral reason not to have assassinated Hitler, but it would have violated custom. And that was categorically a different matter than the killing of mere uniformed military leaders, such as Yamamoto.

That this is not a trivial concern is reflected in the adoption of the executive order banning assassination. Technically, the executive order is not a law, but is best thought of as a rule of engagement, formally recognizing existing custom, and meant to signal to other heads of state that we won't try to kill you, so don't try to kill us. Still, while President Bush can simply ignore his own "rules of engagement" (since he is commander in chief), it's hard to see, as Yoo evidently does, that killing Saddam Hussein would not be a violation of that order, or international custom, as we currently recognize it.

President Bush needs to articulate a just and clear policy regarding the use of force against enemy leaders, or risk undermining his own moral and legal authority. He can do this by noting that just as technological changes altered the respect accorded enemy leaders in war 400 years ago, so today, enemy leaders with direct access to modern communications technology, who personally direct military forces, who clothe themselves in military garb, and who dispense with the existing laws of war at whim, will not be accorded the customary protections that might normally otherwise pertain. State the policy clearly and apply it equitably. Then go out and kill them.

JONATHAN F. KEILER
*Bowie, MD*

## Mommy Dearest

THOSE OF US IN THE GRASS-ROOTS pro-life movement have known about Mark Stricherz's anti-abortion "security moms" ("A Moral Majority," August 4/August 11) for years. We have continually seen first hand that women are more pro-life than men and that a solid, well-rounded politician who is pro-life will on average always beat a pro-choice politician, presuming that some other issue—taxes, for example—does not become the main issue in the election.

After reading Stricherz's article, the question is whether the overpaid political consultants who are scared stiff of the word "abortion" admit they were wrong and sit down with those in the movement so that we can make some progress.

JOHN JAKUBCZYK
*Phoenix, AZ*

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# The Joy of Recalls

California owes a colossal debt to a Republican reformer named Hiram Johnson. He was the governor who put a recall provision in the state constitution in 1911. The idea was to allow voters to oust state officials who'd become wholly-owned subsidiaries of special interests. Along with the right to enact or nullify laws through the initiative and referendum processes, recall was an advance in democratic accountability and grass-roots political participation. And it is as relevant and necessary today as it was in 1911.

California is in crisis. Its economy, its entrepreneurial spirit, its schools, its roads—nearly everything is declining. And the political class in Sacramento, with Democratic governor Gray Davis at the top, is a large part of the problem. To this, the recall election on October 7 is an appropriate and legal response. Its significance goes well beyond the fate of Davis and the political future of Arnold Schwarzenegger.

Hiram Johnson Bettmann/Corbis

The recall will answer the three most important questions about California. Will the unresponsive political class that rules in Sacramento be brought down? Will the budget mess be fixed? Will the decline of California be reversed? If Davis survives, the answers will be no, no, and no. But if he's removed from office and the political class is humbled, the answers might all be yes, and California might begin to recover.

With no recall at all, California would continue to stagnate. This would be just fine with the liberals, Democrats, and elitists who passionately oppose this reckoning at the polls. Of course, it's liberal Democratic elitists who tax, spend, regulate, and constitute the ruling political class in California. They have a lot to lose. One of their complaints—that the recall will cost too much, roughly $70 million—is frivolous and hypocritical. These are the folks who prompted Davis and company to boost state spending 37 percent in his first two years as governor and then to continue spending lavishly, even as a recession loomed in 2001 and a gigantic budget deficit grew.

A more serious objection is that the recall is, in the words of Democrat Leon Panetta, "democracy run amok." After all, Davis was just reelected to a second term nine months ago. Should he be forced to face voters again so soon? Indeed he should, partly because of the nature of his reelection. He hung on by a thread, winning with less than a majority over a weak Republican opponent. He won despite deteriorating conditions in the state, despite a glaring lack of leadership, and despite a richly deserved reputation for dunning a large campaign contribution out of anyone seeking access to the governor's office. In Sacramento, they call it "pay to play." And Davis won while dismissing the budget deficit as insignificant. Last winter, when the deficit reached $38 billion, the thread snapped. The California deficit is now larger than the deficits of the other 49 states combined.

Californians don't recall a governor lightly. They've never done it before. Efforts to recall Democratic governor Jerry Brown and Republicans Ronald Reagan and Pete Wilson fizzled. This time, voters leaped at the opportunity to sign petitions mandating a recall election. True, Republican congressman Darrell Issa paid signature-gatherers. But wherever they went, lines of eager Republicans,

Democrats, and independents formed instantly. Roughly 1.6 million signatures were turned in, far more than the required 897,158 (12 percent of the voters in 2002). Millions more could easily have been obtained. The recall became a mass movement.

The national media have played along with the critics by portraying the recall as a "circus" or "carnival" or "madness." These words appear in the headlines of the latest issue of *Newsweek* with Schwarzenegger on the cover. The *New York Times* huffily editorialized against "muscle beach politics." California has been stereotyped for years as an oasis of weirdos. And, yes, there's much to make fun of in the election: Comics, porn actresses, has-been actors, and numerous eccentrics are on the ballot. "It's not dignified or pretty," wrote Stanford law professor Richard Thompson Ford. "But it is democracy in its pure unadulterated form."

In all, there are 135 candidates on the ballot to replace Davis. Is that too many in a democratic election? Maybe the bar (and the $3,500 fee) for getting on the ballot should be raised. But ballots with multiple candidates are hardly rare. They show up in most elections (though usually there are fewer than 135 candidates) and voters find their way to the major candidates with little trouble. Voters are not stupid. There are four serious candidates at the moment—Lt. Gov. Cruz Bustamante, Schwarzenegger, State Sen. Tom McClintock, and Bill Simon—and none seems worried voters won't spot his name on the ballot.

Recall opponents profess to be outraged by the possibility that a new governor might be elected with far less than a majority. Since there's no runoff, it could happen. But it's not likely. Campaigns have a way of winnowing out the marginal candidates, including ones like Arianna Huffington who enter in a blaze of media attention. By Labor Day, the contest may come down to two candidates, Bustamante the Democrat and Schwarzenegger the Barbari—oops, the Republican.

But pity a new governor thrown into a dizzying budget battle with little preparation! Right? Wrong. A new governor will have plenty of time to master details and make decisions. The normal budget process in California lasts from October to January. A new governor will have weeks to decide on budget and policy priorities before getting an estimate of 2004 revenues in late November, then another six weeks to draft a State of the State speech and present a new budget to a cowed legislature. That's time enough.

Peter Steiner

Let's be clear what the recall is about. It's not about personalities. It's not ultimately about political parties. And it has nothing to do with President Bush and his prospects in the 2004 presidential election. It's about one thing: special interest liberalism. In California, the special interests include Indian tribes and labor unions and state employees and trial lawyers. And they own Gray Davis and state government.

In Hiram Johnson's day, the Southern Pacific Railroad and banks were dominant. The special interests have changed, but the nature of the problem hasn't. Johnson's cure—the recall—was based on the idea that while special interests themselves couldn't be driven into exile, the politicians subservient to them could. Although it might be difficult, the status quo could be uprooted. Today there may be no other means but the recall to revive California. And Californians have Hiram Johnson to thank for the opportunity to help their state.

*—Fred Barnes, for the Editors*

# Winning (and whining) in Iraq

## The first 100 days.

**BY CHRISTIAN LOWE**

*Baghdad*

AS THE U.S. OCCUPATION of Iraq passed its hundredth day and America's postwar death toll rose toward 60, the Bush administration released a 24-page paper to extol the successes of an increasingly trying and bloody phase of Operation Iraqi Freedom.

The title—"Results in Iraq: 100 Days Toward Security and Freedom"—had all the appeal of a high school term paper, and that's a fair measure of the attention the report received when it was issued on August 8. Major media outlets poohpoohed it. The report "marked a more concerted administration effort to counter a stream of troubling news from Iraq and the resulting criticisms from Democrats," wrote the *Washington Post*. While it does, in some cases, tip to the sunny side of what's happening in post-Hussein Iraq, the report is not inaccurate.

Thus, it notes that electrical power in Iraq "is now more equitably distributed and more stable," without mentioning that Baghdad continues to be plagued by week-long blackouts. It states that water in many areas comes out of the tap at pre-conflict levels, but omits that the water is dangerously unsanitary.

In describing the revival of commerce and the improved security situation in most of the country, the "100 Days" report is not overstated. Among other goods unavailable during the previous regime, satellite dishes are seemingly ubiquitous, and some Baghdadis can watch everything from Thailand News to Fox. Both the Kurdish region of the north, which achieved near-autonomy in the 1990s under the protection of the U.S.-enforced no-fly zone, and the long-oppressed Shiite south enjoy considerable stability. The persistent violence against American troops is almost all occurring in the Baathist heartland, the area known as the Sunni Triangle, between Ramadi, Baghdad, Baquba, and Tikrit, Saddam Hussein's hometown.

The violence comes mainly from Saddam loyalists. Many former Baathists who worked in Baghdad and lived in its suburbs have returned to family farms or homes in the towns that dot Highway 1 north, where they are staging their attacks. In addition, some attacks are being organized—or even carried out—by forces from outside the country. Military intelligence indicates poor Iraqis are often paid by others to throw a grenade or take a potshot at U.S. troops.

The violence seems random, and it doesn't seem to support any particular movement or cause; there are no pro-Saddam rallies. Some protests are directed against U.S. forces, and some have turned violent. But the troops at the receiving end are remarkably patient and firm, often allowing demonstrations to proceed and seeking out elders or organizers to entertain their grievances. The Army, which is in charge in the north, has absorbed all of the U.S. casualties since the end of the war; this is beginning to show in an increased aggressiveness and determination to root out the perpetrators.

The violence in the Sunni Triangle overshadows the successes in the south, where the Marines are in charge. They have installed a governor in each of the five provinces (called "governates") in their region, the British two. Each province has, or will soon have, its law-enforcement and judicial system up and running, with Iraqi cops on the beat, Iraqi judges hearing cases, and civil servants taking care of problems that in the past were solved with guns. In a measure of the security situation in the southern provinces, the Marines have already begun to shift control to coalition partners such as the Dutch and Italians—a move unthinkable in the volatile north. Sure, electricity is sometimes interrupted, and city trash can pile up for days, but the south is rolling steadily along; enough so that the Iraqis are able to shift their attention to matters less basic than day-to-day survival.

The governor of Al Hilla, for instance, where the ancient city of Babylon is located, is looking to tourism to pump more money into his economy. On a hot July day, sitting in his less-than-regal office—an oblong, cinder-block room with ill-trimmed wall-to-wall carpeting and a wide bookshelf that looked as if it had never held a book—Iskander Jawad Witwit praised the work of the Marines, calling them his brothers.

"I feel that we are in debt to them. Even our brother Arabs haven't done this much for us," he remarked.

Then turning to the future, he explained his goals for the province.

"I want to build a hotel and casino at Babylon," he said. "I would like to have tourists come visit this place."

Even in the south, there is complaining, mostly around the themes of jobs, schools, and electricity. The impression one gets after listening to such grumbling is that the Iraqis believe the United States can solve all of their country's problems quickly and thoroughly. They some-

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times demand of U.S. forces far more than the troops can provide.

Take the Marines of Lima Company, 3rd Battalion, 7th Marine Regiment, working to stabilize the southern city of Karbala. They spent weeks refurbishing an elementary school, painting, rewiring, and installing ceiling fans in all the classrooms—critical in the summer months when the temperature rises past 120 degrees. Yet while the headmistress politely thanked the Marines, she also mentioned that the color of paint they had used would look unattractive during the rainy season and demanded air conditioners rather than fans.

She left the Marines shaking their heads, wondering whether the locals will ever be satisfied with the hard work of their American occupiers.

In the long run, it's not Americans but Iraqis who will do the rebuilding, once a revived economy gives them the means. If there's one lesson to take away from a stay in Iraq, it's that the country urgently needs to pump its oil wealth back into the local economy, rather than into the pockets of Baathist fat cats in Baghdad. With the billions potentially to be gained from oil sales and international investment, Iraq could tackle its problems and begin the process of developing a democratic society.

The job the United States has taken on in Iraq has not been easy, and paying with the blood of our fighting men to right Hussein's wrongs is heartbreaking. But as the first hundred days of the Iraqi occupation came and went, U.S. forces had a lot to be proud of. The south is on its way to a remarkable recovery. The Kurdish north is peaceful and its long-persecuted people anxious to be part of a federal Iraq. The Sunni Triangle is still a thorn in the occupation forces' side. But there's little sign of shaken resolve from the troops. With guile, persistence, and some luck, Iraq should soon be on a more secure path, and many of our troops on their way home. ♦

# The Anglican Mainstream

## It's not where Americans might think.

**BY DIANE KNIPPERS**

KARL MARX had a good line about Episcopalians. In a preface to Volume 1 of *Das Kapital*, he wrote that the "English Established Church"—of which the Episcopal Church is an American offshoot—would "more readily pardon an attack on 38 of its 39 articles than on 1/39 of its income." Marx was referring to the Church of England's "Articles of Religion," a basic summary of its doctrine. His cynicism seems vindicated in the Episcopal Church's recent abandonment of biblical teaching on homosexuality.

In early August, the triennial General Convention of the Episcopal Church, attended by bishops and diocesan representatives, confirmed the election of a homosexual priest as bishop of New Hampshire. The priest, the Rev. Canon Gene Robinson, was once married and fathered two daughters. He and his wife divorced, and Robinson now lives openly with another man. The same General Convention also legitimated local churches' blessing of same-sex unions.

Both actions have provoked opposition—not only from traditionalists inside the Episcopal Church, but also from conservatives in the worldwide Anglican Communion. Some resistance is hardly surprising, as the American church's actions contravene the overwhelming witness of the church, past and present, that sexual intimacy is to be reserved for husband and wife. This revision of doctrine comes at a time when the demographic center of Christendom has shifted from Europe and North America to the growing, predominantly conservative churches of Asia, Africa, and South America. The months ahead will test those churches' ability to resist American cultural imperialism. Indeed, the controversy has inflamed the fears of Muslims as well, who resent the globalization of a popular culture they consider demeaning to human dignity.

Looking first to the American scene, sexual liberals have hailed the Episcopalians' move as the harbinger of greater tolerance and inclusiveness, but that could be wishful thinking. When President Bush suggested in late July that it might be necessary to codify the definition of marriage as uniting one man and one woman, he wasn't merely pandering to his conservative base. Recent polls show declining support for legalizing same-sex unions—and even greater opposition to churches' blessing such liaisons. Most Americans seem to have developed a laissez-faire attitude to what consenting adults do privately. But in-your-face campaigns in the entertainment media, the courts, the academy, and the church to endorse homoerotic behavior are producing not so much backlash as the simple drawing of a line. We'll look the other way, Americans seem to be saying, but don't expect us to actively approve.

Liberal Episcopal Church leaders think of themselves as enlightened pioneers. But the evidence suggests they overreach. Roughly two-thirds of American Christians are Roman Catholic, Evangelical, or Pentecostal. The adamant opposition to homosexual unions of the Catholic Church

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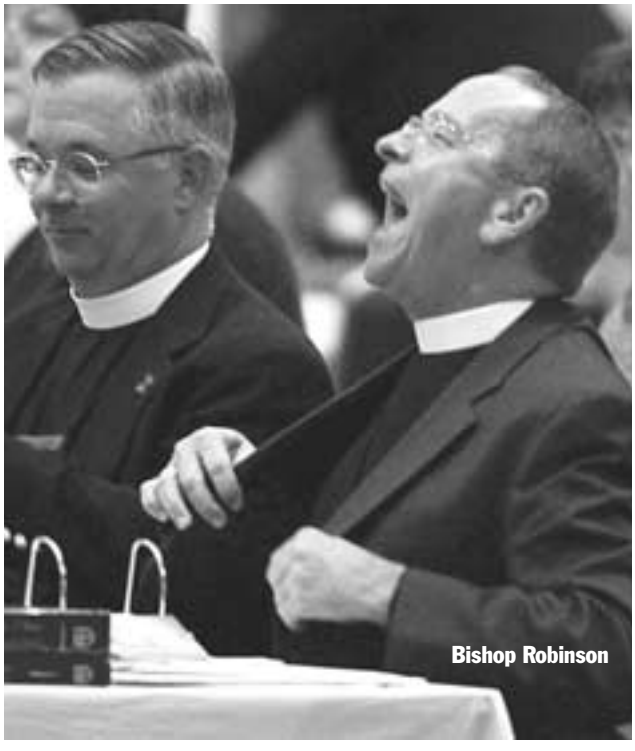
is reiterated in a 12-page document released by the Vatican on the second day of the Episcopal General Convention. American Evangelicals and Pentecostals are equally traditional in their teaching about sexual morality.

But even in the context of the mainline Protestant churches, the Episcopal Church's position is extreme. The fierce debates taking place in the mainline churches over homosexual behavior tend to be over church discipline, not the core teachings of the faith. True, baby boomers are now in charge across denominations. A generation that came of age chanting "Make love, not war" finds it easier to preach pacifism to the president than sexual purity to parishioners. Nevertheless, both the Presbyterian Church (U.S.A.) and the United Methodist Church explicitly prohibit the blessing of same-sex unions and ordination of practicing homosexuals.

One reason the Episcopal Church is more vulnerable to ethical revisionism than the other Protestant churches is social class. Episcopalians tend to represent the urban well-off. They listen to NPR, not Fox. They go to elite universities, not community colleges. They value liturgical niceties over theological substance. When white flight drained American cities, downtown Episcopal congregations had three choices: move to the suburbs (and abandon beautiful, historic buildings); transform themselves to include ethnic minorities, immigrants, and the poor; or reach out to the remaining well-off urbanites—singles, childless couples, and homosexuals. That last often proved the most comfortable option. Even in small towns in the conservative South, Episcopalians seem more determined to distinguish themselves from Southern Baptists they perceive as low class than from non-Christians.

The deepest fault line running through American churches, however, isn't social class but religious belief. The progressive camp has its roots in modernity, a scientific materialism that denies the supernatural, and more recently in postmodernity, which leaves the door open to a vague do-it-yourself spiritualism.

Christian orthodoxy is radically different. It affirms a transcendent God who is merciful and just, truth that is revealed and knowable, and clear moral standards. It is less interested in self-fulfillment than in discernment of and obedience to God's will. Honoring the sacrifice of Jesus as savior, it acknowledges that Christians may be called upon to suffer. In particular, it enjoins them to be chaste even in the face of temptation.



Bishop Robinson

Reuters / Eric Miller

The theological progressives believe that such outmoded ideas must be jettisoned to appeal to their contemporaries, though the orthodox—whose churches are actually growing—know that their more demanding creed meets real human needs. The revisionists get the media attention ("Bishop Upholds Church Tradition" isn't news), but the believers are the quiet majority of American Christians.

And orthodox believers are the overwhelming majority in the worldwide church, including the Anglican Communion. The current crisis within Anglicanism has been provoked, ironically, by a tiny minority. The membership of the Diocese of New Hampshire is less than one percent of the Episcopal Church. When the General Convention, acting for the 2.3 million-member Episcopal Church, confirmed the New Hampshire election, it authorized Robinson's consecration not only as an Episcopal bishop, but as a bishop of the 75 million-member Anglican Communion. Anglicans abroad are asking why they should allow a national church representing some 3 percent of the Communion to impose on them a bishop who contradicts their deepest convictions.

The response from the wider Communion has been quick and firm. Within days, the titular head of Anglicanism, the archbishop of Canterbury, called a special mid-October meeting of the heads of all the Anglican provinces (roughly equivalent to national churches) to "discuss recent developments" in the Episcopal Church. He had earlier warned the American church away from divisive action. Clearly, the archbishop of Canterbury does not want the Anglican Communion to disintegrate during his tenure.

Other Anglican leaders are weighing in. "If the consecration of Canon Robinson proceeds, the Convention will be taking [the Episcopal Church] outside the boundaries of the Anglican Communion," warned Bishop Gregorio Venables from South America. The leader of the 17 million-member church in Nigeria, Archbishop

Peter J. Akinola, wrote of "the anguish this must bring to the heart of the Lord of the Church and the setback to our witness as a Church before the watching world." Akinola went on to commend those who opposed the Robinson confirmation and promised, "We shall continue to be in full communion with them and we will do all that is necessary to actualize this bond in practical terms." Similar statements from church leaders in Kenya and Southeast Asia make clear that if there is a schism within Anglicanism, the schismatics are those who supported Robinson's election and endorsed same-sex unions.

The religious left once admonished conservatives to listen to the poor, the non-white, and the powerless in the developing world. But the left itself listens only when those voices echo its own. Many of the same liberal Episcopalians who criticized Bush for "unilateral" action in Iraq now express their deep resentment over Africans and Asians who protest the American church's unilateral defiance of the Anglican moral consensus. Many bishops from the Third World detect here a neo-colonialism that they are increasingly willing to protest.

The most poignant objections have come from Anglicans who interact with Islam. Bishop Michael Nazir-Ali, an expert in interfaith relations from Pakistan, cited Muslim leaders who warned that his church's acceptance of homosexuality would end Christian-Muslim dialogue. In its effect on Christian mission work in the Muslim world, he said he "can't imagine anything that would be worse" than the General Convention's actions.

The Anglican bishop of Egypt, North Africa, and the Horn of Africa, Mouneer Anis, leads a vulnerable religious minority. They "cannot comprehend a decision to elect as bishop a man who has forsaken his wife and the vows he made to her in order to live in a sexual relationship with another man," he wrote. "We feel profoundly let down, as this decision will unquestionably damage our interfaith relations with our Muslim friends among whom we live. It will also have a negative impact on our relations with the Orthodox and Catholic churches in our area, which continue to hold fast to the apostolic faith and teachings from the first century. We will definitely be seen by them now as heretical. We had not expected this to be done to us by brothers and sisters who are in communion with us. We had expected that they would think of us before taking such a grave step."

Already Muslim observers have drawn their own conclusions about the disregard of Western liberals for fellow Christians elsewhere. Writing in the *Arab News* on August 10, commentator Amir Mohammed Al-Faisal said that the Episcopal General Convention "is another example . . . of how Westerners give themselves the right to change even Christian scriptures to suit their whims, and in the process trample all over the religious sensibilities of other Christians who are unfortunate enough not to have been born in the West." Liberal Western ideologues "are exploiting the poverty and vulnerability of their non-Western 'brothers' by ignoring their more traditional views." He concluded: "So we learn an important lesson on the respect Westerners have for religion and how they deal with any religion that does not conform to their 'liberal' ideology. After all, does that non-Westerner Jesus (peace be upon him) know more about Christianity than an American or British bishop? If this is how they deal with their own religion, think what they will try (are already trying) to do with other religions such as Islam."

*The religious left once admonished conservatives to listen to the poor, the non-white, and the powerless. But the left listens only when those voices echo its own.*

Liberal Episcopalians expect there to be temporary conflict. But they argue that the brouhaha will soon end and they can move gradually toward developing official liturgies for same-sex unions and even marriages. The conservatives will either leave or settle down, just as they did following earlier controversies over revisions to the prayer book and the ordination of women. In this prediction, the revisionists naively ignore two significant changes in the last quarter century. The first is the growth of the evangelical and charismatic sector of the Episcopal Church, which largely supported the earlier changes but will join the traditionalists in defending the doctrine of marriage. The second is the strength of Anglicanism in the global South, now ready to flex its muscles against the religious left.

Conservative Episcopalians hope that the Anglican Communion will take the unprecedented step of establishing an alternative Anglican Church in North America, which their dioceses and parishes might join. They also hope that this can be accomplished amicably—particularly that conservative parishes in liberal dioceses will be allowed to keep their property.

Sadly, there are few precedents for orderly separation in church history. The hard truth is that church fights, legal and otherwise, are usually bitter. Much depends on whether Episcopal leaders are willing to give up property and income. So far—as in Marx's day—those who tolerate all sorts of theological and ethical innovations appear to be rigid fundamentalists when it comes to defending traditional church organizational structures and budgets.

It may be wise, then, for orthodox Episcopalians who wish to remain in the worldwide Anglican mainstream to prepare themselves to make sacrifices for their convictions. In this, too, they may look abroad for inspiration—to places like Sudan, Nigeria, and Pakistan, where fellow Anglicans suffer persecution and poverty for their beliefs. ♦

# Who Pays for Palestinian Terror?

## The Saudi subsidy of Hamas continues.

**BY MATTHEW A. LEVITT**

JUST THREE DAYS before Palestinian terrorists violated the Palestinian-Israeli cease-fire with a pair of suicide bombings an hour apart, Palestinian prime minister Mahmoud Abbas denied that sources in Saudi Arabia fund Palestinian terrorist groups like Hamas. Following meetings with Saudi Arabia's King Fahd and Crown Prince Abdullah in Jeddah, Abbas told reporters on August 9 that "Saudi financial assistance to needy Palestinians goes through the Palestinian Authority and not to militant groups."

Not so. In fact, recent intelligence estimates indicate that up to 60 percent of Hamas's annual budget—some $12 to $14 million—flows from the kingdom. Some of the money comes from official sources, including government-sponsored telethons and charities run and overseen by government officials, while still more comes from individuals and organizations whose activities are tolerated by Saudi officials.

Unfortunately, Abbas's blanket exoneration of the Saudis indicates that, instead of addressing the problem of Palestinian terrorist groups' seeking to undermine the peace process and their continued funding by Saudi benefactors, Palestinian leaders are now following the Saudi practice of denial.

Long after the identities of the September 11 hijackers were known, Saudi interior minister Prince Nayef continued to question whether 15 of the 19 hijackers were indeed Saudis. In an interview with the Arabic language weekly *'Ain al Yaqeen* on November 29, 2002, Prince Nayef stated, "We put big question marks and ask who committed the events of September 11 and who benefited from them. Who benefited from [the] events of 9/11? I think they [the Zionists] are behind these events."

Saudi diplomats from Berlin to Los Angeles, as well as Saudi-funded religious organizations from Cambodia to Mauritania, have fallen within the purview of continuing international investigations of terrorism. Nonetheless, Saudi foreign minister Prince Faisal responded to the redaction of 28 pages in the congressional report on the 9/11 attacks by insisting that Saudi Arabia is "an active and strong ally in the war on terrorism" and dismissing suspicion that Saudi individuals may have assisted the hijackers as "misguided speculation . . . born of poorly disguised malicious intent."

Prime Minister Abbas knows better. In December 2000, long before his appointment as prime minister, Mahmoud Abbas wrote a letter to Prince Salman, governor of Riyadh, complaining about Saudi funding of Palestinian terrorism. When Israeli forces raided the West Bank in Operation Defensive Shield in April 2002, they uncovered Abbas's letter, marked "personal," in which he noted that "the Saudi committee responsible for transferring the contributions to beneficiaries is sending large sums to radical committees and associations including the Islamic Association [al Jamiah al Islamiah] which belongs to Hamas, the al Salah Association, and brothers belonging to the Jihad in all areas."

Similarly, when Israeli forces raided the Tulkarm Charity Committee, they found material lauding Hamas suicide attacks and records showing the International Islamic Relief Organization, a Saudi charity deeply involved in terror financing, had donated at least $280,000 to the Tulkarm Charity Committee and other Palestinian organizations linked to Hamas. Israeli authorities found that many of the checks made out to Hamas organizations were drawn from the corporate account of al Rajhi Banking and Investment at Chase Bank. Several charitable and banking institutions tied to the al Rajhi banking family (including the SAAR Foundation in Northern Virginia) are under investigation as terrorist fronts.

In another example, Israeli authorities arrested Osama Zohadi Hamed Karika, a Hamas operative, as he attempted to leave Gaza via the Rafah border crossing in December 2001. Karika was found with documents detailing the development of the Qassam rockets Hamas has been shooting from Gaza into Israel in the last few years. He admitted under questioning that he was on his way to Saudi Arabia to brief unidentified persons on the development of the rockets and to obtain their funding for the project. Before his arrest, Karika had already made one successful trip to Saudi Arabia, where he had secured initial funding for the Qassam rocket program.

Not all such funding comes from organizations. In October 2002, Treasury Department undersecretary for enforcement Jimmy Gurule traveled to Europe armed with a list of "about a dozen of al Qaeda's principal financial backers, most of them wealthy Saudis." Gurule went to present his European counterparts with "specific information on selective, high-impact targets" in an effort to have them "designated ter-

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rorist financiers and have their assets blocked." Many of these individuals also fund Hamas, prompting Gurule to press his European counterparts "to reconsider the common European and official E.U. distinction made between political or social wings and military or terrorist wings of organizations such as Hamas."

Also in October 2002—the very month the Saudis released a new statement detailing their purported efforts to combat terrorist financing—Crown Prince Abdullah personally invited Hamas leader Khaled Mishal to Saudi Arabia to attend a conference of the World Assembly of Muslim Youth. The assembly, it should be noted, enjoys close ties to the royal family and has come under increased scrutiny for its own suspected ties to terrorist elements.

Responding to this week's suicide bombings, White House spokeswoman Claire Buchan called dismantling Palestinian terror networks "the highest priority." And in an interview on Egyptian television, Secretary of State Powell criticized Hamas for stressing the temporary nature of the three-month cease-fire. Powell continued: "It is time to end the use of terror as a way of achieving a political objective. It's part of the solution for the Middle East. It's also part of the global campaign against terrorism."

If the administration means what Powell said, it will not be distracted from the issue of Saudi funding. The latest Hamas and Al Aksa Martyrs Brigade suicide bombings demonstrate once again that such groups cannot be co-opted. Indeed, between the money they have received from their Saudi backers and the opportunity the current cease-fire has provided them to regroup and rearm, Palestinian terrorist groups are if anything better funded and more capable now than they were before. So curbing their Saudi funding is more urgent than ever. ♦

# Congress's Spam Menu

## Do they really want to stop all those Viagra ads?

**BY KATHERINE MANGU-WARD**

One issue generating a lot of heat with congressmen these days is spam. (Please, hold the discount Viagra jokes.) Congress is considering nine different bills aimed at reducing the amount of junk email in America's inboxes. None of the bills would stop spam entirely. And the most popular approach—a national "Do Not Spam" registry—has been criticized as unwise by the high-tech industry and as unfeasible by the Federal Trade Commission. Both say such a registry, as proposed by Charles Schumer in the Senate, would cause more problems than it solves.

Last month, two anti-spam bills were debated in a joint subcommittee hearing in the House. Both require unsolicited commercial email to contain a street address for the sender and a link or email address that would allow recipients to refuse all future email from the sender. This is known as an "opt-out."

The first of these is the Anti-Spam Act, sponsored by Republican Heather Wilson of New Mexico and Democrat Gene Green of Texas. It contains a broad opt-out provision and strict rules governing the format of emails with adult content.

Richard Burr, a Republican from North Carolina, is sponsoring the RID-Spam Act, the other major contender in the House. It mandates consistent labeling in the subject line of commercial emails and has narrower opt-out guidelines than the Wilson-Green bill.

The differences between the opt-out provisions in the House bills are minor—and may ultimately prove altogether irrelevant.

That's because opt-outs aren't very effective at saving people from the hassle of dealing with loads of unwanted email. Sixty-three percent of "remove me" or "unsubscribe" requests are not honored, according to an April report from the Federal Trade Commission, most often because either the link for unsubscribing is broken or the email address provided is invalid. And a July study by the ePrivacy Group and the Ponemon Institute showed that 37 percent of consumers don't use opt-out even when it is available. They cite uncertainty about whether the opt-out will work, or be honored, and fear that a reply will confirm the validity of their email address to spammers.

The same survey, which was touted by Senator Charles Schumer in a press conference last month, shows 74 percent of consumers support the centerpiece of Schumer's bill, a "Do Not Spam" registry. This element, absent from the House bills, is the second and more important reason why the quarrel in the House may prove irrelevant.

The "Do Not Spam" registry would be modeled on the new and popular, but unproven, "Do Not Call" registry. Schumer said the broad support for the registry showed that "the public has some good wisdom here."

The FTC, however, along with much of the technology industry, opposes the registry proposal. Several officials say they are concerned that a central list of valid email addresses would be vulnerable to abuse by the

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spammers it was supposed to stop.

Schumer brushed aside the FTC's worries, saying "the FTC now realizes" that the technological and security concerns are minimal. Claudia Bourne Farrell, a spokesman for the FTC, responded that while the commission "considers a 'Do Not Spam' list an intriguing idea" and conceded that "there has been progress in solving some of the technological concerns," she emphasized that the commission still "does not support" Schumer's registry.

Schumer elaborated on the nature of the "Do Not Spam" list he envisions, saying that he "hopes consumers would be able to be specific" about the kinds of spam they don't want. Farrell at the FTC again denied that the commission supported such a list and was even quite skeptical that the kind of personal customization Schumer envisioned was possible.

Another provision unique to Schumer's bill is the creation of an FTC-supervised "self-regulatory organization" charged with maintaining a list of companies whose "good business practices" would exempt them from labeling requirements. Companies that could demonstrate their email was not fraudulent, that their opt-out links worked, and that their solicitations included valid physical addresses would not have to use the ADV label at all.

The Wilson-Green, Burr, and Schumer bills all require unsolicited commercial email to be identified in the subject line, usually with the letters "ADV." Some require additional labeling for spam with adult content.

Many of the 30 states with anti-spam legislation in place require labeling, but only 2 percent of the spam analyzed in one study used the ADV tag in the subject line, suggesting that spammers are not falling over themselves to comply with existing labeling laws.

Microsoft, which would easily qualify for Schumer's exemption from the ADV tag, opposes his bill overall, citing "the dangers of creating and electronically housing a master database of email addresses that may fall into the hands of bulk spammers. Spammers have not been known to act in accordance with the law historically, and would very likely ignore this provision anyway, rendering it largely ineffective."

Schumer's bill was introduced on June 11 to bring the possibility of a "Do Not Spam" registry to Congress's attention, but the senator has also signed onto another bill that is slated for a vote. That bill, the bipartisan CAN-SPAM Act, sponsored by Conrad Burns of Montana and Ron Wyden of Oregon, resembles the Wilson-Green bill, and does not contain a "Do Not Spam" registry. Like all of the bills under consideration, the Burns-Wyden bill prohibits the use of spam mailing lists created by software designed to pull email addresses from publicly accessible websites. It also outlines criminal penalties and fines for illegal spammers. Schumer says he has no intention to block a bill that does not include a "Do Not Spam" registry.

Burns-Wyden's sponsors had hoped to pass anti-spam legislation in the Senate before the August recess. But debate over the registry's inclusion, possibly as an amendment to Burns-Wyden, has delayed the vote until the Senate reconvenes after Labor Day. ♦

# Arafat's Fat Wallet

As long as he holds the Palestinian purse strings, he still calls the shots. **BY RICHARD W. CARLSON**

MAHMOUD ABBAS'S and Ariel Sharon's ministerial jets passed in the Washington night recently as each man presented arguments and complaints to President George W. Bush. But, so far as is known, not a word was uttered about the 600-pound gorilla in the checkered *keffiyeh*, Yasser Arafat, whom Bush did not invite to stop by.

Money is a big reason Arafat, though sidelined, cannot be forgotten. He controls the Palestinian purse strings, vast sums that pour into Gaza from around the world. Thus he can order up terrorism at the drop of a hat and frequently does. He has been supplying funds and political support to the Al Aksa Martyrs Brigade—which last week claimed responsibility for the suicide bombings in Rosh Ha'ayin—among other Palestinian terrorist groups trying to kill Israeli citizens, disrupt the current cease-fire, and derail the Mideast peace plan. Yet, President Bush has announced plans to give $20 million to the Palestinian Authority as an incentive towards its stability. He said the money will go to boost "the daily lives of ordinary Palestinians."

This is not likely. The PA is deeply and thoroughly corrupt, and it is encouraged and supported in its corruption by Yasser Arafat's leadership. Tens of millions of dollars of its monthly income have been wasted through gross inefficiency and nepotism or misspent on expensive perks for favored bureaucrats. Financial controls and safeguards have not existed or are puny. Although a great deal of money is clearly coming in to the PA, there is no public disclosure of monies spent.

Yet hope springs eternal. White House officials have been crossing their fingers for the PA's finance minister, appointed last year, Salam Fayyad, a former official with the World Bank, who is widely considered to be honest and forthright. Fayyad admits to the existing corruption in the PA and has attempted some "cleaning."

But it's hard to see how Fayyad might curb the widespread corruption or neutralize Arafat's enormous financial leverage. According to Aharon Ze'evi, Israel's chief of military intelligence, as of last year, Arafat had a net worth of $1.3 billion around the time Fayyad took over the finance ministry. Now, if that sum seems incredible, consider that the European Union alone has sent Arafat and the PA an average of $150 million every year for the past decade. Also, the Arab League has donated $1 billion since 2000. Another $1.3 billion came last year from private donations. And in the past two years, the United States has given $375 million to the Palestinians through the United Nations.

*Arafat's ministers are also corrupt, using public funds to build huge houses for themselves, or just to fatten their own bank accounts.*

Nor has this flow of international money pouring into Arafat's accounts ever been cut off by something so inconvenient as terrorist violence and murder. On June 19, following a series of suicide bombings in Israel by Arafat's Al Aksa Martyrs Brigade, the E.U. parliament proceeded to give the PA $17.7 million. Although the parliament demanded "full transparency," E.U. leader Chris Patten conceded to the Associated Press that it wasn't very likely. Given the corruption and other problems in the PA, Patten said the demand for transparency was "an impossible question to ask in the real world." The E.U. earlier admitted it had sent $10 million directly to Arafat's personal bank account.

What international largesse the PA receives is not controlled by Mahmoud Abbas or Salam Fayyad. Such monies are solely controlled by the wily Arafat from his Gaza office. It is no wonder he ranks as one of the world's richest men, having always treated the massive treasury of the Palestinian nationalist movement as his own. He demands that the millions donated every month by supportive Arab regimes be transferred to accounts in his name only. Over 120,000 Palestinians work in Saudi Arabia and, according to Janet and John Wallach's biography of Arafat, a 5 percent tax is levied on their salaries and sent to Arafat. And for decades, cash has poured in from the world's dictatorships and authoritarian governments: the Soviet Union, Eastern Europe, Libya, Cuba, as well as the Arab states.

Arafat's revolutionary organization has to be the richest nationalist movement in history without a state, though the millions of Arab Palestinians who have supported it are among the poorest of the world's citizens. The Palestinian Liberation Organization has been the Microsoft of Arab nationalism and Arafat is its Bill Gates. An ally at a meeting of Palestinian leaders once asked, "Where is the money for the Intifada?" "Here I am," replied Arafat.

Withdrawals and transfers from accounts in Arafat's name are,

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according to the Wallachs, allowed only under his signature. The Arab Bank in Amman and Cairo, a couple of Swiss banks, and the Chase Bank and HSBC Bank in New York are Arafat's favorites, according to informed sources, though he personally has accounts totaling hundreds of millions of dollars in a dozen other banks around the world. Indeed, all this money protects him from attempts to undermine his leadership. As Arafat himself has said, "He who controls the money has the power."

In the summer of 1993, Yasser Arafat told Larry King, "I don't take a salary. I live off the money I made in Kuwait." Arafat has a reputation for lying, even among his friends, and this one's a whopper. He worked as a modestly paid engineer in Kuwait forty years ago, though he has often claimed it made him a millionaire. A more accurate representation of his personal finances can be gleaned from documents recently publicized by the Middle East Media Research Institute, showing that $5.1 million donated by Arab states to ease the suffering of ordinary Palestinians was diverted to one of Arafat's personal accounts to cover the living and shopping expenses of his wife Suha and his daughter, who live in Paris.

Arafat's ministers are also corrupt, using public funds to build huge houses for themselves, or buy fancy cars, or just to fatten their own bank accounts. In the cache of PA documents seized by Israel last year was evidence that the foreign minister had drawn funds from the Ministry of Finance to pay for the expensive air conditioning system installed in his luxurious Ramallah home. The ministers' names and the details of their corruption are known to the Palestinians sipping sweet coffee at Gaza cafés, and there is great cynicism about the PA among Palestinians because of it. "There's no question the PA is deep in thievery," says a retired CIA officer with experience in the Mideast, "and they are deeply resented by your average Palestinian."

The president spoke last week of establishing a joint U.S.-Palestinian economic effort, presumably to give Palestinians the promised $20 million. He said he will send Treasury secretary John Snow and Commerce secretary Don Evans to the Mideast early this fall to take a look at economic conditions. Both men are able, and Evans is one of Bush's closest friends. Perhaps they can help. They should look long and hard at the Palestinian Authority, but first they should send minions to talk to a few of those Palestinians sipping sweet coffee in the Gaza cafés and get the names of the PA bureaucrats who are using the money as if it were their own. Of course, the first name on the list will be Yasser Arafat. ♦


Michael Ramirez

# The Disgrace of the BBC

## *Unfair, unbalanced, and afraid*

**By Josh Chafetz**

*Oxford, England*

Every year, every household in Britain with a color television set has to pay a licensing fee of approximately $187. The resulting $4.3 billion constitutes 90 percent of the annual $4.8 billion domestic broadcasting budget of the British Broadcasting Corporation. Inspectors from the TV Licensing Agency patrol neighborhoods using wireless detectors to attempt to pick up the "local oscillator" signal from a television in use. Anyone caught using a TV without a license is subject to a fine of up to $1,600. It doesn't matter if you watch TV once a month; it doesn't matter if you heartily disapprove of the BBC's editorial direction (or, indeed, its existence); it doesn't matter if you think the Beeb hasn't produced anything worth watching since *Fawlty Towers* went off the air in 1979: You still have to pay.

What do you get for your money? The typical American might think of *Masterpiece Theatre* and high-toned pronunciation. But that's only if you've missed the spectacle of the BBC's institutional meltdown this year, which is theater of a different sort and not nearly as edifying. The plot runs as follows: The BBC has accused Tony Blair's Labour government of dishonesty in making the case for war with Iraq. The government has accused the BBC of dishonesty in making the case against the government. The anonymous source for the key BBC report—a scientist employed by the Defense Ministry—has killed himself. And a judicial inquiry into the circumstances surrounding his death is now under way in London, at the request of the government—roughly the equivalent of an independent counsel investigation.

The testimony so far has not been flattering to the BBC (or the government). Charges and countercharges of corruption fill the front pages of the papers. (Had TV cameras been allowed into the Royal Courts of Justice, where the witnesses are testifying, the BBC might have unwittingly produced and starred in a hugely popular reality TV show.) It turns out that what a captive audience gets from a media megalith with a government-enforced subsidy is exactly what a beginning student of economics would predict: The BBC may be arrogant, but it's also incompetent, not to mention surly and evasive when criticized.

The war in Iraq has left in its wake a string of embarrassments for the BBC that have many questioning its privileged status. Throughout the war, the BBC was consistently—and correctly—accused of antiwar bias. These accusations began almost as soon as the fighting did, when the BBC described the death of two Royal Air Force crew members, after their jet was accidentally downed by a U.S. Patriot missile, as the "worst possible news for the armed forces." On March 26 (less than a week into the fighting), Paul Adams, the BBC's own defense correspondent in Qatar, fired off a memo to his bosses: "I was gobsmacked to hear, in a set of headlines today, that the coalition was suffering 'significant casualties.' This is simply NOT TRUE." He went on to ask, "Who dreamed up the line that the coalition are achieving 'small victories at a very high price?' The truth is exactly the opposite. The gains are huge and costs still relatively low. This is real warfare, however one-sided, and losses are to be expected." Outside critics were even blunter: They revived the nickname "Baghdad Broadcasting Corporation," a coinage from the first Gulf War, when BBC broadcasts from the Iraqi capital were censored by Saddam's government without viewers' being notified.

"What makes the BBC's behavior particularly heinous," noted Douglas Davis, the London correspondent for the *Jerusalem Post*, "is the relentless indulgence of its penchant for what might be politely termed 'moral equivalence' at a time when Britain is at war with a brutal

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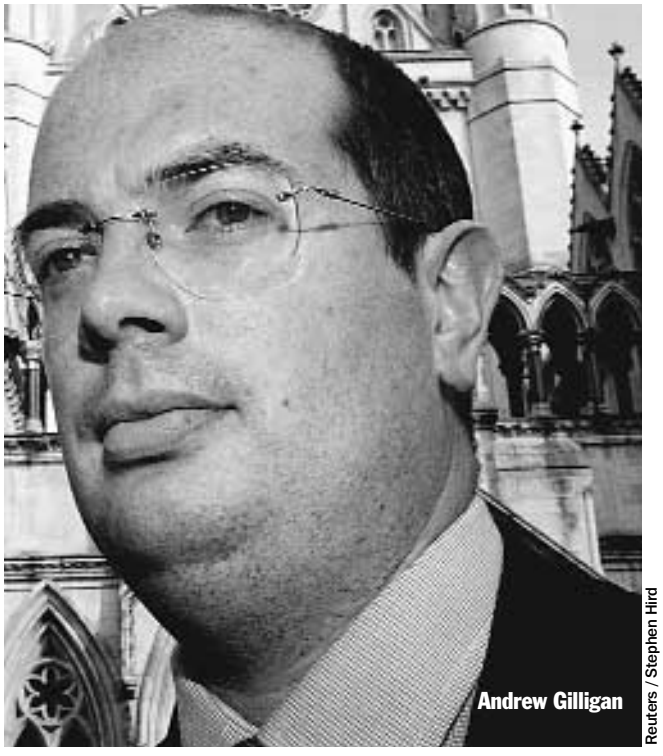
enemy and its servicemen are dying on the battlefield." Mark Damazer, the deputy director of BBC News, did nothing to dispel that kind of criticism when he said (in a speech to Media Workers Against the War, no less) that it would be a "mistake" for BBC journalists to use the word "liberate" when referring to areas now under coalition control. Stephen Whittle, the BBC's controller of editorial policy, piled on, telling his journalists to refer to the armed forces as "British troops" and not "our" troops.

While Damazer graciously admitted that the BBC "make[s] mistakes," most of those mistakes were distinctly unfriendly towards the coalition. For example, on April 3, after U.S. troops had taken control of the Baghdad airport, Andrew Gilligan (remember that name) reported on the BBC World Service and on the BBC website, "Within the last 90 minutes I've been at the airport. There is simply no truth in the claims that American troops are surrounding it. We could drive up to it quite easily. The airport is under full Iraqi control." That was Gilligan's story, and the BBC was sticking to it—until another correspondent pointed out that Gilligan was not, in fact, at the airport, but U.S. troops quite clearly were.


Andrew Gilligan

Reuters / Stephen Hird

Two days later, on April 5, Gilligan reported, "I'm in the center of Baghdad, and I don't see anything. But then the Americans have a history of making these premature announcements." At roughly the same time, CNN was broadcasting pictures of the 3rd Infantry driving through the center of Baghdad. By April 11, even the intrepid Gilligan could no longer maintain that the coalition was not in control of Baghdad. So instead he argued that Baghdadis were experiencing their "first days of freedom in more fear than they have ever known before"—that is, that they felt less safe than they had under Saddam. The prime minister's office shot back, "Try telling that to people put in shredders or getting their tongues cut out."

But it's unfair to single out Gilligan: His colleagues were spinning just as egregiously. For instance, on May 15, John Kampfner filed a story in which he called the April 1 rescue of POW Jessica Lynch "one of the most stunning pieces of news management ever conceived." The U.S. Special Forces troops who rescued her "knew that the Iraqi military had fled a day before they swooped on the hospital." The Pentagon, he claimed, "had been influenced by Hollywood producers of reality TV and action movies" to the extent that the troops had actually gone in firing blanks to make the rescue more dramatic on tape.

This should have struck any professional war correspondent as implausible, to say the least. As a U.S. official deadpanned to the *Washington Times*, the Navy SEALs who rescued Lynch "are not the type of guys who carry blanks." In fact, an investigation by NBC News found that "the so-called blanks were actually flash-bang grenades used to stun and frighten hospital workers and potential resistance." Hospital workers also told NBC that the Iraqi military had used the basement of the hospital as a headquarters, and that top brass had left only six hours before the raid. And while there was no fighting inside the hospital, there was a firefight between soldiers guarding the hospital perimeter and Iraqi paramilitaries.

Of course, BBC spin usually comes in more subtle forms. The use of scare quotes on the BBC website, for example, often betrays a remarkable contempt for the coalition. When Uday and Qusay Hussein were killed by U.S. troops last month, the website blared, "Saddam sons 'dead'" and "Iraq 'deaths' will have huge effect." The next day, having come to terms with the fact of these deaths, the BBC moved on to questioning their value: "U.S. celebrates 'good' Iraq news." And, as Christopher Hitchens noted in a perceptive *Slate* essay, you can no longer depend on BBC journalists even for proper pronunciation. The Beeb's announcers habitually mangle Deputy Secretary of Defense Paul Wolfowitz's last name (pronounced exactly as it looks) to make it more Jewish-sounding: *Vulfervitz*.

Hitchens isn't the only one who has noticed something not quite kosher in the BBC's treatment of Jews.

The Israeli government, responding to a persistent demonization which it says "verges on the anti-Semitic"—including a documentary which erroneously claimed that the Israeli army uses nerve gas on the Palestinians—recently announced that it would no longer cooperate with the BBC in any way. Israel does not impose similar sanctions on any other news organization.

In the midst of all this controversy, Greg Dyke, the director-general of the BBC, took time to, yes, criticize the American media. "Personally, I was shocked while in the United States by how unquestioning the broadcast news media was during this war," he told a University of London audience. The fragmented American television industry, he said, has made the White House and the Pentagon "all-powerful with no news operation strong enough or brave enough to stand up against it." What a contrast to the bravery of the BBC! But as sometime BBC commentator Janet Daley wrote in the *Telegraph*, "BBC staff often say proudly that it is their responsibility to oppose whatever government is in power. Well, actually, it isn't. . . . Examination and analysis are the business of tax-funded journalism. Opposition is the business of mandated politicians."

But all of the BBC's chutzpah, all of its spinning, all of its slant are small beer by comparison with the scandal currently engulfing the Corporation. And for that, we come back to Andrew Gilligan. Last September, the Blair government published a 50-page dossier setting out the case for regime change in Iraq. Among the more striking claims was that some Iraqi weapons of mass destruction could be launched within 45 minutes of an order to do so. In the aftermath of the war, it now appears that this claim was mistaken. But the BBC has alleged something more sinister than an innocent mistake.

On May 29 of this year, Andrew Gilligan reported on BBC Radio 4's *Today* program that "a British official who was involved in the preparation of the dossier" told him the 45-minute claim "was included in the dossier against our wishes" at the behest of the prime minister's office, in order to make the dossier "sexier." Gilligan quoted his source as saying that, "Most people in intelligence were unhappy with the dossier because it didn't reflect the considered view they were putting forward." The government was not asked for a comment before the report ran. Three days later, in an article in the *Mail on Sunday*, Gilligan named Alastair Campbell, Blair's director of communications (and never one of the more popular people in London) as the official who ordered the dossier "sexed-up."

Gilligan's report, unsurprisingly, caused a splash, prompting furious denials from the government and the intelligence agencies, the launch of an investigation by the House of Commons Foreign Affairs Committee, and a frenzied hunt for the mole. The accusation was repeated numerous times in the subsequent weeks, with other BBC journalists citing Gilligan's "intelligence source." Gilligan was summoned to testify before the Foreign Affairs Committee on June 19. In that testimony, he gave a few details of his May 22 lunch with his source, whom he described as "one of the senior officials in charge of drawing up the dossier." On June 25, Campbell testified before the committee. He denied Gilligan's claims and demanded an apology from the BBC.

On June 30, Dr. David Kelly—a microbiologist, expert in chemical and biological warfare, former U.N. weapons inspector in Iraq, and adviser to the British Defense Ministry and Foreign Office—read the transcript of Gilligan's testimony. He had lunched with Andrew Gilligan on May 22, and he recognized parts of their conversation in Gilligan's testimony. But other details perplexed him. He wrote a memo to his line manager at the Ministry of Defense, saying that he had met with Gilligan to discuss his experiences in Iraq, not the government's dossier. He "did not even consider" that he could have been Gilligan's source until a colleague pointed out that some of the things Gilligan's source told him sounded like things Kelly regularly said. But, Kelly's memo continued, "the description of that meeting in small part matches my interaction with him, especially my personal evaluation of Iraq's capability, but the overall character is quite different. I can only conclude one of three things. Gilligan has considerably embellished my meeting with him; he has met other individuals who truly were intimately associated with the dossier; or he has assembled comments from both multiple direct and indirect sources for his articles."

Kelly was summoned for meetings with his line manager and the Ministry of Defense's personnel director on July 4 and 7. He gave them his account of what had been discussed at his lunch with Gilligan, and he was told that he had broken Civil Service rules by having an unauthorized meeting with a journalist, but that he would not be formally disciplined. At the second meeting, he was told that a statement would be released announcing that a civil servant had met with Gilligan. Although he would not be named in the statement, Kelly was warned that his name might come out, as there were so few specialists in his field.

Meanwhile, the BBC's Board of Governors released a statement standing behind Gilligan's report. It noted that, although its producers' guidelines "say that the

BBC should be reluctant to broadcast stories based on a single source, and warn about the dangers of using anonymous sources, they clearly allow for this to be done in exceptional circumstances. Stories based on senior intelligence sources are a case in point." The statement also defended the BBC's overall coverage of the war, calling it "entirely impartial," and demanding that Campbell withdraw allegations of bias.

On July 7, the same day that Dr. Kelly had his second meeting with his supervisors, the Foreign Affairs Committee cleared Blair spokesman Alastair Campbell of "sexing-up" the dossier, although it found that the 45-minute claim was given undue prominence. The next day, Geoff Hoon, the defense minister, wrote to Gavyn Davies, the BBC chairman, enclosing a copy of the statement that his office would release later in the day, saying that a civil servant had come forward as Gilligan's source. Hoon offered to tell Davies the name on the condition that Davies agree in advance to confirm or deny whether the named civil servant was, indeed, Gilligan's source. Davies refused the offer.

*Susan Watts told the inquiry that she had hired her own attorney because she "felt under some considerable pressure from the BBC" to "help corroborate Andrew Gilligan's allegations."*

The Defense Ministry released the statement, contradicting the BBC Board's claim that it had relied on "senior intelligence sources" in accusing the government. Gilligan's source, said the ministry statement, was "an expert on WMD who has advised ministers on WMD and whose contribution to the Dossier of September 2002 was to contribute towards drafts of historical accounts of UN inspections. He is not 'one of the senior officials in charge of drawing up the dossier.' He is not a member of the Intelligence Services or the Defence Intelligence Staff." The statement also noted that the civil servant in question had explained to Gilligan that "he was not involved in the process of drawing up the intelligence parts of the Dossier."

The BBC then issued a statement claiming that the "description of the individual contained in the [Ministry of Defense] statement does not match Mr. Gilligan's source in some important ways. . . . Mr. Gilligan's source does not work in the Ministry of Defense."

Based on the information in the Defense Ministry's statement, a number of reporters came up with Dr. Kelly's name, and the ministry confirmed that he was the one who had come forward. This was widely reported in the newspapers on July 10. The same day, Davies wrote to Hoon, "The BBC will not be making any more comments about, or responding to any claims concerning the identity of Andrew Gilligan's source."

Both the Foreign Affairs Committee and the Intelligence and Security Committee requested that Dr. Kelly testify before them. On July 15, he testified before the Foreign Affairs Committee. He told them that his involvement in the dossier was limited to writing a historical account of U.N. inspections in Iraq and of Iraq's pattern of concealment and deception. Because he had not, to the best of his recollection, said many of the things that Gilligan attributed to his source, Kelly told the committee that he did not believe he was the main source for Gilligan's story. The next day, he testified in a closed session before the Intelligence and Security Committee.

On July 17, Gilligan was recalled to give testimony before a closed session of the Foreign Affairs Committee. Following the testimony, committee chairman Donald Anderson publicly called Gilligan "an unsatisfactory witness." Later, the committee would agree to publish Gilligan's testimony, only to reverse that decision after Gavyn Davies, the BBC chairman, argued that publication might adversely affect Gilligan's health (Gilligan was "stressed," according to Davies). But the truth will out, and the transcript was soon leaked to the *Guardian* (the committee finally got around to releasing it officially on August 12).

The transcript is not pretty. Gilligan bobs and weaves to evade responsibility, saying things like, "I have never said in respect of the insertion of the 45-minute claim that Mr. Campbell inserted it. I simply quoted the words of my source." The displeasure with Gilligan was bipartisan, with Tory MP John Stanley asking for a "very full and frank apology to this committee for having, in my view, grievously misled this committee," and Labour MP Eric Illsley going even further: "You have misled the whole world, let alone this committee."

Later that same day, David Kelly went for a walk in the woods near his Oxfordshire home and slit his left wrist. He was found dead the following morning.

The next day, the government announced that an investigation into the affair would be conducted by Lord Hutton, one of Britain's most senior and respected judges. The BBC finally acknowledged on July 20 that Dr. Kelly had been Gilligan's source, adding, "The BBC believes we accurately interpreted and reported the factual information obtained by us during interviews with Dr. Kelly."

With the Hutton inquiry now ongoing, there are at least three major questions facing the BBC. First, and most obviously, did Kelly say what Gilligan claims he said? The BBC put out word that Kelly had similar conversations with two other BBC journalists, Gavin Hewitt and Susan Watts. But the reports filed by Hewitt and Watts are much closer to what the Foreign Affairs Committee eventually concluded—that the prime minister's office was guilty, at worst, of overemphasizing certain intelligence—than they are to Gilligan's claim that intelligence was included in the dossier "against [the] wishes" of the intelligence agencies.

In the most dramatic testimony so far, Susan Watts last Wednesday told the Hutton inquiry that Dr. Kelly "certainly did not say [to her] the 45-minutes claim was inserted by Alastair Campbell or by anyone else in government." More disturbingly, she told the inquiry that she had hired her own attorney because she "felt under some considerable pressure from the BBC" to "help corroborate Andrew Gilligan's allegations." She continued, "I felt the BBC was trying to mold my stories so they reached the same conclusions [as Gilligan] . . . which I felt was misguided and false."

Susan Watts

Reuters / Toby Melville

Second, why was Kelly persistently misidentified? Gilligan called him a "British official who was involved in the preparation of the dossier," which was misleading, as Kelly was not involved in the preparation of that part of the dossier that Gilligan went on to discuss. Other BBC journalists then referred to Kelly as an "intelligence source," which he was not, and the BBC Board of Governors called him a "senior intelligence source," which he emphatically was not. The BBC then issued a bald-faced lie when it claimed that the Defense Ministry's description of Kelly did not match Gilligan's source and that Gilligan's source did not work at the Ministry.

Finally, even if Gilligan did correctly report Kelly's claims, why was such an explosive story run based on a single, incorrectly identified, anonymous source, without giving the government a chance to comment? Would a story with such flimsy sourcing have seen the light of day had it not so conveniently buttressed the BBC's ideological biases?

Since Kelly's death, the BBC's approach has been to avoid answering such questions by going on the offensive against its critics. Most disgracefully, John Kampfner—the same BBC reporter who filed the bogus story about Jessica Lynch's rescuers shooting blanks—took to the *New Statesman* to hint that Kelly may not have committed suicide. (Another article in the same issue of the same magazine speculates on who might have wanted Kelly dead.) Meanwhile, BBC chairman Gavyn Davies penned an op-ed for the *Telegraph* arguing that "it would have been profoundly wrong for BBC journalists to have suppressed their stories" and lauding his organization for upholding "its traditional attachment to impartiality and the truth under almost intolerable pressures" during and after the war.

Of course, not everyone is certain that the BBC has ever had an "attachment to impartiality and the truth" (the Ministry of Truth in *1984* was partly inspired by George Orwell's wartime experiences working for the BBC). But even many who were previously inclined to show deference to the BBC are now losing that faith: A recent poll found that public confidence in the BBC has fallen by a third in the last nine months, and another poll found that 51 percent of Britons trust TV and radio news less now than they did a year ago. The BBC's current 10-year charter expires at the end of 2006, and a number of MPs are hinting that the terms of the charter will be significantly revised. A few radicals have even raised the idea of full privatization.

In April, columnist Barbara Amiel joked in the *Telegraph* that "About the only thing in Saddam's favor was that you could get the death penalty for listening to the BBC." Ironically, it just might be the BBC's desire to prevent the death of Saddam's regime that results in the mighty Corporation's own downfall. ♦

# The Neoconservative Persuasion

## *What it was, and what it is*

**By Irving Kristol**

*"[President Bush is] an engaging person, but I think for some reason he's been captured by the neoconservatives around him."*
Howard Dean, *U.S. News & World Report*, August 11, 2003

What exactly is neoconservatism? Journalists, and now even presidential candidates, speak with an enviable confidence on who or what is "neoconservative," and seem to assume the meaning is fully revealed in the name. Those of us who are designated as "neocons" are amused, flattered, or dismissive, depending on the context. It is reasonable to wonder: Is there any "there" there?

Even I, frequently referred to as the "godfather" of all those neocons, have had my moments of wonderment. A few years ago I said (and, alas, wrote) that neoconservatism had had its own distinctive qualities in its early years, but by now had been absorbed into the mainstream of American conservatism. I was wrong, and the reason I was wrong is that, ever since its origin among disillusioned liberal intellectuals in the 1970s, what we call neoconservatism has been one of those intellectual undercurrents that surface only intermittently. It is not a "movement," as the conspiratorial critics would have it. Neoconservatism is what the late historian of Jacksonian America, Marvin Meyers, called a "persuasion," one that manifests itself over time, but erratically, and one whose meaning we clearly glimpse only in retrospect.

Viewed in this way, one can say that the historical task and political purpose of neoconservatism would seem to be this: to convert the Republican party, and American conservatism in general, against their respective wills, into a new kind of conservative politics suitable to governing a modern democracy. That this new conservative politics is distinctly American is beyond doubt. There is nothing like neoconservatism in Europe, and most European conservatives are highly skeptical of its legitimacy. The fact that conservatism in the United States is so much healthier than in Europe, so much more politically effective, surely has something to do with the existence of neoconservatism. But Europeans, who think it absurd to look to the United States for lessons in political innovation, resolutely refuse to consider this possibility.

Neoconservatism is the first variant of American conservatism in the past century that is in the "American grain." It is hopeful, not lugubrious; forward-looking, not nostalgic; and its general tone is cheerful, not grim or dyspeptic. Its 20th-century heroes tend to be TR, FDR, and Ronald Reagan. Such Republican and conservative worthies as Calvin Coolidge, Herbert Hoover, Dwight Eisenhower, and Barry Goldwater are politely overlooked. Of course, those worthies are in no way overlooked by a large, probably the largest, segment of the Republican party, with the result that most Republican politicians know nothing and could not care less about neoconservatism. Nevertheless, they cannot be blind to the fact that neoconservative policies, reaching out beyond the traditional political and financial base, have helped make the very idea of political conservatism more acceptable to a majority of American voters. Nor has it passed official notice that it is the neoconservative public policies, not the traditional Republican ones, that result in popular Republican presidencies.

One of these policies, most visible and controversial, is cutting tax rates in order to stimulate steady economic growth. This policy was not invented by neocons, and it was not the particularities of tax cuts that interested them, but rather the steady focus on economic growth. Neocons are familiar with intellectual history and aware that it is only in the last two centuries that democracy has become a respectable option among political thinkers. In earlier times, democracy meant an inherently turbulent political regime, with the "have-nots"

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and the "haves" engaged in a perpetual and utterly destructive class struggle. It was only the prospect of economic growth in which everyone prospered, if not equally or simultaneously, that gave modern democracies their legitimacy and durability.

The cost of this emphasis on economic growth has been an attitude toward public finance that is far less risk averse than is the case among more traditional conservatives. Neocons would prefer not to have large budget deficits, but it is in the nature of democracy—because it seems to be in the nature of human nature—that political demagogy will frequently result in economic recklessness, so that one sometimes must shoulder budgetary deficits as the cost (temporary, one hopes) of pursuing economic growth. It is a basic assumption of neoconservatism that, as a consequence of the spread of affluence among all classes, a property-owning and tax-paying population will, in time, become less vulnerable to egalitarian illusions and demagogic appeals and more sensible about the fundamentals of economic reckoning.

This leads to the issue of the role of the state. Neocons do not like the concentration of services in the welfare state and are happy to study alternative ways of delivering these services. But they are impatient with the Hayekian notion that we are on "the road to serfdom." Neocons do not feel that kind of alarm or anxiety about the growth of the state in the past century, seeing it as natural, indeed inevitable. Because they tend to be more interested in history than economics or sociology, they know that the 19th-century idea, so neatly propounded by Herbert Spencer in his *The Man Versus the State*, was a historical eccentricity. People have always preferred strong government to weak government, although they certainly have no liking for anything that smacks of overly intrusive government. Neocons feel at home in today's America to a degree that more traditional conservatives do not. Though they find much to be critical about, they tend to seek intellectual guidance in the democratic wisdom of Tocqueville, rather than in the Tory nostalgia of, say, Russell Kirk.

But it is only to a degree that neocons are comfortable in modern America. The steady decline in our democratic culture, sinking to new levels of vulgarity, does unite neocons with traditional conservatives—though not with those libertarian conservatives who are conservative in economics but unmindful of the culture. The upshot is a quite unexpected alliance between neocons, who include a fair proportion of secular intellectuals, and religious traditionalists. They are united on issues concerning the quality of education, the relations of church and state, the regulation of pornography, and the like, all of which they regard as proper candidates for the government's attention. And since the Republican party now has a substantial base among the religious, this gives neocons a certain influence and even power. Because religious conservatism is so feeble in Europe, the neoconservative potential there is correspondingly weak.

And then, of course, there is foreign policy, the area of American politics where neoconservatism has recently been the focus of media attention. This is surprising since there is no set of neoconservative beliefs concerning foreign policy, only a set of attitudes derived from historical experience. (The favorite neoconservative text on foreign affairs, thanks to professors Leo Strauss of Chicago and Donald Kagan of Yale, is Thucydides on the Peloponnesian War.) These attitudes can be summarized in the following "theses" (as a Marxist would say): First, patriotism is a natural and healthy sentiment and should be encouraged by both private and public institutions. Precisely because we are a nation of immigrants, this is a powerful American sentiment. Second, world government is a terrible idea since it can lead to world tyranny. International institutions that point to an ultimate world government should be regarded with the deepest suspicion. Third, statesmen should, above all, have the ability to distinguish friends from enemies. This is not as easy as it sounds, as the history of the Cold War revealed. The number of intelligent men who could not count the Soviet Union as an enemy, even though this was its own self-definition, was absolutely astonishing.

*Statesmen should, above all, have the ability to distinguish friends from enemies. This is not as easy as it sounds, as the history of the Cold War revealed.*

Finally, for a great power, the "national interest" is not a geographical term, except for fairly prosaic matters like trade and environmental regulation. A smaller nation might appropriately feel that its national interest begins and ends at its borders, so that its foreign policy is almost always in a defensive mode. A larger nation has more extensive interests. And large nations, whose identity is ideological, like the Soviet Union of yesteryear and the United States of today, inevitably have ideologi-

cal interests in addition to more material concerns. Barring extraordinary events, the United States will always feel obliged to defend, if possible, a democratic nation under attack from nondemocratic forces, external or internal. That is why it was in our national interest to come to the defense of France and Britain in World War II. That is why we feel it necessary to defend Israel today, when its survival is threatened. No complicated geopolitical calculations of national interest are necessary.

Behind all this is a fact: the incredible military superiority of the United States vis-à-vis the nations of the rest of the world, in any imaginable combination. This superiority was planned by no one, and even today there are many Americans who are in denial. To a large extent, it all happened as a result of our bad luck. During the 50 years after World War II, while Europe was at peace and the Soviet Union largely relied on surrogates to do its fighting, the United States was involved in a whole series of wars: the Korean War, the Vietnam War, the Gulf War, the Kosovo conflict, the Afghan War, and the Iraq War. The result was that our military spending expanded more or less in line with our economic growth, while Europe's democracies cut back their military spending in favor of social welfare programs. The Soviet Union spent profusely but wastefully, so that its military collapsed along with its economy.

Suddenly, after two decades during which "imperial decline" and "imperial overstretch" were the academic and journalistic watchwords, the United States emerged as uniquely powerful. The "magic" of compound interest over half a century had its effect on our military budget, as did the cumulative scientific and technological research of our armed forces. With power come responsibilities, whether sought or not, whether welcome or not. And it is a fact that if you have the kind of power we now have, either you will find opportunities to use it, or the world will discover them for you.

The older, traditional elements in the Republican party have difficulty coming to terms with this new reality in foreign affairs, just as they cannot reconcile economic conservatism with social and cultural conservatism. But by one of those accidents historians ponder, our current president and his administration turn out to be quite at home in this new political environment, although it is clear they did not anticipate this role any more than their party as a whole did. As a result, neoconservatism began enjoying a second life, at a time when its obituaries were still being published. ♦

# Two Cheers for Nepotism

## *Adam Bellow on fathers and sons*

By Noemie Emery

The high-water mark of nepotism in modern America may have occurred on November 20, 2001, when the building that houses the Department of Justice was renamed in honor of Robert F. Kennedy before a crowd that included his friends and relations and the president of the United States.

It was a festival of the genealogically privileged. Present were George W. Bush, the son of George H.W. Bush and brother of Governor Jeb Bush of Florida; Senator Edward M. Kennedy, brother of Robert and John, and father of congressman Patrick Kennedy of Rhode Island; and Robert F. Kennedy's numerous children, including former congressman Joseph P. Kennedy II, once a hot prospect for higher office, and Kathleen Kennedy Townsend, then in her second term as lieutenant governor of Maryland and considered a shoo-in to accede to the governor's mansion. All listened as Joseph Kennedy II read aloud the account that his father once gave of how he managed to rise at thirty-five to the station of attorney general: "I worked hard, I was ambitious, I studied, I applied myself, and then my brother was elected president."

All laughed, for the joke that connected everyone there was the fact that none of them would have been in that room if they had not been related to two former presidents—George H.W. Bush and John Kennedy—who themselves had been children of two rich and richly connected millionaire fathers who also held high public office. The younger Bush had become president when he narrowly defeated Albert Gore Jr., son of a prominent Tennessee senator who had raised Albert Jr. from his birth to be president and had bequeathed him his seats in the House and the Senate. Once installed, Bush began handing out choice jobs and assignments to members of the Bushes' extended political family: Elizabeth Cheney, daughter of Vice President Richard Cheney, is a deputy assistant secretary in the State Department, while Michael Powell, son of Secretary of State Colin Powell, is chairman of the FCC.

**In Praise of Nepotism**
by Adam Bellow
Doubleday, 576 pp., $30

This good luck was not confined to the Bushes and Kennedys. In 2002, Elizabeth Dole joined Hillary Clinton in the United States Senate; they had become household names when their husbands were running for president. Once in Congress, Mesdames Dole and Clinton joined a rich assortment of wives, widows, children, and siblings of other well-known political people, including Evan Bayh (son of a senator), Mary Landrieu (daughter of a New Orleans mayor), John Sununu (son of a former New Hampshire governor), House minority leader Nancy Pelosi (daughter of a five-term Baltimore congressman), and the up-and-coming Harold Ford Jr., who took his father's old seat in the House.

If everything in politics seems to be relative—or everyone in politics somebody's relative—it also holds true in other professions: in the theater, where the Redgrave family is in its third gen-





The Claudio-Julian emperors, Augustus' inlaws and heirs, in Antonius's 1596 representations. All pictures: CORBIS.

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*The Kennedys*

eration of stardom; in the press, where the *New York Times* and the *Washington Post* are now being run by the grandsons of publishers, and in police and fire departments, where membership also runs in the family.

Of course, none of this is news to Adam Bellow, son of the novelist Saul, and one of a number of children of writers who have followed their parents into the writing profession, if not always in the same field. Bellow, who credits his father's name with opening doors for him (if not for keeping him on the right side of them), does not find this troubling. In fact, he's written an entire book, *In Praise of Nepotism*, about the phenomenon.

The word "nepotism," from the Latin word *nepote*, was coined in the fourteenth century to describe the custom of appointing bastards to high civil posts. For centuries, it flourished as the handmaiden of class systems based on inheritance, meeting resistance in America, where it ran head-on into the competing values of egalitarianism, republican government, and worship of the self-made man.

Reconciling nepotism with those values has always been difficult. "The founding period," Bellow writes, "was one in which the American attitude toward nepotism took shape as something deeply confused." Thus Thomas Jefferson, son of the most powerful family in the most class-driven state in the Union, helped to develop the political arts of mass organization and quasi-populist campaigning. He inherited his class standing as a matter of course, unlike George Washington, son of the second marriage of a minor planter, who had to depend on the favors of a complex web of extended-family members to help his ascent.

It was John Adams who broke new ground as a republican dynast, openly raising his sons to be great. Two cracked under the strain, but the eldest, John Quincy, "accepted his fate," and as a child would enter a cauldron of pressure from which he never emerged. At age eleven, he went with his father to France as his secretary; at fourteen he went to Russia (minus his father) as secretary to the American legate; at fifteen and sixteen he was secretary to American peace delegations at The Hague and Paris; and in 1786 he went to London as his father's secretary when the elder Adams became ambassador to the Court of St. James. In 1794 President Washington appointed his vice president's son ambassador to the Netherlands at age twenty-seven, and his official career had started in earnest: Thirty years later, having been secretary of state and ambassador to Russia and Britain, he did indeed follow his father, becoming the sixth president in 1824.

But this First Nepot had the misfortune to be opposed by the first great self-made man in American political history, Andrew Jackson, who turned Adams's background against him in what would emerge as the time-honored fashion: "Adams was portrayed as hopelessly out of touch, a man who never worked an honest day in his life, and who despised the common people. . . . His family was mockingly referred to as 'the House of Braintree,' and his father as 'King John the First.'"

When Theodore Roosevelt became at twenty-three the youngest member of the New York Assembly in 1882, he was elected wholly on the reputation of his father, a well-known philanthropist, who had been all but worshipped in New York. "Mr. Roosevelt has hereditary claims to the confidence and hopefulness of the voters of this city," the *New York Post* advised readers, "for his father was in his day one of the most useful and public-spirited of men." Teddy's Roosevelt name in turn became the booster-rocket for his fifth cousin Franklin, who adopted the former president as his model and patron, married his niece, and mapped out a career path that in every particular mirrored the one taken by Theodore. Bellow cites Stephen Hess's comment: "The young candidate didn't bother to correct any mistaken impression that he was a son or nephew of the Roosevelt president." He credits the big break of Franklin's career—his selection in 1920 to run as vice president—to his "coattail connection" with Teddy. "I voted for your father!" he often heard people cry.

When Franklin himself first ran for president, one of his backers was Joseph P. Kennedy, a financier with nine children who, by making his children's advancement the work of his lifetime, lifted nepotism to stunning new heights. Dreaming of seeing his four sons in government, he devoted twenty-nine years to raising his first son, Joe Jr., to grow up to be president. He insisted his second son John take his place. As senator and president, John Kennedy had known and had worked with two other senators, Prescott Bush of Connecticut and Albert Gore of Tennessee. In 1962, Prescott Bush retired, but his second son, George Herbert Walker Bush, was planning his run for a House seat in Texas and dreaming of becoming president himself.

Meanwhile, Gore had presidential ambitions both for himself and his son, who was raised from his birth as an oncoming president, and whose nickname at school was "Prince Al." His birth was announced on the front page of the Tennessee newspapers; at age six, he was hailed as a politician in training; at twenty-eight, he took his father's old House seat, and then jumped to the Senate at age thirty-six. At just under forty, he ran his first race for president, because his father had asked him to do it. Four years later, he ran for vice president on Bill Clinton's ticket, and they ousted George H.W. Bush, who was seeking reelection. Eight years after that, he made the run for the presidency his father had planned all his life. In what was billed as a battle of dynasts, he lost to Bush's eldest son, George.


The Bushes

Does this mean that nepotism is always triumphant? Not quite. To the surprise of all who had known them in prep school and college, family cut-ups George W. Bush and John Kennedy turned out to have political skills and real leaderly qualities. But Al Gore never developed such instincts, despite a quarter century in public life. Katharine Graham saved the *Washington Post*, but the newspaper empire of the Binghams of Louisville was torn to shreds by their heirs. Neither the four sons of Theodore Roosevelt nor the four sons of Franklin and Eleanor ever got far in national politics.

And as for the twenty-six surviving grandchildren of Joseph P. Kennedy, torrents of cash, Hollywood stars, endless publicity, and the best advisers that love and money can purchase have been unable to create a single distinguished political figure. In 2000 (with Al Gore) and in 2002, Democrats were badly burned by two children of major political talents who got their first jobs on the names of their families, and proved unequal to tough races in more exposed venues, where family feeling carried less weight: Maryland Democrats are ruing the day they forced Baltimore mayor Martin O'Malley out of the gubernatorial primary to make room for Kathleen Kennedy Townsend. And at this writing, the one member of the third Kennedy generation now in a major political office is a single lackluster member of Congress, who won his first seat in the Rhode Island State Assembly by spending $73 a vote.

What this may suggest is that the tension between nepotism and merit is not quite as great as it seems. Theodore Roosevelt got his start as the son of his father but turned himself into a dynamic and forceful political presence. Franklin Roosevelt at first spun off from his cousin but quickly established his singular presence. The three Kennedy brothers who had major careers were markedly different, not just from their father, but from one another, with different causes, and styles, and followers. As a politician, George W. Bush is different from both his father and grandfather, and, much as John Kennedy did, defines himself in opposition to what he perceives as his father's misjudgments. As Bellow points out, Ted Kennedy's name put him into the Senate, but forty years later his talents have kept him there, and turned him into a figure of consequence. By contrast, the younger Kennedys who were flushed out of office failed to establish compelling personae. To succeed, a dynast has to push off from the family name and in some sense redefine it. If he doesn't, he appears doomed to fail.

Failure, of course, is the flip side of glory, and one to which dynasts are prone. Well-meaning dynasts have pushed sons till they broke (the sons of both John and John Quincy Adams); pushed them into the wrong line of work (Albert Gore Jr.); or set them adrift at a level of fame and temptation that exceeded their powers to cope. Franklin and Eleanor Roosevelt were "underinvolved" with their children and gave them scant attention and discipline. The sons they got "were just the kind you would expect," Bellow informs us, "spoiled opportunists who didn't hesitate to sell their family name." After Robert F. Kennedy was killed in 1968, his many young children grew up more or less without adult supervision, while being indulged as celebrities. After many addictions and accidents, some have now gotten their lives back in order. Some of them did not survive.

Adam Bellow is right that there's at least something to praise in nepotism. But to look at the children of dynasties is to see that there's something to worry about as well. ♦

BCA

# Back to School

## *Can public education be saved?*

**BY JUSTIN TORRES**

If you can think of modern public education as a kind of inferno—and in many ways, you can—then Sol Stern is a modern-day Dante. As a parent of New York City public school kids, he's been through all nine rings of American public-education bureaucracy and mediocrity, which he wrote about in incomparable dispatches for *City Journal*, now collected as *Breaking Free: Public School Lessons and the Imperative of School Choice*.

**Breaking Free**
*Public School Lessons and the Imperative of School Choice*
by Sol Stern
Encounter, 248 pp., $25.95

It's all here. Superintendents who can't get a straight answer on how many people work at district headquarters. Time-serving instructors whose seniority qualifies them to teach upper-level classes they wouldn't qualify to take as students. Principals who are hamstrung by mind-numbing personnel rules forced on them by teachers' unions. Janitors who won't clean, repair, or maintain buildings because

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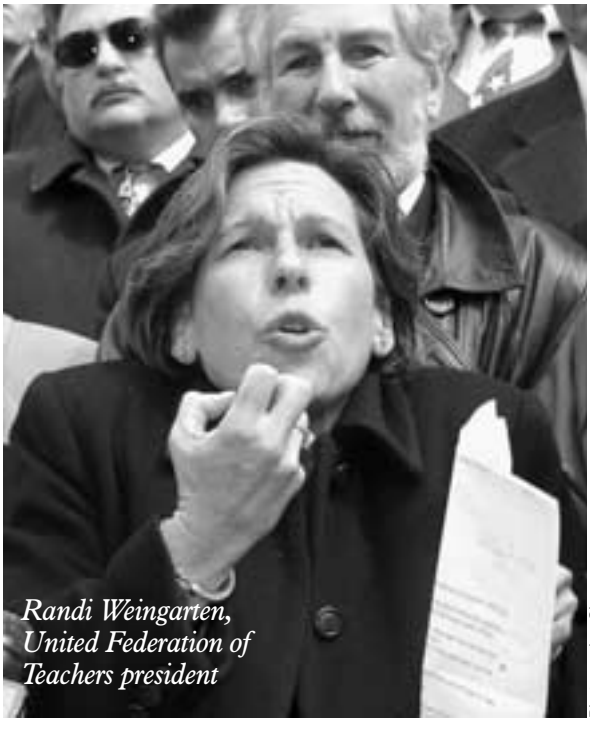
"it's not in my contract." Venerable traditions like "passing the lemon," whereby principals lie on teacher evaluations so they can easily transfer classroom incompetents to other schools and students. Teachers who can't spell or do higher math, or whose idea of teaching history is to have students construct dioramas of Nazi death camps.

Especially disturbing are Stern's descriptions of the mediocrity that infects even high-achieving schools, like New York's famed Stuyvestant High. Yes, test scores there are way above average—but that's largely due to the rigor of the entrance exam and the kids' prior academic accomplishments. In fact, as Stern notes, the teachers could be rotten at Stuyvestant, and "graduating seniors would still achieve average SAT scores of 1,400 points; 99.5 percent of the graduates would go to college; and hundreds would be accepted to Ivy League schools." Kids come to Stuyvestant as academic high-flyers; there is little evidence that four years at the school adds much to their upward trajectory.

When a new principal at Stuyvestant, J. "Jinx" Cozzi Perullo, unexpectedly decides to challenge the complacency of the school, all hell breaks loose. The school's union leader bombards the principal with grievances. She lodges official complaints about Perullo's experiment with block scheduling (doubling up some class periods)—such experiments are prohibited by the district contract with the union, no matter how much sense they make. She complains that the principal isn't doing enough to shield teachers and the union from critical articles in the school's student newspaper. Most important, the union leader wages all-out war to defend the tenure and seniority system that has all but stripped principals of their ability to hire good teachers and fire bad ones. As Stern writes, the complaints quickly reach the point of lunacy: "According to Perullo, some students once offered her a large campaign-style button saying 'Kids First,' which they had created for an upcoming school celebration. Perullo not only accepted the button, she wore it prominently for several days. When [the union leader] spotted the button, she asked Perullo, in all seriousness, 'What about the teachers?'" After five years, Perullo retired and was replaced by a time-server who quickly gave in to the union's demands.

Stern's investigations into America's public schools are fascinating and finely drawn, but there's more here than just a string of absurd episodes. His admiration for New York's Catholic school system shines through in several chapters where he contrasts its ability to educate poor, minority, and largely non-Catholic kids on a shoestring budget with the inability of the wasteful and outsized public school system. Stern recounts the experience of the writer John Chubb, who once waited weeks for the answer to a simple question: How many people work at the New York City district central office at 110 Livingston Street? An exact answer never came, though it was estimated to be between six and seven thousand. Chubb called the central office of the Catholic school system and asked the same question. An aide told him to hang on, and then Chubb heard counting at the end of the line, "One, two, three . . ." The answer was twelve.

And Stern lingers for a chapter to eviscerate Jonathon Kozol of *Savage Inequalities* fame—a writer who, more than possibly any other person, is responsible for the spread of two pernicious notions: that schools underperform because they are underfunded, and that education should be first and foremost about raising class-consciousness. This has been pointed out before, but you can never have enough Kozol-debunking, so ubiquitous (and destructive) is he.



*Randi Weingarten, United Federation of Teachers president*

Photographer Showcase

But *Breaking Free* would be just another morbid tale of public education's woes if it weren't for the glimpse of *paradiso* that Stern gives when he talks about "the schools that vouchers built" in Milwaukee, an educational wasteland where more than 80 percent of black males drop out of the public school system. Now, thanks to $5,600 state-funded vouchers, almost 12,000 poor and minority students are educated in private and religious schools that are models of instructional competence, curricular sanity, and order: Catholic schools like Messmer High School, with its charismatic black president, Brother Bob Smith; religious schools like Believers in Christ Christian Academy, located in the most drug- and crime-ridden neighborhood in the city; and secular schools like Bruce-Guadalupe, where 80 percent of the mostly minority student body scores at or above proficiency on state tests. All of them succeed, says Stern, because they are "called into existence" by community members and sustained by devotion to an educational mission. They are also, of course, free of the reg-

ulatory and curricular plagues that beset public schools.

Stern, in a self-conscious imitation of Ché Guevara, calls for "two, three, many Milwaukees." He is still a 1960s radical, though his cause is now school choice to remedy the educational failings of America's public school system. These failings touch every student—but most especially those who can least afford it, the poor and minority students who have little or nothing in the way of family or community safety nets to make up for their miseducation.

As it happens, school choice is making progress slowly but surely. Charter schools—public schools of choice—are now educating more than six hundred thousand students across the country, despite a backlash from teachers' unions and the education establishment. Vouchers have gained a small foothold in Cleveland and Florida, and this session of Congress may see the establishment of a federally funded voucher program in Washington, D.C. (Even Democrats like Senator Dianne Feinstein have signed on, so awful are the District's public schools.) The private-school scene remains robust, and homeschooling has experienced meteoric growth over the past several years. Soon enough, Milwaukee is coming—everywhere. ♦

# Passion Play

*The controversy over Mel Gibson's forthcoming movie on the death of Jesus Christ.* **BY MICHAEL NOVAK**

The Nicene Creed, recited by the world's more than two billion Christians every Sunday, declares that Jesus Christ "suffered under Pontius Pilate, was crucified, died, and was buried."

More than anything else, these ten words are the theme of *The Passion*, Mel Gibson's new movie. Although not scheduled to be released to theaters until Ash Wednesday, *The Passion* generated this spring more discussion than any film in recent memory: endless op-eds, press releases, debates, and denunciations—all about a movie, in Aramaic and Latin, that none of the commentators had seen.

A German stained-glass window. CORBIS.

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Perhaps in response to all this publicity, both negative and positive, Gibson released a trailer for *The Passion* on July 14. And then, on July 21, he brought a rough cut of the film (with English subtitles) to Washington for a few commentators and interested writers to see.

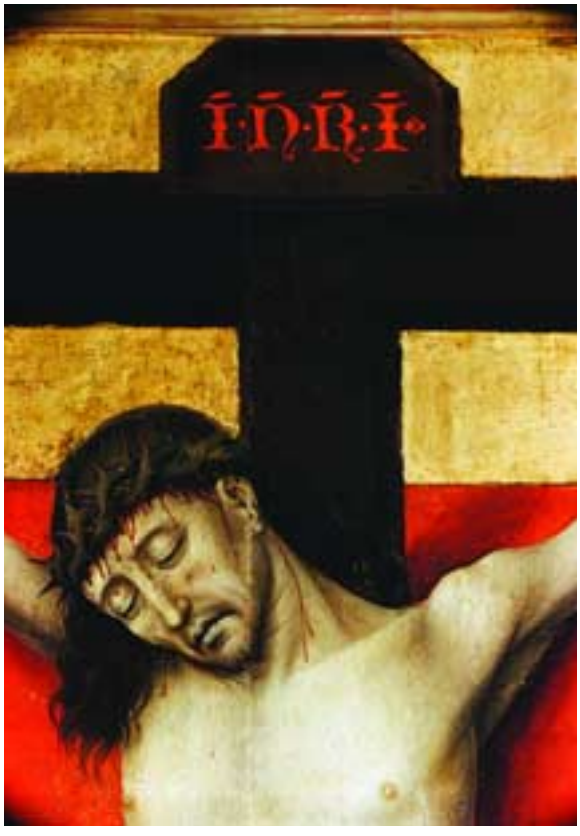
It is the most powerful movie I have ever seen. In the days since watching that rough cut, I have not been able to get the film out of my mind. Although I have read many books on the death of Jesus, and heard countless sermons dwelling on its details, I would never have believed a human being could suffer as much as Gibson's Christ does. Seen through the perspective of the mother of Jesus, as this film allows the viewer to do, the suffering is doubly painful—for with her, we watch the unbearable scourging, gustily delivered by the Romans at Pilate's orders nearly to the point of death. The pillar to which Jesus is chained is less than waist-high, so that his back is bent while he must keep himself on his feet. When he is dragged away, blood lies pooled and splattered on the white marble floor. The soldiers' laughter echoes again at the moment of the awful downward push when he is crowned with thorns. And then there are the thundering falls of the scourged Christ upon his flailed and bleeding back, under the impossible weight of the cross.

There are, in a sense, only five historical accounts of the Passion: in the gospels of Matthew, Mark, Luke, and John, and, in bare but vivid outline, in the letters of St. Paul. Paul's accounts are by some thirty years the earliest and represent in large strokes the settled beliefs of the first generation of Christians. Down the centuries, the narrative of Christ's death and its meaning have remained much the same.

The fuller accounts of Matthew, Mark, Luke, and John supplement each other, often overlapping and sometimes contradicting one another on the sort of contingent details that eyewitnesses (or their note-takers) often report differently. But all the Christian accounts agree that Jesus Christ suffered and died for the sins of all human beings of all time, under the command of the Roman consul in Jerusalem, Pontius Pilate.

Jewish accounts concur that Jesus was a Jew who suffered and died under the Roman authorities. His claims for himself seemed to Jewish authorities then (and since) to be blasphemous—for Christ clearly announced that he owned an authority higher than the high priests and the rabbis', said forthrightly that he was greater than Solomon, and put himself on a higher plane than Moses. He went even further, daring to call God his father.

The claims Christ made for himself seemed at the time divisive and dangerous. Many people, the Jewish authorities told Pilate, were following this man's lead. His history, they said, showed that he worked magic, performed miracles, and consorted with demons. He had been sent by God, he




Detail from Rogier van der Weyden's *The Crucifixion* (c. 1450). CORBIS.

as much as said, to "fulfill the Scriptures." His continued preaching might lead to riot and rebellion. But only the Romans had the power to do to Jesus what was actually done, and so it was under the authority of Pontius Pilate, and at the hands of the Roman Empire, that Jesus "was crucified, died, and was buried."

At the time of Christ's death, Christianity was still internal to Judaism. The Christian Church itself began not at the Passion, but fifty-three days later on Pentecost, when the apostles left an "upper room" in Jerusalem speaking in tongues. With his preaching Jesus had clearly put a challenge to Judaism, expressly announcing a "new" covenant, whose mandate was to "complete" and "fulfill" the "old" covenant. And there is no doubt that Jesus' death meant a parting of the ways between Christians and Jews. Nonetheless, from a Christian point of view, the life and teachings of Jesus and his new covenant do not remove or destroy the old covenant. God cannot be unfaithful to his promises. Besides, if the Creator is not faithful to his first covenant with the Jews, how can Christians expect Him to be faithful to His new covenant with them?

Thus, Christians hold that Christianity fulfills the hopes launched into the world by Judaism. They also hold that those Jews who reject Christianity remain vessels of God's first love. In God's mysterious plan, the continuation of Judaism in time is a grace to be respected, on the same principle on which the faith of Christians rests—the fidelity of God to his everlasting promises.

The Jewish leaders of the generation that knew him did in fact reject Jesus and his claims, and they did accuse him of blasphemy. "Nevertheless," as the Second Vatican Council said in its statement on Judaism, "the Jews still remain very dear to God, for the sake of the patriarchs, since God does not take back the gifts he bestowed or the choice he made." The Council strictly forbids Catholics to hold Jews to be "repudiated or cursed by God, as if such views followed from the Holy Scriptures." And it deplores "all hatreds, persecutions, displays of anti-Semitism leveled at any time and from any source against the Jews." This condemnation includes the Church's own sins. The Council stressed the two covenants' common spiritual heritage and foresaw a future in which both communities would serve God "shoulder to shoulder."

Gibson's film is wholly consistent with the Second Vatican Council's presentation of the relations of Judaism and the Christian Church. But *The Passion* will not be easy for Jews to watch. One reason is simply that its entire subject is the death of one who, for many Jews, is a figure of division, Jesus Christ. And a second reason is that it is never easy to relive a moment in which the leaders of one's community, however justified they might have been by their own lights and their own sense of responsibility, do not appear to viewers to be acting in a noble way. As a Catholic, I cringe every time I go to the theater when a pope, cardinal, archbishop, or even priest is portrayed in an unflattering light. Even when they deserve it, I do not enjoy the spectacle.

In the first part of the gospels' account of the Passion, the high priests of Jerusalem standing before Pilate are, painfully no doubt to contemporary Jews, the voice for the prosecution. During the early scenes of the movie, which I tried to watch as if I were Jewish or seated alongside a Jewish colleague, I thought: This is too painful. Having sat through many analogous moments as a Catholic, I did not like the experience.

Very soon, though, the action in the film belongs to the Romans. Roman soldiers inflict systematic pain on Jesus with gusto, lighthearted bantering, and the practiced sadism of those who know how to keep subdued populations subdued. The overwhelming drama consists in Christ's willing endurance of unbearable suffering, for the purpose of inaugurating an entirely

Detail from the Cross of Pellegrino II (c. 1275). CORBIS.

new order in human life. The movie, like the gospels, is unmistakable in setting this meaning before our eyes. It is, somehow, *our* sins for which Jesus is dying.

The Passion of Jesus Christ is not a drama about ethnicity. It is about our humanity. The hero of this movie is Jewish, his mother is Jewish, his apostles and followers are Jewish. But one misses the whole point of the Passion of Jesus unless one sees that he submitted to his suffering for all of us. From the first, Christ's teaching in life had been, "Take up your cross and follow me." The meaning of that teaching could not have been plainly understood before his death. This movie suggests to viewers that in witnessing Christ's suffering, our own suffering has a forerunner and teacher. Suffering like Christ's may be redemptive. That depends on how we shape our heart to it.

On the cross, the Christ of Gibson's movie is offering forgiveness, reconciliation, and unity. To blame his suffering on others' sins, instead of one's own, would be to join the boisterous soldiers who inflicted on him all the pain that viewers will hardly be able to watch. If Christians blamed others, they would again make a mockery of Christ. They would again pound the crown of thorns into his skull.

Are there historical inaccuracies in this film? Yes, some minor ones (beginning with the Roman characters' Italianate Latin: *Echay 'Omo*, Pilate pronounces *Ecce Homo,* when he exhibits Christ to the crowd). Is the film unfaithful to its historical sources? One who hears the gospels often will feel at home in it, but Gibson did not set out to make an academic documentary. His film is a stream of slowly moving, vivid images, against a starkly universal backdrop. The spoken words are mostly in Aramaic (Latin when the Romans speak), which exceedingly few people understand these days.

The sounds of the unfamiliar tongue put the viewer outside any one time or place, in a kind of timeless, universal space. The mood *The Passion* generates is meditative and contemplative. The tone is awe. One finds one's emotions hushed. For minutes after the film ended, the audience at the showing I attended did not speak or move. We felt part of an indescribably important human moment. We had been drawn into an axial point of silence and wonder.

Such is the power of a genuine work of art—and in its artistic integrity, *The Passion* dwarfs any previous biblical film.

Salvador Dali's *Hypercubic Body* (1954). CORBIS.

But the making of a film about the death of Jesus Christ is a public event, and it has public consequences that need to be considered. Before I saw *The Passion*, I was sympathetic to the worries about the film strongly expressed by the Anti-Defamation League and other Jewish organizations. History is not reassuring concerning dramatic treatments of Jesus' Passion, and there has been considerable negative talk about Mel Gibson ever since his project was announced, much of it related to the schismatic views attributed to his father, who is ninety-two.

More important, ours is a particularly nasty time for Jews around the world. Taboos that had seemed firmly in place since 1945 have suddenly dissolved. Jewish cemeteries are being desecrated in France, horrible slogans are shouted in public throughout Europe, acts of violence against Jewish passers-by are caught on film, and *The Protocols of the Elders of Zion*, which we thought discredited forever, is welcomed with a new credulity in the Arab world.

Gibson's film, however, is simply not part of this horrendous trend. On August 8, representatives of the Anti-Defamation League attended a private screening of the rough cut in Houston and, on August 11, released a new statement that still attacks the film "in its present form." Their interpretation of the movie does not square with the film I saw. Gibson omits some of the New Testament texts most painful for Jewish readers, such as "His blood be upon us and our children!" He also adds such moderating scenes as some of the Pharisees walking out in dissent from the trial of Jesus before the Sanhedrin and, later, one member of the Sanhedrin, Joseph of Arimathea, helping to lift the lifeless body down from the cross.

Most important, Gibson's narrative shows that Pilate alone has the power to put Jesus to death, and the film's full narrative weight assigns responsibility to Rome and the Roman soldiers. The Anti-Defamation League is wrong to assert that the Jewish authorities are "forcing the decision" and that the Jewish high priest is "controlling" Pontius Pilate. The Jews had no such power, and they say so in the

Detail from Hieronymous Bosch's *Christ Carrying the Cross* (c. 1490). CORBIS.

film. Pilate tries to shift the responsibility, first to Herod, then to the high priests. And he pretends that the decision is not his—but he knows it is, and he gives the orders that only he can give. His soldiers enjoy their brutal sport, as obviously they have done before: Historians suggest they performed this gruesome work about 150 times in crucifixions under Pilate.

There is no doubt that the trial of Jesus was not, in the Christian telling, the best moment of the high priest and his council. But the first two generations of Christians were nearly all Jews. They still thought of themselves as Jews, and they were at first astonished to see how they were rejected and persecuted by Jewish officials. The accounts by the evangelists are plainly written to convince believing Jews that Jesus fulfills the biblical anticipations, and nearly every word they write in criticizing the Jewish leaders of their generation was an allusion to condemnations of earlier Jewish leaders by the Jewish prophets.

The early Christians thought their criticisms of the Jews were of the sort one makes within one's own community, and therefore had a different edge than they would have had if they had come from pure outsiders. Only gradually, and with something of a shock, did Christians come to see that, even if they thought of themselves as serious Jews, they belonged to a new community.

Though visually powerful in the way only movies can be, Gibson's film recognizes that Christian criticism of the Jewish leaders has different valences today than it did in the first years after Jesus' death, and on the whole the movie softens the Jewish elements of the gospels' story and with the New Testament places the onus on the Romans.

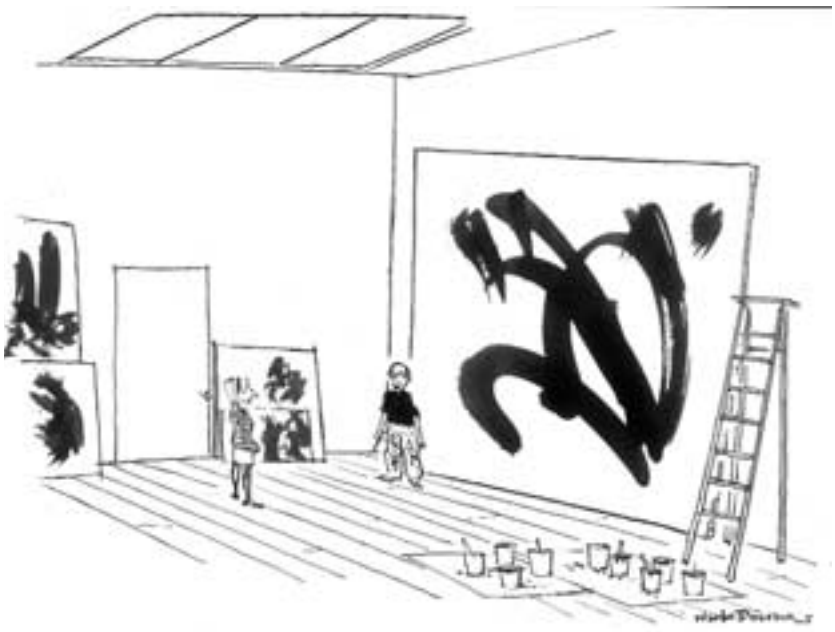
Still, Jews will not agree that Jesus as the Messiah took the sins of all upon himself in self-sacrifice. That makes a movie about the Passion not only a memory of a painful separation between communities, but also a story with dramatically different meanings for Christian and Jewish viewers—and for that there is no immediate solution, short of banning all attempts to make films about the death of Jesus.

But Gibson's version is not divisive or dangerous for Jews. Without preachiness, without external commentary, this cinematic reenactment has the potential to be transformative in powerful, mysterious, and quiet ways. When *The Passion* is released on Ash Wednesday its effect around the world will almost certainly be conciliating, quieting, and calming, for it induces awe at the suffering we inflict upon one another.

Through the film, the viewer is forced to see a single human being's passion. A man who claims to be the Son of God knows in advance, as the film shows, the unbounded pain he is about to suffer, the mere thought of which makes him sweat blood. But he willingly accepts this burden, and he perseveres through every shock to his flesh in order to open up a new way of living for the entire race.

Gibson's achievement springs not solely, not even mainly, from a cinematographer's art. Whether he intended it this way or not, perhaps because he puts on film the unadorned directness of the gospels, *The Passion* is a meditation and a prayer. ♦

A still from Gibson's film *The Passion*. Icon Productions' website.



*"Well, I love your paint-spattered jeans."*

## Books in Brief

***The Legend of Proposition 13* by Joel Fox (Xlibris, 244 pp., $21.99).** Few books about the 1970s tax revolt have been sympathetic to the reformers. But *The Legend of Proposition 13* is—and the attraction of the book goes far beyond its ideological sympathy. Author Joel Fox, who led the Howard Jarvis Taxpayers Association, was involved with both the campaign for Proposition 13 and the subsequent efforts to defend it from judicial and political attacks.

Throughout his book, Fox provides thoughtful responses to arguments that Proposition 13 reduced education funding and caused inequitable tax burdens. (He even counters the outlandish claim that Proposition 13 was responsible for O.J. Simpson's acquittal.) About the only thing he doesn't get around to is explaining the spark the proposition provided to tax reform across the country. During the late 1970s, most other states lacked the combination of soaring property taxes, a recalcitrant legislature, and a large surplus that made Proposition 13 a reality in California. But in the years after Proposition 13, sixteen other states passed spending limits—and the raising of California's limit in the early 1990s has contributed greatly to the state's current woes.

Fox is absolutely correct when he says that one of the most important achievements of Proposition 13 is its durability. Indeed, that durability continues to pay dividends. With California facing a $38 billion deficit and Democrats controlling the executive and both houses of the state legislature (though facing gubernatorial recall), the only thing preventing a painful tax hike is Proposition 13's two-thirds supermajority requirement for a tax increase. Indeed, twenty-five years after it became law, Proposition 13 may deliver another victory to California taxpayers. The legend continues.

*—Michael J. New*

***Conservatism in America Since 1930* edited by Gregory L. Schneider (NYU Press, 444 pp., $22.95).** Given all the recent debates about America's international activity, Greg Schneider's reader couldn't have come at a better time. Schneider has selected essays that recount all the old intramural debates among conservatives—and will help conservatives now think about how to approach the world.

Schneider's selections include Russell Kirk, Richard Weaver, and founding documents for *National Review*, *Human Events*, and the Mont Pelerin Society. These showcase such topics as traditionalists' disagreements with libertarians on social order, libertarians' opposition to Goldwater conservatism, and the neoconservatives' emergence.

There's reason to shudder while contemplating some of these old debates. Schneider includes, for example, the pre-1945 band of "conservatives" who resisted modernity's drive toward industrialism. Seward Collins's *American Review* and the Southern Agrarians made dubious contributions to conservatism.

Schneider isn't confident about the future of the conservatism that for half a century gained adherents and intellectual vitality from its opposition to communism: "Reagan's political and diplomatic successes," he writes, "would represent, ironically, the demise of the conservative movement as it had developed since World War II." But as a guide to where we've been, *Conservatism in America Since 1930* is a useful primer.

*—Bryan Auchterlonie*

***The Metamorphosis* by Franz Kafka, adapted by Peter Kuper (Crown, 80 pp., $18).** Kafka's classic short story awoke one morning from disturbing dreams to find that it had been transformed into a comic book. Squash it! Squash it now!

*—J. Bottum*

# Huffington Paid Little Income Tax

***The candidate for governor has criticized "fat cats" for avoiding taxes. She denies taking advantage of loopholes and unfair deductions.***

August 14, 2003

By Rich Connell and Robert J. Lopez,
Los Angeles Times Staff Writers

TV commentator and author Arianna Huffington, who launched her campaign for governor with criticism of "fat cats" who fail to shoulder a fair share of taxes, paid no individual state income tax and just $771 in federal taxes during the last two years, her tax returns show.

Huffington, who released her tax returns for the last two years to The Times, lives in an 8,000-square-foot home in Brentwood above Sunset Boulevard that is valued at about $7 million. She socializes with many wealthy and prominent people. . . .

In announcing her candidacy last week, Huffington blamed California's fiscal crisis, in part, on the corrupting influence of special interest groups that have helped "corporate fat cats get away with not paying their fair share of taxes."

Failing to close corporate tax loopholes, she argued, would "be a slap in the face of all the hard-working taxpayers being forced to dig deeper and deeper in their pockets so the well-connected can pad their bottom line. . . ."

An author of nine books with a 10th on the way, Huffington, 53, said her tax returns provide only a partial view of her finances over the last two years. Her expenses were high and income low during the last two years because of the cyclical nature of the publishing business, she said. . . .

She said 2003 will be much different, thanks to the publication of her bestselling "Pigs at the Trough," which criticizes corporate greed and political corruption. . . .