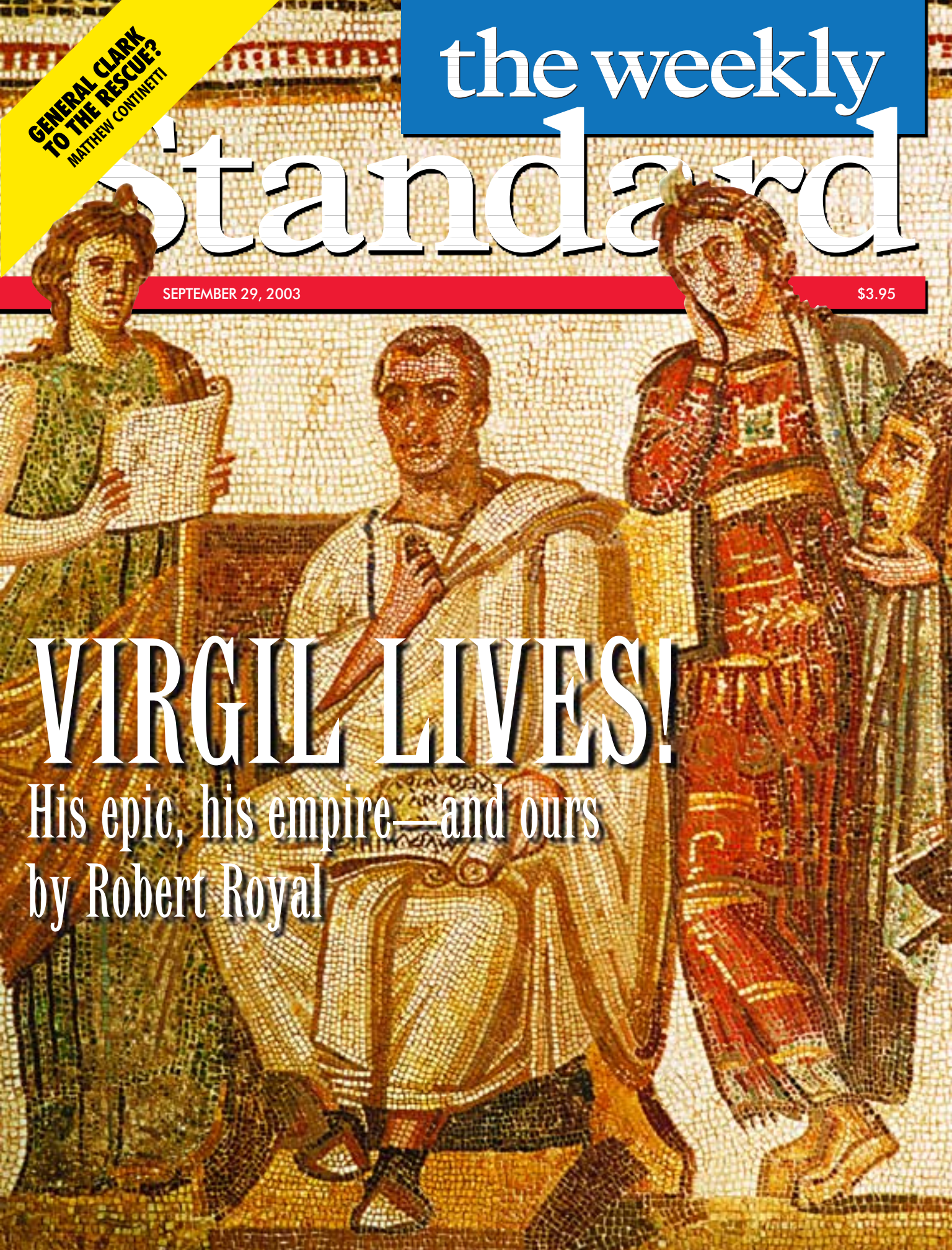
GENERAL CLARK TO THE RESCUE?
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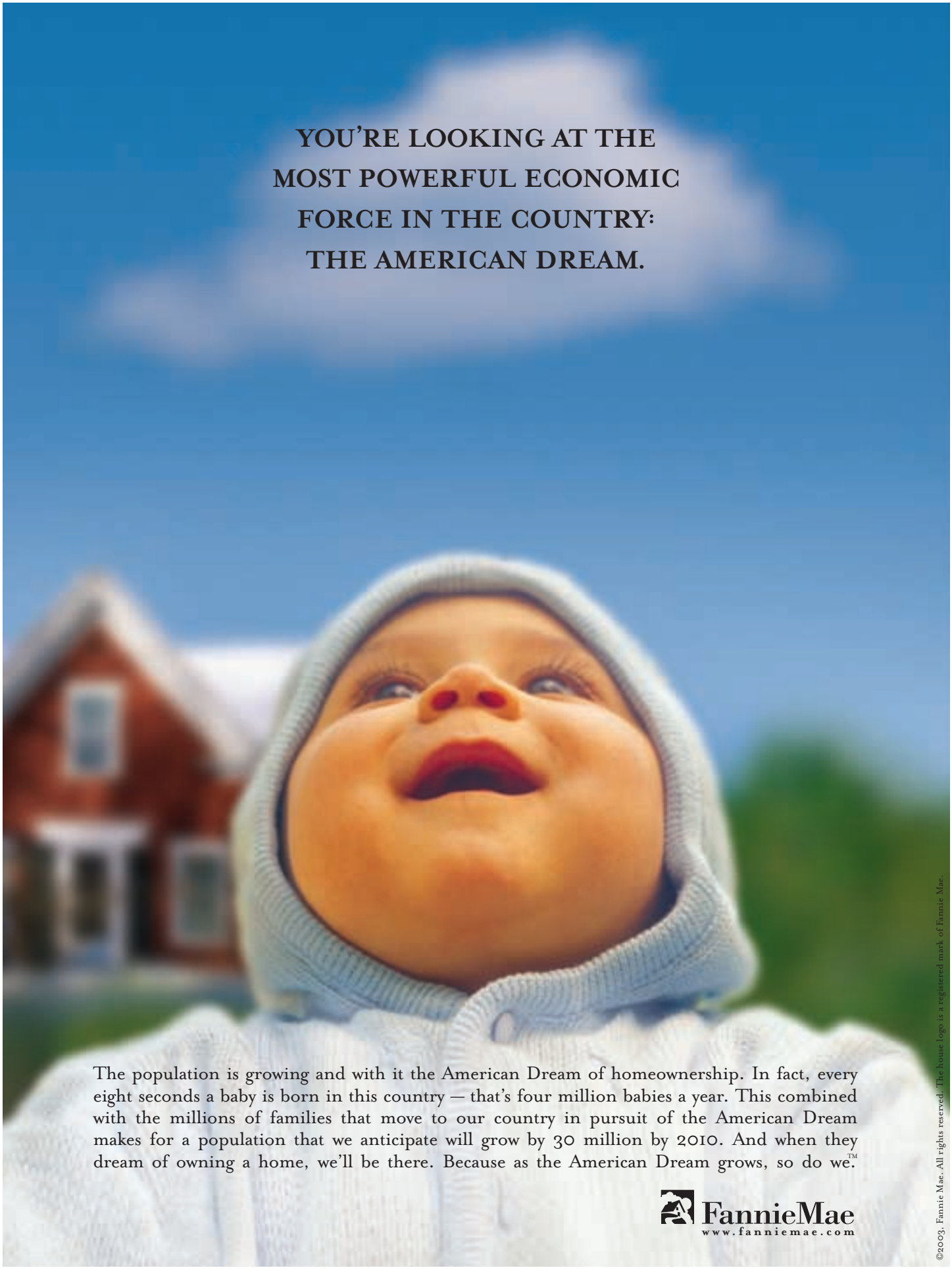
His epic, his empire—and ours
by Robert Royal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Competition among Schools Benefits All Students

Herbert J. Walberg is a distinguished visiting fellow at the Hoover Institution; a member of Hoover's Koret Task Force on K–12 Education; and University Scholar and research professor emeritus of education and psychology at the University of Illinois at Chicago.

Growing evidence shows that introducing market forces in education benefits all students by raising achievement across the board.

The federal No Child Left Behind Act introduces two key elements of competitive markets to K–12 education: the freedom to choose among schools, with access to schools annual performance measures, and the potential for change, as suggested by what has happened since similar policies were introduced in Florida and the United Kingdom.

Under Florida's A-Plus Program, every public school receives an annual grade on its academic performance. If a school receives two F grades within a four-year period, parents may send their child to another higher-graded public school or to a private school. **Recent reports show that parents get more involved with their schools if they have information readily available on school performance.**

For example, within weeks of receiving two consecutive F grades this June, more than 15 percent of the students at Jones High School in Orlando elected to leave the school. Two F ratings at Jean Ribault High School in Jacksonville caused a similar percentage of students to leave. Enrollments have dropped at all twenty-eight F-rated schools in Miami-Dade County and at all seven F-rated schools in Orange County.

Although studies show the competition generated by the A-Plus Program has raised achievement levels in Florida's public schools, critics still raise concerns about the most difficult-to-teach students accumulating in lower-performing schools and such schools becoming even worse. Evidence from the United Kingdom, however, indicates that school choice produces an upward shift in achievement even in low-performing schools with high concentrations of low-income students.

In 1988, the Education Reform Act was passed to introduce "quasi-market forces" to public education in the United Kingdom. The reforms gave parents more choice over selecting their children's schools; made school funding dependent on student enrollment; and gave individual schools more authority over deploying resources.

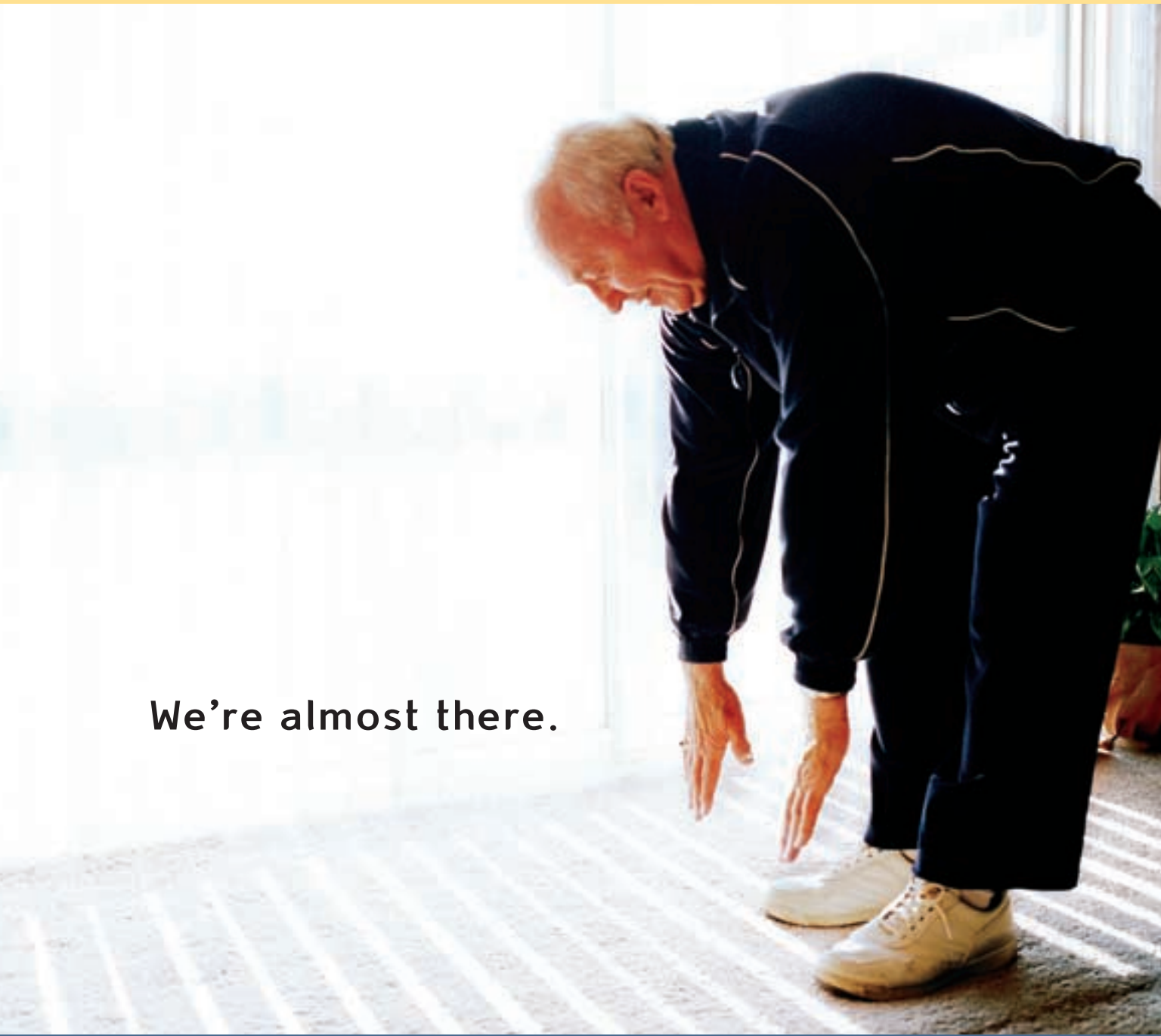
In addition, each school's academic performance on national examinations was ranked annually in widely published *School Performance Tables*. As Lancaster University economists Steve Bradley and Jim Taylor note in a recent report from the Adam Smith Institute, "exam performance is one of the critical variables determining school choice and is therefore used by parents as a key performance indicator."

To assess the effect of the 1988 reforms, Bradley and Taylor analyzed data for 3,000 public schools from 1992 to 2000. They concluded that the reforms had created a "rudimentary" market in education, with the resulting competition among schools producing the following effects: parents, seeking higher quality, moved their children to local schools with higher performance rankings, and **academic performance levels increased across the board as schools vied to outperform one another to gain parental approval**. The results showed that students from all social levels (including poor students) increased significantly over the eight-year period.

The Florida and UK research corroborates other studies showing the benefits of implementing market reforms in public schools. Markets appear to be just what our education system needs to promote effectiveness and efficiency.

— Herbert J. Walberg

Let's pass a prescription drug plan that offers Medicare beneficiaries a choice.



Thanks to research, today there are prescription medicines that help people live longer, healthier lives. Now is the time for Congress to improve patients' access to those medicines with a Medicare prescription drug benefit. America's seniors and people with disabilities are waiting for Congress to pass a prescription drug plan this year. A plan that provides real choices and access to the best medicines. Let's work together to give them the coverage and choices they deserve.

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Contents

September 29, 2003 • Volume 9, Number 3

Articles

Features

Books & Arts

Cover: CORBIS

the weekly Standard

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Tomorrow's Opposition Research Today

Memo to all the Democratic party presidential candidates who aren't retired Gen. Wesley Clark:

On August 27, 1994, representing the Joint Chiefs of Staff during a fact-finding mission to Bosnia, Clark "ignored State Department warnings not to meet with Serb officials suspected of ordering deaths of civilians in a campaign known as ethnic cleansing" and paid a courtesy call on Serbian army commander Ratko Mladic. Mladic was already the subject of multiple U.S. war-crimes charges: "artillery attacks on civilians in Sarajevo" and the "razing of Muslim towns and villages," along with random acts of "mass murder." According to a contemporaneous *Washington Post* report: "On Friday [August 26, 1994] and again on Saturday, State Department officials said, they instructed [Clark] not to go, but he went anyway." The meeting "occurred as the Clinton administration is trying to isolate the Serbs in advance of possible military action against them."

But wait, there's more—there's a "visual," as they say in the 30-second attack-ad business.

Mladic (left) with Clark; and on a 2002 wanted poster

"What State Department officials said they found especially disturbing was a photograph of Clark and Mladic wearing each other's caps. The picture appeared in several European newspapers, U.S. officials said. Clark accepted as gifts Mladic's hat, a bottle of brandy, and a pistol inscribed in Cyrillic, U.S. officials said. 'It's like cavorting with Hermann Goering,' one U.S. official complained."

Herewith, then, Wesley Clark, Democratic candidate for president of the United States, cavorting with "Hermann Goering"—the suspected war criminal Ratko Mladic, who to this day is a fugitive wanted by the U.N. war crimes tribunal and presumed to be hiding somewhere in Serbia. ♦

Clark's Source Revealed

Who says nothing worthwhile comes out of Canada? In an article in last Thursday's *Toronto Star*, reporter Tim Harper uncovered the identity of the man who supposedly called Wesley Clark on Sept. 11, 2001, urging him to go on CNN and blame Saddam Hussein for the attacks on the World Trade Center and Pentagon.

Clark, you'll remember, told Tim Russert last June that the attempt to link Saddam and 9/11 "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.'"

Clark eventually admitted that he never received a call from the White House. Instead, he talked to "a man from a—of a Middle East think tank in Canada, the man who's the brother of a very close friend of mine in Belgium." Clark's explanation threw THE SCRAPBOOK for a loop, because we couldn't locate a "Middle East think tank in Canada." But according to Harper, the man who called Clark was Thomas Hecht, who heads the one-man Montreal office for the Israel-based Begin-Sadat Centre for Strategic Studies.

So THE SCRAPBOOK was wrong to refer to the caller as Clark's "imaginary friend." Which is not to say Clark doesn't have an overactive imagination. The retired NATO commander melodramatically said he received the call on 9/11. Hecht says the call was "either Sept. 12 or Sept. 13." Clark said the call was evidence of a conspiracy to link Hussein to 9/11. Hecht says he called to invite the general to give a speech, and in the course of the conversation mentioned possible links between Saddam and international terrorist groups. Hecht, for his part, doesn't understand how his phone call became a central part of Clark's sordid tale of intrigue and corruption at the highest levels of government. "I don't know why I would be confused with the White House," Hecht said. "I don't even have white paint on my house." ♦

The Cult of Krugman

Every now and then, after THE SCRAPBOOK has whiled away too many hours on the web, we like to take a break from reading cogent political analysis and enjoy a hot sauna of hysteria courtesy of the lefties at *BuzzFlash.com* (typical headline: "Bush lied and our soldiers died").

Recently, they served up a toadying

Q & A with *New York Times* columnist/Princeton professor/professional Bush-basher Paul Krugman that made for lots of unintended laughs.

The un-bylined interviewer could barely contain his/her excitement, writing that "Coming across Paul Krugman's column in the *New York Times* is like finding an oasis in the desert. Interviewing Krugman was like drinking from a cool pond in 120-degree weather. Reading Krugman is like watching a baby seal get clubbed while its head is being held under icy Arctic waters." Okay, we made up that last part, but see if we're not on to something.

In the interview, Krugman looks back fondly on the Clinton years, which he thinks historians will recall as a "sensible, well-intentioned government that dealt successfully with a bunch of crazies." On the other hand, a "fair number of people, including my friends," look at the news now and "extrapolate the lines forward. And there's this feeling of creeping dread." Kind of like the feeling we get every Tuesday and Friday when our *New York Times* arrives, and there's another Krugman column in it.

Our favorite interview tidbit, however, came when Krugman was asked about the media. "If you work for any Murdoch publication or network," he harrumphed, "or if you work for the Rev. Moon's empire, you're really not a journalist in the way we used to think. You're basically just part of a propaganda machine."

What a hoot. Krugman, by the way, once described himself as "the lonely voice of truth in a sea of corruption." And in a *Washington Post* profile earlier this year, Mr. Journalist-in-the-way-we-used-to-think revealed his own work habits. Krugman told Howard Kurtz that he wouldn't know how to conduct an interview, and besides, "it's not clear to me that on many issues it's important to do legwork."

Hear, hear! We can't speak for our Moonie colleagues, but we Murdochians think he's got the stuff to be a swell propagandist. ♦

Dept. of Cheerleading

This story has already run its course, but we loved it and thought you might have missed it. A few weeks back Dave Barry, in the best tradition of cranky newspaper column-writing, published the phone number of the American Teleservices Association, the telemarketing lobby. Readers were encouraged to call and "tell them what you think." Said Barry: "I'm sure they'd love to hear your constitutionally protected views!"

It struck a chord. Thousands of calls came in. The association was forced to stop answering its toll-free line. Complaining last week to the Associated Press, Tim Searcy, the executive director of the group, said, "It's difficult not to see some malice in Mr. Barry's intent." Showing off his legendary soft touch, Barry responded: "I feel just terrible, especially if they were eating or anything." ♦

Casual

Shades of Me

I am a person of color. Orange, for the most part, but more than a little salmon-y pink as well. I am a person of pattern, too—with many summers' worth of freckles accumulating on my arms and shoulders and other sun-exposed parts. Spotted, a zoologist might say, but not for camouflage, except perhaps when hiding in the leafy branches of late-autumn New England trees, which I don't do very often.

Color consciousness came to me early. As a child, I knew I was one of several living creatures set apart by color and spot. I'd ponder the connection between the leopard and me, thinking he had the better pattern, but I the better life. His jungle was free, but he had to kill to survive, which didn't seem much fun, and besides, were I ever able to trade places with him, I wasn't sure my mom could come along. I liked my life as it was, and my own confetti-like orange spots.

Thinking photographically, I sometimes imagined having a close-up taken of my back—where my spots are biggest—and marketing the pattern. The Skinner Freckle Print© could have been used on scarves, wallpaper, car seat covers (for those gaudy muscle cars), pants, shirts, and so on.

I could have worn one of those shirts, donning a print identical to the one on my skin underneath. Has anyone ever tried dressing a leopard in a leopard print? Well, they should.

Anyway, having freckles seemed to me a good thing, and though I had more than most in my neighborhood, frecklefaces were common enough that mine didn't cause much comment. Except on one occasion.

I was with my mother at the supermarket. She was in the middle of her negotiations with the cashier concerning a clipping from her vast file of very embarrassing coupons. A kid—he was thin and swarthy—came over with his head jutting forward and his eyes and mouth wide open. "What happened to your face?" he asked breathlessly. It could only be my freckles he was inquiring about, so my response was all haughty disdain: "What?"

"What happened to you? Were you in an accident?" It was hard to remain unaffected by the boy's obvious compassion for his fellow man, er, boy. To coax the awful truth from me, he said, "Don't worry. I won't make fun of you."

"This?" I said, touching my arms.

He gasped—as if he hadn't realized the affliction was actually all over me. "Does that hurt?" he asked.

I don't remember how I answered, but an almost identical incident occurred at my local liquor store a few weeks ago. Just as I moved to sign for my credit-card transaction, the cashier, another thin and swarthy citizen with eyes and mouth wide open, asked what had happened to my arms.

I thought I must be bleeding. But looking to make sure, I saw nothing unusual about the short, orange limbs extending from the sleeves of my T-shirt.

"What do you mean?" I asked.

"Did you burn yourself or something?"

"No." It now dawned on me what he was talking about.

"Do you use medication for that?"

"No." I wondered if he would have been so inquisitive with a guy who really had suffered burns up and down his arms.

We then had the usual conversation one has about freckles:

"Do you get those from the sun?"

"Well, it's partly the sun, but more than that it's the melanin of my skin that causes it to freckle in sunlight. My ancestors were from Ireland and a lot of Irish people have freckles."

The cashier, who spoke with a heavy accent, seemed relieved that having freckles didn't cause pain.

And yet, these days, freckles are said to be "in," with it, a sign of the times. As Kara Jesella, an editor at *Teen Vogue*, told the *Washington Post*, freckles are "fresh faced and all-American." Which, she added, "ties into what's going on politically." Lancôme, the cosmetics company, couldn't agree more, and is marketing a special crayon for drawing on freckles. "Freckles," Lancôme artistic director Ross Burton told the *Post*, "are a symbol of freedom."

Gone are the days of Howdy Doody jokes or worse. (When we were kids, a cousin said I looked like I'd stood behind a screen while someone threw an unmentionable substance at me.) Now freckles speak of national resolve. Over there they have the axis of evil, over here we have freckles.

But for me, this distinguishing characteristic signals something besides America and freedom, something far deeper and more personal. I say it loud, and I say it proud: Freckles are the essence of what it means to be orange like me.

David Skinner

20 Years of **Principle** *before* Politics.

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Boot on the Ground

Max Boot ("Reconstructing Iraq," Sept. 15) incorrectly implies that the reason why the Army has continued to sustain casualties in Iraq while the Marines have not is bad tactics and, perhaps, bad leadership. He might have been more convincing if he had spent some time in the "Sunni Triangle" with the 4th Infantry Division and the other Army units there. It seems well established by now that the level of violence in different parts of Iraq reflects regional and demographic differences. Reuel Marc Gerecht's "Be Careful What You Wish For," in the same issue as Boot's piece, is just one of many essays that support that conclusion. In fact, it seems pretty clear that the Army's heavy divisions got stuck with the tougher assignment.

Boot may well be right, but the facts he presents don't make his case. I hope future pieces on this topic will offer a fair and complete comparison of the tactical situation in different parts of Iraq.

Matthew C. Ames
Fairfax, VA

From a New Zealander's perspective, how can I believe anything written by Max Boot, a journalist who armed himself with a 9mm pistol and actively helped U.S. troops by guarding a suspected Iraqi insurgent? No wonder people now read U.S. media reports with the same skepticism with which they once read *Pravda*.

The sooner U.S. journalists rediscover their independence, the sooner the world will truly be a better place.

Tom Semmens
Auckland, New Zealand

Not-So-Good Doctor

Stephen Moore ("The Appeal of Howard Dean," Sept. 15) is right to characterize former Vermont governor Howard Dean as a politically savvy candidate who should not be underestimated.

However, Moore errs when he writes that Dean "narrowly escaped a career-ending loss by only a few hundred votes" in November 1998. While it was a hard-fought race that year, Dean pulled 121,425 votes to Republican Ruth Dwyer's 89,726, hardly a "few hundred" vote difference.

Moreover, Moore couldn't be more wrong when he claims that Dean "launched one of the nation's most progressive voucher programs for high school students." As a Vermont school-choice activist for the past six years, I do not know of any voucher program Dean has supported. In fact, Dean has been a stalwart opponent of vouchers, even of charter schools. The only school-choice policy in Vermont he supported was a weak program that applies only to Vermont's public high schools, only to a handful of students per high school, and only to schools that form collaborative

agreements with each other, with no money following the child. And it's automatically repealed in 2007. He briefly spoke out in favor of this kind of arrangement during one legislative session, and opposed choice programs at other times.

This did not keep the governor from cynically campaigning on his school-choice record during the 2000 gubernatorial race, however. He mentioned it in television campaign ads touting his education policies—ads taped at a private school near Burlington, rubbing salt in the wounds of those who would like private schools included in any choice program. Dean is a shrewd and shameless politician. But I know Vermont school choice supporters, and Howard Dean is not among them.

Libby Sternberg
Vermonters for Better Education
Rutland, VT

Rummy and Coke

In his "Secretary of Stubbornness" (Sept. 15), Tom Donnelly states that President Bush faces a "dilemma created by his decision to promulgate the Bush Doctrine with Bill Clinton's military." Such conservative accusations of military neglect by the Clinton administration are quite common. But few conservatives have been willing to admit that just eight months after taking office, President Bush sent that maligned Clinton military into action in response to the attacks of September 11 and, to no serious observer's surprise, our armed forces demonstrated that they were, in fact, well trained, well equipped, and large enough to quickly defeat the Taliban and project ample force around the world. Throughout both the war in Afghanistan and the war in Iraq, military observers have pointed out the innumerable advancements in American weapons technology and tactics since the first Gulf War of 1991. When did all of these advancements enter our military? During the Clinton years.

Stephen Abseck
New York, NY

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Ninth-Circuited

The Ninth Circuit seems to specialize in reminding the country that judges don't come out of nowhere, that they are appointed by presidents, and that, generally speaking, Democratic presidents more than Republicans tend to appoint judges who enforce a "living" or "growing" Constitution that just happens to advance politically liberal ends.

Consider the Ninth Circuit's decision postponing the October 7 California recall election. The three judges on the panel were Harry Pregerson, Sidney Thomas, and Richard Paez. Each was appointed by a Democratic president—Pregerson by Jimmy Carter in 1979, and Thomas and Paez by Bill Clinton in 1996 and 2000, respectively—and each has a reputation for liberal judging. In *Southwest Voter Registration Education Project* v. *Shelley*, they showed why.

In siding with the plaintiffs, the judges distorted a Supreme Court precedent—*Bush* v. *Gore*—in order to deny the right of California voters to dismiss their (Democratic) governor and elect a new one on terms prescribed by state law. Until now, no federal court has ever enjoined a state election. Pregerson, Thomas, and Paez have achieved a dubious first. Yet they believe that what they did is what federal judges should do routinely, since it is what the Constitution—*their* Constitution—demands.

The judges were asked to rule on the punch-card systems that at least 6 of California's 58 counties (representing 44 percent of the state's electorate) were planning to use to count votes. The plaintiffs said that such systems have a propensity for error at least two-and-one-half times greater than any other vote-counting technology used in California, and they calculated that because of that propensity, some 40,000 Californians voting in the punch-card counties wouldn't have their preferences recorded if the election were held as scheduled. The plaintiffs claimed, and Pregerson, Thomas, and Paez agreed, that those voters would be denied the equal protection of the laws guaranteed by the Fourteenth Amendment.

Now, the judges represented what they were doing as a straightforward application of *Bush* v. *Gore*, an equal protection case. Indeed, for Pregerson, Thomas, and Paez, *Shelley* was *Bush* v. *Gore* all over again. Our case, they said, presents "almost precisely the same issue as the [Supreme] Court considered in Bush," that issue being "whether unequal methods of counting votes among counties constitutes a violation of the Equal Protection Clause."

But, as the Supreme Court said in *Bush* v. *Gore*, the issue before it wasn't "whether local entities, in the exercise of their expertise, may develop different systems for implementing elections" but "whether the use of standardless manual recounts violates" the equal protection clause. Indeed, the standards for accepting or rejecting contested ballots varied "not only from county to county, but within a single county from one recount team to another." A hand recount so lacking in standards could easily result in partisan discrimination, with standards bent this way or that so as to help favored and hurt disfavored candidates.

That's what concerned the Supreme Court in *Bush* v. *Gore*. Whatever the faults of the various voting technologies, their error rates don't discriminate among candidates. The Ninth Circuit panel, which deserves to be rebuked by that circuit sitting en banc, rewrote *Bush* v. *Gore* to make it reach further than it can when fairly read.

In postponing the election on equal protection grounds, the Ninth Circuit thumbed its nose at the recall process duly established under California law. Millions of dollars have already been spent in advertising. Absentee ballots are starting to be returned. Poll workers have been hired. But all of that failed to impress the judges.

Nor did they shy away from advising other federal judges across the country as to how they might follow their example: "Determining whether or not to enjoin an election based on violations of federal law requires analyzing the effects on the public interest . . ." Note well the assumption that it's okay for judges to stop elections. And by the logic of *Shelley*, it would seem that a lot of elections should be stopped. After all, *Shelley* suggests that a state using more than one system to count votes violates the equal protection clause. No fewer than 41 states besides California fit that description.

Nowadays a president gets to appoint a judge once every eight or nine days, on average. A Democratic president would be more likely to appoint judges like the three who enjoined the recall election. George W. Bush in a second term would tend to appoint judges like the ones he already has appointed, who would be disinclined to embrace expansive and unjustified readings of Supreme Court precedents, especially when such readings assault fundamental political rights like those involved in a recall election.

So it is that in electing a president next year, Americans will be casting a vote for the kind of judges we want to see appointed. Three judges on the Ninth Circuit have reminded the country of the nature of the choice ahead, and it could not be clearer.

—Terry Eastland, for the Editors

A Four-Star Candidate?

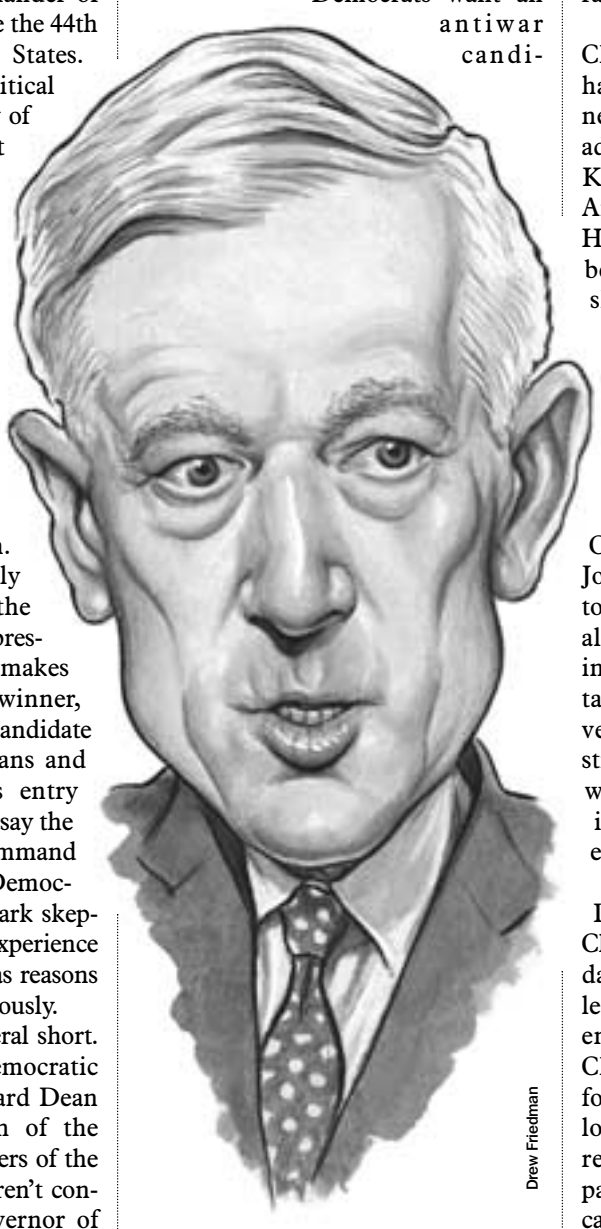
Wesley Clark announces for president.

BY MATTHEW CONTINETTI

LET'S SAY you're a former supreme allied commander of NATO. You want to be the 44th president of the United States. You've never held political office—not even as secretary of your high school student council. There are only four months left before the first Democratic presidential primary, and you discovered you're a Democrat only two weeks ago. The cards you're holding aren't the strongest in the deck. You might even be tempted to think that your dream of global leadership is a fantasy.

But not if you are Gen. Wesley Clark, who officially entered the contest for the Democratic nomination for president last Wednesday. This makes him the second silver star winner, third southerner, and tenth candidate in the race. Both Republicans and Democrats greeted Clark's entry with uncertainty. Supporters say the general's résumé and his command of foreign policy are what Democrats need to unseat Bush. Clark skeptics point to his political inexperience and lack of an organization as reasons not to take his candidacy seriously.

The skeptics sell the general short. Clark could become the Democratic nominee. So far, only Howard Dean has captured the attention of the Democratic base. But members of the Democratic establishment aren't convinced that the former governor of Vermont could defeat President Bush. Democrats want an antiwar candidate and a candidate who can win. Some think Clark is the one candidate who is both.



Drew Friedman

Matthew Continetti is an editorial assistant at THE WEEKLY STANDARD.

It's easy to find leading Democrats who are enthusiastic about Clark's candidacy. No less a figure than President Clinton calls him "brilliant, . . . brave, . . . and good," and one of the party's two "stars" (the other being Hillary). DNC chair Terry McAuliffe says Clark would have "tremendous credibility" in a presidential contest. And AFSCME president Gerald McEntee declined to endorse a candidate until Clark decided whether or not he was in the race.

More important, a host of former Clinton consultants and fundraisers have rallied to Clark's side. Clark's new advisers include former Gore adviser Mark Fabiani, strategist Ron Klain, and lawyer Bill Oldaker. Arkansas attorney and former White House counsel Bruce Lindsey is behind Clark. So are New Hampshire Democratic activist George Bruno, Democratic fundraiser Skip Rutherford, and former Clinton trade representative Mickey Kantor. These men comprise a good chunk of the social register of Democratic consulting.

Another former Gore adviser, Chris Lehane, just quit his job as John Kerry's communications director. If Lehane ends up advising Clark alongside Fabiani, it will be an important signal that the party's top talent is backing the general. "It's very impressive," says Democratic strategist Donna Brazile, "that a guy who's never stepped foot in the political arena can attract this type of talent."

The fingerprints of these key Democratic strategists were all over Clark's announcement last week. The day before, spokesman Fabiani leaked to the press that Clark would enter the race. The result was that Clark dominated political headlines for two days and overshadowed fellow southerner John Edwards's relaunch of his presidential campaign. If this was the work of a political novice, then the other Democratic candidates have every reason to be afraid.

Clark skeptics focus on two weak-

nesses—timing and money—neither of which seems fatal. Contemporary politics moves so swiftly that a Howard Dean can rise from nobody to insurgent to front-runner in the space of a few months. Bill Clinton was polling in single digits in October 1991. And the last general-turned-president, Eisenhower, entered the 1952 presidential race only two months before the first primaries. "I wouldn't support Clark if it were too late," says Democratic congressman Charles Rangel, an early Clark supporter. "I just can't find any substantial negative in the general."

Fundraising is a more serious weakness for Clark. It's likely that when the candidates file their quarterly reports with the Federal Elections Commission on September 20, Dean will have raised up to three times as much as any of the other Democrats. So far Clark supporters have raised a little over $1 million for the general. But Clark's operation, like Dean's, is well positioned to take advantage of Internet fundraising. What's more, some Democrats say there's still money to be had in this race. "The 800 lb. fundraising gorillas haven't been tapped yet," says Brazile.

Clark's major strength, meanwhile, is similar to Dean's: He excites people. This is evident in the Draft Clark movement, which has been pressing the general to run for over a year. Just one of its numerous arms, "The Draft Clark 2004 for President Committee," claims to have coordinators already working in 48 states. Days after his announcement, over 22,000 people had registered for Clark on the website *Meetup.com*, almost twice as many as had signed up for Sen. John Kerry, who'd been running for months.

And supporters don't view the general the way most people view politicians. They revere him. They believe he's the Democrats' savior. These are people who spent their free time in the long run up to Clark's announcement getting together to watch tapes of the general's appearances on CNN. Their speech is littered with military metaphors. Susan Putney, who heads the Draft Clark operation among Americans stationed in Iraq, told the Associated Press, "We are ready, willing, and able to mobilize for the general."

As for Clark's real liabilities, there are three. First, he is prone to conspiracy theories. In June, he told Tim Russert that he had received a phone call on September 11, 2002, from "people around the White House" urging him to publicly link Saddam Hussein to the attacks. Only after his accusation was picked up by *New York Times* columnist Paul Krugman did Clark go on the record and say that no one had called him from the White House. He now says he received a call from a "man from a Middle East think tank in Canada, the man who's the brother of a very close friend of mine in Belgium." While it turns out that someone who more or less fits that bill *did* call Clark and discussed possible connections between 9/11 and Saddam Hussein, the call took place after September 11, wasn't in any way sinister, and in any case certainly didn't come from the White House.

More recently, Clark said the White House tried to have him fired from CNN during the Iraq war. He told an anchor on Phoenix Newsradio 620 KTAR, "The White House actually back in February apparently tried to get me knocked off CNN and they wanted to do this because they were afraid that I would raise issues with their conduct of the war." Once again, Clark has no proof. He concedes, "I've only heard rumors about it."

Another potential weakness is that Clark's background—Rhodes scholar, four star general, military theorist—is so attractive to educated liberals that they're tempted to oversell his chances of winning the presidency. Just look at "Future Star," an article in the September 15 *Fortune* magazine. The text is overshadowed by two full pages of photos of Clark's face. There's the general smiling. There's the general laughing. There's the general confused. There's the general with a "come hither" look. "The Clark candidacy is a crazily overblown thing," says former Clinton strategist Dick Morris, "probably coming from Western Europe via elite media circles. Clark will do very well with Democrats living in Paris. But he has no base in the United States."

Finally, there's Iraq. Last week, Clark muddied his stand when he told a group of reporters that he "probably" would have voted to authorize the Iraq war if he had been a member of Congress in the fall of 2002—though he "was against the war as it emerged because there was no reason to start it when we did. We could have waited." A day later he said he "would never have voted for this war." (It's impossible not to be reminded of the classic Clintonism on the use-of-force resolution preceding the first Gulf war, in January 1991: Said presidential candidate Bill Clinton, "I guess I would have voted with the majority if it was a close vote. But I agree with the arguments the minority made.")

The problem for Clark is that the Democrats who back him most ardently believe he has always been antiwar. Noting that your views on Iraq resemble the pro-war position of Joe Lieberman and the unclassifiable position of John Kerry, as Clark first did, isn't the way to overtake Howard Dean, whose antiwar position is unwavering.

Even if Clark puts this confusion behind him and emerges as the most viable antiwar candidate, Iraq could hurt him in a general election. Democrats say Clark's military record and leadership during the Kosovo war will bolster the party's image on national security. Yet his opposition to the Bush policy on Iraq puts him at odds with the 71 percent of Americans who support the occupation and the 61 percent who think the Iraq war was worth fighting. If Iraq policy remains popular, it's unlikely Clark will become the Democrats' savior. If it doesn't, who knows? ♦

What's Hidden in the LBJ Tapes

Johnson thought JFK was responsible for the murder of Ngo Dinh Diem. **BY JAMES ROSEN**

On June 19, 1972, two days after the Watergate break-in, an employee of the Safemasters Company, armed with a high-powered drill and accompanied by a Secret Service agent, rushed to Room 522 in the Executive Office Building. There, they bored open the safe of an obscure Nixon White House consultant named E. Howard Hunt. A 20-year veteran of Central Intelligence Agency covert operations and a prolific spy novel author, Hunt, along with G. Gordon Liddy, had planned the ill-fated break-in at Democratic National Committee headquarters.

What the authorities found inside Hunt's safe—a treasure chest of Cold War espionage artifacts—astonished them: a .25-caliber automatic Colt revolver; electronic eavesdropping equipment; and hundreds of copies of old State Department cables chronicling events leading up to the November 1963 coup d'état against South Vietnamese president Ngo Dinh Diem, which climaxed in the bloody murder of Diem and his brother. Investigators also found two forgeries of similar cables, implicating the administration of President John F. Kennedy—himself slain three weeks after Diem—in the assassination of Kennedy's Saigon counterpart.

When word of Howard Hunt's forged Diem cables first surfaced in 1973, they seized the imagination of Richard Nixon's critics. The disingenuous Diem cables supposedly exemplified the craving of Nixon and his men not just to win an election and cover up their crimes, but to rewrite, in Orwellian fashion, the history of the Vietnam War—to tamper with our national memory itself. One unfriendly author, Fawn M. Brodie, in her 1981 psychobiography *Richard Nixon: The Shaping of His Character*, went even further, touting the Diem cables as "essential in illuminating the theme of fratricide in Nixon's life. . . .

When word of Hunt's forged cables first surfaced in 1973, they seized the imagination of Richard Nixon's critics.

The pains to which Nixon went to try to prove that John Kennedy connived in the assassination of the brothers Diem would seem to have been one more attempt to say, 'Someone else is guilty, not I.'"

Now, three decades later, comes evidence that Nixon and Hunt need hardly have resorted to forgery to prove their point about Kennedy, Diem, and America's trajectory in Southeast Asia. Ironically, the evidence was preserved on secret White House tapes—but not Richard Nixon's.

On February 28, 2003, the Johnson Library in Austin, Texas released 30 hours of recordings made surreptitiously by President Lyndon B. Johnson in early 1966. The few news organizations that reported on the tapes played up perceived similarities between LBJ and the next Texan to occupy the Oval Office, George W. Bush: Both men grumbled about coverage of their war conduct, and both, it turns out, expressed skepticism about the usefulness of the United Nations in resolving international crises. We also got further insight into Johnson's familiar torment over his failure of leadership in Vietnam ("I can't get out, I just can't be the architect of surrender").

Yet the LBJ tapes also contained a bombshell that went unnoticed. Johnson himself believed what Richard Nixon always suspected: that the Kennedy White House did not merely tolerate or encourage the murder of Ngo Dinh Diem, but organized and executed it.

Johnson left little doubt about this when, in a February 1, 1966, call to Senator Eugene McCarthy, he complained about the Kennedy administration and its left-wing allies in the Senate, who had supported Kennedy's entrance into the war but not Johnson's continuance of it. "They started on me with Diem, you remember," Johnson pointedly told McCarthy, recalling the words of the coup's proponents. "'He was corrupt and he ought to be killed.' *So we killed him. We all got together and got a goddamn bunch of thugs and assassinated him.* Now, we've really had no political stability [in South Vietnam] since then."

Minutes later, in a call to General Maxwell D. Taylor, until recently America's ambassador to South Vietnam, LBJ expounded on his recollection, and the general echoed it. "They started out and said, 'We got to kill Diem, because he's no damn good. Let's, let's knock him off.' And we did," Johnson told Taylor. "Yeah, that's where it all started," the general agreed. "That's exactly where it started!" Johnson replied, his anger palpable. "And I just pled with them at the time, 'Please, don't do it.' But that's where it started. And they knocked him off."

LBJ's beyond-the-grave words invite legitimate revisionism. As recently as 1997, *Newsweek* reported flatly, in an article by Evan Thomas

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James Rosen is a Fox News White House correspondent. His book, The Strong Man: John Mitchell, Nixon and Watergate, *will be published by Doubleday next year.*

and Lucy Shackelford on new Nixon tape releases: "In fact, Kennedy encouraged Diem's overthrow but not his murder." A survey of recent biographies of Presidents Kennedy and Johnson—including Richard Reeves's acclaimed *President Kennedy: Profile of Power* (1993); Michael Beschloss's two collections of previous LBJ tape releases, *Taking Charge* (1997) and *Reaching for Glory* (2001); Irwin and Debi Unger's 592-page *LBJ: A Life* (1999); the best-selling *An Unfinished Life: John F. Kennedy, 1917-1963* by Robert Dallek, and Howard Jones's *Death of a Generation: How the Assassinations of Diem and JFK Prolonged the Vietnam War*, both released this year—finds none of them advancing the Kennedy-Diem story much beyond what the Pentagon Papers revealed back in 1971: that JFK encouraged the coup against Diem, and may or may not have anticipated his murder. Even Seymour Hersh's highly critical *The Dark Side of Camelot* (1998) relied on a recent interview with Lucien Conein to establish that JFK *must* have known Diem would perish in the coup; but the CIA veteran claimed otherwise to at least one previous author, and Hersh presented no direct evidence beyond Conein's deductive account. The new LBJ tapes offer a darker view of Camelot.

In fairness to Kennedy and his defenders, Lyndon Johnson did not use his predecessor's name in his charges about Diem's murder. However, when Johnson said "we killed him, we all got together and got a goddamn bunch of thugs and assassinated him," LBJ was referring to a time when he served as the duly elected vice president under Kennedy. What else could he have meant but to implicate Kennedy? To imagine that such bold steps as the overthrow and assassination of a head of state whom America was militarily supporting would be undertaken without the knowledge of the commander in chief, yet with the knowledge of his vice president, is to indulge in the kind of fantasizing about a "rogue government" that responsible scholars discourage when the subject is Kennedy's own assassination.

And, in fairness to Nixon's critics, that he and Howard Hunt may have been correct about the Kennedy administration's culpability in the assassination of President Diem does not in any way justify Hunt's effort to forge cables proving as much. Nonetheless, our history of the Vietnam era must, as Nixon and Hunt wished, be revised accordingly. Reached at his home outside Miami, Hunt, now 84 but still sharp and combative, welcomed—and said he felt somewhat vindicated by—the release of the Johnson tapes. "[My] effort failed in a sense, and led in some ways to Watergate and to Nixon's defenestration. That would not have taken place if these tapes were made public at the time they were recorded," Hunt said. "They help in clarifying a lot of misapprehensions." ♦

Awesome Aussies

An extra-special relationship.

BY ROSS TERRILL

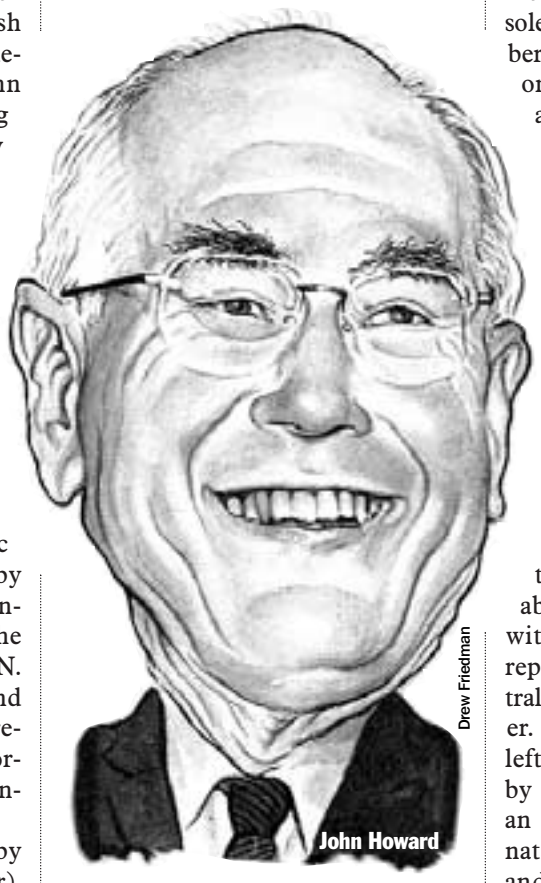
Melbourne

THE *New York Times* and many Democrats put a spotlight on European critics of Bush's foreign policy, France and Germany especially, but ignore East Asian supporters, Japan and Australia among them. (The anti-Bush crowd do pay attention to ally Tony Blair—with suppressed fury that he backs Bush and constant prediction of his demise.) In fact, prime minister John Howard of Australia is a striking case of a faithful ally boosted by Bush's post-9/11 and post-Iraq stature, despite current frustrations in Iraq and fierce hostility from Australian academia and media.

An Iraq-induced machismo stiffens Australian foreign policy in anti-terror operations in Asia, Korea policy, and a bold step toward the Solomon Islands, a chaotic neighbor where Canberra is leading the biggest military intervention in the South Pacific since World War II. Inspired by Bush's assertiveness, Howard's conservative government attacks the fruitlessness of waiting on U.N. action that often does not come, and declares Australia's duty to "preempt" if necessary to forestall disorder bubbling up from another country.

Longer in office than Bush (by five years) and Blair (by one year), Howard, like those two, was elected not on foreign policy but domestic. Yet, with 9/11, Afghanistan (where Australian troops were the first to join U.S. and U.K. forces on the ground), and Iraq, Howard, like Bush and Blair, has staked his reputation on security policy. "The times will suit me," Howard once said presciently.

A "protector" image has helped Howard politically no less than Bush.



Drew Friedman

John Howard

As security issues became local issues for New Yorkers and Washingtonians, so they did for Australians when a nightclub half-full of Aussie youths was blown up on the nearby Indonesian island of Bali in October 2002. Foreign policy hit the kitchen table. Choice of vacation spot could be a matter of life or death.

Howard was in Washington on 9/11, driving across town to give a speech to a joint session of Congress as the hijacked airplane crashed into the Pentagon. "We have taken our place beside you in the war against terrorism," he told Congress nine months later in a rescheduled speech, "knowing beyond all doubt that it was an attack upon ourselves and our way of life as surely as it was upon your own."

Foreign minister Alexander Downer in a recent interview with me rejected a purely regional role for Australia and saw no contradiction between the alliance with Washington and a strong role in Asia. "Our interests are global and not defined solely by geography." Added to Canberra's willingness to act unilaterally on occasion, these positions amount to a new ambitiousness in Australia's foreign policy. Downer says: "Sovereignty in our view is not absolute. Acting for the benefit of humanity is more important."

He went on: "When [Kofi] Annan raises [the limitations of sovereignty], that's fine. When the center-left government of Canada does, fine. But when we do it, it's called a brutal attack on sovereignty."

Defense for Australia has always meant and will continue to mean a dualism of vigilance about the homeland plus joining with others to battle lawlessness, repression, and evil beyond Australian shores. It's not one or the other. The 1991-96 government of the left-of-center Labor party, prodded by trendy intellectuals, tried to find an essentially Asian role for the nation's diplomacy. This is limiting and quite difficult, since even East Asia lacks a region-wide security organization.

Howard understands that security must be both local and global. Half a century ago, General Douglas MacArthur based himself in Brisbane to repulse Japan. A few years later, Australian troops went 7,000 miles north to Korea. In the last four years, Australia has embarked on a close-to-

Ross Terrill's new book is The New Chinese Empire *(Basic Books). His* The Australians: The Way We Live Now *was published in Sydney in 2000 (Random House).*

home steadying mission in East Timor, and a far-flung operation against al Qaeda. Howard also understands that well-financed and equipped forces of disorder are a new enemy not summarily dispatched. "This war against terrorism is likely to go on for years," he said on the second anniversary of 9/11, "and nobody can regard themselves as beyond the reach of terrorism."

In the South Pacific, the challenge for the moment is modest, but the long-term agenda is formidable. This beautiful area of atolls and palm trees, like parts of Africa, has "states" so wracked with ethnic tension that disorder threatens neighbors. The Solomon Islands bears the extra burdens of communal ownership of land and debilitating dependence on foreign aid. Law of the jungle in islands like the Solomons (where American and Australian troops together fought the Japanese during World War II) is an invitation to drug traffickers, people smugglers, money launderers, and worse.

Australia's assertive post-Iraq stance gave it the initiative. Howard phoned New Zealand Labour party prime minister Helen Clark, who had not supported the Iraq War, and won her quick agreement to join an expeditionary force of 2,000 troops and 300 police to the Solomons. All other leading players in the South Pacific—Papua New Guinea, Fiji, Tonga, Samoa—also signed on to Howard's plan. The Solomons' parliament voted unanimously to ask the Australia-led security-enhancing mission to come. Canberra is paying the bill for what so far has been a highly successful intervention that has nabbed the major warlord, effected a weapons amnesty, and cut violence.

Howard and Downer seem to be combining preemption with a multilateralism that works. No U.N. resolutions were sought or obtained to authorize their action in the Solomons. Some of Bush's sense of destiny seems to have rubbed off on the Aussies. "I think Australia should lead," Downer said, "because our national interests demand no less."

Is the Solomon Islands Australia's Iraq? In most respects no. But the South Pacific, like the Middle East, resists quick, easy solutions. These isles of natural splendor and political squalor may need Australian muscle, money, and brain-power for decades. Mostly tiny, weak, and poor, they need some kind of unity, whether a common currency zone or ultimately a federation. Enforceable property rights, open trade, pro-market economic strategies—"nation building" of daunting scope lies ahead.

Australia, empowered by its part in the overthrow of the Taliban and Saddam Hussein, enjoys the spectacle not only of New Zealand backing its expedition in the Solomon Islands, but also France. And Germany and France are backing the Korea-related, U.S.-planned Proliferation Security Initiative, born in Poland and Spain, two more Bush allies, whose latest steps were taken at a meeting in Brisbane in July. Last week, in the Coral Sea off the Australian coast, France and Japan, alongside the United States and Australia, with others observing, mounted the first exercises of naval interdiction planned under the Proliferation Security Initiative. How quickly wounds can heal when the sunshine of success bursts through the clouds!

Currently, helped by a strong economy, Howard enjoys a huge lead as preferred prime minister over his Labor party rival. Yet professors, columnists, and Labor's left wing accuse Howard of "military adventurism" and "slavishness" toward Uncle Sam. They say his closeness to Washington "cuts Australia off" from Asia, which is the opposite of the truth. These angry scribes disliked Howard before Iraq, and now they hate him, above all because he is close to Bush. "The anti-American mob were a little quieter during the Clinton administration than they are during the Bush administration," remarked Downer in our interview.

A reporter for the *Australian Financial Review* sees Canberra in the grip of "a repressive national-security

state." (I'm serious, he doesn't mean Myanmar, but his own laid-back Australia.) Watching the Labor party say "No" to the Iraq war, listening to academics and the government broadcaster, the ABC (proud younger brother of the BBC), lambaste Howard, noting that conservatives are in power nationally and Labor in all the states, you might get the impression Australia was an open democracy. But not in the eyes of the "left cultural gatekeepers," as I called them in my book *The Australians*. Anything less ethereal than a U.N. resolution smacks to them of fascism.

Isolationism takes two forms. In the United States we sometimes see an isolationism of self-ascribed superiority that says, "We're above the rest of the world, let's not bother with them." In Australia there appears on the left an isolation of inferiority that thinks Australia is not worthy of a leadership role. Make every Aborigine content, say the gatekeepers, or keep our mouth shut in international affairs. Ditch the British constitutional link, or crawl in shame before Asians.

Ordinary Australians are another matter. It is they, politically, who have enabled Australia to be the only country in the world that has fought with the United States in all the major 20th-century wars (the World Wars, Korea, Vietnam, the Gulf War) and the two wars of the 21st century (Afghanistan, Iraq).

Both kinds of isolationism recoil from leadership in international relations. But the lengthy list of countries in the coalition to liberate Afghanistan and Iraq did take a lead. Bush (and Blair) resisted "superiority" isolationism. Howard resisted "inferiority" isolationism.

Downer answered the left-wing intellectuals: "They're obsessed with anti-Americanism," he told me. "It doesn't worry me, to tell you the truth. If that makes them feel good, so be it. But if you're a policymaker, you have to think about consequences. What sort of world would we live in if the United States took the advice of the gratuitous left and said it would wash its hands and go back to an earlier tradition of isolation? What would happen to nuclear proliferation? Everyone agrees we have to stop the spread of weapons of mass destruction. But who is actually going to do these things? People say through the U.N.: I have no problem with that as long as it is done! What do we do when the U.N. can't agree? Should we then leave the issue unaddressed? Would it have been right to allow Saddam Hussein to continue to defy international law? The anti-American mob are emotionally driven, not intellectually driven."

The Australian not-so-very-intelligentsia is in the grip of an illusion. The Labor party opposed the Iraq war because it said one more U.N. resolution was needed to give a green light. The head of the Centre for International and Public Law at a leading university with a straight face equates domestic law (of a democracy) with international law (presumably enforced by the U.N.). Such people would have Australia march down the impeccably multilateral path of the "no more war" Kellogg-Briand Pact of 1928, whose futility led directly to the failure to deter Japan and Germany and hence to World War II.

Elite anti-Americanism is abstract, a wild anger at the state of the world, indeed at life itself. They rail against the vast hovering cloud of American power and influence.

The elite anti-Americanism is abstract, a wild anger at the state of the world, indeed at life itself. The left gatekeepers cannot reverse Howard's three electoral victories (1996, 1998, 2001), so they rail against the vast hovering cloud of American power and influence and denigrate Howard for being caught up in it. The environment is going to hell, the multinationals are everywhere, Africa writhes, war clouds terrify the kids, love and harmony are in short supply—Bush must be to blame! Call it foreign policy as psychology.

A disrespect for the views of ordinary Australian people is more serious. The alienated left has nearly given up on the democratic process. They "know" Howard is illegitimate just as they "know"—emails from American academic friends!—that Bush's victory over Gore was illegitimate. When the journalist for the *Financial Review* doubts that Australia any longer has a "fully functional liberal democracy," what he means is that the Labor party has lost three elections in a row.

For us in the United States, one lesson of Howard's eight-year ascendancy is that, vacuous as Blair's New Labour may be, Australia's Old Labor, trade union-based and mesmerized by an out-of-date academic left, is much worse. Another is that nothing Bush could ever do would sway Australian academics and the ABC (and others like them in Europe), so why not forge ahead with what he believes is right.

Finally, the democratic process faces real danger, in more than one country, from a stratum of left gatekeepers who simply don't believe in the legitimacy of a period of conservative rule. If any threat of a "repressive state" is on the horizon in Western democracies, it comes from the self-righteous left rather than from Bush, Blair, and Howard, who have reinvented themselves by responding to the common-sense instincts of their people.

Meanwhile the *New York Times*, which gave front-page coverage to anti-Howard protests over Iraq in Melbourne and Sydney, has never published an in-depth profile of Howard (compare its attention to Chirac, Schröder, de Villepin, and Joschka Fischer) or an examination of his three electoral triumphs. ♦

Shut Up, They Explained

Congress draws a bead on talk radio.

BY KATHERINE MANGU-WARD

CHANGES IN Federal Communications Commission regulations don't normally capture national attention. But a decision last June has people who worry about the growing influence of Big Media in a tizzy. Bill Clinton frets that "monolithic control over local media will reduce the diversity of information, opinion, and entertainment people get." William Safire calls it an "abomination." Jesse Jackson warns "the FCC's vote . . . will ultimately remove our rights of expression in programming. . . . The battle is not over." Ralph Nader is, as always, "very concerned."

It all culminated in a Senate vote on September 16 to repeal part of the decision by the FCC to relax media ownership rules. The old rules prohibit a company from owning television stations that reach more than 35 percent of homes nationwide; the new rules allow up to 45 percent. (The FCC, in the same 3-2 vote led by chairman Michael Powell, also abolished regulations that prohibited a company from owning a newspaper and a television station in the same area, but there was insufficient support in the Senate to repeal this cross-ownership provision.)

But the Senate vote is only the beginning of a much larger campaign for some who have been itching to re-regulate television and radio for the last two decades. By tweaking media consolidation rules, the FCC reopened a debate that started at the commission's creation in 1934. The "fairness doctrine," a set of rules requiring that radio and television broadcast stations present a variety of opposing views, was in effect from 1945 until 1987 (when Reagan's FCC repealed it), and the scuffle over the FCC's latest decision has reinvigorated efforts to bring it back.

Three days after the FCC announced the new rules back in June, Maurice Hinchey, Democratic congressman from New York, released a statement headlined "Hinchey Vows to Reclaim Airwaves for Public." Repealing the FCC's action is not enough, he says. In the coming weeks, he plans to introduce a bill that would reinstate the fairness doctrine not as a mere FCC rule, but as legislation. Though the fairness doctrine is often referred to as the "equal time rule," Hinchey says his bill would not explicitly require equal time, only "more diverse" views on all stations.

We have a lot more spectrum than we thought, and a lot less demand for it than anticipated in 1934, during the fledgling days of television.

The concept behind the fairness doctrine seems innocuous. But in practice, Hinchey's bill would get the FCC into the business of dictating content, and owners of radio and television stations would be forced to broadcast opinions they don't espouse. Aside from a host of First Amendment concerns, critics of the doctrine say it could actually result in more uniformity, not more diversity. If every station offers the same pair of "opposing viewpoints" in order to fulfill its obligations to the FCC, stations will become indistinguishable.

The FCC, which licenses broadcasters to use discrete portions of the broadcast spectrum, has a responsibility to promote the "widest possible dissemination of information from diverse and antagonistic sources," according to its charter. The broadcast spectrum is a limited public resource, say defenders of the fairness doctrine, and to ensure that it meets the demands of its charter, the FCC must react to this scarcity by monitoring content.

But it turns out we have a lot more spectrum than we thought, and a lot less demand for it than anticipated in 1934, during the fledgling days of television. The fairness doctrine was crafted before cable television, digital television, and the Internet relieved demand for spectrum space. The existing rules predicated on scarcity are simply outdated, rendered irrelevant by unforeseen technological advances, according to Powell's FCC.

In 1980, there were 75 all-talk radio stations in the country. Now there are more than 1,300. Hinchey dismisses the proliferation of media outlets, saying the "alleged existence of a great diversity" is undermined by the fact that the outlets "are increasingly controlled by a limited number of organizations and people."

Those 1,300 talk stations, nearly all born since the repeal of the fairness doctrine and nearly all right-leaning—with the exception of Pacifica Radio—will be in the thick of the battle over Hinchey's bill. The legislation—which has been called the "Crush Rush" bill (most notably by the king of conservative talk

Katherine Mangu-Ward is a reporter at THE WEEKLY STANDARD.

himself, Rush Limbaugh)—would hurt conservative radio the most. But it would also have a chilling effect on political coverage on stations with other formats, says Braden Cox, technology counsel at the Competitive Enterprise Institute, making broadcasters reluctant to address controversial issues for fear of running afoul of the FCC. After all, radio and television stations depend on the FCC for their existence, and can't afford to antagonize the entity that renews their licenses.

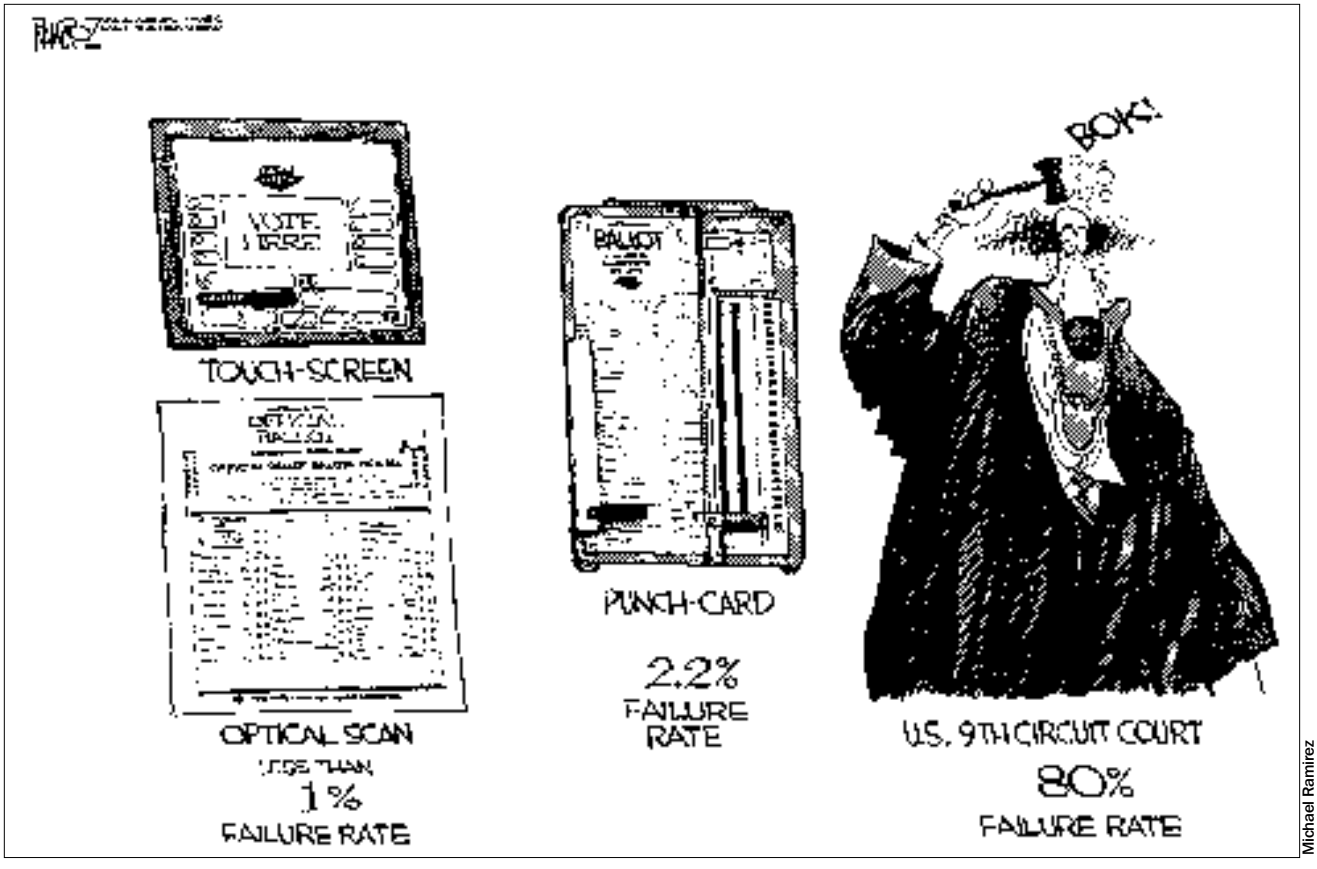
Limbaugh, Sean Hannity, and dozens of less popular shows have already begun efforts to stop the reinstatement of the fairness doctrine. And though Limbaugh himself has a large enough audience to guarantee that he won't be kicked off the air, his second- and third-tier colleagues are less secure, and he's more than willing to put up a fight to keep them from getting cancelled to make room for mandatory "opposing view" programming.

Congressmen who support Hinchey's bill may be "sorry they pulled this tiger's tail," says James Gattuso, research fellow in regulatory policy at the Heritage Foundation, when the talk radio hosts "really get geared up." They will be fighting for their livelihood, and there won't be any law (yet) that says they have to give airtime to the other side of the argument.

The current attempts to overturn the FCC's June ruling serve as a trial balloon for Hinchey, who says he has been interested in getting the fairness doctrine back on the books "since the '80s." Though the "congressional veto" of the FCC's decision made it through the Senate by a comfortable 54-40 (Trent Lott and Kay Bailey Hutchison voted for it, a move they may later regret), House majority leader Tom DeLay declared the bill "dead on arrival" in the lower chamber and said it won't come up for a vote anytime soon. The president has indicated that he will veto the bill if it comes to his desk. It would be his first veto.

In case the House fails to go along with the Senate's Tuesday vote, Republican Ted Stevens of Alaska has covered all the bases by inserting a rollback provision in the Senate appropriations bill for the Commerce, Justice, and State Departments. The rollback would prohibit the FCC from using any of its funds to implement the new regulations. Though this provision may be challenged now, it could easily be incorporated into an omnibus appropriations bill later in the year, and become law when Bush signs the budget.

In short, it's business as usual—the FCC is stalled. But bringing back the fairness doctrine is not the way to break the deadlock, and attempts to do so will unleash the wrath of a thousand right-wing talk radio hosts. It won't be a pretty sight. ♦



Michael Ramirez

The War on the Boy Scouts

The ACLU never sleeps.

BY PETER FERRARA

In June 2000, the U.S. Supreme Court narrowly held that the Boy Scouts of America is free to exclude open homosexuals from the ranks of Scout leaders, even where a state anti-discrimination statute would otherwise prohibit the organization from doing so. Ever since, the American Civil Liberties Union has been resisting the decision. Wherever it can, the ACLU is suing, or threatening to sue, to demand that state and local governments and United Ways cut off all relations with the Scouts, on the grounds that governments and quasi-public entities must not associate with such a "discriminatory" group.

In late July, a federal district court in San Diego sided with the ACLU when it held a longstanding lease of parkland to the Scouts to be an unconstitutional establishment of religion. But the case is far from closed; it may be overturned on appeal, and even if it stands, the court's reasoning suggests that the remedy might be no more draconian than a requirement that the city allow other groups to bid for the Scouts' lease. Nevertheless, the case deserves a closer look. The bias expressed by the judge is noteworthy, as is the plaintiffs' zeal—in the absence of injury to any party—to harass the Scouts and if possible drive them from the public sphere.

The lease at issue in *Barnes-Wallace* v. *Boy Scouts of America* goes back decades. The city first leased an 18-acre parcel of Balboa Park to the San Diego Scouts in 1957 for a nominal annual fee. The Scouts have invested several million dollars in this property since then to build and maintain a first-class campground site. In 1987, the city similarly leased a half-acre parcel to the San Diego Scouts in Mission Bay Park. The Scouts have invested millions in that site as well to build an aquatic center.

The city's practice has been to negotiate privately with the Scouts to renew the leases. But both sites are open to the public for a nominal fee on a first-come, first-served, reservation basis and are heavily used by non-Scout youth groups. The Scouts have now invested more in these properties than their sale value on the open market, according to the ACLU's own expert witnesses.

Moreover, the city has shown the Scouts no favoritism in the leases. San Diego maintains similar privately negotiated leases of public land with over 100 other nonprofit organizations, including religious ones, such as the Lawrence Jewish Community Center, the Point Loma Community Presbyterian Church, the San Diego Calvary Korean Church, the Salvation Army, and the YMCA. In all these cases, the city's policy is to grant use of public property to an organization if it is willing to invest considerable amounts of its own money to provide a service to the public. In addition, the city grants public aid outright to nonprofit groups to provide public services. The grantees include religious groups, and even gay groups. Recipients have included Catholic Charities, Episcopal Community Services, the Salvation Army, and the Gay Men's Chorus of San Diego.

Against this backdrop, the ACLU sued the city on behalf of a lesbian couple and an agnostic couple both with Scout-age sons, even though neither the sons nor the parents had been excluded from either facility or had tried to become Scouts or Scout leaders. The ACLU sought summary judgment. Judge Napoleon Jones granted it, holding that the Balboa Park lease amounts to unconstitutional aid to religion, and his reasoning applies to the other lease as well.

But this is ludicrous. The Scouts receive no aid from the leases. Rather, the leases are a vehicle by which the Scouts provide millions in charitable aid to the city and the general public. The primary purpose and effect of the leases is not to advance religion, but to advance youth camping and water sports.

In his ruling, Judge Jones was not shy about stating his views. The Boy Scouts, he said, "displays intolerance towards individuals who identify themselves as homosexual, agnostic, or atheist by denying membership to or revoking the membership of gay and nonbelieving individuals." The Scouts' "strongly held, private, discriminatory beliefs," the judge continued, "are at odds with values requiring tolerance and inclusion in the public realm."

Tolerance and inclusion, that is, for liberal views, not for the traditional views embodied by the Boy Scouts. The San Diego case reflects an ominous metamorphosis in the gay rights movement. Gay rights used to be about the freedom of adults to do what they want with their sex lives behind closed doors, free of government interference or regulation. The public broadly has come to accept that view of government's role.

But what the ACLU seeks now is something quite different. It is pursuing the vilification and marginalization of those who hold to traditional morality.

In this new gay rights/ACLU world-view, approval of homosexual

Peter Ferrara is executive director of the American Civil Rights Union, which operates the Scouting Legal Defense Fund.

activity is mainstream, while the Boy Scouts, Catholics, and Bible-believing Protestants (not to mention Orthodox Jews, Mormons, Muslims, and so on) are all the fringe, unacceptable in polite society. The ultimate goal, one fears, is to prevent the expression and teaching of traditional values.

How much healthier if those who espouse the ACLU/gay rights view were to exercise their civil liberties and start their own scout group to express their opinions on homosexuality, atheism, premarital sex, social justice, or whatever they wish. People then could vote with their feet as to which outlook they support and which they think is right for their children. ♦

Stopping the Iran Bomb

It's time to go to the U.N. Security Council

BY HENRY SOKOLSKI

THE UNITED STATES and the key members of the International Atomic Energy Agency deserve high praise for demanding that Iran rectify its nuclear naughtiness. Together with the agency's February report to the U.N. Security Council on North Korea's violation of the Nuclear Nonproliferation Treaty, the September 12 resolution calling Iran to account for its violation of that treaty constitutes the IAEA's toughest action since it was created nearly a half century ago.

But this is just a start. Now the Bush administration and the IAEA's board of governors must ready themselves to take two more actions: urge the Security Council to find Pyongyang and Tehran in breach of the Nonproliferation Treaty and get the council to block nuclear-related imports and exports to and from Iran and North Korea until they come back into full compliance with the spirit and the letter of the treaty.

Pushing these steps is sure to upset the diplomatic set, who have done their best to avoid such unpleasantness. For them, the whole point of engaging North Korea and Iran about their nuclear programs is to avoid going to the Security Council, which they would have us believe is simply too provocative. In fact, under the IAEA's charter, the U.N. Security Council is the authority the IAEA must report to whenever its nuclear safeguards have been violated. Blowing off an IAEA violations report by keeping the Security Council from taking action—something the world's diplomats have done with the IAEA's report on North Korea for the last six months—is tantamount to blowing off the Nonproliferation Treaty itself.

Why would the United States and the world's key powers knowingly toss the Nuclear Nonproliferation Treaty rulebook? For the very same reasons the Clinton administration cut a deal in 1994 with Pyongyang that delayed the application of treaty-required nuclear inspections in North Korea for more than a decade—to avoid diplomatic friction.

Despite IAEA director general Mohamed ElBaradei's repeated warnings that North Korea was engaged in "nuclear blackmail" and could not be trusted, the United States, Russia, China, South Korea, and Japan held off acting on the agency's North Korea violations report until they could engage Pyongyang in six-way talks in Beijing on August 27-29. Other than Pyongyang's insisting that Washington give in to its demands for a nonaggression pact and threatening to test a nuclear device, though, these talks accomplished little.

All of this diplomatic dodging made IAEA officials in Vienna even more gun-shy about bringing the world's other nuclear proliferator—Iran—back in line. After a series of visits earlier this year, IAEA inspectors discovered Iran had imported significant quantities of uranium hexafloride from China, converted uranium ore into uranium metal, and produced highly enriched uranium. All of these are steps on the way to

Henry Sokolski is executive director of the Nonproliferation Policy Education Center in Washington, D.C., and is co-editor with Patrick Clawson of Nuclear Iran: Devising A Strategy Beyond Denial *(U.S. Army War College, forthcoming).*


Reuters / Morteza Nikoubazi

Former president Hashemi Rafsanjani, denouncing inspections of Iran's nuclear program, Sept. 12

making nuclear weapons. None is required of Iran to make nuclear electricity; none was disclosed as required to the IAEA. All of them put Iran in clear breach of the Nuclear Nonproliferation Treaty.

Rather than report these violations to the Security Council when it could have in June, though, and risk being ignored as it has been on North Korea, the IAEA held back. Instead, it called on Iran to freeze its efforts to enrich uranium, to open up all of its nuclear sites to IAEA inspectors, to clarify all of its nuclear activities, and to rectify its past safeguards infractions.

Iran's response was veiled contempt. Within weeks of the IAEA's request, Iran began work on a pilot uranium enrichment plant. Then it offered an incredibly lame excuse for the trace quantities of highly enriched uranium IAEA inspectors had found: These were not anything Iran had produced (in what Tehran had previously insisted was a totally indigenous uranium enrichment program) but rather residues from used, contaminated nuclear equipment it had imported from abroad. Finally, late in August, Tehran made preparations to open a much larger plant at Natanz to produce uranium bomb material. All of this helped last week to get the IAEA's board of governors at least to put a final deadline on Iran to come clean.

What's likely now? Iran might give in to one or more of the IAEA's September 12 demands. But the chances of its fully complying by November 1, when the IAEA board of governors reconvenes, are slim. As Iran's own representative to the IAEA, Ali Akbar Salehi, explained in late July, if America ever succeeds in "adding a legal dimension" to its pressure against Iran by finding it in violation, Washington will be in a position to "build an international consensus and push Iran into a corner."

Were Iran to admit to or be found in violation of the Nuclear Nonproliferation Treaty, its hopes of ever getting the Russians to complete or fuel the large power reactor they are working on at Bushehr would be in vain. As President Vladimir Putin pronounced in June, Russia must be certain Iran is not developing nuclear weapons before it completes the machine. This means Iran must give IAEA inspectors unhindered access and agree to send back to Russia whatever spent fuel the reactor generates. So far, Tehran has refused to do either. Yet, without this reactor, Iran would lose any peaceful justification for its uranium mining, enrichment, fuel fabrication, and chemical plutonium separation programs. Continuing any of these efforts, then, would only further implicate Iran as a violator.

As for North Korea, the most popular diplomatic plan still seems to be to kick the can down the road. After refusing to negotiate further, Pyongyang reversed course in early September. A second round of six-way talks is slated for this fall. Meanwhile, South Korea has pleaded that nothing be done to suspend construction of the two U.S.-designed power reactors (each capable of making over 50 bombs worth of near weapons-grade plutonium during the first 15 months of operation) that Washington promised Pyongyang in 1994 in exchange for its eventually complying with the nonproliferation treaty. More important, no action has been taken on the IAEA's February violations report. North Korea formally withdrew from the treaty earlier this year but is still legally accountable for previously blocking the IAEA from inspecting its nuclear weapons material production-related sites.

Iran and North Korea, of course, want to postpone Security Council proceedings, and we have complied with their wishes (in North Korea's case, for over a decade). This must end. Rather than continue to delay applying the Nuclear Nonproliferation Treaty rules until some new deal might be cut, the United States and other treaty supporters should push now to enforce the rules. The game for our diplomats then would be the more productive one of figuring out how to get both regimes to come into full compliance with the treaty.

Toward this end, we should not just have the Security Council identify Pyongyang and Tehran as treaty violators, but get the council to call on all states to block nuclear-related imports and exports to and from these nations at least until both come back into full compliance with both the spirit and letter of the Nuclear Nonproliferation Treaty. This would require irreversible, verifiable dismantlement of these nations' nuclear programs, which were never intended for peaceful purposes in the first place.

Such a resolution would not just complement President Bush's own Proliferation Security Initiative, which is still being formulated, but show that the United States and other supporters of the NPT are finally serious about applying the rules that already exist. ♦

Après Spam

The next email crisis

By David Gelernter

Email is a slippery medium. For example: Is it good or bad for the art of writing? Both. It devalues the written word; email is so fast and easy to send, correspondents exchange semi-articulate gibberings without a second thought. There used to be good letter writers, but there don't seem to be any good email writers (or barely any). You can see the extent to which email encourages junk prose in those ridiculous smile symbols with which some emailers cuten up their messages. "Email, unlike face-to-face conversation, doesn't allow you to 'send' facial expressions," the beginners' guides explain, in that oppressive "Listen up, kiddies!" tone that afflicts technical-minded people who try to explain software to laymen. "But you can use special symbols to let your correspondent know, 'I'm only kidding!'" Yet writers of ordinary letters have always (somehow or other) let their readers know they were only kidding without including miniature self-portraits as hints. They do this by means of *words*—the right ones in the right sequence. It's a neat trick.

Yet in some ways, email has been a godsend for writing. In the '70s and early '80s, the personal letter was on the verge of death. As phone service got cheaper, the letters got worse and informality blossomed like ragweed. The personal letter slipped away, until email revived it in a new form. We are still learning how to make the new form work. In some ways it's better than the old one, in many ways worse. In any case, for those of us who would sooner leap off a tall building than pick up the phone (perhaps 85 percent of the pre-cell phone male population), email was a lucky development. Alas, it is already endangered.

Today's big email problem is spam. But the spam problem will be largely solved (or at least brought under control) in the near future, and another huge problem will remain and get worse. Email is important enough to warrant our thinking about the next major problem now.

Spam is a big ugly mess—though hardly unexpected. I watch TV, but nearly all cable channels are junk from my standpoint, from the Fluffy Dogs Channel to Hot-Girls TV. (Those are two separate examples.) And even the ones I like are (mostly) rich in advertisement-junk—some of it merely annoying, some offensive. (Spam can be unspeakable, but TV commercials in which a formerly sick child pitches medicine are lower than anything I have ever seen in email.) I take it for granted that I will have to edit TV junk out, somehow or other. I do not solicit congressional action to clear up the problem. We might end up with the BBC.

Still, spam is bad—and the industry makes it worse by its characteristic klutziness. For example: A main complaint of email users is that they have to waste time every day deleting spam messages from the servers on which they lease their little online garden plots—but such deleting is only necessary because the industry has its head screwed on backwards. In our universe (right here, right now), data storage is dirt cheap and getting cheaper. Disk storage per bit is in effect too cheap to meter, so no one should have to waste time deleting anything, unless he feels like it.

No one should ever have to do *anything* with a mail message except ignore it, read it, or read and respond. When I see people "cleaning up" their mail files, faithfully stuffing each message into a folder or otherwise file-clerking for a machine, acting as their computer's loyal (albeit menial) employee, I don't know whether to laugh or cry. (Laugh is usually the right answer.) Software should be doing this *for* you. That's why software exists. And of course nothing should *ever* be put in a folder; what if it's the wrong folder? Since when have you been so crazy about filing things, anyway? Such tendencies are treatable if they are diagnosed early. Otherwise you will grow up to be a bureaucrat, or already have. Folders and folder hierarchies have been obsolete for 15 years.

But I assume that do-not-spam lists or some kind of pay-per-mail system or both will arrive within a year. Welcome developments, which leave the number one email problem untouched.

Sheer volume has turned email into an unreliable medium. Spam to the side, there is already too much (honest, legitimate) email for people to manage, and so

David Gelernter is a contributing editor to The Weekly Standard.

they overlook messages or forget to answer them, in consequence of which conversations peter out into nothing—and no one is quite sure why, or what to do next. Excessive email volume is a fact of life and is never going away. The threat—which is guaranteed to force a massive retreat from this spiffy new medium within a few years unless we solve it—is the growing *opacity* of email, the Black Hole problem. If you haven't encountered it yet . . . just wait. Spam makes it worse, but it was a problem before spam and will remain long after spam is cured.

Here's how it works. You get an email (maybe longer or more complicated than average, or from someone you don't know); you have no time to respond right now, but you *mean* to answer—but other emails stack up, and you answer those first—but you still plan to reply—but more emails keep arriving. . . . Meanwhile the sender is wondering: Is he ignoring me on purpose? (I'll cross him off my list and forget about it.) Did he mean to reply, but has since forgotten? (Resend my message.) Or does he *still* mean to reply and just hasn't gotten around to it? (Don't get mad *or* resend.) All three possibilities are real, and happen all the time.

As volume rises, more email conversations trail off into nothing for unknown reasons, the medium is devalued further, and the problem gets worse—people set even *less* store by a mail message, send one out on even less provocation, volume rises, more email conversations trail off into nothing for unknown reasons, the medium is devalued even further.

As volume rises, more email conversations trail off into nothing for unknown reasons, the medium is devalued, and the problem gets worse.

Luckily, there *are* good ways to deal with an unreliable medium like email—but not enough people know or use them. (And the techniques won't work unless many people use them.) These techniques can't add more hours to your day, but can make email fairly transparent. This is a behavior (not technology) issue—but today's software makes the problem worse, because the obvious techniques (which involve "acknowledgments" and "time outs") require a kind of time awareness that today's software mostly discourages.

Still, a prediction: Protocols like the ones proposed below will be commonplace before long. Probably some large company (having reinvented them for itself) will promulgate them for employees, and we'll be off. I don't claim that my rules are original; I only claim that (so far as I know) nobody uses them. (The "email etiquette" literature is so huge and boring, who can master it all? But chances are, these rules are already out there somewhere.) And the rules don't always apply. They are irrelevant to ongoing conversations that have found their own rhythm, and to exchanges between friends who know what to expect. Email conversations among many parties raise special questions. But you have to start somewhere.

1. The Acknowledgment Rule: *Acknowledge in haste, respond at leisure.* When you receive an email, acknowledge it within 24 hours if you can; take a week if you must, but more than that is (ordinarily) too long. An acknowledgment is not an answer. It's a one-liner, something like "thanks for your note; I'll be in touch soon." It tells the sender that his message has got through and that you plan to answer it some day. Once you've acknowledged a message, you should answer within (say) two weeks of sending the acknowledgment.

2. The Resend Rule: *If an acknowledgment or (later) an answer doesn't arrive in good time, resend your message verbatim.* The receiver's time limits dictate the sender's. If your message hasn't been acknowledged a week later, resend it. If the acknowledgment arrives but no answer has materialized two weeks after that, resend. So you get (at the outside) two chances to restart a sputtering conversation—and that's it. (When you resend a message, a discreet "2" or "3" in the subject line should be enough to let the receiver know what's going on.)

Where did the "24 hours, one week, two weeks" time limits come from? I just made them up. Maybe they're wrong. All I can say in their defense is that I've been a faithful emailer since 1982, and they strike me as about right.

If a message arrives and you can answer right away—be my guest, and forget the acknowledgment. But feel free to acknowledge (and not answer until later) *any* ordinary email, no matter how brief. A short email isn't necessarily easy to answer. Any substantive answer costs time and concentration.

We can all sympathize with those desperate characters who attach "sender asked to be notified" messages to their outbound email, but such messages have no place in polite society. (When you read one of these booby-trapped emails, a note pops up: "Sender asked to be notified when you read this message—okay to send a notification?") No good. "May I spy on your activities and send back a report?" will never be a tactful question no matter how delicately you phrase it.

Consider how my rules work in a few common situations.

You overlook an email entirely. Especially common in the spam age, but happens regularly for other reasons too. Under my protocol, the sender waits a week; having got no acknowledgment, he then resends—without worrying whether he's waited long enough, whether you *want* to ignore him and he is intruding on your splendid isolation, etc. The conversation gets a second chance.

You see an email, plan to respond but forget. Especially likely when the email is long or complicated. By sending a quick acknowledgment, you give the sender permission to nudge you (in a reasonable way, after a fair interval). The conversation is less likely to flicker out by accident.

You finally remember to respond, but you've forgotten the details. It suddenly hits you that you intended to answer a message from somebody about some piece you once published—but a message from whom about what? A conscientious correspondent will shoulder his virtual shovel and dig the thing out. In practice, the exchange is probably going nowhere unless the sender decides to try again.

You ignore an email on purpose. In this case you are better off without the protocol. Under the protocol, you will be forced to ignore not only the original but the duplicate. Reform is rarely cost-free.

These rules could be put into effect right now, using any mail system. But they are pointless unless a whole community uses them, and would be a nuisance to apply using conventional mail software.

What's required is a two-button mail-reader. One button is labeled "acknowledge (quick!)," the other "answer (slow!)."

When you press the "acknowledge" button, you see a time-ordered list of all messages you have yet to acknowledge. Also included: repeat messages that await resending—you've sent them once but they have not been acknowledged, or remain unanswered. And acknowledgments received—just to glance at; no action needed.

Maintaining such a list is fairly complicated, but software does the work. Whenever a new message (except an acknowledgment) arrives, the system will ordinarily start a 24-hour timer, put the message on your "acknowledge" list and prepare an acknowledgment to be launched when you are ready. Whenever you kick off a new conversation, the system will start a seven-day timer; when the timer runs out, your original message is hauled out of storage, readied for relaunch, and added to the "acknowledge" list. All these manipulations go on behind the scenes. Pressing "answer" shows you messages you *have* acknowledged but have not yet responded to.

Everything on "acknowledge" can be dealt with quickly. If you check it several times a day, you can keep up without bogging down. You might deal with "reply" once a week. Bottom line: You keep afloat by relying on mass-processing efficiencies (your time-consuming correspondence is bundled into a neat batch to be dealt with every now and then), and by discreetly relaunching stalled conversations without being obnoxious. Which is exactly what nearly everyone tries to do anyway. But your two lists let you do the obvious thing at minimal cost in overhead, and without driving your correspondents crazy.

I have left out all sorts of difficulties and special cases—and not only because they are boring. They are also pernicious. The software industry tends to start with the details, difficulties, and apparent constraints, and to work timidly upward from there. Complex mediocrity is the usual result. To design software that is simple, powerful, and general (or *anything* that is simple, powerful, and general), you must start with the overriding goals and the big picture and work *downward*, forcing technology into the mold you have decreed instead of letting it sprawl slime-mold-like into any shape it naturally favors.

Ultimately we can't go on like this. More and more of the world's business is going online. The online digital universe, the "cybersphere," is turning into a mirror world where every real-world entity has a software doppelgänger. Today's conventional software has no way to cope with such a development.

But there *is* a way to counteract ever-higher volumes and varieties of online information: by making the interface far simpler and more uniform. Every digital item you own or ever *will* own will be stored in a single structure. (Various companies, including one I work for, are building this type of software.) This single structure with all your information inside will be accessible from any computer or quasi-computer anywhere. (Any cell phone, laptop, answering machine, TV, automobile.) It will be easy to display, to visualize, to manipulate. Thus, a sort of "information beam" that grows brighter all the time (as more and more information is added), but can be focused easily with pinpoint precision. To handle rich, varied, and voluminous information, you need a simple and uniform package. The book (the physical object—sheets bound on end) is the finest design in history for exactly that reason. A book might be *about* anything, but all books *work* the same way. When software design is a tenth as sophisticated as book design, we will be getting somewhere. ♦

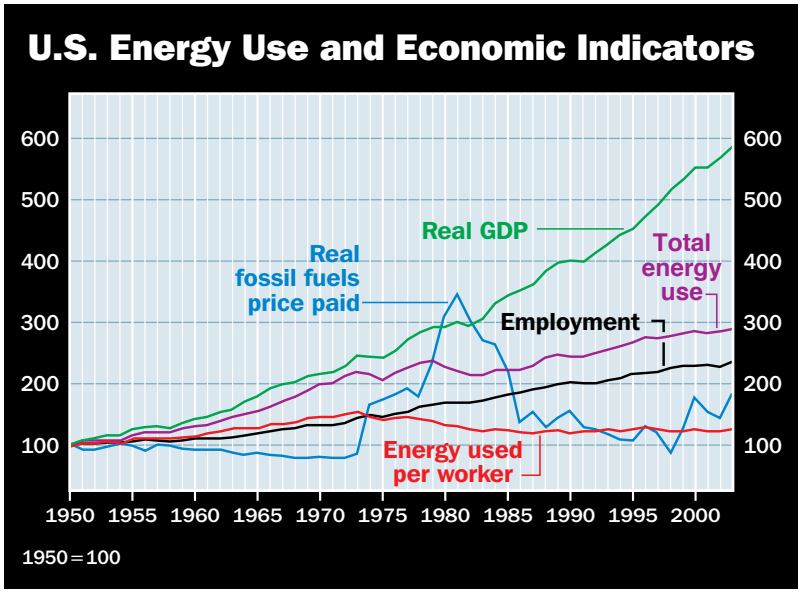
Energetic America

The energy policy the U.S. needs

By Lewis E. Lehrman

If the twin scourges of mankind are sin and ignorance, America's energy problems, according to the political and environmental left, are caused by our sins against nature. In this view, the problem goes all the way up to the Oval Office, which is supposed to be living in sin with the energy industry. If the left is correct, America's energy situation must be hopeless. Federal policy, no matter what it is, cannot be counted on to transform fallen human nature.

On the other hand, there are grounds for hope if one believes that the biggest obstacle to sensible energy policy is not sin but ignorance. Missing from the media energy debate are plain answers to the basic questions: How much energy do Americans use? What kind is it, and what does it cost? Where does it come from? When we know the answers to these questions, we can frame a sensible energy policy—which basically amounts to answering the same questions, but replacing *is* and *does* with *should*. Then it becomes clear that the most basic issue is not a technical one. Rather, the American people face fundamental choices about energy, on the supply side and the demand side, which will decide the way they will live their daily lives for generations to come. Such questions should not be decided by energy technicians.



1. How much energy do we use? We can get an idea of how much energy we use, and why, by comparing the total energy used by the United States since 1950 (detailed statistics start in 1949) with other related economic variables: particularly the total size of the economy, the number of workers, and the average cost of fuel in "real" or inflation-adjusted terms (see chart).

The comparison is revealing in a number of ways. First, the sustained economic growth in the 1950s and 1960s was accompanied by stable or declining prices for energy. This period of large American families and generally one household breadwinner was still an era of rising prosperity. It is my argument that these facts, among others, covering a time when the United States was the world's leading oil-producing country, were, to an important extent, the result of careful and responsible design by policymakers—and that cheap energy should once again be a key goal of economic policy. Along with proper tax, budget, regulatory, and

Lewis E. Lehrman is partner at L.E. Lehrman & Company and co-chairman of the American Security Project.

monetary policy, a cheap energy policy will lead to sustained, rapid, long-term economic and employment growth.

The same comparison of energy use and other key economic factors shows that after 1970—when OPEC seized and held oil market power—four recessions were triggered by a sharp rise in energy prices. OPEC had temporarily succeeded in colluding to restrict the oil supply. Such collusion would be illegal in any U.S. industry. Thus, if we desire rapid growth and full employment, our policy goal, unlike OPEC's, must be low, steady real prices of energy.

Second, the comparison also reveals an interesting but overlooked fact about Americans' use of energy: For the last 20 years, total U.S. energy use has paralleled the growth of U.S. employment. This contradicts conventional wisdom in two ways. On the one hand, it is conventional to speak in terms of energy use *per capita*, meaning averaged over the whole population. And of course over the very long run, energy use and population should broadly move together. But over shorter periods, especially when the age structure of the population is changing, energy use clearly tracks growth in employment much more closely than population. Workers need to commute to work, for example, but many outside the labor force, like children and retirees, don't. Thus, growing the supply of energy slightly in excess of demand contributes to full employment policies.

Malthusians who favor an absolute reduction in U.S. energy use haven't yet spelled out to the American public what that would mean.

On the other hand, most economists, including many in the Department of Energy, still extrapolate heavily from the experience before 1980, assuming that the demand for energy automatically increases with real GDP. They look at it this way: Over the whole period from 1950 to 2002, real GDP multiplied by a factor of 5.6, while total energy use multiplied by 2.8. So the economy's energy efficiency roughly doubled in the last half-century. Extrapolating from this, they also expect energy use to grow about half as fast as real GDP in the future.

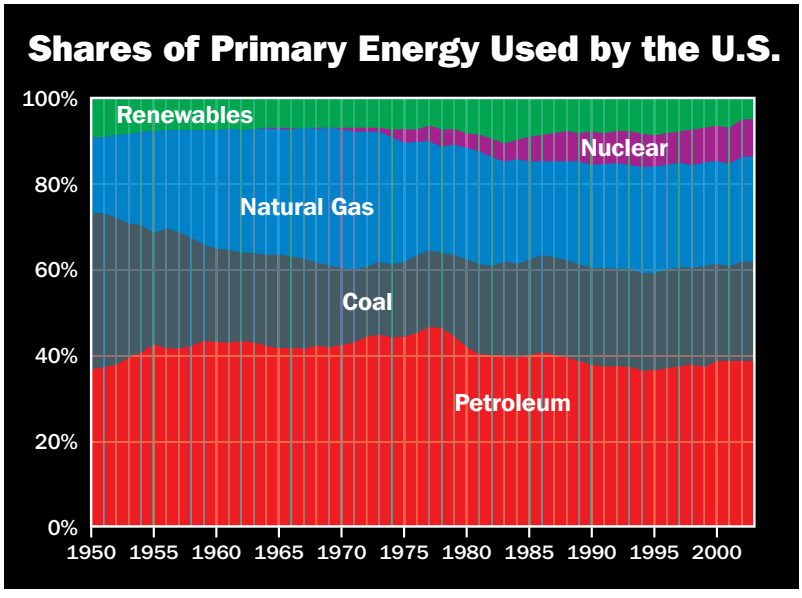
But this conventional view overlooks an important change in the way American employers and workers use energy. From 1950 to 1973, both employment and energy-use-per-worker increased by about 50 percent; as a result, total energy use more than doubled, growing nearly as fast as real GDP. Overall U.S. energy efficiency in producing real GDP was about the same in 1972 as it had been in 1954. But from 1973 to 1982 (during which the OPEC cartel sent oil prices up about ten times by restricting supply), energy-use-per-worker fell, reversing half the previous increase. Unemployment rose during this period from about 5 percent to about 11 percent at the peak in 1982. Since then energy-use-per-worker has been steady. Of course, many factors were involved, notably the response to changing energy prices. But when such variables are accounted for, employment is the only factor with a one-for-one relationship to total energy use over the whole period since 1950. It seems, therefore, that there is a provisional answer to the question "How much energy will America need?" The answer: "About the same growth in energy use as in employment." From the standpoint of government policy, another plausible way to formulate the answer is to say cheap and growing energy supplies are a crucial part of an effective policy of full employment at rising real wages.

Understanding this allows us to sidestep the acrimonious posturing so prevalent in the global energy debate. If, as in Japan and Germany, our population were expected to shrink by 20 percent over the next 50 years, pledging to reduce the use of both energy and hydrocarbons would be easy. Fewer people mean fewer workers, and fewer workers will use less energy. But while Japan and Germany have been sliding down the world population tables, the United States expects continued population growth. Fifty years ago, the United States was the third most populous nation in the world (after China and India). Today, with a population 90 percent larger than in 1950, we are still third. And demographic forecasts, based on birthrates and immigration, suggest the United States will still be third in population 50 years from now. The U.S. population is expected to increase by about one-half during that time. America on balance still believes in growth, unwilling yet to accept long-term national suicide like Europe and Japan.

Now, if energy use keeps step with employment, U.S. energy efficiency will continue to climb as in the past 20 years—but total U.S. energy use will also rise. Those Malthusians who favor an absolute reduction in U.S. energy and hydrocarbon use haven't yet spelled out to the American public what that would mean: namely, a corresponding decline in employment, a decline in the standard of living from what Americans would otherwise enjoy, and ultimately, a decline in U.S. population. It is true there are extremists who advocate zero or negative growth. But are the American people, properly informed and free to choose, willing to embrace it?

2. What kind of energy do we use and at what cost? Here the first fact is that the bulk of U.S. energy (about 86 percent in 2002) is still supplied by fossil fuels—coal, petroleum, and natural gas. Renewable energy sources—chiefly hydroelectric, wood, and alcohol—have contributed as much as 9 percent of total energy (in 1950 and again in 1982), but have dwindled to only 6 percent of total energy used, chiefly because of a decline in hydroelectric power. Solar, geothermal, and wind power, combined, amount to about 0.5 percent of total energy—because, in general, they are not and will not soon be competitive with fossil fuels on total cost and reliability. Other new age fuels, like hydrogen, have the same problem (see chart).

The second central fact about energy use is that the only significant reduction in reliance on fossil fuels has been the result of increasing nuclear electric power—which went from 0.4 percent of total U.S. energy consumed in 1970 to just over 8 percent in 2002, cutting American use of fossil fuels from 94 percent in 1970 to 86 percent in 2002—despite the fact that no nuclear power plants have been built in this country in a generation. The United States and the European Union are similar in their reliance on petroleum (39.8 percent in the United States vs. 42.7 percent in Europe) and natural gas (23.7 percent here and 24.5 percent in the E.U.). The main difference is that reliance on coal is 8 percentage points lower and on nuclear energy 7 percentage points higher in the E.U.



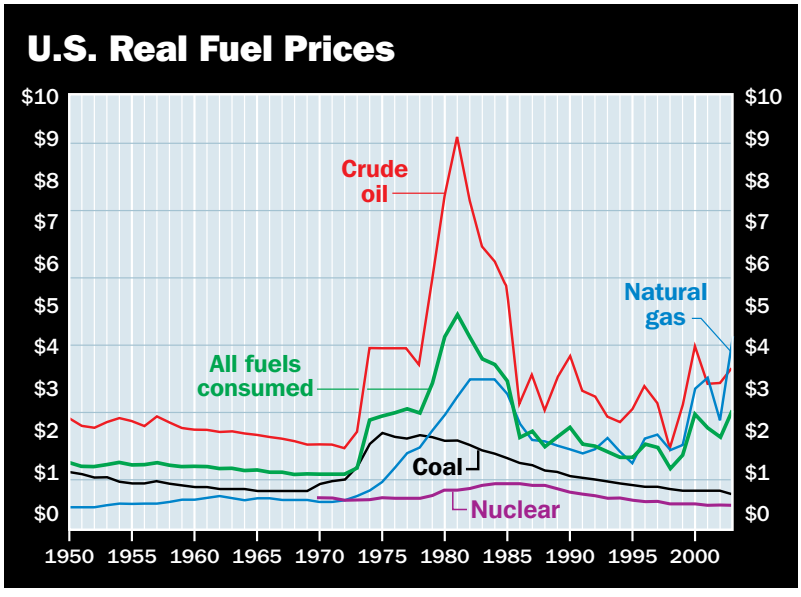
While the pattern is similar, the absolute amounts of energy used per capita and per worker are nearly twice as high in the United States. Once again, the reason is an objective one, grounded in hard reality. The European Union, with a population one-third larger than the United States, but with only one-third the surface area, has a population density four times as high—almost as high, in fact, as China's. Working Americans need more energy for basic tasks like commuting to work. (While some elites wish to prohibit or restrict commuting, or make it much more costly, the American people at the polls should decide the policy.) Also, while Western Europe is blessed with a mild climate, America routinely faces much greater temperature extremes. In general Americans therefore use more energy on heating in winter and cooling in summer than do Europeans or Japanese. This summer, Europe got a taste of a typical summer in many parts of the United States, and over 10,000 people died in France alone.

On the other hand, the United States would do well to follow the example of Europe by increasing the use of nuclear power and mobilizing new technologies for its safety and efficiency. The E.U. and the United States are similar in the share of total "primary" energy input that is processed to deliver electricity to customers: 14.3 percent in the E.U. and 13.2 percent here. However, the current state of technology is such that the energy input necessary to produce electricity with fossil fuels is about three times the net output of electric power. About 39 percent of total U.S. energy is used to generate electricity, but about two-thirds of the fossil fuels used to generate electric power are lost as waste heat. The math suggests, therefore, that increasing the share of U.S. nuclear power in electricity generation from 20.6 percent to the European level of 33.3 percent would free up about 15 percent of *total* U.S. energy use—all fossil fuels. Nuclear fuel is the cheapest in relation to its energy content—costing barely half as much as coal—but no nuclear plants have been licensed since 1979. (The relative capital costs of nuclear plants and the disposal of processed fuel must be considered. Still, the U.S. government, innovative financiers and engineers, if given the chance, will be a fair entrepreneurial trade for the present Luddite prohibitions on clean-burning nuclear power.)

This naturally raises the question of cost. Put in common units, nuclear fuel in 2003 costs about 50 cents

per million BTUs (roughly the energy content of nine gallons of gasoline), compared with about 85 cents for coal, $4.90 for natural gas, and $4.50 for crude oil (see chart below). At the current crossroads, a policy of cheap energy therefore militates in favor of nuclear energy and coal (because, unlike Europe, the United States can produce all it uses and more). The cheapness and heat efficiency of coal explains why its use has continued despite unsuccessful official efforts going back to the Middle Ages to curb its use because of smoke and fumes. Today, improving clean coal technology can yield cheap power and a clean environment. One marvels at the rise of the standard of living made possible since medieval times by cheap fuel.

Traditionally, the most expensive fuel has been petroleum. Petroleum could remain relatively expensive and ubiquitous for so long because, for compelling reasons, there were no rivals to replace it in the transportation market (where two-fifths of America's energy is used). Because of weight considerations, burning gasoline (or other refined petroleum products) in an internal combustion engine remains by far the best method of converting fuel to motive power. Other fuels are competitive in the generation of heat and electricity, where the weight of fuel and equipment is not a major factor.



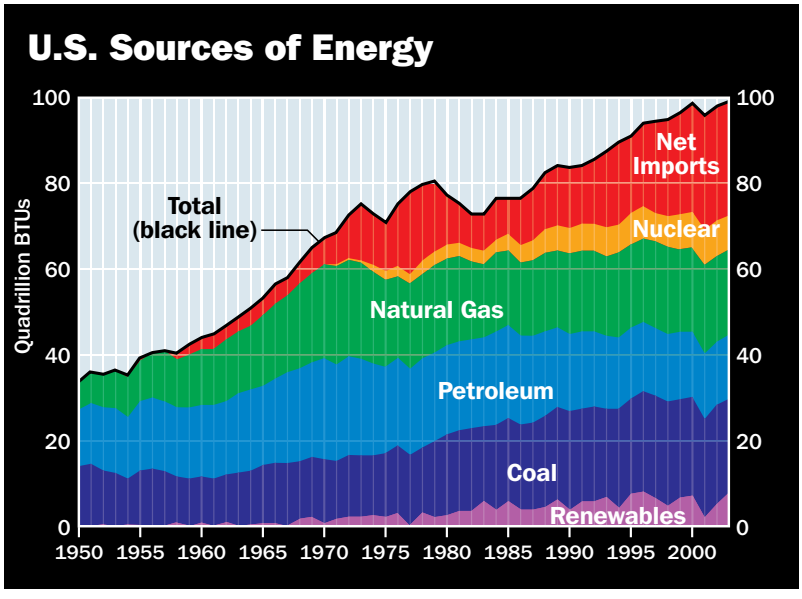
For decades natural gas was cheaper in North America than petroleum; but the so-called "gas bubble" popped, and natural gas has recently become more expensive than petroleum. The main reason is that nearly all recent additions to electricity-generating capacity have been plants fired by natural gas, encouraged as a more ecologically desirable fuel than coal. Thus, the demand for natural gas increased. But our technologically advanced natural gas producers have been restricted by statutes, regulations, and environmentalist lawsuits from finding domestic natural gas except in a few declining established fields. Environmentalists have ramped up the demand for "clean-burning" natural gas just as they have shut down the supply. Should we be surprised by the rise in price? Moreover, for three years, manufacturing jobs have been declining every month. This is no accident. U.S. heavy industry and basic materials manufacturing are heavily reliant on natural gas. The current process of adjustment to the high price of natural gas—euphemistically called "demand destruction" by economists and environmentalists—simply means throwing skilled manufacturing people out of work in natural gas-dependent, basic industries (such as chemicals). Shifting to nuclear energy for electricity would relieve the pressure on natural gas, dropping its price, and making it more available to heat homes and supply manufacturing needs. Such a policy, combined with "smart grid" technology, microgeneration and distribution, and interstate integration and development of the grid, would solve many of the present problems of electricity transmission and the volatility of its cost.

3. Where does our energy come from? To get an idea of the answer, we need to consider U.S. production vs. consumption of energy, the difference being net imports, which have risen to about two-thirds of domestic usage. Before 1970, energy was cheap, not least because growth of U.S. energy use was matched by growth in domestic production of energy. But total fossil fuel production has never exceeded the 1970 level, and the only net additions to U.S. energy output have been due to nuclear energy.

The reasons for such an outcome are in large part self-imposed. From 1971 to 1980, energy price controls simultaneously stimulated energy consumption and curtailed energy production (while indirectly subsidizing OPEC). Since U.S. producers received far less than the world price, energy production moved abroad. Since 1973, U.S. crude oil output has fallen almost 40 percent. Moreover, net imports of petroleum and petroleum products have risen to about two-thirds of domestic usage. With so much of our supply coming from undependable, insecure, and unstable parts of the world, our

standard of living and national security are similarly unstable and vulnerable to political upheaval.

Federal environmental laws and lawsuits are an important cause of our restricted energy production and infrastructure. The growing difference between our total energy use and U.S. energy production is of course equal to net imports. Our policy of severely restricting the permitting and production of most forms of energy has magnified OPEC's ability, depending on the business and political crisis cycle, to raise the world price of crude oil. In sum, price controls first caused a bulge in oil imports in the 1970s, but those imports stayed high as U.S. producers were increasingly prevented from finding and pumping known and discoverable onshore and offshore domestic oil and natural gas deposits (see chart).



These basic facts about U.S. energy use suggest that a policy of restoring greater energy independence and maintaining inexpensive energy is not only possible but necessary—if Americans truly desire increased national security, a vibrant basic materials industry, and rapid economic growth. American energy producers have the technical ability to carry out such a policy; and we also have the technology to do so while keeping the environment safe.

Let us call this political platform cheap gas, cheap oil, cheap electricity. The policy would have three basic facets: (1) Government intervention to double the share of nuclear power in electricity generation, thereby reducing pressure on supplies and prices of fossil fuels (and incidentally emissions of hydrocarbons). (2) A concerted national trade and security policy to prevent monopolistic collusion by foreign energy producers, especially in crude oil—and thus to restore more U.S. energy independence. Since collusion is not tolerated in any domestic industry, why must we tolerate collusion abroad against a vital U.S. interest, especially by oil-producing countries whose political existence depends to a large extent on U.S. military power? (3) As part of the same effort to increase U.S. production, a vast expansion of legal permissions for drilling for crude oil and natural gas on public and private lands should be enacted. Energy processing and transmission industries, such as refineries, pipelines, and distributing networks, must gain rights of way, increased freedom of pricing, and thus the access to capital needed for growth. The characteristics of an inspired regulatory regime for U.S. energy would thus be diversity, reliability, and redundancy.

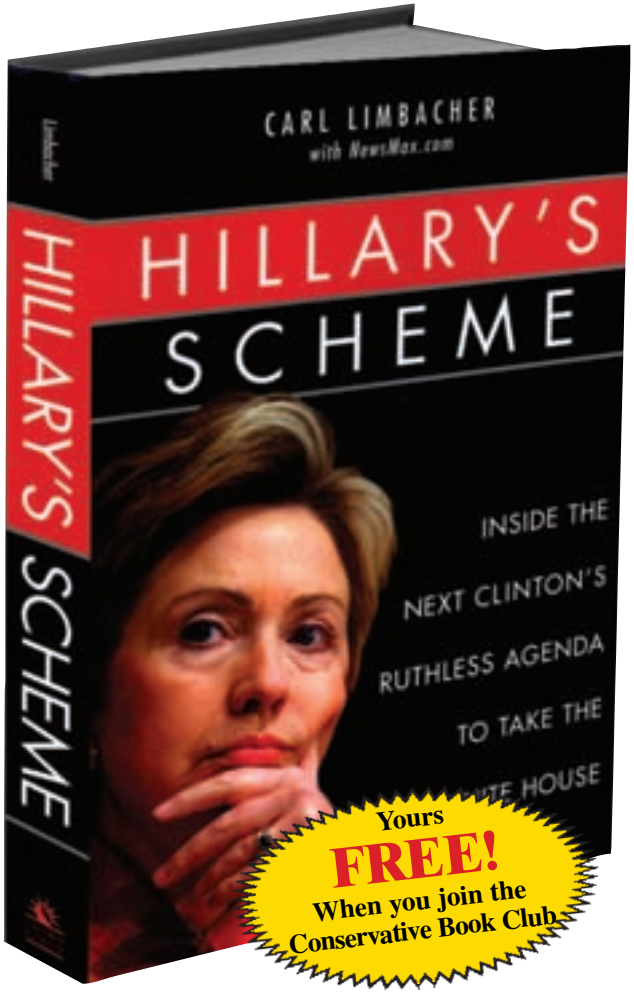
Of course, energy policy is only one facet of a sound overall economic policy. Our national security is linked in innumerable ways to accessible, secure, and preferably cheap energy—suffice it to say, abundant energy is the sinew of basic materials manufacturing and the fuel upon which our industries and armed forces rely. Moreover, economic history shows that America has, from its founding, been a high-wage country, which is a good thing—owing in large measure to the existence of a cheap, secure factor of production called energy.

While recession and slow growth now give way to cyclical recovery, a simple "recovery" is not good enough. We need a policy designed for sustained, rapid, economic growth for the next generation. Combined with President Bush's supply-side tax policy, an unselfconscious supply-side energy and regulatory policy will lead to abundant and cheaper energy, growth of economic opportunity, and full employment. While energy prices have probably peaked for the near term, this is no time to become complacent. Our policy should aim to keep prices down for the long term, by increasing domestic supplies instead of relying on demand destruction.

But it is not just prosperity that such a policy aims at. Adam Smith taught us well that defense comes before opulence. The national defense policy of President Bush is inspired and forward looking. But prudence counsels that to desire the Bush Doctrine is to desire the indispensable means to make it effective. Only rapid growth in national wealth can finance both a rising standard of living for all Americans at home and a successful Bush Doctrine abroad. ♦

REVEALED…The Clintons' plans to make Hillary President!

And ruthlessly destroy any obstacle in her way



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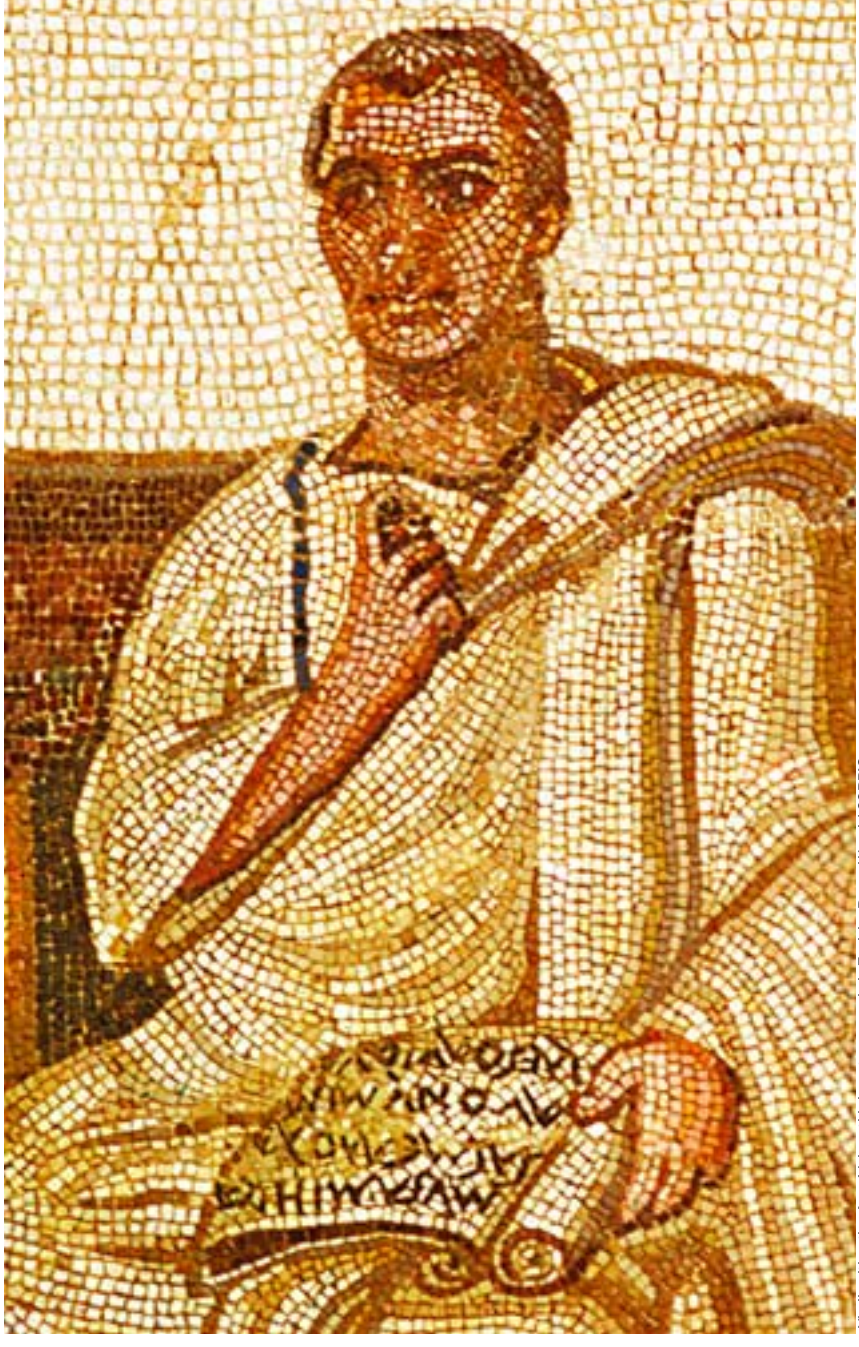
Virgil Lives!

His epic, his empire—and ours.

BY ROBERT ROYAL



Virgil writing the *Aeneid*, in a third-century mosaic in Tunisia. Roger Wood / CORBIS.

In standard histories of literature these days, Virgil tends to be characterized as a fairly gifted versifier and coiner of a few memorable phrases: "Arms and the man I sing," "Love conquers all," "I fear the Greeks, even bearing gifts." The *Aeneid*—his epic poem about the founding of ancient Rome, in ten thousand dactylic hexameter lines—was once the dominant classical epic in the West, and Dante justly made Virgil his first guide in the *Divine Comedy*. But from the nineteenth century on, Virgil has faded somehow—until he has reached near dismissal, in our own age, as the poor man's Homer: Caesar Augustus needed a heroic poem to justify his rule over the Roman Empire, we have been told, and Virgil obligingly wrote one for him. That's apparently all we need to know about the *Aeneid*—and all we need to know about Virgil, too.

Every schoolboy once knew a fuller story. Born in 70 B.C., Publius Vergilius Maro had a long and close history with the future emperor—in some legends, going all the way back to Virgil's youth, in which he is supposed, as a farm boy from the northern Italian city of Mantua, to have cured some of Augustus' horses. His literary talents surfaced early. The *Eclogues*, ten pastoral poems, were so obviously superb that Cicero called him Rome's second greatest hope (reserving first place to himself). And the fourth *Eclogue* had a curious career: Written in the last few decades before Christ, it predicted the birth of a miraculous boy who would restore the mythical Golden Age. Later Christian readers applied this to Jesus and regarded Virgil as a prophet and magician. His four books of the *Georgics*—a seven-year effort on agricultural subjects—won him further praise.

Vergil's Empire
Political Thought in the Aeneid
by Eve Adler
Rowman & Littlefield, 416 pp., $29.95

But the twelve books of the *Aeneid*, on which Virgil spent his last decade, were quickly judged a masterpiece of Latin literature. We owe the poem's survival to Augustus. Virgil fell ill on his way to Greece, where he intended to spend three years polishing his poem, and died in 19 B.C. in the eastern Italian port city known today as Brindisi. A perfectionist, on his deathbed he asked friends to burn the manuscript. Fortunately, Augustus overruled this dying wish and had a pair of literary scholars

President of the Faith & Reason Institute in Washington, D.C., Robert Royal is the author of Dante Alighieri: Divine Comedy, Divine Spirituality.

Art Resource, NY

Justus van Ghent's vision of Virgil (c. 1475)

bring out the text *summatim emendata*, with only slight editing.

Part of the explanation for Virgil's modern decline is classicists' general preference for Greek sources over Latin—which began slowly in the Renaissance and gathered irresistible momentum through the sheer power of eighteenth- and nineteenth-century German scholarship. The catastrophic decline of reading knowledge in Latin among the generally educated in twentieth-century England and America also contributed to the shrinking of Virgil's natural audience.

But something political seems to be at work in the dismissal of Virgil, as well. His closeness to Augustus (and the emperor's well-known desire to maintain a façade of classical tradition while covertly recasting it in Roman imperial form) has deeply shaped approaches to the epic, for good and later for bad, over the centuries. The first half of the *Aeneid*, in this reading, is Virgil's *Odyssey*; it tells of a Trojan warrior named Aeneas, who wanders the Mediterranean after the fall of Troy and eventually founds the city of Rome. Similarly, the second half of the *Aeneid* is Virgil's *Iliad*, recounting battles in Italy and connecting Roman history with the heroic age of the Trojan War.

After World War II, T.S. Eliot tried to resuscitate the Latin poet, declaring that, "Our classic, the classic of all Europe, is Virgil." Translations of the *Aeneid* continue to appear. Between the imperial reading of Virgil and the general anti-imperial feeling of the twentieth century, however, the *Aeneid*'s high place in the Western literary canon was doomed. A few recent scholars, partly reflecting contemporary sensibilities, have detected ambiguities in the poem that raise the question of whether Virgil was, in his heart of hearts, a true believer in empire. The damage, however, was done: Except for this mop-up operation on a few critical questions, Virgil's position in literature seemed fixed—at a moderate height—forever.

Eve Adler, a classicist at Middlebury College in Vermont, may have just changed all that with her new book, *Vergil's Empire: Political Thought in the Aeneid*. (The traditional English spelling of the poet's name is "Virgil." Adler follows the trend in some recent classical studies of spelling the name "Vergil," more closely reflecting the Latin.) After this analysis, it will be difficult to think of Virgil merely as a gifted imitator of Homer. If Adler is right, Virgil had ambitions at least as grand as his Greek predecessor—and with good reason.

Vergil's Empire draws heavily on Leo Strauss for the political analysis of the *Aeneid*. Something of a secret teaching may be glimpsed behind the imperial screen, she argues, which emerges most clearly near the center of the text, where Aeneas' descent into the underworld signals the shift from wandering to battles. But her sensitive and penetrating reading of many passages in the *Aeneid* does not reduce Virgil to a Procrustean bed of Straussian proportions. This book is stunningly original. Indeed, Adler's account of Virgil's views on universal empire has urgency not only for literary studies but for our reflections on empire in the current global situation.

Adler believes that Virgil is powerfully grappling not only with Homer, but with Lucretius, his Latin predecessor in the first century B.C. The first great poet after Rome's clear emergence as the classical superpower, Lucretius presents a problem—what we might call the anxiety of influence—for all the Augustan Golden Age poets: Horace, Virgil, Sextus Propertius, Ovid. But Virgil, in Adler's reading, is much more of a philosopher than he is often thought, and Lucretius offered a particular challenge for Virgil—because of the Epicurean philosophy Lucretius laid out in his book-length poem *De Rerum Natura* (On the Nature of Things).

The followers of Epicurus were materialists who denied the existence of the gods and sought as tranquil a life as this world can offer in private enjoyments and material comforts. Politics, in particular, was strictly avoided as leading to pointless troubles. Thus, Lucretius begins the second book of *De Rerum Natura*:

> *Pleasant it is, when over the great sea the winds shake the waters,*
> *To gaze down from shore on the trials of others;*
> *Not because seeing other people struggle is sweet to us,*
> *But because the fact that we ourselves are free from such ills strikes us as pleasant.*
> *Pleasant it is also to behold great armies battling on a plain,*
> *When we ourselves have no part in their peril.*
> *But nothing is sweeter than to occupy a lofty sanctuary of the mind,*
> *Well fortified with the teachings of the wise,*
> *Where we may look down on others as they stumble along,*
> *Vainly searching for the true path of life.*

There are many signs that the young Virgil was an Epicurean and that he never wholly repudiated that philosophy in adulthood. But Adler believes Virgil detected a fatal flaw in the Epicurean system, which he presents most memorably in the contrast between Aeneas and Queen Dido, and between Rome and Carthage. It may be true that the radically rational philosopher is freed from fear of both the gods and death—while limiting himself to rationally moderate pleasures. But such philosophers are so rare as to be of almost no social effect. Almost always, those who free themselves from traditional religion find themselves, like poor Dido, subject to *furor*: anger and lust. Epicurus was far too optimistic about our ability to tame these demons, and in his desire to spread this philosophy to the entire populace, Lucretius threatens the civic order. Indeed, he invites his own destruction, for the retired life of

the Epicurean philosopher depends upon the existence of a peaceful city, which the passions unleashed by disbelief in the gods will not produce.

If Virgil had been a Straussian *avant la lettre*, he might have contented himself with suggesting that for the sake of private tranquillity the philosopher should connive at public religiosity, even though false, as a means of restraining and educating the masses. That would enable the philosopher to achieve his proper happiness—and the masses to enjoy as much good fortune as they are capable of.

But in Adler's reading, Virgil goes a step further; he has been affected by Epicurean materialism, but is not wholly certain of the ultimate truth about nature. The shortcomings of Epicureanism, however, convince him beyond all doubt that arms and religion are needed to remedy evil tendencies in human nature.

Virgil's powerful mind actually leads him to recast almost all the usual elements of this debate. For example, the arms he sings are not simply a continuation of the old heroic ethos of Homer. That, *Vergil's Empire* notes, is certainly one way to confront the fear of death, but it is ultimately as rare as the way of the Epicurean philosophy. Nor does the turn to domestic pleasures satisfy Virgil. In Homer, Odysseus refuses Circe's offer of immortality because of his loyalty to Penelope and Ithaca. But that too is only a half-measure against death. In Virgil, Aeneas both braves death in battle and seeks a new city for the Trojan gods. His main virtue is *piety*—something without precedent in the Greek stories of Achilles and Odysseus.

Thus, Adler argues, Virgil is consciously seeking to surpass Homer as well as Lucretius. So new and radical was this shift in the ancient world, Adler claims, that it raised the question of whether Virgilian piety—a mixture of duty, religiosity, and loyalty—is compatible with manliness (the root meaning of the Latin word "virtue"), as the ancients understood it. Epicureans could claim heroic virtue in rejecting the consolations of religion, even if they lived relatively unstrenuous lives. But if we also reject the Homeric combination of martial valor and human domesticity—a combination traditionally embraced by the Romans—what's left?

Not much of the dominant classical systems, but part of Virgil's genius is to have discovered another ethos, one that acknowledges something like divine providence in history, especially in the fated nature of Rome. Aeneas and his men will suffer along the way (*lacrimae rerum*, or the sorrows attending all human affairs, is another Virgilian idea that used to be a cultural commonplace). But Jupiter, Rome's greatest god, promises early in the poem (in Robert Fitzgerald's translation):

Young Romulus
Will take the leadership, build walls of Mars,
And call by his own name his people Romans.
For these I set no limits, world or time,
But make the gift of empire without end.

This was already an unusual claim within the classical understanding of the world and of time. Aeneas' visit to the underworld in Book Six of the *Aeneid* even led people to believe that Virgil was a "naturally Christian soul," *anima naturaliter christiana*, in the Middle Ages. His new vision of piety and Aeneas' fateful journey have echoes (which Adler does not mention) of Abraham setting out for the Promised Land at the divine command, another point of contact with the Biblical tradition. But Aeneas returns from the underworld to our life through the gates of ivory, which Virgil goes out of his way to explain is the portal of false dreams and prophecies. As daring and inventive as Virgil was, he knows that pure reason comes up against a limit—although a human limit that Virgil was occasionally tempted to cross.

One reason for his hesitation was his worry about what the city he envisioned, even if it was a kind of holy city, might lead to. It would not be enough for Aeneas to found another city like Troy; that city would be subject to perpetual danger from neighbors, as were all the squabbling city-states of classical Greece. The city that Aeneas had to found would be universal, as Jupiter promised, without limit in space or time. That was the only way it could fulfill its divine mission. As Aeneas' dead father tells him in Hades:

Chris Hellier / CORBIS

Virgil gives way to Beatrice in Gustave Doré's 1861 illustration for Dante's Divine Comedy

Others will cast more tenderly in bronze
Their breathing figures, I can well believe,
And bring more lifelike portraits out of marble;
Argue more eloquently, use the pointer
To trace the paths of heaven accurately
And accurately foretell the rising stars.
Roman, remember by your strength to rule
Earth's peoples— for your arts are to be these:
To pacify, impose the rule of law,
To spare the conquered, battle down the proud.

In this, perhaps the most famous passage in the poem, the classical arts and sciences are not rejected, but are left to other peoples, subordinated in Virgil's vision to the god's specific demands of the sacred city. Anything less would be radically deficient in establishing a stable peace, given the nature of the world and human nature.

Yet Virgil does not stop even here. Contrast this, as *Vergil's Empire* does, with Dante. Trying to solve the problem of clashing city-states in his own time, Dante argues in his essay on monarchy, implausibly, that possession of universal empire would quell the emperor's temptations to tyranny. Nonetheless, Dante's vision of the Christian God does provide "a term to men's desire or love in a fully adequate object," says Adler. Virgil, still linked in many ways to the old pagan mythology, lacks any such notion of

absolute love. Even though he announces in the first few lines of the *Aeneid* that Aeneas has to bring gods into Italy, force and religion run up against a limit in the classical cosmos because the neediness of all living beings finds no final remedy among men or gods: "It would be folly," Adler writes, "to hope for the disarming of the erotic passions by reason in any but the rarest philosopher, and certainly in any ruler: Dido in spite of her philosophic tutor, certainly pious Aeneas, and ultimately even Jupiter himself are subject to the furor of these passions." In a world where even the highest god is characterized as committing rapes and abductions, what hope is there for a perpetual peace under a human emperor?

It is one measure of Adler's achievement in *Vergil's Empire* that even though she—along with Virgil—cannot answer that question, she is worth reading very carefully, not only for what we can learn about a step in the development of the West, but what we can learn about our time as well. It is no accident that the modern equivalent of Epicureans—materialistic, disdainful of religion—tend to be overly optimistic about human nature and to resist the idea that we need war or other forms of coercion to restrain vice. It is equally no accident that the modern equivalent of Virgilians—with a religious vision about the need for the right kind of piety in the human city—are more likely to view both arms and religion as essential to the good of the United States and the restraint of evil in the world.

An empire, even a benevolent one, may overreach, of course. And Virgil hints that there are, humanly speaking, perhaps even seeds of self-dissolution in the most providential and perfect of empires. And so we oscillate between force and restraint, unmindful of their deeper meaning—still caught in the dynamic perceived by Virgil and brilliantly revived for us by Eve Adler in *Vergil's Empire*. The time has come to restore Virgil's epic poem to its place at the center of Western literature—both for its poetic qualities and because we have not surpassed the *Aeneid* or the world it portrays. In many ways, we are still living in it. ♦

BCA

Surrealism Down Under

A flawed novel about a great literary hoax.

BY SAM MUNSON

The Australian novelist Peter Carey created, in his 2001 *True History of the Kelly Gang*, an engaging fictionalized account of one of Australia's folk heroes, the bandit Ned Kelly. Now, with *My Life As a Fake*, he has turned his attention to another piece of famed Australian villainy: the real-life literary hoax perpetrated by the poets Harold Stewart and James McAuley in 1943.

The issue of *Angry Penguins* in which Ern Malley appeared.

My Life As a Fake
by Peter Carey
Knopf, 288 pp., $25

Over a single wet weekend on an army base (or so at least the legend of their hoax has it), Stewart and McAuley composed reams of mock surrealist poetry. They invented a properly tragic biography of oppression and early death for the ostensible poet, whom they named "Ern Malley," and then—in the most brilliant part of the hoax—they came up with the idea of Ern's sister: a stodgy, philistine Australian housewife who had found the poetry in her late brother's effects and couldn't make heads or tails of it.

Posing as the sister, Stewart and McAuley entered into correspondence with Max Harris, editor of the intensely fashionable surrealist quarterly *Angry Penguins*—and Harris fell for the gag like a stone, publishing the whole corpus of the great unknown Australian poet. The truth quickly came out, and Harris was disgraced: a laughingstock among the literati and without highbrow defenders when he was prosecuted under indecency statutes for some other material he'd published.

The Ern Malley affair is one of the best stories of modern literary times, which makes it difficult to understand why Peter Carey feels he has to fictionalize it. *My Life as a Fake* begins with a literary cocktail party, in the course of which the decrepit and lecherous John Slater, an untalented but highly successful poet, convinces the narrator, Sarah Wode-Douglass, to accompany him on a trip to Malaysia. In Kuala Lumpur, Sarah happens across an elderly and forgotten Australian poet named Christopher Chubb—forgotten, that is, except for the cruel prank he played on David Weiss, the young Jewish editor of a fashionable literary magazine.

Chubb had created a fictitious poet named Bob McCorkle, a bicycle mechanic with a tremendous knowledge of Greek and Latin, and submitted a series of spurious poems to Weiss, resulting in Weiss's public disgrace and eventual suicide. Sarah learns all this from Slater. When Chubb presents Sarah (herself an editor) with part of a manuscript written, he claims, by McCorkle, she naturally becomes furi-

Sam Munson is a researcher for Kudlow and Company, LLC.

ously angry. The poetry, however, is good enough to overcome her anger and disbelief, and she listens as Chubb unfolds a fantastic story: McCorkle is, in fact, real, having assumed a corporeal form upon his creation by Chubb. Not content with mere incarnation, McCorkle devoted himself to singlehandedly revenging himself upon Chubb, committing a murder for which Chubb was blamed, and kidnapping his only child.

Sarah is skeptical, but as Chubb continues his tale, the evidence seems to indicate that he is telling the truth. And as Chubb tells his story, Sarah also discovers that Slater, whom she blamed for her mother's suicide, is in fact guiltless—her father's closeted homosexuality was the real cause. This, understandably, provokes a crisis in Sarah.

But just as the novel seems to be taking a turn from the fantastic towards the introspective, Chubb convinces Sarah to accompany him on an expedition to the interior. McCorkle has died, but he left a manuscript of supreme poetic power, kept under insanely jealous watch by McCorkle's native wife and Chubb's stolen child. Sarah gets hold of the book but returns it in what is either a moment of weakness or of empathy. She discovers that Chubb has been murdered, returns to London to marshal her resources, and begins a frantic quest to find the manuscript. She fails, suffers a breakdown, and, as the novel ends, is busy spending the rest of her life wondering what "really" happened.

Carey has always had a fast, smooth prose, and with the Ern Malley hoax, he has a readily adaptable story to work with. But *My Life As a Fake* fails in the clumsiness of Carey's execution. Sarah Wode-Douglass possesses all of the attributes that a caricatured upper-class Brit should possess: an archaic, vaguely effete name, a minor aristocrat for a father, closeted homosexuality, and a position in the literary world. But, perhaps as a result, she never emerges as more than a stock figure—which makes very unfortunate Carey's decision to let her narrate half the book. Slater and Chubb are more fully realized: Slater as a cut-rate Rupert Brooke, and Chubb as an oddball. But Chubb, when he comes in for his turn as narrator, turns out to have a voice indistinguishable from Sarah's and just as free of any sense of character.

Then there are the baroque excesses and cheesy special effects Carey permits himself to bring his novel to a close. Compounding these is the hackneyed "twist" ending—the sought-after manuscript has been under their noses the whole time—as well as Sarah's ridiculously out-of-character decision to return the book to McCorkle's wife and child, the senseless killing off of Chubb, and the extremely perfunctory way in which the book ends. It's as though a small, queer sketch of a novel has escaped the author's control completely. Is this some deep reflection of the story of Chubb and McCorkle, or just authorial failure? The latter, I'm afraid.

My Life As a Fake embodies much of what is wrong with contemporary fiction. It reduces the offbeat, the surreal, and the gothic to the mundane, the narrow, and the trivial. *My Life As a Fake* is trite, closed, and pointless. The Ern Malley story has tremendous documentary and psychological interest. But this isn't the way to tell it. ♦

BCA

Falling Down

Vincent Scully on American architecture and its disappointments. BY CATESBY LEIGH

If architectural history had a star over the past few decades, Vincent Scully was it. *Time* recognized him as one of the nation's ten "Great Teachers" in 1966, and *People* ranked him as one of the "12 Great U.S. Professors" ten years later. When he retired from Yale in 1991, his final lecture made the front page of the *New York Times*. In 1998 he gave a lecture at the White House.

Modern Architecture and Other Essays
by Vincent Scully
Princeton Univ. Press, 400 pp., $45

Modern Architecture and Other Essays collects twenty Scully essays spanning five decades. These essays tend to shed more heat than light on their subject matter. Scully often plays the role of handicapper—spotting and advocating architectural trends as "breaking news"—and so a number of them read like dated editorials. The significance of this book lies mainly in the fact that we see the nation's most influential architecture historian gradually renouncing his modernist faith.

Scully's student, Neil Levine, who selected the essays and provided introductions, renders a service in giving a detailed account of an exchange between Scully and Norman Mailer after Mailer denounced "the plague of modern architecture" in *Esquire* in 1963. This "totalitarian architecture," Mailer declared, "destroys the past," leaving Americans "isolated in the empty landscapes of psychosis." Scully lambasted Mailer's "lazy, pot-boiling paragraphs," but came closer, over time, to Mailer's viewpoint, eventually becoming an outspoken advocate of the traditional town planning of his pupils Andres Duany and Elizabeth Plater-Zyberk.

The change came gradually because the apocalyptic reveries of heroic, 1950s-vintage modernism sank very deep into Scully's psyche, and along with them any number of fallacies. The first essay in Levine's collection,

A regular contributor on architecture to THE WEEKLY STANDARD, *Catesby Leigh is a critic living in Washington, D.C.*

Bettmann / CORBIS

The Breakers in Newport, Rhode Island, (above) and the Parthenon in Athens (below) versus . . .

"American Villas: Inventiveness in the American Suburb from Downing to Wright" (1954), concerns the nineteenth-century development of wood-framed cottage architecture in the northeastern United States and its influence on Frank Lloyd Wright's early residential work. Here Scully instructively demonstrates the East Coast origins of Wright's Prairie Style architecture. More questionably, Scully portrays this "vernacular" tradition—influenced by American colonial architecture, Norman Shaw's "Old English" houses, and even the Japanese abodes displayed at Philadelphia's 1876 centennial exposition—as an expression of Jacksonian egalitarianism and an agrarian idealism rooted in Jefferson.

Based on Scully's doctoral dissertation research, this essay is redolent of his hostility to the "antiquarian," the "academic," the "eclectic" (though the cottage architecture was certainly that)—hostility, in short, to the classically oriented architectural practice that came to the fore in this country during the 1880s. Scully's essay becomes a morality play; the American suburb started to turn "palatial, and rather snobbish," thereby losing "the general cultural creativity which it had previously possessed." Open, spatially innovative interiors fell by the wayside with the advent of a more formal, conventional, and stately architecture during the Gilded Age. The Renaissance splendor of the Vanderbilts' Breakers at Newport, Scully avers, shows the mansion's architect, the great Richard Morris Hunt, to have grown "pillowy, sickly rich, and flatulent."

In this first essay, then, spatial invention is an indicator of cultural health, and the classical retreat into "separate rooms" an indicator of pathology. But only until it emerges, in another essay published the very same year, that the likes of Mies van der Rohe and Philip Johnson have renounced the preoccupation with "flowing space." This leads Scully to relabel that preoccupation as one of the "curious academicisms" of the recent past.

Early in his career, Scully was imbued with a psycho-sociological outlook deeply influenced by existentialism, which reinforced the subjective character of his enthusiasms. His tendency then, was to look at architecture through the wrong end of the telescope. The social vision espoused in Scully's essays of the late 1950s is grounded in the idea of a "remade humanity" resulting from the existential discovery of the self in the context of the vertiginous social changes that got underway during the nineteenth century. The "sense of identity which is style," Scully writes in "Modern Architecture: Toward a Redefinition of Style" (1957), "can only come when the nature and objectives of the self—with its present, its hopes, and its memory—are truly identified and humanly defined." This is a useless recipe, and perhaps it shouldn't surprise us that the architect who enthralls Scully at this time—and for years to come—is the utterly idiosyncratic Le Corbusier, whom Scully all but apotheosizes in the essays "Modern Architecture" and "The Nature of the Classical in Art."

Scully repeatedly attempts to finesse the problem of the modernist negation of tradition by comparing Le Corbusier's creations to ancient works. A Le Corbusier residential project of the 1920s—one of whose more familiar versions resembles a top-loading clothes-washer on stilts—is likened to an ancient "megaron," by which Scully seems to mean the great hall of a Mycenean palace. He compares Le Corbusier's pilgrimage chapel at Ronchamp, France—whose irregular concrete walls are punched out with slots following no pattern or rhythm and crowned with a massive roof curiously reminiscent of a tricorn hat—to the Parthenon.

Perhaps the most bizarre passage in this collection involves Scully's identification, in "Modern Architecture," of a Marseilles housing-project behemoth which Le Corbusier designed after the war as a "humanist" work of art, as defined in *The Architecture of Humanism*, a brilliant 1914 book by the Eng-

Princeton University Press

AFP / CORBIS

. . . the Guggenheim in Bilbao (above) and Le Corbusier's building (below).

lish critic Geoffrey Scott. He quotes Scott's observation that the human body lies at the core of classical architecture, whose "method" it is "to transcribe in stone the body's favorable states." In demolishing the sundry modernist arguments that were already circulating in his time, Scott argued quite explicitly for adherence to the great tradition, and it would cause him no end of amazement to see a gargantuan concrete slab perched, top-heavily, on graceless, stout posts resembling pig's legs portrayed as an embodiment of his principles. Indeed, Scully's tendency throughout this book to drop terms like "baroque" or "Palladian" or to mention Greek temples or Hadrian's Villa or Leonardo's drawing of the man of perfect proportions in connection with modernist projects to which they are fundamentally irrelevant becomes tiresome.

The 1950s essays in this collection thus introduce the hyperbolic, pyrotechnic quality in Scully's mode of discourse—not least in his divinations of art-historical influences and references—and certainly in his literary style. A 1980 essay arguing that the formal structure of dreams propounded by Freud is applicable to Wright's design process is certainly provocative, but not terribly convincing, and in any event perfectly unverifiable. Levine observes that it was only a decade or so after this "extremely unusual and prescient" recourse to Freud that architecture historians started talking about "gendered spaces" and "sexual symbolism," as if Scully had done us a favor. He might have mentioned the nihilistic Freudian dreamscapes the *New York Times* architecture critic Herbert Muschamp started crowing about, back in the mid-1990s, in connection with his favorite dysfunctional designers.

Princeton University Press

More disturbingly, rhetorical pyrotechnics tend to win out over substance in this collection. In many cases, words give the architecture that has seized Scully's fancy a vitality it doesn't intrinsically possess. In the 1954 essay about Mies and Johnson, we encounter catch phrases like "decisive details," "direct impact," "direct and simple experience," "a decisive direction of memory," "direct rhythm of the structural skeleton," "a decisively different scale," "a decisive base," and then some, in the course of just four pages. Elsewhere, the stark interior of an early Le Corbusier house "literally explodes into space," while traditional details are "burned away"; the muralist Diego Rivera's primitive figures "boil out of the walls" of Mexico's National Palace; the glass on the hopelessly minimal exterior of Louis I. Kahn's Yale Center for British Art "explodes with light"; a chimney in a Robert Venturi drawing "thins out and leaps much higher, as if in the paroxysm of approaching death." The entrance to a Venturi house is a "pure void"; the architect Richardson was blessed with "pure genius"; Ronchamp is "pure gesture"; the shell of Le Corbusier's Villa Savoie creates a "pure environment"; a triangular form looming over a stairway in Kahn's Yale University Art Gallery addition is "pure silence, pure light"; Ben Shahn painted as a "pure Social Democrat." And so on.

Needless to say, architectural practice conceived in terms of the discovery of the modern self is not for the average Joe. The young Scully dismissed suburbia—meaning practically all of the national territory urbanized after World War II—as the "undignified, materialistic formlessness to be found in the Real Estate section of any Sunday newspaper." Scully thus focused on the mandarins and seceded from the built environment at large.

But Scully began to lose his faith in heroic modernism during the 1960s. He could not help noticing that the poor—not least the displaced blacks of New Haven—were redevelopment's principal victims, as Jane Jacobs had made clear in her devastating indictment of the cataclysmic Corbusian blueprint for "urban renewal," *The Death and Life of Great American Cities* (1961). In a 1969 lecture at the Royal Institute of British Architects, Scully spoke contemptuously of "bureaucratic architecture," but he also acknowledged a deeper problem. The primitive sculptural gesture might be sublime, but it was too recondite, too far removed from the commonplace. It was time for modern architecture to take a new tack.

The solution Scully settled on, trad-

ing one dead end for another, was Robert Venturi. In his 1966 *Complexity and Contradiction in Architecture* (for which Scully wrote the introduction), Venturi propagates the idea of a building as sociological documentation of "the richness and ambiguity of modern experience." His architecture demands to be understood in terms of associated values—mainly a post-heroic academic modernist sensibility—rather than in terms of its sensuous content, which invariably leaves much to be desired.

Venturi made it cool to employ traditional as well as pop-art and consumer-culture motifs as quasi-literary references, while parodying traditional ideas of form, proportion, and decorum in his buildings. It would not be a great exaggeration to say that Venturi's architecture *had* to be ugly in order to deny tradition its normative authority, which is unambiguously grounded in beauty.

Venturi famously took a large McKim, Meade & White cottage (fetchingly modeled with a low, sweeping gable) and reduced the scale, split the gable, jammed a stairwell-cum-chimney-block behind the split, and punched out a big ugly void below the gable-split for the entrance. The resulting façade, Scully observes in the 1969 lecture, turns into "cardboard, like an ironic commentary . . . on the whole American *rêve à deux millions* itself, surely on everything that is conjured up when real-estate operators refer to a house as a 'home.'" Irony's prominent role in Venturi's architecture, Scully avers, "connects him with reality, with things as they really are," but Scully has been won over by a realism with minimal artistic potential. And when he compares a pair of insignificant Venturi cottages on Nantucket to two Greek temples on a Sicilian plain, one's jaw drops in disbelief.

During the late 1970s more people started talking about reverting to a classically oriented eclecticism, based on the "academic" unity of the arts. Scully's lengthy 1981 essay "Architecture, Sculpture, and Painting" was essentially a response. "There can be no doubt," Scully declares, "that the historicism of the modern movement, which said that we could not do this or that because our times would not let us, must be rejected." While appreciation of the Beaux-Arts achievement had received the hieratic sanction of a Museum of Modern Art exhibition, Scully argues that "the academic synthesis no longer responds to the depth, breadth, and critical awareness of our consciousness." There is "something real about things as we feel them to be" in Venturi's architecture or the hyper-realist sculpture of Duane Hanson which the tradition could not provide.

Princeton University Press

Robert Venturi's house for his mother in Chestnut Hill, Pennsylvania.

The best essays in this book come toward the end. "Architecture: The Natural and the Manmade" includes a fine account of how the landscape architecture of Versailles played out in the urbanism of Paris and the spatial organization of France. "The Architecture of Community" and the last entry, "America at the Millennium: Architecture and Community," which is Scully's White House speech, both focus on urban planning. The former offers an insightful critique of Duany and Plater-Zyberk's Florida panhandle town of Seaside. The latter espouses the idea of "the ordered town *and* the special monument"—which is to say that the general spatial and architectural character of a community is seen in more or less traditional terms, but Frank Gehry is welcome to do a civic building.

The fundamental shift in Scully's thinking since the 1950s is that he no longer sees architecture as a self-referential endeavor, but as "a communal art, having to do with the whole man-made environment, the human city entire, rather than only the individual buildings in it." Some of the early-twentieth-century figures for whom he expresses admiration in these late essays—George Merrick, developer of the eclectic Miami suburb of Coral Gables, along with the traditional architects Cass Gilbert and John Russell Pope—would have been entitled to little more than dismissive references in his early work.

The Yale urban planning professor Christopher Tunnard and the architecture historian Henry Hope Reed were far ahead of Scully in denouncing the modernist cataclysm. Tunnard's *The City of Man* (1953) is a harbinger of Duany and Plater-Zyberk's "New Urbanism," while Reed's *The Golden City* (1959) explained why a resurgence of classical architecture was inevitable. Their truly prescient stance was the butt of ridicule in Scully's early essays, and Levine absurdly denounces that stance as "reactionary."

The truth is that Scully has led his retinue along a circuitous path which we might call Recovering Modernist Syndrome. It has led to a postmodern eclecticism that is thoroughly receptive to traditional architectural practice.

Compared with most academic architecture historians, Scully has had a decidedly beneficial impact since the late 1960s. He has eschewed the role of ideological enforcer, and the classically oriented architecture students at Yale, though an unfashionable minority, have regarded him as a sympathetic figure and a great teacher.

It should be remembered that Scully has inspired thousands of educated people to look at the architectural world they inhabit more closely than they otherwise would have. That represents a very important part of his legacy, certainly a more important part than *Modern Architecture and Other Essays*. ♦

Books in Brief

Art's Prospect: The Challenge of Tradition in An Age of Celebrity **by Roger Kimball (Ivan R. Dee, 275 pp., $26)**. Nothing so conduces to make one's opinions seem incontrovertible as to find a critic who announces them as his own. I think Richard Diebenkorn is the greatest American painter of the last forty years; Roger Kimball ranks him among the best four or five. I think the huge ark of minimalist art at the Dia:Beacon museum is an aesthetic boondoggle on a par with Teapot Dome. Roger Kimball is no less appalled and inveighs against its *New York Times* promoters as "cynical" and "ultimately pathetic." Clearly, Kimball knows his business.

The only judgments he makes that I can't vigorously second are of painters I haven't seen: John Dubrow, Odd Nerdrum, William Bailey. His reviews make me hungry to see what I've missed, if only in a color plate. Sadly, his book lacks that pricey amenity. But in his summary assessments of painters familiar from books and museums he allots stars and demerits judiciously, demurring as to the greatness of Paul Klee, who is only "a major minor artist," and giving a gentle boost to Fernand Leger's sagging reputation.

Finally, as with most collections of reviews, pith and vinegar are at a premium, and it is in Kimball's pans and pot-shots that he comes into his own. Few critics are candid in their detestations, but Kimball is an honest hater: deadpan in delivery, deadly in his accuracy, especially against critics writing in doublespeak, like the lamentable Rosalind Krauss. Any art lover who has despaired of the debased currency of contemporary art criticism will find good cheer in *Art's Prospect*.

—Thomas M. Disch

O' Artful Death **by Sarah Stewart Taylor (St. Martin's, 279 pp., $23.95)**. "I'm imagining you as a corpse. You'd be lovely." That's the opening of my friend Sarah Stewart Taylor's winning mystery. *O' Artful Death* follows gravestone-art expert Sweeney St. George as she pursues the true story behind an unusual headstone in the cemetery at an old artists' colony in Vermont.

Byzantium, the colony, has the self-important air of such communities, distinguished by artistic aspiration if not achievement. But it is also a place of warmth and charm. And there would be something perfect about this failed utopia were it not beset by a string of recent crimes that have escalated to include murder.

At first the murders appear related to a land dispute over the possible construction of ski-bum condos—a typical instance of the novel's comic spirit. An after-dinner scene of Byzantium descendants gets boozy, and one character speculates, "Is impressionism justification for homicide, but not Dadaism?"

Among its many accomplishments, *O' Artful Death* reminds one of the joys of fictional weather and physical scenes. The reader wishes it were already winter and he were stomping down the snowy lanes of rural Vermont with a thermos of cocoa in his pack. And the story's wintry atmosphere of promise unrealized hangs sweetly over every page. To her credit, Stewart Taylor is generous with her funny old WASPs, creaking floors, and stories of artists never to set the world on fire.

—David Skinner

Brideshead Regained **by Michael Johnston (Akanos, 320 pp., $24.95)**. A sequel to Evelyn Waugh's *Brideshead Revisited*. I've always thought the worst idea ever to come down the literary pike was the attempt to write a sequel to Vladimir Nabokov's *Lolita*. I was wrong.

—J. Bottum

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