the weekly
Standard
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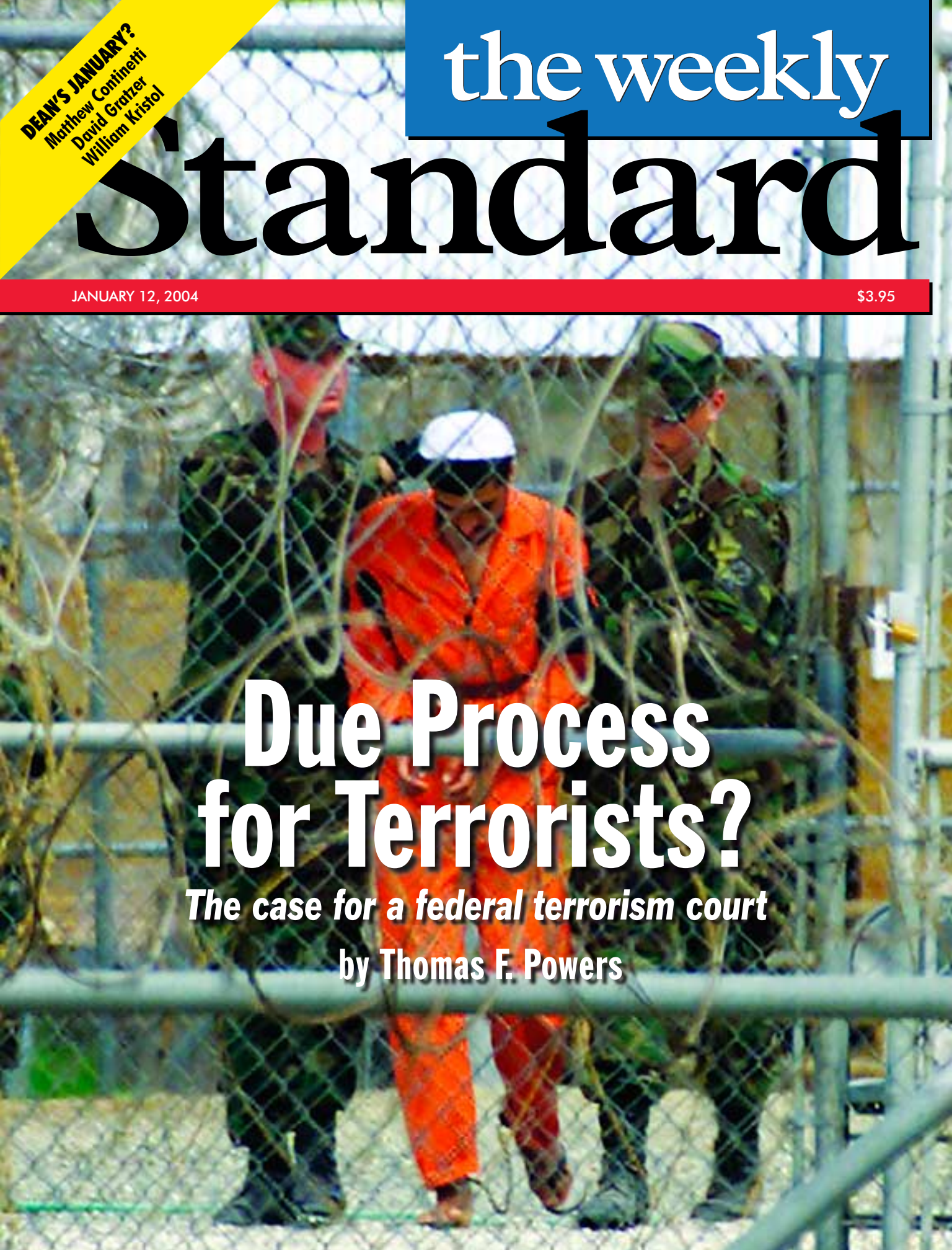
DEAN'S JANUARY?
Matthew Continetti
David Gratzer
William Kristol



Due Process for Terrorists?

The case for a federal terrorism court

by Thomas F. Powers

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

Our Schools, Still at Risk

John E. Chubb is chief education officer, Edison Schools; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

The political world was stunned by Senator Dianne Feinstein's public embrace of vouchers for students in the District of Columbia. "I have never before supported a voucher program," the California Democrat explained in the *Washington Post*. "For thirty years, I have advocated strongly for our public schools. But as a former mayor, I also believe that local leaders should have the opportunity to experiment with programs that they believe are right for their area."

This reversal of opinion is due to the dismal performance of D.C. students—and the senator's belief that these students must do better. How important is this change of heart? Perhaps one day it will be considered a seismic event in the history of school reform. But without similar conversions in high places, many students will continue to slip through the cracks.

Feinstein's about-face comes as we observe the twentieth anniversary of *A Nation at Risk,* the federal study that warned of a rising tide of mediocrity in our public schools. **Even after two decades of efforts to raise academic standards, provide more resources, reduce class size, and hold schools accountable for improving student achievement, our schools continue to fail many children.**

By the most objective measure—the federal government's National Assessment of Educational Progress—reading and math achievement rebounded only slightly from their low points in the early 1980s and remain at low levels. Meanwhile, international comparisons such as the Third International Mathematics and Science Study show U.S. students stuck in the middle or at the bottom of the pack.

Perhaps most troubling, however, is the abysmal achievement and graduation levels of many African American and Latino students. Washington state, which has a highly regarded monitoring system, found that a third or more of minority students in urban schools scored at extremely low levels on crucial tests. More than 54 percent of black urban students fell into the bottom two deciles of white scores.

Dropout rates are no better. One nationwide survey found that, in 1998, white students graduated at a rate of 78 percent; the rates for blacks and Latinos were 56 percent and 54 percent. Seven states graduated fewer than 50 percent of their black students, while eight states graduated fewer than 50 percent of their Latino students.

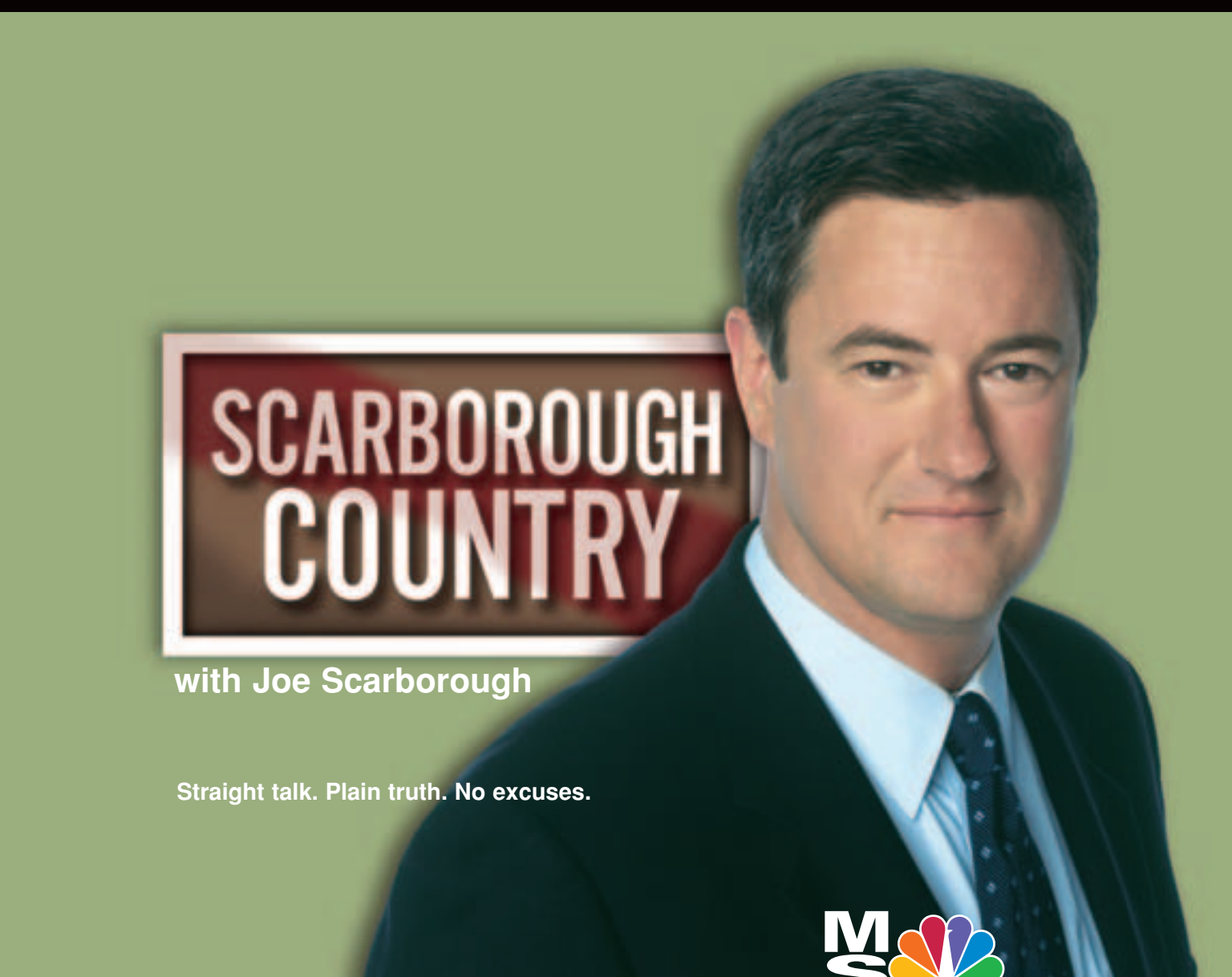
As Feinstein has acknowledged, many school systems cannot meet the challenges set before them. The will is there, but the job is simply too big. D.C. mayor Anthony A. Williams now says choice is the only way to reverse negative trends for his students. He is not alone.

Forty states have authorized charter schools in the past decade, creating 2,700 schools. Several states provide vouchers, and many more may follow in the wake of a 2002 Supreme Court ruling upholding the constitutionality of vouchers for schools with religious affiliations. Private companies now manage three hundred public schools; all told, roughly 700,000 students receive their public education outside the traditional system.

The nationwide reforms initiated by *A Nation at Risk* cannot stem the still-rising tide of mediocrity. Choice has an important role to play, and the sooner we accept that fact the better off our children will be. Ultimately this issue is not about ideology or political correctness. It is about providing a new opportunity for a good education, which is the key to success.

— John E. Chubb

He's right in the middle of America.



with Joe Scarborough

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BPA INTERNATIONAL

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The South Park Division

Shortly before Christmas, The Scrapbook read what seemed to be the 800th or so story we've seen on Iraqi ingratitude toward Americans. While American soldiers have spent the last eight months getting shot, getting RPG'ed, and getting mortared, many Iraqis, no longer fearful of having relatives disappeared in the night by Saddam's various goon squads, have tripped upon a new national pastime: whining like little girls.

The latest evidence came when the *New York Times*'s intrepid John Burns parked himself at a diner in Tikrit, and had a chat with Hatim Jassem, a 35-year-old theology professor. Jassem himself had been a Saddam victim. After warning his brother not to get too close to Saddam's forces, one of Saddam's eavesdropping bodyguards imprisoned him for six weeks. "They tortured me," Jassem said. "I still have the scars on my back—but it could have been worse."

Though Hassem threw America some bones, admitting that his people would never have been liberated without American intervention, in the middle of the interview, he went from condemning Hussein to castigating U.S. troops for the "humiliation" Saddam was forced to endure during his arrest. That, according to Burns, turned into a 90-minute vinegar session about Americans.

It's enough to make soldiers want to

vent. Now they can—sort of. After a recent trip to Baghdad, *U.S. News & World Report*'s Mark Mazzetti kindly shared with us a semi-official looking insignia patch that can be purchased at both the base in the Baghdad International Airport and the PX in Camp Doha, Kuwait. Instead of the traditional Ranger tab or airborne patch, it bears the likeness of a smiling camel, surrounded by characters from *South Park*—presumably stand-ins for ugly Americans. Its inscription: "Busting My Ass to Save Yours—Operation Iraqi Freedom."

When we asked a U.S. Army spokesperson at the Pentagon if it had their seal of approval, she chuckled nervously, saying the patch cannot be worn on uniforms. "I'm sure this is something, let me put it this way," she struggled. "I can't imagine it having anything official to do with the Army. The Army would not approve of such a thing. Because the Army wants to ensure soldiers treat people in other countries with dignity and respect, and would never authorize something like that which contains vulgarity. Personally, I use the word all the time. But such a flippant approach to the mission would not be something that the Army would approve of."

Staying safely on message, she added, "We're there to help the people of Iraq." Our sentiments exactly. The Scrapbook suggests having the patch translated into Arabic, so it can be worn by Iraqis—just as a helpful reminder. ♦

There She Goes Again

That Molly Ivins shore is somethin' else. The aw-shucks southern gal has been a writin' and a cussin' and a truth-tellin' longer than a newborn calf sucking on the hind teat of . . . well, you get the idea.

Although she's a graduate of Smith College and Columbia University's Graduate School of Journalism and once worked as the Rocky Mountain bureau chief for the *New York Times*, this darling of the liberal establishment wants you to think of her as a populist with a pen. Consider these "gems" from recent columns:

⋆ "Well, now, danged if that doesn't bring us to the subject of lying and the White House."

⋆ "Denial is not just a river in Egypt."

⋆ "I thought I would upchuck."

⋆ "One problem I have with Arnold Schwarzenegger is that he looks like a condom stuffed with walnuts."

One problem The Scrapbook has with Ivins is that she recycled that walnuts quote, which she first included in a September column, a month later in an appearance on CNN: "I went out to California to look at this race and came back saying, oh, Gray Davis makes Mr. Rogers look like he was on steroids, and Arnold Schwarzenegger looks exactly like a condom stuffed with walnuts. This was not the most profound observation I have ever made about serious public affairs, but it's irresistible."

Another problem: That irresistible observation isn't hers. It dates back to at least 1987, and credit belongs to Aus-

tralian journalist and television host Clive James, according to Australian blogger Tim Blair, whose coverage drew our eye to this latest instance of Ivins plagiarism.

Latest? Yup—she's a repeat offender. In a 1988 *Mother Jones* piece, Ivins ripped off the inimitable Florence King's riff on southerners from her 1975 book *Southern Ladies and Gentlemen*: "The typical Southerner," wrote King,

> —Brags about what a conservative he is and then votes for Franklin D. Roosevelt.
> —Or brags about what an isolationist he is and then votes for Richard Nixon.
> —Or brags about what a populist he is and then votes for Barry Goldwater.
> —Or brags about what an aristocrat he is and then votes for George Wallace.
> —And is able to say with a straight face that he sees nothing peculiar about any of the above.

King later blew the whistle on Ivins. "My name is strewn through this [*Mother Jones*] article, but never where it counts. She credits me on minor observations, but when the subject is politics—her turf—she plagiarizes me." Then came the rapier: "Danged if this don't remind me of an old left-wing quotation: 'From each according to his abilities, to each according to his needs.'" ♦

Tear Down This Wall

Not to be missed is the Dec. 31 *mea culpa* in *Slate* from Stewart Baker, former general counsel of the National Security Agency (1992-1994), decrying the "wall between intelligence and law enforcement." Some choice excerpts:

"Earlier this month, as fears of new al Qaeda attacks mounted, the Justice Department announced new FBI guidelines that would allow intelligence and law enforcement agents to work together on terrorism investigations. An ACLU spokesman was quick to condemn the guidelines as creating the possibility of 'an end run around Fourth Amendment requirements.' I used to worry about that possibility myself. Not any more. Because the alternative is to maintain a wall of separation between law enforcement and intelligence. That's what we used to do. And on Sept. 11, 2001, that wall probably cost us 3,000 American lives. . . .

"That 'wall' . . . was put in place to protect against a hypothetical risk to civil liberties that might arise if domestic law enforcement and foreign intelligence missions were allowed to mix. It was a post-Watergate fix meant to protect Americans, not kill them. In fact, in 1994, after I left my job as general counsel to the National Security Agency, I argued that the wall should be left in place. . . . I recognized at the time that these privacy risks were just abstract worries, but I accepted the conventional wisdom: 'However theoretical the risks to civil liberties may be, they cannot be ignored.' . . .

"I was wrong, but not alone, in assigning a high importance to theoretical privacy risks. In hindsight, that choice seems little short of feckless, for it made the failures of August and September 2001 nearly inevitable."

Read the whole thing, as they say, at *http://slate.msn.com/id/2093344/*. ♦

Casual

Strung Along

I went to a rock club the other night. When we arrived, a 5-foot-3 college-age guy with an acoustic guitar was onstage. He didn't look like a rock star. He looked like the kids I once sat next to in AP Calculus, earnest and self-effacing—ingratiating, even. This was a look he gave every evidence of wishing to transcend. He wore a torn-up army jacket and a $300 haircut that brought him up to about 5-foot-6. His signature stage move—putting on a *nyanh-nyanh* face while miming banging his head against the wall—served only to accentuate his resemblance to Michael Dukakis. He could mimic this rock'n'roll abandon only for two or three bars at a time, because he was at the outermost limits of his virtuosity, and was petrified of breaking his concentration. He played only the blues, the slower the better, and by "blues" I mean *dumpty-doody, dumpty-doody*, where Dumpty = E, and Doody = E_7. My heart went out to him as he pawed grimly through the simplest chord changes. Because, as it happens, E and E_7 make up 29 percent of the seven chords I managed to learn in two years of studying classical guitar as a teenage rock-demiurge-in-training.

Why, given that my ambitions were limited to learning the solo on "Bodhisattva," did I study *classical* guitar? Because my ability to present worthless projects to my parents as constructive ones—so useful in other contexts—got the better of me. I couldn't very well procure the necessary Stratocaster by saying, "For an absolute bare minimum of effort, I'd like to have women throw themselves at me and men hail me as 'The Bard of Our Generation.'" So I said, "Learning the guitar would acquaint me with the fundamentals of music."

How I would come to rue that throwaway phrase "fundamentals of music"! It led my parents to get me a guitar that would have been just the item if I had felt like playing chamber quintets, but was of little use otherwise. The thing didn't even rest heavily on my hip like an automatic weapon, the way the guitar of my fantasies did. No—a classical guitar sat on the lap, like a bag of groceries.

It was several weeks before we were able to locate someone in our part of Massachusetts who could teach it. "Bridget" was a 50-year-old spinster whose main qualification for teaching guitar was that she had visited Spain in her youth. Her run-down rented house was a shrine to Spain. It was filled with knick-knacks, most of them ashtrays and most of those full. For the first few lessons we listened to Julian Bream and Andrés Segovia records. I was informed that Salamanca was a beautiful city, and Toledo? *¡Ay, caramba!* Granada? Also beautiful! No slushy winters there. *Jamón serrano* was excellent, but what passed for ham in our supermarkets . . . well, a Spaniard would be *insulted* if you served it to him. Occasionally Bridget would sigh up at the wineskins and the watercolors showing the Puerta del Sol as it had looked when she was 20, and talk about the "pride" of these Spanish men. One gathered they had their strong points, even if they were finicky about their ham. One suspected, too, that they had colorful nicknames for women like Bridget.


Darren Gygi

A guitar was always resting on her thigh, but it made noise only when her rings and bangles dinged against it in the middle of some gesticulation. We didn't do much guitar-playing. She insisted, with an imperiousness I took to be Iberian, that she would not teach me to read music. *It would only trammel your artistic spirit*, she warned. When I nonetheless asked if I could learn to play *something*, she would form an "E," instructing me to do the same. Then she would strum it and sing, "*Eeee* . . . "

In like fashion, over the years I learned A ("*Ayyy* . . . "), A_7, E_7, Em, F, and G. Yet I began to fear that the girls I was trying to impress would have grandchildren before I learned that solo on "Bodhisattva." Whenever my demands for instruction grew too importunate, Bridget would play the first 25 notes of the *bourrée* from the Bach lute suite in E minor, pressing it out with her thumb at one note per second, staring at her left hand with cross-eyed concentration, as if she were stringing beads—the same look I saw on poor Dukakis in the club the other night.

It makes me sad to think about Bridget now. Not at all because I feel ripped off. Handing over money to people for their enthusiasms rather than their skills was a more common practice 25 years ago, at least in small towns. It may produce lousier guitarists, but it probably supports a more interesting society than today's results-based commerce. I always felt like I owed Bridget something, anyway, for my coming in out of the slushy weather to interrupt her reveries of sunlit Granada as it was in 1952, even if whatever unhappiness she was dragging around with her had nothing to do with America and nothing to do with Spain.

Christopher Caldwell

The Gift of Self-Reliance

Philister Randiki of Kenya with her calf.

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FUNDAMENTALS

CHARLES W. COLSON pays a fitting tribute to the late Carl F.H. Henry (THE STANDARD READER, Dec. 22, 2003), who was indeed a giant of a man, scholar, and Christian. But Colson's reading of 20th-century American Protestantism leaves much to be desired.

As Colson details, Henry labored to establish an intelligent counter to the triumph of liberalism in the mainstream Protestant denominations. But Colson neglects to mention that many who had been inspired by Henry had become disillusioned with evangelicalism by the time *Newsweek* declared 1976 the "Year of the Evangelical." Henry was himself also disillusioned, lamenting the role that Jerry Falwell and Pat Robertson played in what Henry called the "hijacking of the evangelical jumbo-jet." He expressed this and other regrets in a 1980 essay in the liberal *Christian Century*.

The irony is that the movement Henry helped found was nothing like what he had envisioned. Does Colson really think that today's evangelicals represent an improvement over the fundamentalists that he caricatures? Are they really any brighter, more politically astute, or more culturally discerning? Does he think that their acclaimed megachurches—complete with MTV-style liturgy—or their elevation of personalities over tradition offer an orthodox or conservative alternative to the mainline denominations? If this is the religious renaissance Colson presumes it to be, why do a good number of them leave evangelicalism for Roman Catholicism or Eastern Orthodoxy?

As historian D.G. Hart documents in his new book, *Deconstructing Evangelicalism: Conservative Protestantism in the Age of Billy Graham*, this well-intended project of the past century was less than a success, notwithstanding the noble efforts of Dr. Henry. The sooner conservatives—both within the church and without—understand that, the better.

ROBERT W. PATTERSON
Leesburg, VA

BARELY LEGAL

WILLIAM TUCKER'S "In Defense (sort of) of Trial Lawyers" (Dec. 15, 2003) did point out a few ways to curb the tremendous and growing burden on our standard of living that is tort litigation, but it seems probable to me that tort reform in our country will only start when there is a change in who pays the lawyers. In other countries, a tort's loser—whether it be the plaintiff or the defendant—pays all fees. That should be the way it is done in the United States as well. That people and companies (insurance companies among them) must pay to defend even frivolous actions is very damaging. In place of having the judiciary evaluate the possible frivolity of an action (and it has been shown over and over that litigants will shop for a lenient judge), if litigants had to pay all fees if their case were found

not to hold water, then frivolity in such actions would, I think, vanish.

THOMAS W. SMOOT
Alpharetta, GA

WILLIAM TUCKER'S "In Defense (sort of) of Trial Lawyers" was, on the whole, a thoughtful piece exposing many of the excesses wrought by America's wacky civil justice system. Nevertheless, Tucker uncritically accepts arguments defending the status quo without examining powerful contrary evidence.

Most tellingly, Tucker asserts that "damages paid in many legal settlements serve a distinct purpose in buying improvements in health and safety that would not be possible through any other channels." Health and safety in America have undoubtedly improved over time, but Tucker's anecdotes are unpersuasive in linking these improvements to our tort law system.

In fact, peer-reviewed empirical studies from leading academics have shown no statistically significant correlation between verdicts or settlement awards and, for instance, product defects or mistakes in medical practices. Moreover, even if fear of lawsuits has led to some health and safety improvements, it has also led to real negative effects (such as reduced innovation, lower vaccine availability, and defensive medicine) that are difficult to measure and not included in our conservative estimates in *Trial Lawyers, Inc*.

To function properly, our legal system does indeed depend on a healthy, functioning law of tort. The goal of responsible tort reform is indeed to capture positive effects from the status quo while eliminating its costly waste.

JIM COPLAND
Director, Center for Legal Policy
Manhattan Institute
New York, NY

BASE HIT

DAVID TELL, in "Gephardt's Last Stand" (Dec. 22, 2003), writes of his confusion as to why hard-core Democratic voters, despite their differences with where Howard Dean stands on most issues, are wildly supportive of the former Vermont governor. But, contra Tell, I believe there is an answer to the mystery.

The real issue for today's Democratic base is its emotional and incoherent frustration at the success of George Bush and the Republican party in the last couple of years. Howard Dean was the only candidate who, early in the race, echoed this angry, frothing-at-the-mouth frustration, spewing gallons of bile about anything remotely connected to Bush. Only Howard Dean was whipping left-wingers into a frenzy of anti-Bush hysteria a year ago. Most of the other candidates thought they should be making half-coherent arguments about the economy, "unilateralism," or some other issue that focus groups told them was dear to the hearts of liberals.

Howard Dean, on the other hand, deduced shrewdly that the real driving force behind the left today was anger. That's why the Democratic base is ready to back him, whatever the cost.

JIM GILKEY
Winchester, KY

STAND AND DELIVER

WILLIAM KRISTOL and Robert Kagan's "Stand By Taiwan" editorial was on target (Dec. 22, 2003). President Bush fittingly warned Communist China not to initiate force against Taiwan. Yet he and the American "experts" on China are indeed kowtowing to the Communist dictatorship by renouncing American support of Taiwanese citizens' right to declare independence.

The Taiwanese have the same inalienable rights as Americans—and, for that matter, as all men do. On a July 4th long ago, America was founded based on those rights, and declared its independence from the British empire. Ironically, if France then had taken the advice of most of today's regional analysts, it would have allied with Great Britain, not the United States, and refused to support American independence.

Our Declaration of Independence announced that all men are created equal, and are endowed with the rights of life, liberty, and the pursuit of happiness, among others. The Taiwanese may or may not vote for independence. But for the American government to deny such rights to the Taiwanese is an insult to the Declaration and our country's basic principles. Mainland China is one of the lifelines of "Axis of Evil" member North Korea. That makes our new policy of appeasement an even more dangerous repudiation of American values.

ALICE AND ROBERT GETMAN
New York, NY

PAKISTANI PRELUDE?

REUEL MARC GERECHT has provided an excellent article on the delicate problem faced by the Coalition Provisional Authority and the Bush administration in dealing with the Iraqi Shia majority ("A Difficult Marriage," Dec. 22, 2003). Early elections, as Ayatollah Sistani has argued, may be helpful in easing some of the tensions between the United States and its "fifty-first" state.

Elections would certainly establish the dominant position of the Shiites, which may cause heartburn on the part of some bureaucrats in the State Department. But, if we are promoting democracy in Iraq along the one-person, one-vote model, isn't Shia dominance inevitable? The real issue is the Iraqi constitution and how well it guards against a theocracy. The United States must promote a constitution that secures a secular government, which recognizes the importance of Islam and its teachings, but which also guarantees a separation between mosque and state.

On its good days, Pakistan is an excellent example of how this can work. There has always been a clash between the secularists and the Islamists in Pakistan, with the secularists maintaining dominance for the last 50 years. There is a parallel *sharia* Islamic legal system in Pakistan, but, again, secular law based on British common law is dominant. Admittedly, in Pakistan, the one real base of power has always been the military, and they have stepped in many times to correct excessive corruption and other problems.

If we are not careful, the same thing could happen in Iraq.

BILL STRONG
Elk Grove, CA

DEAD STOP

FRED BARNES'S EDITORIAL "Stop Dean" (Dec. 15, 2003) claims that Howard Dean's probable capture of the Democratic presidential nomination is an event "to be feared." Why? A Dean nomination would simply confirm the obvious: The Democratic party has abandoned its roots and has been captured by the cultural left. Hardly a tragedy for a democracy.

The Bush foreign policy unabashedly projects American power to protect vital interests. And it promotes liberal democracy and free markets—crucial elements of a long-term security strategy. That is pretty much what THE WEEKLY STANDARD has supported for years. On the other hand, when you think about it, it isn't at all clear that Howard Dean actually *has* a foreign policy—or, at least, a consistent one. Now, having used his early opposition to the Iraq war as his ticket to an otherwise improbable presidential nomination, Howard Dean has crawled out on a limb, and has no easy way of getting back to the mainstream. If the rest of the Democratic party wants to climb out on the same limb with Dean, only to get obliterated in November, let them. That's the only way they will ever learn.

JOSEPH F. BENNING
Summit, NJ

RADICAL CHIC

KATHERINE MANGU-WARD skillfully exposes Khaled Abou El Fadl's thinking in "The Muddle of the Moderate Muslim" (Dec. 22, 2003). But one reference to me—"Calling Abou El Fadl a moderate, [Daniel Pipes] says, is like making a distinction 'between a moderate Nazi and a radical Nazi'"—is ambiguous. Adding a few words makes my meaning clear: "Calling Abou El Fadl a moderate *Islamist* as opposed to a radical *Islamist* [emphasis mine] . . . is like making a distinction 'between a moderate Nazi and a radical Nazi.'"

DANIEL PIPES
Philadelphia, PA

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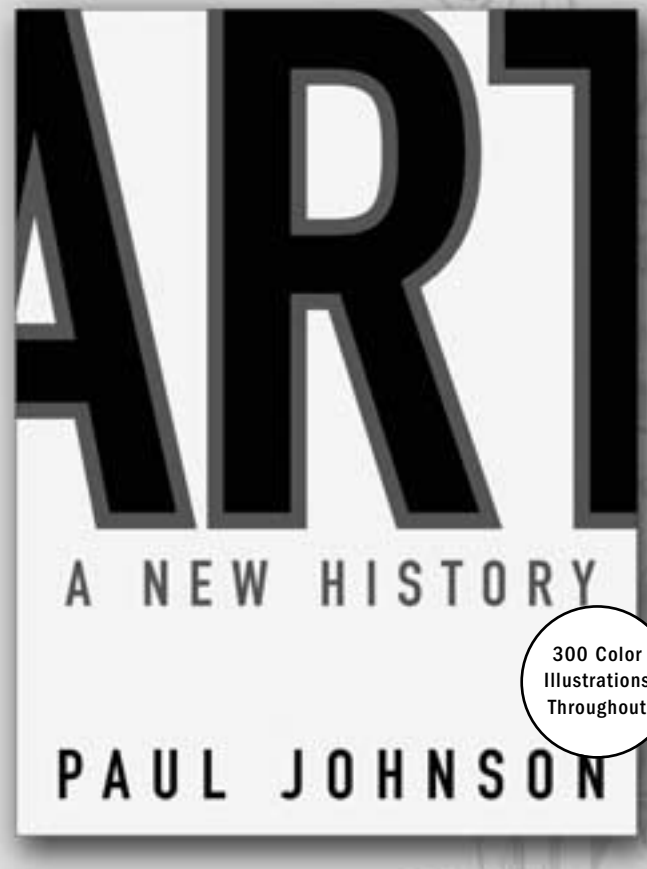

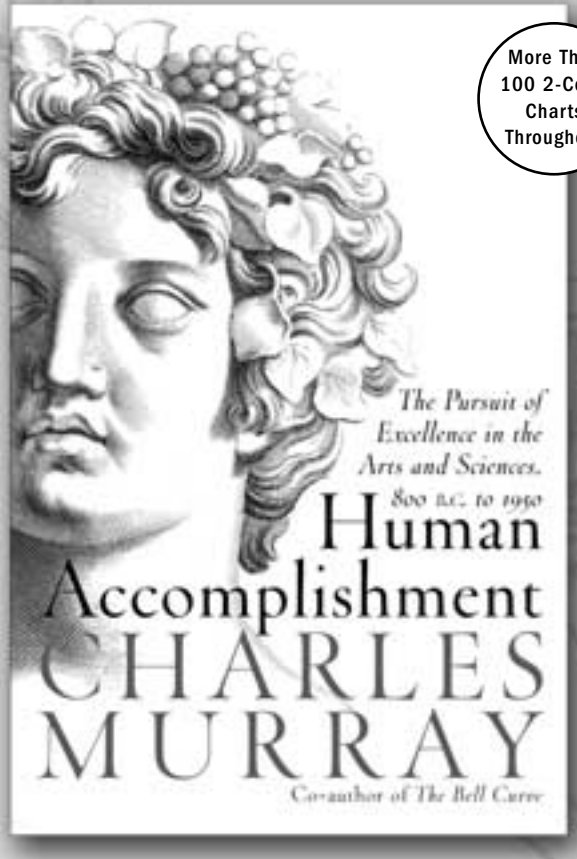

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A Choice, Not an Echo

Two big dates are coming up in the presidential campaign: The Iowa caucuses will take place on January 19. The New Hampshire primary follows on January 27. But the key date in the contest for the Democratic presidential nomination may well turn out to have been October 10, 2002. On that day, Senators Joseph Lieberman, John Edwards, and John Kerry joined most of their Democratic colleagues, and a large majority of the Senate, to vote to authorize President Bush to use force against Saddam Hussein. That same day, Dick Gephardt joined a substantial minority of his caucus, and a substantial majority of the House, in support of the president. Howard Dean spent the next year attacking his rivals—the "Washington Democrats"—for signing on to Bush's war. The rest is history.

Dean could, of course, still lose the nomination. But he's in an awfully strong position. He leads in the polls, in money, in organization, and in proven ability to generate enthusiastic and committed supporters. He is opposed by a fragmented field. Still, he could falter, and if he did, Wesley Clark would seem to have the best chance to overtake him. Clark might surge to second (or even first) in New Hampshire, and then could have the resources to compete with Dean in February and March. Clark, too, is an outsider who vehemently (most of the time) opposes the war. In either case, it seems almost certain that the Democratic nominee will be comprehensively anti-Bush: anti-Bush on domestic policy, of course, but also anti-Bush on foreign policy.

So we will have a choice, not an echo. This is perhaps as it should be. In polls, a majority of the Democratic party is anti-Iraq war, anti-Bush Doctrine, and anti-Bush's overall conception of the war on terror. Most of the country, on the other hand, basically supports Bush's foreign policy. That's why the president now runs ahead of his Democratic opponents, and why he must be favored in this election. But if the country is split about 60-40 on the most fundamental choice facing it, and if the bulk of one party is strongly opposed to the policy being promulgated by a president of the other party, the opposition presumably deserves a chance in the presidential election to take its argument to the country. They're going to get it.

And they may persuade some more people. Who knows how the world will look 10 months from now? Who knows what unforeseeable contingencies, capricious events, unpreventable setbacks, or errors in execution by the Bush administration might combine to give greater credence to critics of the Bush foreign policy? In any event, even if things do go reasonably well, it would be a mistake—perhaps a fatal mistake—for the Bush administration, or its supporters, to assume victory in 2004 will be easy.

Visions of 1972 and 1984 dance enticingly in Republican heads. But we'll be engaged in Iraq in 2004, as opposed to having extracted ourselves from Vietnam, supposedly with honor, as in 1972. And despite all that was admirable about Reagan's foreign policy, one reason it could appear to be "morning in America" in 1984 was that we had (ignominiously and damagingly) pulled out of Lebanon in 1983.

It is to Bush's credit that he has committed to staying in Iraq until the job is done, and that he is committed to pursuing the war on terror comprehensively and unsparingly. In doing so, he has ruled out the easier path to victory taken by his predecessors in 1972 and 1984. It won't be "peace with honor," or morning in America, in 2004; it will be war on terror with honor, and something more like high noon in America. This puts a far greater burden on Bush to explain and justify his policies. But it also means his victory—if he achieves it—will be of greater significance, and more richly deserved.

Winston Churchill's admonition, "Deserve Victory," has always been a good guide to behavior. Churchill's father's slogan, "Trust the People," hasn't been bad advice either. But even if some in the Bush administration were tempted to fake victory, or to try to pull the wool over the eyes of the people, it wouldn't work. The most practical political advice for President Bush in this election year is to do the right thing, and let the electoral chips fall where they may.

—William Kristol

Dr. Dean's House Call

Among the believers.

BY MATTHEW CONTINETTI

Alexandria, Virginia

ONE DAY last month, Anne Gallagher, a septuagenarian retiree, drove her 1996 Mercury to the local Giant Foods supermarket. She parked her car just as Paul Mazzuca, a 46-year-old student, was parking his. What happened next, Gallagher said later, was kismet.

Mazzuca noticed Gallagher's "Dean for America" bumper sticker and followed her into the store. Once inside, he asked her about the bumper sticker and mentioned that he, too, liked Dean. As they chatted between the dairy and the produce sections, they discovered they were both yellow-dog Democrats. Paul invited Anne to an upcoming party he was throwing to raise money for the former Vermont governor. "I just figured another good Democrat would like some pizza," he said.

Paul wasn't the only "good Democrat" throwing such a party last week. On December 30, the night of Paul's "Wing Ding Pizza Thing for President Dean," there were some 1,443 Dean house parties across the country, and an estimated 22,000 party-goers. The highlight of the parties was a nationwide conference call hosted by Howard Dean, former vice president Al Gore, and Gore's wife, Tipper, in which 1,675 callers—most presumably on speakerphones—listened in.

For the Dean campaign, the house parties were a way to close fourth quarter fundraising with a bang—by the end of the night, Dean had raised some $500,000, putting his total for the quarter at about $15 million. The parties were also a way to signify the great strides made by the campaign over the past 12 months: On January 1, 2003, Dean had about $157,000 in cash on hand, after raising a total of $314,052. A year later, he has raised over $40 million, amassed a list of 552,930 supporters, and made Democratic fundraising history.

But for Paul, the house party was more than a fundraising tool. His mother had died recently, he explained, and she had thrown some great parties in her time. "I wanted to keep the party going," he said. And so he and Pamela Alesky, his political-scientist "sweetheart" who is between jobs, invited about a dozen of their friends over for homemade deep-dish pizza, spicy buffalo wings, and beer. "There will even be a conservative there," Paul said, when I first asked if I could join his party.

Maybe he was talking about Wendy, a legal secretary, who came to the party accompanied by her husband, a friend of Paul's. Wendy told me that, while Dean was "interesting," she agreed with Joe Lieberman on most issues. But she knew in her heart that Lieberman's campaign was collapsing. And so she had turned Machiavellian: "Dean has a chance" to defeat Bush, she said. "Lieberman's the better candidate, but the end justifies the means."

This is the sort of thinking you find a lot of among loyal Democrats these days. A recent Pew Research Center poll, for example, showed that Dean has a sizable lead in New Hampshire and Iowa among Democrats "who place a greater priority on defeating Bush." If Bush is to be defeated, the logic goes, then Democrats need to rally around Dean. And defeating Bush was the priority of everyone I met at the Wing Ding Pizza Thing.

Alanna Duckett, for example. Duckett, who runs a medical-transcription service from her home, first spotted Howard Dean last year, when, she said, he was still "Howard Who?" She took to him quickly: "I said, well, Harry Truman's back. The man says what he believes. He's the only one who had the guts to oppose war with Iraq from the start."

Alanna has contributed about $500 to the Dean campaign so far, all in small-dollar amounts. "I try to give each month," she said, because the stakes are quite high. When she looks at Bush, she told me, she thinks, "I'm sure this is how Hitler got his start." And we can't be like the Germans in the 1930s, and just "do nothing," she said. Bush "is dangerous."

And intimidating. As I sipped my cup of coffee, I fell into conversation with a well-dressed lady who said she's "actively retired" and a "Democrat who is willing to vote for Republicans." But the Bush name, she told me, and all the connections and influence that follow from its long history, "is so strong and powerful that to me it's very scary."

"I think the press is fearful of this administration," she added. "I've seen a shift in the *Washington Post*. . . . They're less willing to criticize the administration."

Several partygoers nodded their heads.

"I still find hope in the *New York Times*," Alanna said. "I get it on a daily basis, so I can read something that doesn't raise my blood pressure."

More nods.

My new "actively retired" friend hadn't decided which Democrat she would pick in the February 10 Virginia primary. She had decided, however, that the debates featuring all nine Democratic presidential

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Getty / Jessica Rinaldi

Their master's voice: listening to the conference call at a Dean house party in Cambridge, Mass.

candidates weren't helping. "It's very tedious," she said. The Democrats' problem is that they lack the "meanness" and "bitterness" of conservatives. But that's starting to change: "There has never been this much negative feeling toward a president" as there has been with Bush, she said.

I mentioned that Bush's approval ratings have returned to about 60 percent.

"I wonder *who's* taking these polls," sniffed Alanna.

Paul interrupted: The conference call with Governor Dean was set to begin in a few minutes, he said, and he wanted to play the Howard Dean biographical DVD that he had received as part of his house party kit. The dozen or so of us gathered around the television, and for the duration of the DVD, we became an odd sort of extended family.

The Dean biopic had its moments. First, it featured excerpts of his stump speech, which you often hear about but rarely *hear.* It's a powerful—chilling, even—performance. As airy dance music plays in the background, Dean runs through the thanks-be-to-the-Internet boilerplate ("We are built from the mouse pads up . . ." he begins), but then he launches into his call-and-response chant with the audience, in which the refrain is "You have the power!"

"You have the power to take this country back from the corporations and special interests!" barks Dean. "You have the power to have a foreign policy consistent with American principles!" and so on. Dean jabs his fists. His voice grows hoarse. The audience goes wild. It's probably the reason why, you begin to understand, Dean has connected so viscerally with so many people.

There were only snippets of the stump speech, however, and one got the impression that the campaign doesn't want too much coverage of the "You have the power" chant, at least until Dean delivers it on the last night of the Democratic convention. Pretty soon, the speech ends, and we are plunged into a milquetoast political biography, with gushing testimonials from the candidate's wife, mother, brothers, friends, and college roommates.

Even this portion of the DVD had its moments. There was, for example, the spot where Howard, always reluctant to bring up his privileged birth, said that he and his brothers spent a lot of time outdoors as kids because "we grew up in a place, eastern Long Island, that didn't have any television." (Don't fret, though: The Dean country house in Easthampton *did* have running water.)

But such comedic gems passed by without comment from my fellow house partiers. They liked the DVD; afterwards someone mentioned, to no one in particular, that Dean's family "looks very nice." Another person exclaimed, "I never knew about his record in Vermont!" A third said, "He doesn't speak down to you."

When the national conference call began, Paul sat in the corner and started to count the fundraising checks. On the speakerphone, a campaign staffer introduced Tipper, who introduced Al, who introduced Howard. The Gores phoned in from Tennessee; Dean from some unspecified location on the road.

Tipper said how happy she and Al were to join Howard Dean's campaign. Then she turned philosophical, setting the tone for the rest of the call. How great a thing it is, she said, to be "part of something that is larger than yourself." Al said that those listening in on the call were part of a "movement," one that's "already reinvigorating democracy itself and the Democratic party." Dean said that the campaign "is not about me or [campaign honcho] Joe Trippi or people in Burlington. It's all about us taking back our country."

At the end of the talk, after Dean had answered a few questions from the house parties that had raised the most money, the operators opened all 1,675 phone lines, and tens of thousands of partygoers across the country screamed in unison, "Happy Dean Year!" People laughed with joy.

A friend of Paul's shut off the speakerphone, and for a moment everyone sat in silence. A graduate-school friend of Pamela Alesky's, who until now had simply muttered political science-ese under her breath ("rentier," "herd mentality"), broke the silence with a question: "Do those of you here think that Dean can accomplish this?"

Only Alanna, who had supported Dean from the beginning, said yes.

"People are starting to recognize his name—and that's what's important," a heavyset man suggested.

"It's going to be tough," said Pam. "There's nothing really substantive coming out from any of the candidates at this point."

People pursed their lips thoughtfully.

The party broke up soon thereafter. Paul told me that the event had raised $723.30 from 18 people—not a princely sum, to be sure, but nothing to laugh at either. He asked if I wanted to take home any pizza. "It's got the whole-wheat crust," he said, "and mushrooms and artichokes. Or you can take the one with pepperoni and sausage—we call it the 'Dead Flesh' pizza."

"Not tonight," I said. Moving toward the door, I ran into Anne, the retiree whom Paul had met randomly at the Giant. She asked if I had seen her skydiving pictures. She had been skydiving four times, she said. She had started in 2000, a few months after her husband had passed away. "I wanted something to take my mind off of him," she told me. "The next time I jump is going to be in April. And I'm going to wear a Howard Dean T-shirt."

She turned to Paul, whom she hardly knew, smiled, and said, "I'm so glad you saw the bumper sticker." ♦

Vermont's Badly Managed Care

Dean's health care record as governor is nothing to brag about. **BY DAVID GRATZER**

HOWARD DEAN'S campaign wants you to know that he used to be a practicing physician. Campaign literature refers to him as "Gov. Howard Dean, M.D." At public events, his supporters wave signs proclaiming "The Doctor Is In." Dean often addresses issues—mainly *non*-health care issues—by referring to his former occupation. "As a doctor, I know that failure to act on the environment has devastating consequences," he recently told a crowd. During one rally, he even brandished a stethoscope.

Stories about Dean's commitment to medicine reach mythical proportions. In Vermont, people talk about the afternoon Dean's predecessor died. Dean, then serving in the part-time job of lieutenant governor, was seeing patients in his medical office. He received the call, but finished examining his patient before driving off to be sworn in as governor. The message is unmistakable: Even from day one as governor, he put patients first.

"As a physician, I've seen the suffering caused by this nation's health care crisis," his website explains. "As Governor, I know it can be solved." It's a bold claim. Too bad it doesn't hold up on examination. As a look at his 11-year gubernatorial record shows, the doctor administered some pretty bad medicine to the people of Vermont.

Children's health is supposed to be Dean's signature issue. His campaign cites statistics on children's health coverage in Vermont: Ninety-six percent have insurance. If that sounds good, there are other seemingly impressive accomplishments: Nearly 90 percent of Vermonters have health coverage; in Vermont, Medicaid assists the poor *and* the working poor. And Dean managed to create this health nirvana while balancing the state budget.

Put in perspective, though, the picture seems less awesome. According to the Census Bureau, 9.5 percent of Vermont's population lacked insurance when Dean assumed office in 1991. About 9.7 percent lacked coverage at the end of his term (average of 1999-2001). Over the Dean years, Vermont fell from second to tenth in share of population with total health coverage. Such minute differences could easily be statistical noise, but if Dean claims to be the man who did something about the uninsured in Vermont, it seems there wasn't much of a problem to begin with.

From a distance, then, Dean's health care record seems marked by inactivity—after all, the percentage of people covered hardly changed. But this obscures dramatic changes under Governor Dean in who provides coverage to Vermonters. "Every governor has his obsession," notes John McClaughry, a former state senator who runs the free-market Ethan Allen Institute. "Health care was his. He worked on it until he lost sight of the big picture." The Dean years saw a sustained effort to increase public insurance coverage while hampering the spread of private insurance.

First, Dean meddled in the private insurance market. Before his swearing in, Vermont's legislature passed a

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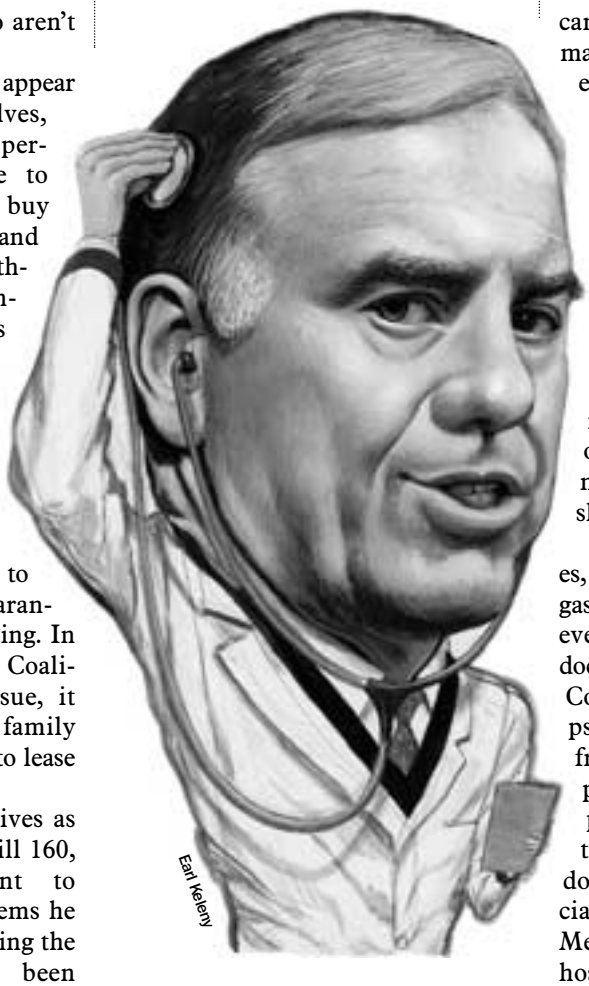
bill mandating "community rating" and "guaranteed issue" for health insurance. Community rating means that premiums are based on age, rather than health status. It aims to reduce premiums for the chronically ill. Guaranteed issue requires insurance companies to sell policies to all applicants. Again, the aim is to improve access for those who aren't healthy.

While these mandates may appear innocuous in and of themselves, when combined, they create perverse incentives for people to game the system. People can buy insurance *after* they get sick—and yet they still pay the rates of other people their age. A downward spiral for private insurers follows. Faced with massive rate hikes, small employers drop coverage for younger workers. With an insurance pool of older and sicker workers, those left face high premiums.

Vermont isn't the only state to achieve such results with guaranteed issue and community rating. In New Jersey, according to the Coalition Against Guaranteed Issue, it now costs more to buy a family health insurance than it does to lease a Ferrari.

One of Dean's first initiatives as governor was to champion Bill 160, sweeping legislation meant to address the health care problems he inherited. But instead of undoing the price regulation that had been slapped on the insurance industry, Bill 160 went further. The legislation aimed to establish state control over hospital budgets, create a statewide insurance pool, and form a new health authority to coordinate it all. Instead of scrapping community rating, the legislation expanded it. Premiums wouldn't be based on age at all, but would be one-size-fits-all. Thus, a 20-year-old worker in perfect health would pay the same premium as a 60-year-old man with heart disease and emphysema. Much of the legislation was eventually dumped, but not community rating. "We fought that tooth and nail," recalls Tory Bunce of the Council for Affordable Health Insurance, an advocacy group for small businesses and insurance carriers. "We predicted that premiums would go through the roof."

They did. And no wonder. If homeowners' insurance were regulated the way Dean regulated health care, residents could insure their houses *after* they caught fire. As a result, young, healthy people dropped their insurance, numerous insurance carriers left the state, and the percentage of uninsured Vermonters approached 14 percent.



Various ideas were floated in the mid-1990s to cope with the collapsing market for private health insurance. Some Vermont legislators proposed a single-payer plan. In a daring display of political calculation, Dean urged them to vote for such a proposal—which he also promised to veto. The strategy collapsed so spectacularly that the resulting stalemate received a detailed report in the *New York Times*.

Dean's alternative was simply to expand government programs. In particular, he grew Medicaid, the federal-state program for poor Americans, with Washington footing the majority of the new bill. He expanded eligibility, going so far as to allow children in families with incomes up to $51,000 to be enrolled. (His office even approached the Clinton administration about expanding Medicaid further, but the request was denied.) By the end of Dean's term, the Medicaid rolls had doubled to roughly 20 percent of Vermont's population. Today, Vermont ranks ahead of almost every other state in Medicaid enrollment; neighboring New Hampshire is last.

To pay for it all, Dean hiked taxes, including those on cigarettes and gasoline. He also shifted costs. However, Medicaid's reimbursement to doctors, hospitals, and dentists is low. Consider that a typical Burlington psychiatrist makes $125 an hour from private insurance. Medicaid pays about 75 percent of that. Hospital fees are even stingier, with the state paying 50 cents on the dollar in some cases. Some physicians and dentists stopped taking Medicaid patients altogether. For hospitals and clinics now facing a shortfall, fees for non-Medicaid patients increased.

What does Vermont health care look like today? It's a mixed picture. The percentage of insured citizens is relatively high, but so are Medicaid rolls. It's not clear that Vermonters can sustain the state government's spending. Projections suggest that in Vermont Medicaid will run a $98 million deficit by 2008. And insurance premiums are sky high. "I'm paying a lot and getting little choice," a self-employed Burlington resident told me. He wasn't kidding: To cover his wife and himself, he

pays $5,000 a year for a plan with a $1,000 deductible. Because most carriers have left the state, there are only a few insurance companies left in business.

Vermont, though, isn't unique. As much as Dean's supporters suggest his zeal for health reform distinguishes his record, regulating health insurance has become a hobby for activist politicians around the country. Consider: State legislators have passed more than 1,500 mandates that direct health insurance companies to cover specific diseases or procedures. In Vermont, jaw-joint disorders must be covered; New York insists on podiatric care. Add to this mix guaranteed issue and community rating, and it's clear why some small businesses and self-employed individuals find health insurance unaffordable.

Ironically, Dean may end up benefiting from the health insurance debacle he helped create. He promises to do in Washington what he did in Vermont: have government fill the role that private companies once did, another step along the road to single-payer health care. With premiums sky high across the country and many Americans fretting the possibility of losing their insurance, Dean's promise of expanded government programs offers a tempting panacea. Worse yet, Republicans seem lost on the issue.

How to beat the former governor at his own game? The White House should champion a competitive market for health insurance, allowing citizens more choice and lower premiums. This could be accomplished very simply. Give Americans the ability to buy health insurance from other states. If people in Vermont or New York can buy a mortgage from a less regulated state, why can't they buy an insurance plan in another jurisdiction?

The federal McCarran-Ferguson Act of 1945 empowers states to regulate "the business of insurance." But nothing stops Congress from passing legislation allowing the interstate sale of health insurance. Indeed, such

a bill would reflect the principle of the Constitution's Commerce Clause. And it would also be consistent with free market principles since interstate restrictions leave many Americans at the mercy of a small number of local health insurance carriers—which for Dean's former constituents can be counted on one hand.

In 1992, Dean said: "There is no such thing as an informed consumer of health care." Republicans need to present voters with a less paternalistic vision. They can start by empowering Americans to buy affordable health insurance. The Burlington man spending $5,000 a year on insurance would, in Connecticut, pay less than half that. Washington should give him the option to buy the out-of-state plan. This would help stave off the disastrous scenario predicted by Service Employees International Union president Andy Stern when he said: "After November 2, there will be a doctor in the house—the White House." ♦

Escape from al Qaeda

Debriefing former terrorists-in-training.

BY STEPHEN SCHWARTZ

Ferghana, Uzbekistan

CENTRAL ASIA'S vast Ferghana Valley is a cotton-growing region dotted with towns and sliced up between the former Soviet republics of Uzbekistan, Kyrgyzstan, and Tajikistan. It is also a notorious recruitment center for terrorists linked to al Qaeda. I went there in early December to interview three defectors from extremist groups.

I traveled with an Uzbek government employee and driver, but my visits to these former combatants in the conflict between Islamist radicals and the governments of the region were unannounced. A local journalist, Rustam Aminov of the twice-weekly Russian-language newspaper *Ferghana Truth*, took us to the residence of each man, where we simply walked up and knocked on the door. Although the Uzbek regime is widely described as a heavy-handed dictatorship, none of the three men appeared reluctant to speak to us.

Hadoyberda Aripov is 34 years old and lives in a hut in the village of Kakir-Taklash, where he was born and grew up. When asked about his personal life, he spoke first of a tragic circumstance. His parents had died while he was away in Tajikistan, where he spent six years in the Islamic Movement of Uzbekistan (IMU), a major al Qaeda ally.

Almost immediately his voice hardened, as he spoke of Juma Namangani and Tahir Yuldash, the IMU leaders. "They are not human. They are not Muslims," he declared. Asked if he believed reports that Namangani had been killed in the U.S. bombing of Afghanistan, he said, "I hope so. I hate him."

Aripov candidly stated his original motives for joining the jihad: A student of Islam for 11 years, he was angry at the regime of Uzbek president Islam Karimov, under which Aripov had been accused of supporting Wahhabism, the hate-mongering state religion of Saudi Arabia, which had sent militant missionaries throughout Central Asia. The overwhelming majority of Uzbek Muslims follow the peaceful tradition of Sufism.

A well-spoken individual, Aripov said he had organized a group of six men to go to Tajikistan to fight for Islam. But what they found there was not very different from Soviet indoctrination and forced labor. In an IMU camp, they were taught the use of weapons and terror tactics, as well as hatred of all existing regimes, especially those in the Islamic world. Among the instructors were Saudis and Pakistanis.

The training included very little about religion, Aripov said. "They pray in a strange way," he said, a common complaint of traditional Muslims about Wahhabis, who insist that prayers be restricted to a few prescribed prayers. "They interrupted us at prayers, laughing and joking about us."

Recruits who grew disillusioned with the atmosphere in the camps were simply killed. "Seventeen young men wanted to go home to Uzbekistan," Aripov said. The camp commander, alias Abd al-Aziz, personally murdered them, and they were thrown in a mass grave without any Islamic funeral. Local Tajiks found the bodies, because of the odor, and reburied them. "The Tajiks told the IMU, 'You are not Muslims—you killed your brothers,'" Aripov said.

Aripov's group of six also sought to escape, and Namangani threatened them with execution. Two went to nearby Afghanistan, where they were wounded, then were returned to prison in Uzbekistan.

"I hope they can someday be freed," Aripov said. Asked his views of the United States and the war on terror, he was as forthright as when he assailed the leaders of the terror movement. "I know that Muslims live in the United States and enjoy the religious freedom America created. If I were to meet President Bush, I would tell him there are millions of Muslims ready to fight the terrorists."

The second encounter took place in the Ferghana Valley city of Margilon, in a rundown apartment block of the kind found everywhere in the former Communist countries. Saidakbar Oppokhodjayev, aged 35, is

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thin and ascetic-looking. He had joined the radical Islamist group Hizb ut-Tahrir (Liberation party), known as HT, in the belief he would learn more about the faith into which he was born.

HT, founded by a Palestinian 50 years ago, is banned in most Muslim countries. It has also had considerable success in gulling Western human rights monitors with its claims that, while it preaches the overthrow of existing regimes and their replacement by an Islamic caliphate, it does not actually engage in violence. In Uzbekistan, HT is well known for its extreme anti-Semitism, including the bizarre claim that President Karimov is a Jew. Uzbekistan has been home to a Jewish community, in Bukhara, for 2,500 years.

Oppokhodjayev's experience in HT began with lessons in Islam, but, as he said, "it soon became obvious religion was not their real interest. Rather, they preached opposition to the government. We thought the political teaching was only part of the instruction, but we soon saw everything turn to politics and calls for the overthrow of the government in Uzbekistan. Everything was about distributing literature and calling demonstrations, and when some of the followers were arrested, we were told not to worry about them, but to continue handing out the leaflets."

Finally, Oppokhodjayev's family came to him and asked if he understood what he was doing. "I told them I had no idea what the real aims of the group were," he said. When the Karimov government offered an amnesty to any Uzbek radicals who had not participated in military actions, he and his wife, also recruited to HT, went to the authorities and applied. Amnesty was granted, and he resumed a normal life.

My third interview was the most remarkable, because of the almost absurd circumstances in which Aybek Khojayev, 23, found himself fighting for the Taliban in Afghanistan.

Khojayev's story has been told by his wife, Ziyoda Kuldasheva, and may be read at *http://www.eurasianet.org/departments/insight/articles/eav102202.shtml*. I met him in his family's compound, decorated with carpets, in the ancient town of Kokand. He corrected minor errors in the web version of his tale.

"In March 2000, my family refused me permission to marry my wife," he said. The couple ran away, ending up in the town of Kanibadam, in Tajikistan. There, without substantial resources, they fell into the hands of terror recruiters, who took them to a training camp at Tavildana, also in Tajikistan. The two were separated, their passports confiscated, and they were warned that anybody who tried to leave would be killed.

With about 200 others, they were then conducted to a mountain village where they waited a month before being transported to Afghanistan, still without passports or money. They remained in Taliban territory for a year, under the scrutiny of terror agents, and when Khojayev succeeded in sneaking away to call home, he was arrested and sent to prison in Kabul, while his companion was shipped off to Mazar-i-Sharif. Tahir Yuldash, the IMU leader, bragged to him that soon the movement would seize control of Uzbekistan. Khojayev was then sent to Mazar-i-Sharif. There, he was shown a video of the September 11 attacks on the United States. Later, he said, some 300 Uzbeks died in the climactic battle for Mazar-i-Sharif, in October 2001.

The jihadist commissars who rule the training camps are bloodthirsty fanatics. Many of the footsoldiers are victims of their own bad decisions.

When the U.S. bombing of Afghanistan began, the couple were returned to Kabul, and in the ensuing confusion they escaped to Pakistan, after Khojayev sold his Kalashnikov to pay for their passage. The IMU offered a reward for his death, but after nine months the couple returned to Uzbekistan, in September 2002, and applied for amnesty. "I am grateful to the U.S. Air Force for bombing Afghanistan," Aybek said, "because without that, I would never have escaped." He and his wife now have a family, including a daughter born in Afghanistan in conditions of extreme cold and hunger—while IMU leader Yuldash enjoyed the services of the only available doctor and feasted on delicacies from a well-stocked refrigerator.

What are we to make of these narratives? Each of the men I interviewed represented a type commonly found in extremist movements: the charismatic leader, Aripov; the intense truth-seeker, Oppokhodjayev; and the hapless youth caught in chaos, Khojayev. Each found himself out of step with the movement that had swept him into terrorism.

One thing is apparent: The terror movements are not homogeneous and are not, so to speak, watertight. The jihadist commissars who rule the training camps, exercising the power of life and death over their subjects, are bloodthirsty fanatics. But many of the foot soldiers are victims of their own bad decisions, and of circumstances. If those who fight in the lower ranks of the jihadist legions can be induced to leave these movements, by amnesties or other means, they should be. If the jihadist movements can be split from within, every opportunity to accomplish that should be exploited.

There is no reason to credit the claims of bin Laden and other terrorists that their organizations are unshakable in their commitment. Even the most diabolical terrorists cannot act without seducing and manipulating people who, finally, are only human. When defectors speak, as some are eager to, we must listen. Said Aripov, "I never thought anyone would come so far to hear my story." ♦

Gopher Begins with GOP

Could Minnesota go Republican?

BY BARRY CASSELMAN

St. Paul

MINNESOTA, the celebrated liberal state of Hubert Humphrey, Walter Mondale, and so many other nationally prominent Democrats, has finally turned toward the political center and right. The once-dominant Democratic-Farmer-Labor (DFL) party is in disarray. New GOP officeholders Governor Tim Pawlenty and Senator Norm Coleman seem very much in command (and popular). President George W. Bush, who lost here by only 59,000 votes in 2000, may carry the state next year—which would be the first time a Republican has managed to do so since Nixon in 1972.

True, Republicans have had hopes of transformation before, only to be turned back. In 1978, the GOP swept both Senate seats and the governorship. But DFLer Rudy Perpich won back the governorship in 1982 and held it until 1991. Populist DFLer Paul Wellstone won back a Senate seat in 1990. In 1998, optimistic Republicans were blindsided by Jesse Ventura's idiosyncratic upset in the governor's race. Then two years later, liberal Mark Dayton defeated a very conservative Republican incumbent senator, Rod Grams.

By 2002, however, the DFL had become entangled in internal squabbling, pitting its most liberal wing against traditional liberals, and excluding moderates and centrists. Governor Ventura, it turned out, had no reelection stamina, and his Independence party nominated Tim Penny, the moderate former DFL congressman. Penny led in initial polls, but, lacking Ventura's star appeal, came in third behind GOP state representative Pawlenty and DFL state senator Roger Moe. At the same time, the tragic death of incumbent senator Paul Wellstone in a plane crash set up the showdown in which Democrat-turned-Republican St. Paul mayor Norm Coleman defeated DFL elder statesman Mondale, who was put on the ballot at the last minute by his shocked and mourning party. The GOP also won a redistricted congressional seat held by a DFLer.

No one can know if Wellstone would have won and slowed the DFL's decline. Wellstone had a superb political organization, but it was energized primarily by his passion and sincerity. The dominant DFLer now, and the party's only statewide office holder, is Attorney General Mike Hatch, who will almost certainly be the nominee against Pawlenty in 2006. Hatch's political base, however, is not in the DFL cities but in rural and suburban areas, where the GOP has been surging in recent years.

The DFL has many problems. The Green party has begun to run candidates in state and local elections, and can take 3 percent or more of the vote from the DFL. Feuding party activists, most of whom are old-time liberals, have left the party exhausted from factional fights. Moderate and centrist Democrats no longer automatically vote DFL, as evidenced by Tim Penny's 17 percent share of the gubernatorial vote in 2002.

Meanwhile Pawlenty, who inherited a huge deficit and a state senate still controlled by the DFL, navigated a successful session of the legislature. Indeed, at a time when governors nationwide—Republican and Democratic alike—are raising taxes to deal with deficits, Pawlenty was one of the few who did not raise taxes. His strategy was to make budget cuts evenly across the board (exempting secondary school education), and to raise numerous fees. With a large majority in the house and a savvy demonstration of his political skills, he got the necessary votes in the state senate.

Pawlenty's deftness only seemed to send the DFL further to the left. The majority leader of the senate, the top DFL legislator in the state, has now endorsed Dennis Kucinich for president, and the party's fringes are dominating internal debates. This is because, in recent years, fewer than one-half of one percent of DFL voters have participated in the complicated and ludicrously undemocratic precinct caucus system by which the party chooses its leaders and determines most party policies.

The GOP, it must be pointed out, fell victim to similar factionalism two decades ago, but the conservative and moderate wings of the state GOP reached a tacit understanding in the late 1990s, enabling strong candidates of both wings to rise and run under the party's banner. Governor Pawlenty's first legislative session featured victories for him on abortion, guns, and taxes—all of which satisfied conservatives—but he is turning now to advocating prescription drug imports from Canada for seniors and other issues with which he hopes to expand his base.

Coleman also had strong conservative credentials when he was elected, and in his very high-profile first year as a senator he has made himself a popular incumbent through frequent tours of the state and superior constituent services. Unlike Pawlenty, who may have stumbled in proposing to reinstate the death penalty in a state that abolished it almost 90 years ago, Coleman appears to be avoiding unpopular issues.

Barry Casselman, the national political correspondent of the Preludium News Service, writes a column for the Washington Times.

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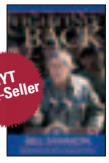

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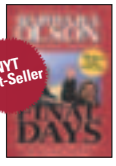

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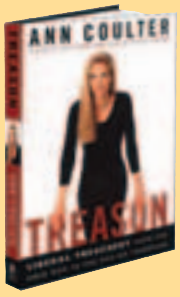

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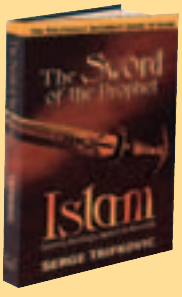

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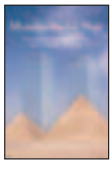

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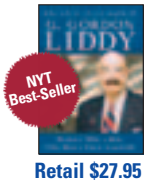

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All of this bodes well for President Bush. The Dean organization, as elsewhere, has been visible and highly energized in the state, but Kerry, Edwards, Gephardt, and Lieberman supporters here seem more than routinely skeptical of their party's likely nominee. This has intensified since the capture of Saddam Hussein. The Bush reelection organization, for its part, is busy replicating the very capable Coleman 2002 grassroots effort, and is likely to maximize the already strong support for the president in rural and suburban Minnesota. The latest published polls indicate the president has expanded his support level from about 50 percent to almost 60 percent.

The main impediment to Republican control of the state is increasingly the Independence party, now rid of Jesse Ventura and trying to occupy the political center. Unless that party recruits a compelling leader/candidate, however, we may soon see 2002-2004 as the beginning of a Republican era in what used to be one of the country's most reliably liberal states. ♦

Bibi as Economic Reformer

Three generations of Israeli statism is enough.

BY DANIEL DORON

Jerusalem

WHEN FORMER prime minister Benjamin Netanyahu took on the thankless job of finance minister last March, Israel was facing a grave economic crisis. In the sixth year of a deep recession, the country had seen its tax receipts plummet while welfare transfer payments kept growing, amounting to more than a third of the government's $70 billion budget. The budget deficit had reached a perilous 5 percent of GNP. It was feared that the government might not be able to meet the payroll of a bloated public sector that employs every third worker in Israel, or keep paying generous benefits to the more than 10 percent of the workforce that is unemployed. To guard against inflation, the Bank of Israel kept interest rates so high (9.1 percent in real terms at their peak) that the economy was choking. There were murmurs Israel might slide into an Argentinian-style crisis or a deflation like Japan's.

The economic hard times have greatly aggravated social and political tensions. Many hardworking and intelligent Israeli workers earn less than $1,200 a month, barely making ends meet. Near poverty even in the professional classes and extreme wealth among a few well-connected economic and political operators have created one of the worst income gaps in the world. Israel's fractious politics are made even worse by the intense competition among interest groups vying for government favor. In short, a lot is riding on the success or failure of the finance minister.

The wildest optimists would not have predicted that Netanyahu could reverse this downward economic trend, and in fairly short order. Yet the economy is growing again. Netanyahu has managed to make substantial cuts in two consecutive budgets and reduce the bloated public workforce and salaries (though not enough). He has even managed to reduce unemployment benefits that discouraged lower paid Israelis from working.

Netanyahu also launched a modest tax reform, bringing the top marginal rate below 50 percent of income. And he courageously took over the Histadrut-controlled pension funds that were going bankrupt as a result of the labor federation's mismanagement. But the Histadrut, cynically posing as the protector of workers' pensions (that the union itself has squandered), launched a well-financed campaign of massive demonstrations, strike threats, and a PR drive vilifying Netanyahu as the benefactor of the rich (because he cut taxes). The strikes, only some of which materialized, almost broke an already teetering Israeli economy.

Netanyahu's showdown with labor is an epic struggle. He wants to privatize the hugely wasteful public-sector monopolies, but that means taking on Israel's most powerful unions. Workers in the seaports and airports and in the electrical and water works—all government-owned monopolies—earn five times the average Israeli salary and have cushy work arrangements. Jaguar-driving union bosses enjoy fantastic perks for no-show jobs. They threatened to bring the economy to a halt to protect these privileges, counting on support from other public-sector workers, government employees, teachers, etc.

Their leader in this is the politically ambitious boss of the Histadrut, Amir Peretz, a member of the Knesset who heads his own political party. Together with the Labor opposition, Peretz's unions have done everything in their considerable power to thwart Netanyahu's reform plans. But Netanyahu garnered great public sympathy that made the strikers back down. He still faces the threat of general strikes that may halt the progress of his reforms.

Netanyahu has shown great political skill in putting his economic rescue plan through a skeptical and divided government and a fragmented Knesset. Only Prime Minister

Daniel Doron is president of the Israel Center for Social and Economic Progress, an independent pro-market policy think tank.

Ariel Sharon has given him strong backing in his fight with the Histadrut. His fellow government ministers had other political axes to grind, and altogether they would not mind very much to see Netanyahu fail. His trump card was, no doubt, the $9 billion in American loan guarantees this summer that allowed the government of Israel to tap international markets for desperately needed funds, as they have nearly depleted local credit markets. The U.S. government astutely made the loan guarantees conditional on the enactment of basic economic reforms, tipping the political scales in favor of Netanyahu's bold moves.

Despite these manifest achievements, it is not a safe bet that Netanyahu will be able to break the monopolies that have dominated Israel's economy for decades. Some argue that Netanyahu should first have tackled the private monopolies that add about 30 percent to the prices paid by Israeli consumers. This would have been of great benefit to lower paid workers and would have helped him to counter the union charges that he is catering to the rich.

Netanyahu's greatest challenge remains the overly concentrated and dysfunctional Israeli financial markets, which are reminiscent of Japan's in the way they misallocate capital and hinder growth. Israeli banks, led by the Ha'poalim and Le'umi duopoly, control over 80 percent of all savings and also issue stock that is bought and sold by funds owned by the banks in a stock exchange they control. It is a situation rife with conflict of interest—70 percent of credit has been allocated to one percent of borrowers—and arguably the chief cause of a decade of nongrowth in Israel.

Commenting on a new Finance Ministry initiative to distribute options to Israelis for the purchase of privatized bank shares, Guy Rolnik, Israel's sharpest financial writer, remarked that "very few crucial economic changes are easy. The structural reforms Israel needs generally hit at very powerful interest groups. It is [therefore] easier to lavish shares on the people than to slash the deficit to 4 percent of GDP . . . [or] grapple with the bank barons over their domination of the [economic] system, or to wrest the mutual funds from their grasp."

Netanyahu will be measured, Rolnik concludes, "by real economic parameters . . . of unemployment, which is not budging . . . and by the real pace of economic growth," which at 1.5 percent is still anemic.

In fairness, though, given the strong resistance by vested interests, an immediate attack on the monopolies may have been too much to hope for. But Netanyahu is smart enough to know that he will eventually have to take on the powerful banks and break up the private monopolies if he is to have any hope of seeing healthy growth rates on his watch. What's more, he understands that without such growth, his hope of again becoming prime minister will diminish.

The next few months will reveal whether Netanyahu has the power to push a comprehensive economic reform plan that finally undoes the damaging legacy of decades of Israeli socialism. To succeed in such an ambitious undertaking, he will need public support.

Many Israelis realize that economic reform and growth are not merely a matter of an improved standard of living. They are a matter of survival. Israel will not be able to keep its young at home and attract vital immigration unless its economy is vibrant. Nor will a laggard economy be able to finance Israel's rapidly rising security costs.

For this reason alone, Netanyahu deserves the backing of the U.S. government. But there are deeper reasons for Washington to support such a reform effort. Hope for peace with the Palestinians will diminish considerably unless a thriving Israeli economy can help the Palestinians rebuild their ruined economy and establish a civil society capable of living in peace. Few people noticed, but until the 1996 Oslo agreement there was an informal but very real "peace process" going on between Israelis and Palestinians, and it was rooted in economic development.

Given the choice between progress under Israeli occupation and being ruled by the terrorists and criminals known as "The Palestinian Authority," the verdict of most Palestinians was always in favor of a peaceful economic coexistence. Between the 1967 Six Day War and Oslo, Israel employed annually hundreds of thousands of Palestinians who had total freedom to move everywhere in Israel. In all these years there were only a handful of terrorist acts, mostly by Arafat's hirelings. Clearly, a silent majority of Palestinians were ready to live peacefully with Israel despite the occupation. It was only after Oslo, and the incessant brainwashing and incitement by the PLO Tunisian gang, that the mood among the Palestinians turned murderous.

But even after Oslo, when residents of East Jerusalem, mostly zealous Muslims and fervent nationalists, were given the choice between Israeli papers and PA citizenship, 99 percent chose Israeli papers—not because they became Zionists or learned to love Israeli occupation, but because they rationally chose the lesser evil. They realized that under Israeli occupation, however infuriating, they benefited from the rule of law, freedom of movement, and economic opportunities that more than quintupled their standard of living.

Trying to put the political horse before the economic cart, and years of political meddling by well-meaning and not-so-well-meaning parties have only aggravated the conflict. Perhaps it is time to return to the pre-Oslo model of a quiet but real peace process between ordinary people, a process based on real interests served by economic relationships rather than on radicalizing political fantasies. Helping Israel put its economic house in order could be just the peace plan Washington is looking for. It is surely worth a try. ♦

Due Process for Terrorists?

The case for a federal terrorism court

By Thomas F. Powers

In December, the Bush administration suffered two legal setbacks in the war on terror. An opinion of the U.S. Court of Appeals for the Second Circuit challenged the government's claim that it has the right to detain terror suspect Jose Padilla (the "dirty bomber") without giving him access to the courts or charging him with a crime. Separately, the Ninth Circuit ruled that the nebulous legal status of some 600 Taliban and al Qaeda fighters captured in Afghanistan and detained at Guantanamo Bay, Cuba, must be open to judicial scrutiny. In both decisions the issue was whether, as the Ninth Circuit put it, "the Executive Branch possesses the unchecked authority to imprison indefinitely any persons, foreign citizens included . . . without permitting prisoners recourse of any kind to any judicial forum." The Supreme Court is already slated to consider this question in relation to Guantanamo (as presented in an earlier appeal from the D.C. Circuit), and it is widely expected to review the question as it pertains to U.S. citizens as well.

Though the Padilla and Guantanamo cases are different, both exhibit the uncomfortable mix of military and law enforcement considerations characteristic of the war on terror. Neither is adequately met by our existing criminal law or the law of war. The cases are also linked by the fact that Padilla and the Guantanamo detainees share the ill-defined designation "enemy combatants" (although Padilla is a U.S. citizen held on U.S. soil, while the Guantanamo detainees are foreigners held at a U.S. naval base abroad). More than two years into an unprecedented and open-ended campaign against terrorism, it appears that we still lack the legal framework necessary to effectively process those we are compelled to apprehend.

Civil libertarians at home and abroad have been raising a clamor about this for some time. Faced with their criticism, the government has not responded effectively. It has neither mounted a vigorous rebuttal, nor laid to rest citizens' legitimate concerns, instead leaving the issues to be resolved by the courts. At best, the administration's strategy is defensive and guaranteed to fuel endless controversy.

At first glance, the explanation for this state of affairs might seem to be that offered by some of the critics themselves: that the Bush administration fits the standard pattern of government in time of war, bending to the demands of crisis and favoring security at the expense of liberty.

The truth is different. Morally intimidated and bullied by civil libertarian ideologues, partisan opportunists, and a press almost universally hostile on these issues—yet having accepted, along with the rest of the country, the lessons of *Korematsu*, the Red Scare, and the due process revolution of the 1960s—administration officials seem, not surprisingly, to prefer to evade the debate or retreat behind the rhetoric of "security." The administration has failed to make its case well or to take modest actions that could strengthen its case. This in turn encourages the critics and deepens the government's reluctance to touch a set of issues on which it feels it can only lose.

The time has come for the government to break this poisonous cycle. Balancing liberty and security in a way that is plain and understandable to all is a tough job, but it must be attempted. The centerpiece of a Bush administration civil liberties offensive should be creative institutional reform. A new terrorism court is the place to start.

Ordinary criminal courts are not designed for trying terrorism suspects. As a practical matter, they do not routinely provide the kind of security for witnesses, judges, and jurors that is required where terrorist attack and reprisal are a concern. More important, they cannot meet the need for secrecy that may arise from the use of sensitive testimony derived from confidential sources. Normal due process rights, including the right of defendants to confront witnesses against them, must be managed very carefully lest they

Thomas F. Powers teaches constitutional law at the University of Minnesota Duluth.

undermine anti-terrorism efforts. Similarly, where potential defendants are apprehended on foreign battlefields, some standard Fourth, Fifth, and Sixth Amendment rights (having to do with search warrants, Miranda warnings, the right to have an attorney present while being questioned) and other rules pertaining to evidence (the exclusionary rule, the prohibition of hearsay evidence) are clearly out of place.

The government must undertake a systematic sorting out of these and other similar legal issues. Too often, its response to the new challenges has seemed haphazard and inconsistent. U.S. citizen John Walker Lindh, captured in Afghanistan, was allowed to plead guilty to criminal charges with a lawyer at his side in a federal court, while citizen Yaser Hamdi, captured in similar circumstances, sits in a Navy brig with no sign of any day in court, whether civilian or military. Even more striking, while noncitizen Zacarias Moussaoui (the "twentieth hijacker" arrested in Minnesota before 9/11) has succeeded in turning his federal criminal trial into a three-ring due-process circus, citizen Padilla (arrested, like Moussaoui, on U.S. soil) shares the hapless fate of Hamdi.

Marc Serota / Reuters / Landov

Military police and detainee, Camp X-Ray, Guantanamo

In a parallel development, the irregular legal status of the prisoners at Guantanamo Bay arises from our inability to apply ordinary rules—in this case the rules of war—to the special requirements of fighting terrorism. The "prisoner of war" designation is denied al Qaeda and Taliban fighters captured in Afghanistan, partly because they did not meet the usual requirements for that status of fighting in uniform and operating within the regular military structure of a recognized country. But their terrorism affiliation also changes the interest our government takes in them. There is a good case to be made for asking members of a clandestine terrorist organization to divulge more than their name, rank, and serial number—all that may be asked of POWs. There is a need to detain such individuals as long as they are fairly deemed to pose a security risk (analogous to the situation of POWs)—but in the new context of a conflict without a clear beginning and whose end is likely to be just as murky (by contrast with POWs).

As a result of such difficulties, the government has designated citizen detainees Hamdi and Padilla on the one hand and the non-citizens at Guantanamo on the other as "enemy combatants." But this term, originating in *Ex parte Quirin*, a 1942 Supreme Court decision upholding the use of military tribunals to try Nazi saboteurs captured on U.S. soil, is not defined in that opinion, in statements by the administration, or in recent court rulings. Nor does it figure in U.S. statutes. Equally troubling, the term is ambiguous in its relation to the traditional and essentially unquestioned distinction in international law between lawful and unlawful combatants. One knows what to do with individuals in these two categories: hold the former in POW camps, and try the latter before some sort of war crimes tribunal. The enemy combatant designation, while it fills a legitimate need in the current context, exists in a legal limbo where no court, civil or military, has clear jurisdiction, and thus opens the door to valid concern about due process.

Institutional reforms are needed to resolve these questions and signal clearly to Americans and a watching world that due process, even for terror suspects, matters to our government. Extraordinary measures presented as matters of executive authority, or justified in the name of security, have been tolerable during a period of adaptation to the new era, but they will fail in the long run. Leaving it to the Supreme Court to force the government to act, meanwhile, is a poor substitute for a forward-looking and forthright effort to face our unprecedented situation squarely and in a way consistent with the principles of the U.S. Constitution.

To deal with terrorism cases that could be handled under the ordinary criminal law (as were, for example, the 1993 World Trade Center bombing, the Oklahoma City federal building bombing, and the case of Zacarias Mous-

saoui), Congress should create a new specialized court. This terrorism court would incorporate special security measures, protect the secrecy of sensitive information and sources, and make provision in its evidentiary rules for the peculiar situations arising from operations on a battlefield or its equivalent. Terror suspects should know the charges against them, have access to attorneys (specially trained, with the proper security clearances), and enjoy a right of appeal. To ensure independence from executive branch influence, federal judges with lifetime appointments should fill the bench. A terrorism court would provide a framework for the emergence of a body of precedent and the development of a cadre of specially trained expert judges and lawyers. There is some precedent for a roughly similar arrangement in the U.S. Foreign Intelligence Surveillance Court, created in 1978 and expanded under the Patriot Act. Experience in European countries (especially France, Germany, and Great Britain) in processing terrorism suspects in civilian courts also provides useful points of reference.

A few legal thinkers have already advocated institutional reform along these lines. Its main supporters are to be found on the left. Roger Williams University law professor Harvey Rishikof (legal counsel at the FBI during the Clinton administration) has written a helpful, detailed, and thoroughly researched law review essay on the subject. And New York University law professor Burt Neuborne (onetime national legal director of the ACLU) floated the idea on the *New York Times* editorial page two years ago. Among conservatives, federal appeals court judge Michael Chertoff and law professors Viet Dinh of Georgetown and John Yoo of Berkeley have all begun hinting that some sort of "architectural" reform might be desirable. Their opinions count, because until recently all three worked in key positions at the Department of Justice and helped to fashion the Bush administration's legal response to the war on terror in the period immediately following the attacks of September 11.

Is there an equivalent reform available in the case of the Guantanamo detainees? One possibility would be to pursue a suggestion from Morton Halperin, most recently director of the policy planning staff at the State Department under Clinton and a leading figure at the ACLU. He has called for giving those detained at Guantanamo some sort of structure or process within which to ensure that they are not being held arbitrarily, but were indeed involved in armed conflict against the United States. Such a procedure ordinarily extends to POWs and was followed in both wars in Iraq. It typically requires review by less than a full-blown military tribunal. It was not used in Afghanistan because irregular forces raised novel issues.

Something along the lines Halperin suggests would serve to reassure us and our allies that we do not take lightly our obligations to basic norms of due process, even in wartime. To be sure, as Defense Department legal counsel William Haynes has pointed out, Guantanamo detainees have been the subject of "a rigorous review of the facts under which they were captured and detained, as well as an interrogation process, a threat assessment process, a psychological analysis, a check of background information, a check of law enforcement authorities." But if an extensive review is already happening, why not formalize it and make clear to the world that careful procedures are being followed and, we believe, must be followed? This is another issue that Congress should consider clarifying by statute. As for how long the detainees will be held and what the process is for determining their fate, these matters too deserve to be clarified.

Over and above the important legal details to be sorted out, several general principles should guide the effort. First, rules governing the detention of terrorism suspects, whether citizens or noncitizens, must be explicit, public, and comprehensible. This means above all setting out the meaning of "enemy combatant" and the justification for this special status. What are the criteria by which an individual may be determined to be an enemy combatant? Who (preferably outside the executive branch) is authorized to review challenges to the use of this designation? What rights (as a detainee, as an accused) does an enemy combatant have?

Second, in designing the new architecture, the executive should not act alone. There are obvious roles for the other branches of government to play here. Congress, in the full light of day, should grant the president the requisite authority to act in this legally unprecedented situation. And it must create new institutions to make the administration of policy more rational and equitable. Where use of civilian courts would not interfere with legitimate security operations, they should be given a role as a review authority here.

Third, the great civil libertarian principle of *Ex parte Milligan*—the famous Civil War case that retroactively condemned Lincoln's excessive use of military tribunals in the North—should stand: Civilian courts should be preferred wherever possible.

In particular, there is no reason why special civilian tribunals could not deal with every issue raised by the detainees at Guantanamo, including individuals charged with war crimes. Granted, military tribunals are of unquestionable constitutional legitimacy, and military justice has proven itself in the past. Yet in the wake of the due process revolution, it is appropriate to insist upon the supremacy of the civilian judicial authority and the

importance in a liberal democracy of deferring to it wherever possible. The standard justifications for using military tribunals—battlefield pressures, and the inaccessibility of civilian judges—do not apply to Guantanamo. Indeed, the Bush administration has recently taken a step toward enhanced civilian oversight, naming four civilians to serve as the reviewing authority for any decisions to be made by military tribunals at Guantanamo (though the four are being commissioned as major generals in the Army for the duration of their two-year terms). Why not take this a step further and mark off a new general precedent for minimizing the role of military tribunals in wartime? This could be a distinctive civil liberties legacy of the Bush administration, and one in which we lose nothing from the perspective of security.

A proactive effort to sort out these matters through broad institutional reform, undertaken before the government's hand is forced by the courts, could become the centerpiece of a Bush administration civil liberties offensive. To the extent that the administration has gained a reputation (however unjust) for slighting liberty in the name of security, it should want to set the record straight. The American people cannot be expected simply to give the government the benefit of the doubt forever, agreeing that seemingly extralegal measures are justified. Bold, institutional innovations, built to last, could send a clear message that this government reveres our heritage of due process and deference to law. By contrast, in the absence of such reforms, one may well ask: What *will* this government do to reassure the American people that even in the midst of the war on terror it is vigilant in upholding their liberties? Leaving aside every other consideration, in a nation dedicated to limited government, this is not an idle question.

A bipartisan effort could force civil libertarians to engage with the hard choices the administration has thus far had to face alone.

To move in this direction is clearly in the interest of the Bush administration. Democratic party politicians have proven themselves addicted to mischaracterizing the government's civil liberties record, and they have been successful in what amounts to a broad and irresponsible campaign of slander. If undertaken properly, the creation of a terrorism court and newly transparent procedures at Guantanamo would recast the debate and go a long way to neutralize such criticism.

It's true that recently, ex-Department of Justice officials Chertoff, Dinh, and Yoo have broached the question of reform in public, even as they have defended the administration's actions thus far as reasonable responses to unforeseen challenges. But on the left and in the press their efforts have been presented as "jumping ship," and as amounting to simple criticism of their former boss, Attorney General John Ashcroft. The need for the administration to sort out these questions directly and boldly is plainer than ever.

We may expect that the president's critics and partisan opponents will seize on any effort to improve and clarify the enemy combatant situation as one more excuse to attack the president. Indeed, there is a danger that a new terrorism court would itself be denounced as an authoritarian excess.

One way to avoid such an outcome is to fashion a process for proposing and enacting institutional reform that would attract significant bipartisan support. One possibility is to name a presidential commission comprising sensible experts from both left and right and give it the task of drafting a preliminary proposal to be sent to Congress for hearings, debate, and enactment into law. Some radical civil libertarians are impossible to satisfy, but if the process were properly managed, their voices would carry little moral authority.

Open, robust, and if necessary prolonged debate of the issues is not to be feared. On the contrary, it would only serve to aid the administration's cause. A bipartisan effort would deny civil libertarian critics the luxury of taking potshots from the sidelines if it forced them to engage with the hard choices the administration has thus far had to face alone.

There are enough reasonable people of good will on both sides of these issues that an effort to address civil liberties concerns would not be wasted. FBI director Robert Mueller received a standing ovation from the ACLU (along with real criticism, to be sure) when he spoke at their national convention. Democratic senators Joe Biden and Dianne Feinstein have made a courageous defense of the Patriot Act, another recent sign that all is not lost on these issues to partisan sniping. Discussing a new court for terrorism suspects could help reframe the American civil liberties debate in a responsible and positive way.

Seizing the initiative would provide the Bush administration with a fresh outlet for its own frustrated commitment to civil liberties, and allow it to emerge from the hailstorm of criticism that has left it paralyzed. Besides, it would seem that George W. Bush—who has staked his presidency on meeting the terrorist threat—ought do no less than equip the country with the permanent institutions and procedures it will need to complete the task. ♦

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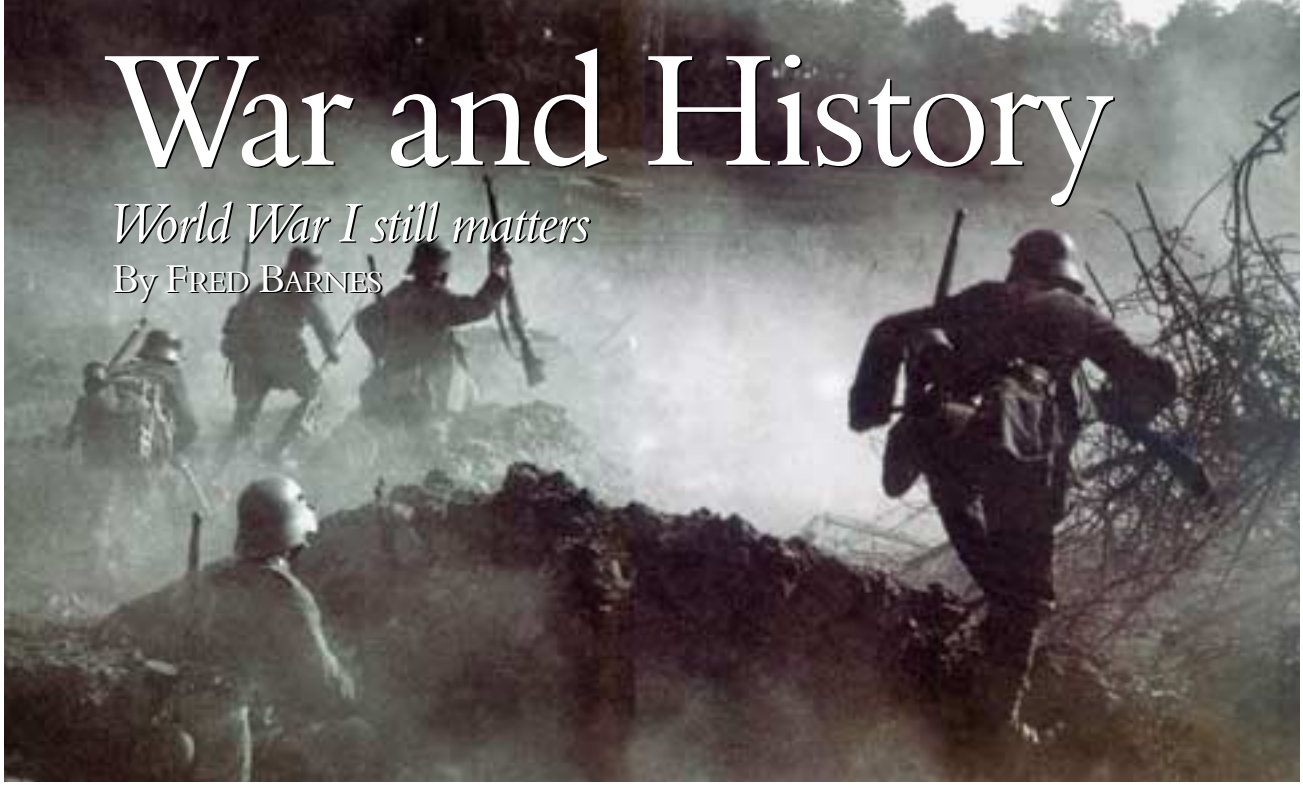
War and History

World War I still matters

By Fred Barnes



All pictures: Imperial War Museum.

The First World War isn't called the first modern war for nothing. It's a cliché to say World War I is the root of World War II, the Cold War, even the Israeli-Palestinian conflict, but it's true. The fighting and the diplomacy, both prewar and postwar, of more recent conflicts are similar in many ways.

Even the current Iraq war bears some resemblance to World War I, although, yes, that stretches history a bit. But let's go ahead and stretch. The parallels begin with the decision to fight. War in 1914 and the invasion of Iraq in 2003 were the result of choices made by a tiny group, who were not responding to a public clamor for war. As the British historian Michael Howard notes in *The First World War*, "it cannot be said that during the summer weeks of 1914, while the crisis was ripening toward its bloody solution, the peoples of Europe in general were exercising any pressure on their governments to go to war, but neither did they try to restrain them." Once the war started, Europeans on both sides embraced it enthusiastically. Likewise in the United States last March, when President Bush ordered American forces to move into Iraq, the public was overwhelmingly supportive of the war.

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At the outset, military expectations were the same then as now. All sides in 1914 forecast a short, successful war in which troops might be home for Christmas. That might actually have happened, at least for the Germans, if the Schlieffen Plan hadn't been diluted, thus allowing the French to halt the German advance short of Paris. Four years of trench warfare in western Europe followed. Like Schlieffen, General Tommy Franks had a plan to conquer the enemy quickly. It had eight moving parts, in contrast with only one for Schlieffen, but it produced victory in Iraq in three weeks.

Even the motive for war was similar for Germany and the United States: to prevent a fate worse than a short war. The Germans were worried that the military buildup in Russia would soon leave Germany in a vulnerable position. Besides, financial reasons had forced the Germans to slow their attempt to catch up with Great Britain's naval superiority. Bush, of course, had the reasonable fear that Saddam Hussein would slip weapons of mass destruction to terrorists targeting America or use them himself. In Bush's defense, he had other, equally legitimate grounds for going to war. The Germans didn't.

The similarities between Bush and President Woodrow Wilson, who brought America into World War I in spring 1917, are both real and imaginary. Neither came to office with a mandate for war—or anything else. Iraq was not a major issue in the 2000 election, and Wilson's reelection campaign in 1916 trumpeted that he'd kept America *out* of the European war. Both won by extraordinarily narrow margins in elections whose outcome wasn't known for days. Both became crusaders for spreading democracy around the world. Today Bush's sermons on democracy are often called Wilsonian.

For Bush and Wilson, the war and, especially, the war's aftermath fostered heated domestic opposition. Neither Republican Bush nor Democrat Wilson could get along civilly with members of the other party. Wilson was often called Britain's poodle for siding with England. "Is this the United States of Great Britain?" an antiwar placard outside the White House asked. In Iraq, the roles are reversed, with British prime minister Tony Blair being attacked as Bush's poodle for joining the invasion of Iraq. Both Wilson and Bush were faulted for mishandling the postwar phase: Wilson for his performance at the 1919 peace conference and later his failure to win Senate approval of the Versailles treaty, Bush for not extinguishing violent Iraqi resistance after Saddam fell.

Bush and Wilson even sound alike at times. It's hard to tell from this excerpt from a State of the Union address which president actually delivered it: "Let there be no misunderstanding. Our present and immediate task is to win the war and nothing shall turn us aside from it until it is accomplished." Bush last year? Nope, it's from Wilson's address to Congress in December 1917.

Critics of Bush often cobble up accusations that the administration is suppressing opposition to the war in Iraq—but, in truth, it was under Wilson that there was genuine suppression in America. During Wilson's presidency, dissenters were often prosecuted and sent to jail. Labor leader Eugene V. Debs is merely the most famous. Bush is also falsely accused of insinuating his opponents are unpatriotic—but, again, Woodrow Wilson was the real culprit. Wilson scorched citizens of German and Italian descent for being "hyphenated" Americans whose opposition to the war amounted to disloyalty.

Wilson left office a broken man, but, after World War II, his reputation soared among historians. Had his bid for a League of Nations been ratified, World War II might have been averted, or so the thinking of many Democrats went. In 1962, a poll of historians listed him as the fourth greatest president.

More recently, Wilson has not fared as well. In *Paris 1919*, Margaret MacMillan's account of the peace conference, Wilson is treated as a foolish idealist unable to negotiate effectively with such skeptics as French premier Georges Clemenceau and British prime minister David Lloyd George. Wilson wound up compromising in Versailles, then refusing to give an inch to congressional foes at home in the battle over the Versailles treaty—the worst of both worlds.

In the explosion of new books on World War I Wilson's lost glory has not been restored. In *The Illusion of Victory*, Thomas Fleming treats him scornfully as a hypocrite, a demagogue, and the perpetrator of a "sham neutrality" that inevitably led America into war. Wilson is a peripheral player in *Castles of Steel*, Robert K. Massie's masterful history of the naval struggle between Britain and Germany. But when Massie does address Wilson, he casts him as a religious zealot of "iron Calvinist principles" and a loner who routinely made major decisions without consulting his closest advisers, much less his cabinet. Wilson scarcely rears his head in *The Great War*, edited by Robert Cowley and consisting mostly of fine essays about battles, or in *Europe's Last Summer* by Boston University professor David Fromkin, which persuasively assesses the blame for the start of the war.

The Great War
Perspectives on the First World War
edited by Robert Cowley
Random House, 476 pp., $15.95

The Illusion of Victory
America in World War I
by Thomas Fleming
Basic, 543 pp., $30

Europe's Last Summer
Who Started the Great War in 1914?
by David Fromkin
Knopf, 336 pp., $26.95

A Storm in Flanders: The Ypres Salient, 1914-1918
Tragedy and Triumph on The Western Front
by Winston Groom
Atlantic Monthly, 272 pp., $27.50

The First World War
by Michael Howard
Oxford, 147 pp., $14.95

Castles of Steel
Britain, Germany, and the Winning of the Great War at Sea
by Robert K. Massie
Random House, 865 pp., $35

Paris 1919
Six Months that Changed the World
by Margaret MacMillan
Random House, 624 pp., $16.95

Extrapolating from these books and others in the past few years on World War I, at least three important themes emerge. The first is that Wilson was a high-minded klutz, not a potential savior of the world misunderstood and mistreated by the French and British at Versailles. The second is that we no longer seem to have much difficulty figuring out who started the war: The Germans and Austrians are to blame. And the third is that the American role in winning the war has become more obvious. It's now seen as pivotal to bailing out weary and disillusioned French and British forces and prevailing over demoralized Germans.

The Illusion of Victory is essentially an anti-Wilson screed. Fleming regards America's entry into the war as unnecessary. He's dubious of Wilson's supposed passion for brokering a peace settlement. Fleming says Wilson's attitude about war changed when he learned that America would have to become a combatant for him to take part in the postwar peace conference. How do we know? Fleming cites a comment by Wilson to Jane Addams and a group of peace activists who visited the White House. He told them the leader of a neutral country could only "call through a crack in the door." This is pretty flimsy evidence.

Fleming is on stronger ground in castigating Wilson's rigidity in promoting the Versailles treaty. Wilson haugh-

tily rejected all amendments and never spoke to his best friend and most loyal adviser, Colonel Edward House, after he urged Wilson to be open to compromise. Nor did Wilson pay attention to his former secretary of state, William Jennings Bryan, who declared at a Democratic dinner in February 1920 that amendments authored by Senator Henry Cabot Lodge were quite acceptable. The important task was to get the treaty approved and the League of Nations implemented. "It was one of the wisest statements William Jennings Bryan ever made," Fleming writes. By then Wilson had suffered a stroke and the White House was being run by his wife Edith and his doctor. Their behind-the-scenes activity was "the greatest deception in the history of American politics," says Fleming. The Wilson presidency ended on that note.

On the question of war guilt, Fromkin is unequivocal. The Germans and Austrians made preventing World War I impossible, because they actually wanted war. The assumption that everyone craves peace on acceptable terms wasn't true for them in 1914. "Vienna did not merely want to get its way with Serbia," Fromkin writes. "It wanted to provoke a war with Serbia. Berlin did not want to get its way with Russia. It wanted to provoke a war with Russia. In each case, it was war itself that the government wanted—or, put more precisely, it wanted to crush its adversary to an extent that only a successful war makes possible."

Europe's Last Summer, which traces the path to war day by day, is an enormously impressive book, a popular history brimming with fresh scholarship. Fromkin has tapped material from East German files, among other places, to buttress his point. One key to understanding why World War I occurred is realizing two wars were at stake, Fromkin says. The Germans backed Austria against Serbia simply to get Austrian support against Russia. And Austria sided with Germany to ensure the Germans would stymie any Russian attack as Austria obliterated Serbia. Neither Germany nor Austria was truly incensed over the assassination of Archduke Ferdinand and his wife, often cited as the cause of the war.

For decades after World War I, French and British generals agreed on one thing: The Americans fought poorly and played little role. That notion is now all but dead. John Keegan in *The First World War* (1998) said the American entry provided "the sudden accretion of a disequilibrating reinforcement"—in other words, the straw that broke the back of Germany. John Mosier went further in *The Myth of the Great War* (2001). "America's role in the war was absolutely decisive," he wrote. "The string of German battlefield successes stopped abruptly on the entry into the line of the newly formed American divisions, the course of the war changed drastically, and . . . the General Staff of the German army recommended that Germany seek terms." Winston Groom states flatly in *A Storm in Flanders* that "America turned the tide in favor of the Allies at the last minute."

Fleming echoes that view. He says it's "hard to believe" anyone would believe those bitter European generals today. "By the time the Americans arrived in 1918, the British and French armies were essentially beaten men," according to Fleming. "Nothing else explains the mass surrenders during the German offensives of 1918. Only the Americans faced the Germans with undaunted confidence." In *The Great War*, Cowley concedes that the American general John J. Pershing wasn't a great battlefield strategist. He was, however, very successful at logistics. Pershing's great feat was deploying, by October 1918, American soldiers at a rate of 300,000 a month. "Largely thanks to Pershing, it was the arithmetic of victory," Cowley says admiringly.

I've probably slighted *Castles of Steel*, which will no doubt become the definitive book on naval operations in World War I. It's a great book, highly readable, filled with detailed scholarship and evocative anecdotes. But it's an eight-hundred-page doorstopper, and that's too much for the average reader eager to learn more about the war. It's gotten extravagantly favorable reviews, and they are deserved. But with *The First World War*, Michael Howard wraps up the entire war in 147 lucid pages. Groom ably tells the story of Ypres, a bloody centerpiece of the war, in 272 pages. For someone just starting to explore the war, Howard's book or Groom's is the place to begin. ♦

Spying Problems

The successes and failures of American espionage.

BY REUBEN F. JOHNSON

Much of what is now known about the successes and failures, the heroes and villains, of the Cold War is due to the unmasking of two American turncoat intelligence officers—Aldrich Ames of the CIA and Robert Hanssen of the FBI, and to the process of damage assessment that followed their arrest and imprisonment.

The Main Enemy
The Inside Story of the CIA's Final Showdown with the KGB
by Milton Bearden and James Risen
Random House, 576 pp., $27.95

Both held positions deep inside the United States' intelligence apparatus, which gave them the access and opportunity to turn over thousands of highly classified documents and details of operations to the Russian intelligence services. They betrayed many of the Soviet and East Bloc deep-cover

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agents working on behalf of the United States, who were then executed. Several programs using high-technology surveillance and interception equipment—including the now-famous tunnel beneath the Russian Embassy in Washington—also went silent when one of the two tipped off Moscow.

With the death of its agents and the shutdown of these "national technical means," the United States lost most of its capacity to peer inside the Soviet defense, political, and intelligence establishments—with the result that when the tight grip of Soviet power began to unravel, American policymakers learned about it mostly from CNN broadcasts rather than intelligence briefings.

The Main Enemy, Milt Bearden's memoir of his days inside the CIA's Directorate of Operations, is a chronicle of the closing days of the Cold War. With the aid of his coauthor, *New York Times* reporter James Risen, Bearden begins his history in 1985 and gives a blow-by-blow account of how each side tried to outwit the other. Avoiding the typical failing of being overly episodic, Bearden and Risen tie a number of seemingly unrelated events into a logical timeline in a way unmatched since Michael Dobbs's 1997 eyewitness history of the last days of Soviet power, *Down with Big Brother*.

The portraits of the personalities who fought the spy wars are as interesting as all the details of agents following and evading each other on dimly lit back streets in the middle of the night, and the gadgets of intelligence tradecraft: miniature cameras, hollowed out rocks containing secret instructions, and invisible ink. Readers will learn how counterintelligence agents hunted their prey on the streets of Moscow and the reaction of officials in the KGB as they dealt with the steadily accelerating decline of the USSR as a world power.

The book has a happy ending, of course. But there is still some substantial bad news in Bearden's tale. The defection of KGB colonel Vitaly Yurchenko in 1985 should have been a real coup for the CIA, but once he arrived in the United States his debriefing process soon deteriorated. Word of Yurchenko's whereabouts soon leaked, and the safe house where he was being held began receiving visitors from every corner of the United States intelligence community. All of these "espionage tourists" had heard that there was a real, live KGB agent in captivity in the Washington, D.C., area. Like a grade school class visiting the zoo, they just *had* to have a look at him. Yurchenko found himself not only answering the same questions over and over from different questioners, but also started seeing the more sensational revelations from his debriefings being printed in the *Washington Post* and *New York Times*.

This understandably shattered his confidence that anyone in the United States could keep a secret or protect him from retaliation by the KGB. Convinced he had made a huge mistake, Yurchenko left his CIA escort at the table in a Georgetown restaurant and walked to the Soviet Embassy to redefect to Moscow.

Throughout Milt Bearden's *The Main Enemy*, there was an indictment of the enormous unprofessionalism in the United States' intelligence community and fatal gaps in operation.

This sad condition flows from a major problem that plagues American intelligence: the simultaneously arrogant and incompetent personnel recruited. Jack Platt, a retired Marine who worked under Bearden, was one of his more effective operators, but his style of dress and lack of reverence for authority could not fit in the "new CIA." Platt, observed Bearden, "was the type of guy the CIA wouldn't touch today. And I thought that was too bad."

Many years of attempting to institutionalize political correctness within the CIA have made their mark. It is an agency that eats, sleeps, and breathes "diversity," and the nation now has a CIA that "looks like America."

But, as Bearden describes it, "risk aversion had replaced the boldness and romanticism of the old guard." The agency's new breed of officers have little or no desire "to rush off to places where you had to boil your drinking water and check under the car for bombs." Unfortunately, these hardship postings are where most of America's deadliest enemies have their strongholds and devise their plots.

Bearden's *The Main Enemy* is a captivating look back at how the West won the Cold War. And, in a time when the United States faces new dangers, it is also a heartfelt call for change in the way we spy. ♦

BCA

Nazi Morals

How Germans were talked into believing in Hitler's project. **BY JACK FISCHEL**

Claudia Koonz, a professor at Duke University and the author of the 1987 *Mothers in the Fatherland: Women, the Family, and Nazi Politics*, explains in her insightful new book how Germans, who were among Europe's least anti-Semitic people, came to support a leadership that sought to annihilate European Jewry.

The Nazi Conscience
by Claudia Koonz
Harvard University Press, 336 pp., $29.95

She notes that in his effort to attain respectability before 1933, Hitler downplayed virulent anti-Semitism and preparation for war—stressing instead such themes as ethnic revival, individual sacrifice, and a cleansing of the nation's cultural life. At the same time, he distanced himself from the storm troopers who attacked Jews and

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others the Nazis considered their enemies.

Once in power, however, the Nazi regime carefully engineered a cultural strategy that by 1939 had entirely excluded Jews from any moral consideration. And the Nazis were able to accomplish this with the support of a substantial number of intellectuals, religious leaders, genetic experts, and other professional elites who promoted Germany's ethnic revival. Placing a priority on racial research that depicted Jews as a threat to the nation's ethnic purity, Nazi scholarship permeated every sphere of German life and was incorporated in the textbooks that educated millions of German students. Despite the fact that by the mid-1930s Nazi ethnologists failed to find a basis for distinguishing Aryans from Jews, they blamed their failure on the Jewish capacity for duplicity and attributed Jewish differences to "deeper" qualities that had been implanted by their nomadic tradition.

The Nazi conscience, as described by Koonz, was the product of an all-encompassing propaganda assault, which included Walter Gross's Office of Racial Politics, Julius Streicher's vicious newspaper *Der Stürmer*, Joseph Goebbels's propaganda network, the scientific community, the academy, the Hitler Youth, and public intellectuals. Koonz describes how some academics skewed their data to reach conclusions that reinforced Nazi ideology. Although these scholars represented a minority in their respective fields, they received official support from the government, who promoted their scholarship among the population.

The result, Koonz writes, was that "despite having been raised to believe in the Golden Rule and probably more or less honoring it in their private lives, citizens of the Third Reich were shaped by a public culture . . . so compelling that even those who objected to one or another aspect of Nazism came to accept the existence of a hierarchy of racially based human worth." Koonz concludes that the Final Solution did not develop as evil incarnate but "as the dark side of ethnic righteousness." Conscience in the Third Reich was transformed into an ethos of high moral purpose wherein the Aryan majority rationalized the elimination of the defenseless Jews as a difficult but necessary duty.

The readiness of many Germans to acquiesce evolved as a consequence of their internalization of the knowledge that was disseminated apparently by legitimate institutions of the state. As Koonz notes, the indoctrination was successful because there was little reason to question the facts conveyed by experts, documentary films, educational materials, and popular science. The German public was reeducated to support the elimination of Jews, Gypsies, the chronically ill, and other categories of the "unfit"—all as a moral good, consistent with the dictates of conscience. Koonz's prodigious work is a major contribution to our understanding of the social and ideological history of the Third Reich. ♦

P.R. in D.C.

Jeffrey Frank's fictional truthtelling about life in the nation's capital. **BY BROOKE ALLEN**

The late Meg Greenfield memorably likened Washington to high school. The incessant jostling for power within the beltway, she pointed out, is as much symbolic as actual; access to a president or senator, as to a prom queen, accords a status quite independent of real power or influence. Business is being done, to be sure, and agendas are being executed, but political principle and philosophy are feeble when compared with the eternal and unquenchable lust for personal glory.

Bad Publicity
by Jeffrey Frank
Simon & Schuster, 213 pp., $22

This is a vision obviously shared by Jeffrey Frank, the former Washington newspaperman turned novelist and *New Yorker* staffer. His first novel, *The Columnist*, was a very funny "autobiography" of an opportunistic Washington columnist; his latest, *Bad Publicity*, mocks the capital's everlasting brown-nosing and backstabbing through the misadventures of a loosely interwoven cast of characters in desperate search of preferment, fame, or, if all else fails, notoriety.

Frank sets his scene in the late 1980s. The reason for going back in time—backstage power-brokering has not changed in the intervening years, after all, and it probably never will—would seem to be that Frank needed a pathetic and hopeless presidential candidate on whom his characters can pin their ambitions, and no candidate in recent history has been quite as pathetic and hopeless as Michael Dukakis.

Bad Publicity's Democrats, who have languished in obscurity through the long Reagan years, are now "eager planets orbiting this chilly sun." Onto their unlikely hero they have projected the wisdom of Solomon and the charisma of Elvis: Frank has one think-tank windbag gushing (and haven't we all heard this sort of monologue, *ad nauseam*?) about "how amazing Mike is, how really aware of all these ideas. He has an almost superhuman ability—I don't know how else to put it—to absorb the implications of almost everything." To which his colleague, a man who really knows better and who in his saner moments even dismisses the candidate as a "Greek dwarf," pompously concurs: "I know he has a rigorous intellect."

Frank centers his tale on Charles Dingleman, a middle-aged counsel at a big law firm who has never recovered from the loss of his (Republican) con-

Brooke Allen is a writer in New York City.

gressional seat three years earlier. He misses Congress; he misses "the cheap haircuts, the saunas and pool, his own staff, the stationery"; most of all he misses being Somebody. His work at Thingeld, Pine & Sconce is entirely penance.

Charlie is also an amiable good ol' boy who has somehow failed to realize that in the modern world, flirtation is construed as harassment. He commits the error of a lifetime in making a pass at Judith Grust, a young legal associate: good-looking, politically doctrinaire, and an aging lecher's worst nightmare. Soon Charlie is branded as a sexual deviant and ousted from the firm.

In a bid to get back into the loop, he retains the services of Big Tooth, a large public-relations firm with a mostly political clientele. Big Tooth specializes in the Big Sell.

"I was reading up on you," one of the firm's eager executives tells Huntington Draeb, the sleaziest of Thingeld, Pine's sharks. "I was thinking how I want to see you involved with some humanitarian cause. It would be very good for you at this point in your career, believe me . . . Maybe a Third World country you've never been involved with?"

All this is good fun, but in truth Frank hardly scratches the surface of Washington PR, a far more grotesque business even than the Hollywood variety: Recent administrations, after all, have spent many millions of taxpayer dollars hiring Madison Avenue firms to launch campaigns to "sell America" and other, equally vaporous, assignments, while the fictional Big Tooth is limited to smaller fry like "a psychotic Latin American colonel who wanted to open an orphanage."

Charlie's path soon crosses that of Hank Morriday, another apparent loser. Hank, a Democrat, is a think-tank drone, an authority on welfare reform who is losing faith and even interest in his subject: "He would sometimes think about all those people who couldn't hold real jobs and realize that he could not imagine holding any of those jobs himself." Professionally and socially graceless, Hank can only watch with impotent envy while competitors, like the unqualified but smooth Suzanne Smule, get all the party invitations and television appearances. "Although no one could remember what she'd ever said, no one could remember her being without something to say."

All these characters flounder around more or less ineptly in the Washington fishpond, well aware that, in the words of Charlie's ex-wife, "when people lose in this town it's like they die. But they don't get buried and rot like real dead people, they stick around, and everybody hopes they leave." They watch their backs and are ill at ease among the Washington bigshots, "representatives of a tribe from a place where the custom required strong deodorant, regular applications of talcum powder, bold-striped suits, and unblinking eyes."

Frank's characters can only be called despicable, but he has a nice knack for making us like them anyway; they are humanized by their weaknesses. Even the terrible Judith is not a monster but simply an awkward woman who honestly can't understand why she doesn't have more friends: "She knew that . . . a funny, carefree spirit lay just beneath her outward formality. Yet whenever she spoke, people seemed apprehensive, as if she were about to reveal hideous news." And when account executive Candy Romulade, who has devoted her best years to Big Tooth and its nefarious goals, is finally fired, she can only feel joyful, imagining "how it would feel to do something else, almost anything else."

In the end we come close to being fond of these people, and feel oddly satisfied when the least baneful of *Bad Publicity*'s characters end up, if only for a brief moment perhaps, on top. ♦

BCA

A Normal Nation?

Everyday life in the promised land. **BY DAVID AIKMAN**

It is nearly impossible for someone in the United States who is not deliberately avoiding the newspaper, radio, or television, to live through a week without hearing the word "Israel." Endless op-eds discuss "Israel and the Palestinians," or, worse, "the Middle East peace process." Innumerable analysts dissect Israeli diplomacy and politics. And yet, somehow, despite all this, many Americans hardly know the first thing about the people of Israel.

The Israelis
Ordinary People in an Extraordinary Land
by Donna Rosenthal
Free Press, 466 pp., $28

To be sure, we have a few stray images lurking around: the founding of the nation, the fighter-pilots of the Six Day War, the kibbutzniks (now a community greatly eroded), religious Jews in their side-curls and black hats standing in front of the Western Wall in Jerusalem. But most of us couldn't tell you the first thing about ordinary Israelis. That huge lacuna is amply filled by Donna Rosenthal's *The Israelis*. Rosenthal has produced an informative and interesting book about Israel, one of the most fascinating and detailed insights into any country written by a close observer in recent memory.

The greatest challenge to anyone attempting to comprehend the nature of Israeli society is the sheer complexity of Israeli society. Like the United States, Israel is primarily a nation of immigrants. There were certainly

David Aikman is a former bureau chief for Time *magazine in Jerusalem, a senior fellow of The Trinity Forum, and the author of a new book about Christianity in China,* Jesus in Beijing.

Arabs and Jews living within today's Israel before the Zionist immigration to Palestine got under way in the 1880s. But modern Israel is the culmination of wave after wave of new Jewish immigrants from such diverse parts of the world that the country's contemporary demographic composition almost defies analysis. Israel's construction of a vibrant, modern society has had to take place through five wars within five decades, with the problems of acquiring a language not spoken anywhere else on earth, in an area about the size of New Jersey.

Rosenthal's tale begins in a vivid description of what it can be like living in a country where the lives of friends and loved ones can be destroyed without warning by a suicide bombing. Her dispassionate style is more powerful than any angry narrative would be. She writes, for example, of Raffi Berger, who boarded Jerusalem bus number 32A on June 18, 2002, to go to his chemistry lab at Hebrew University. His wife, Orit, an elementary school music teacher, took a later bus that suddenly veered onto an alternate route. Orit knew instantly what had happened. She dialed Raffi's cell phone again and again, with no answer. A trip to the national forensic institute in Tel Aviv confirmed what she already suspected. Raffi had died, along with eighteen other passengers, after Muhammad al-Ghoul, a graduate student at Al-Najah University on the West Bank, detonated himself just after boarding the bus.

Yet the thread of a constant, existential threat to life itself winds through *The Israelis*. Whether she is writing about sexuality in the Israeli army, or Russian crime syndicates, or the vast families of Israel's ultra-orthodox Jews, Rosenthal manages to convey a sense of life and death.

Rosenthal focuses initially on what foreigners often notice during any trip to Israel. In the chapters "A People's Army" and "Dating and Mating Israeli-style," she writes about the ubiquitous presence of military uniforms and the apparent casualness with which young men and women conduct their romantic business. But

Annie Griffiths Belt / CORBIS

then she moves on to describe the major separate ethnic groups in Israeli society: the Ashkenazim, Jews from Europe, who for much of Israel's history were in the driver's seat of Israel's culture and government; the Mizrahim, Jews from Arab lands, who have often had to struggle for a place at the table; the Russian Jews, more than one million of whom migrated to Israel during the 1990s; and the Ethiopians, black Jews from Africa.

Then she turns to the more foundational divide, between the religious communities on the one hand and the mass of predominantly secular citizens on the other. Rosenthal is particularly good at taking the reader behind the closed doors of the ultra-orthodox. By paying attention to the concerns of all, she illuminates many of the internal social conflicts that preoccupy Israeli politicians.

She is scrupulously fair in describing Muslim households in Umm al-Fahm, the "capital" of the Israeli Islamic Movement, and she records the sense of neglect that is felt by many Israeli Arabs. Rosenthal is also adept at capturing the dilemma of Israel's Arab Christians, a community that feels itself under suspicion from fellow Arabs because it is not Islamic and from ordinary Israelis because it is Arab. Even when going into great detail about the motivations of Arab suicide bombers, Rosenthal maintains the disciplined approach of a mature, seasoned reporter

Rosenthal's politics stay so emphatically out of the way that it is not easy to speculate, on the basis of her book, on how Israeli-Palestinian problems might be resolved. In her epilogue, she makes it clear that, despite all of the obvious problems, many Jews and Arabs work very hard to establish working relationships with each other, and every now and then, in school or in the theater, they establish breakthroughs in mutual respect. But she offers no grandiose prescriptions and she avoids sentimentalism. How Israel will deal with terrorism and yet reach out to Arabs she leaves to others to elaborate. But *The Israelis* demonstrates how much can be accomplished by diligent reporting and a commitment to capture wide variations in experience and viewpoint fairly. ♦

Under British Eyes

Edmund White's novel about two real-life Fannys and their visits to America. **BY CYNTHIA GRENIER**

Fanny Trollope, mother of the great Victorian novelist Anthony Trollope, was a prodigious author—in quantity if not quality. Born in 1780 and living till 1863, she wrote in her long lifetime some 41 works of fiction and nonfiction, the best remembered being her *Domestic Manners of Americans*, still in print today. Readers on both sides of the Atlantic heaped opprobrium on her when the book appeared in 1832, but Mark Twain later came down squarely in her favor. He wrote: "Of all those tourists I like Dame Trollope best. She found a 'civilization' here which you, reader, could not have endured; and which you would not have regarded as a civilization at all. Mrs. Trollope spoke of this civilization in plain terms—plain and unsugared, but honest and without malice, and without hate."

Fanny
A Fiction
by Edmund White
Ecco, 369 pp., $24.95

There was another Fanny to reckon with in those days: Frances Wright, a young Scottish heiress and something of a gerontophile groupie. She endeavored to get the aged General Lafayette to adopt her and her younger sister (the general's family resisted the maneuver, although he continued to address her in letters as "my dear daughter"), and wangled an invitation through him to Monticello and a meeting with the eighty-two-year-old Thomas Jefferson. Fanny Wright made her first trip to America in 1818 at age twenty-three—and, like nearly every British traveler, she promptly produced a book of her impressions: *Views of Society and Manners in America in a series of letters from that country during the years, 1818, 1819, and 1820, by an Englishwoman*, which had a surprisingly large sale on both sides of the Atlantic and was translated into several European languages.

Now the writer Edmund White has taken these two Fannys and thrown them together in his new novel, *Fanny: A Fiction*. It's a clever enough idea. Suppose one Fanny were to have written a biography of the other. What would the book look like? What would the tart (as in acidic) Fanny Trollope have to say about the tart (as in a trollop) Fanny Wright?

In fact, in 1824 Fanny Wright embarked, with her younger sister in tow, to the States once again, this time to partake in some of the glory being accorded to Lafayette on his first triumphal tour of a grateful United States. It was on this trip that she became acquainted with the English philanthropist and experimenter in social reform Robert Owen, who had bought outright the whole village community of New Harmony—a religious society, entirely communistic in principle and practice—on the banks of the Wabash in Indiana, where he confidently planned to transform society into an uplifting communal way of life.

Toward the end of her book on the United States, Fanny had mentioned slavery, which she found shocking and repugnant, predicting its complete disappearance in the not-too-distant future. After meeting Owen, she became enamored of the idea of using the New Harmony model as a way to prepare slaves for freedom.

She purchased a plantation called "Nashoba," thirteen miles south of the Mississippi River at the old Indian trading post of Chickasaw Bluffs (today's Memphis), and set to work.

Visiting England again in 1827, Fanny Wright met Fanny Trollope—and somehow convinced her to come join the wondrous world-transforming experiment, bringing along one son and three young daughters, leaving behind her husband and the two oldest sons in school at Winchester. Nashoba was a complete disaster in every possible way for Fanny Trollope and her children. She found on her arrival the people "were without milk, without beverage of any kind except rain water. Wheaten bread they used very sparingly and the Indian corn bread was uneatable. They had no vegetables but rice and a few potatoes we brought with us, no meat but pork, no butter, no cheese. I shared Frances Wright's bedroom. It had no ceiling, and the floor consisted of planks laid loosely upon piles."

Fanny Trollope quickly moved on to the nascent community of Cincinnati, where she made quite a mark, before retreating back to England, by building a very bizarre bazaar and bankrupting the Trollope family. Still, her sojourn in the United States gave Fanny Trollope dandy material for her bestselling work on America and its citizenry.

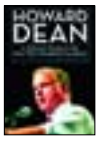
The material has also served Edmund White splendidly for his novel, allowing him, in the persona of Fanny Trollope, to speculate on such details as whether Fanny Wright had actually had an affair with Lafayette. (White rather thinks she did.) It also allows him to make free use of the two women's none-too-flattering comments on our early fellow citizens, particularly reflections on racism and materialism.

White's novel *Fanny* is, on the whole, a thoroughly engaging read. In the "acknowledgments," the author admits that much of his book relies on "invention"—Mrs. Trollope's passionate relations with the powerful blacksmith slave Cudjo, for example, and the sexual proclivities of the young French artist Auguste Hervieu, involving young Henry Trollope—some of which is less than convincing. Still, *Fanny* will have done an admirable job if it sends readers back to the original works of these two clever, witty Fannys, discoursing on the United States in its infant days. ♦

Cynthia Grenier is a writer in Washington, D.C.

"You want to put down the field guide for a moment and lend me a hand?"

Books in Brief



Howard Dean: A Citizen's Guide to the Man Who Would Be President **edited by Dirk Van Susteren (Steerforth, 230 pp., $12.95).** When the New York *Daily News* called former Vermont governor Howard Dean a "motor mouth" for his comments on the Middle East this fall, Vermont's *Rutland Herald* didn't take Dean to task for his gaffe. Instead the newspaper opined that Dean's treatment at the hands of the *Daily News* was nothing compared with what he could expect from George Bush's operatives.

The *Rutland Herald*'s editorials are often like that—apologizing for the mistakes of the left, especially those of favorite son Howard Dean, and sharply critical of the right. So it's no surprise that a book on Howard Dean by "reporters for Vermont's *Rutland Herald & Times Argus*" would be complimentary. Subtitled *A Citizen's Guide to the Man Who Would Be President*, the book runs from Dean's privileged childhood through his years in Vermont politics and his leap to the presidential primary stage. Even the critical words in the *Citizen's Guide* could help Dean. Some of the harshest critiques come from the left—enhancing the middle-of-the-road image Dean is now trying to project. Thus, for example, journalist (and former Democratic legislator) Hamilton E. Davis writes that Dean's approach to several development projects "signaled to the environmental community the final hollowing-out" of the state's intrusive land-use law. That will be news to those still working to reform those restrictive laws.

Former Chicago *Tribune* and *Newsday* writer Jon Margolis pens a chapter on why Dean is gaining so much attention. It could be because Dean speaks his mind, muses Margolis, and Americans are attracted to "a candidate who speaks his mind even if they disagree with what he is saying. Otherwise Ronald Reagan wouldn't have been elected." Margolis also refers to the "pro-Bush media and the deference of the mainstream press" making dissent "treasonous."

The most interesting chapters of the book deal with Dean's early life (where readers actually learn the name of the back problem that he says kept him out of the draft: spondylolisthesis) and with his campaigns. At least in the latter chapters, readers hear from non-leftist critics. "Howard quite frankly has been blessedly unencumbered by deeply held principles," says one of his gubernatorial opponents, a moderate Republican from Montpelier.

Quickly put together and offering no index, the *Rutland Herald*'s book isn't long enough to be a compendium of Vermont politics while Dean was in charge. But there are some notable omissions, particularly on the subject of the civil-unions legislation Dean signed in 2000.

Reporter Mark Bushnell tells of hate messages the governor received, but he leaves out how Dean threatened the tax status of churches when he was vilified in a crude anti-civil-unions ad. Also missing is the tale of the gay minister who faked an arson attack on his own car in order to give the appearance of a hate crime. Vermont was aflame with discussion during the civil-unions debate, but Dean was hardly a Joan of Arc, leading the cause. He signed the civil-unions bill in private, and the book does, in fact, include speculation that he might have done so to avoid a photograph that could be used against him in the current campaign.

Howard Dean: A Citizen's Guide is not a bad book. It's more like a lovingly rendered portrait, where shadows and blemishes are added merely to add depth and contrast, but ultimately don't mar the final image.

—Libby Sternberg

The Hornet's Nest: A Novel of the Revolutionary War **by Jimmy Carter (Simon & Schuster, 480 pp., $27).** ***Gettysburg: A Novel of the Civil War*** **by Newt Gingrich, with William Forstchen (Thomas Dunne, 384 pp., $24.95).** A pair of former politicians attempt to write historical romances. *Non omnia possumus omnes.*

—J. Bottum

The Year Ahead in Headlines:

Parody

JAN.

'Bean Counters' Blamed

Parmalat Founder 'Not Sure' Where He Put Missing $7 Billion

ROME, Jan 13 — Facing pres- was aware of diversion of mo

FEB.

Kerry Withdraws From Race

*Pledges 'Full F***ing Support' to Nominee*

By RUSS VANDEVEER

MAR.

Governing Council 'Not in the Mood' to Work on Iraq Constitution Yet

Complaints over 'jammed printer'

APR.

On 246th Day of Negotiations, Loya Jirga Resolves: Afghan Constitution Should Be Double-Spaced

dent Karzai Threatens Veto

MAY

company's earnings by as 40 p ide effects of the drug include loss of

France Backs Saddam To Head Interim Government in Iraq

'Extensive Administrative Experience' Cited

By DRUC

JUNE

White House Says Afghanistan Moving Towards Democracy

Rule of Warlords Seen as 'Encouraging First Step'

JULY

Dean Wins 2004 Nomination

Democrats Look Hopefully to 2008

(AP) BOSTON, July 18 — The Democratic rank-and-file gave the polls showing the former governor trailing the president by as much as

SEPT.

News—

* * *

World-Wide

■ **VISITING JORDAN, BUSH makes a second surprise visit to Iraq.** Interrupting a four-day state visit to Damascus, the president placed both feet on Iraqi side of the two countries' border for nearly eight seconds. *"This was a real morale booster," say U.S. troops.*

* * *

■ **Actress and convicted shoplifter Winona Ryder** announced her candi- dacy for California Treas

AUG.

Bremer Announces Daily Quota for Death Chants

Ten Chants of 'Death to...' Allowed Per Iraqi Each Day; Supporters Shout 'Death to the Zionists' Just Ten Times

BAGHDAD — A quota of 10 death chants ed in Iraq for as long as

OCT.

IRAQI CENSUS DELAYED

LOOTERS MAKE OFF WITH THE NUMBER 7

BY ADAM TABOR

NOV.

Bush-Cheney Re-election Draws Unanimous Votes in Some States

Machines from Diebold Scrutinized by FEC

BY HOUSTON E. HOLMES IV

DEC.

Putin Buys Diebold Machines For Next Russian Election

(AP) MOSCOW, Dec. 3 — Russian elections will be conducted using voting concern that the machines cannot be reliably safeguarded from tampering

the weekly Standard

JANUARY 12, 2004