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the weekly

# Standard

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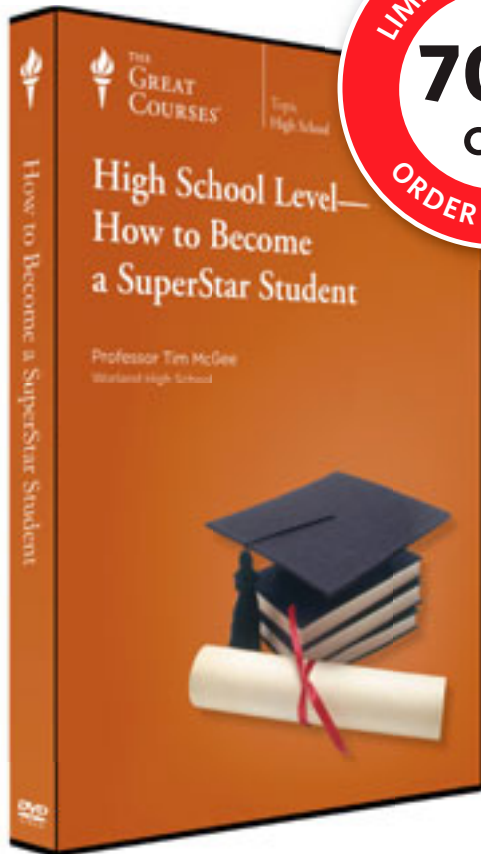
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## Horton Wins a Prize

Scott Horton is the kind of bumbling, inept journalist who seems to exist only in novels. A writer for *Harper's* and the *Daily Beast*, he constantly makes mistakes and fabricates, leaving a trail of corrections and retractions in his wake. But because he has the right politics, Horton keeps getting promoted until, last week, he ascended all the way to receipt of the National Magazine Award for Reporting.

Handed out by the American Society of Magazine Editors each year, the NMA is more or less a Pulitzer for magazines, and Horton's story was a blockbuster: He detailed how, in 2006, three Guantánamo Bay detainees were tortured to death by the United States, which then covered up the crime by making it look as though the inmates had committed suicide by hanging themselves.

This being Scott Horton, however, there's the usual catch: The story is almost certainly untrue. Its veracity is so suspect, in fact, that even mainstream journalists were caught sputtering at the ludicrousness of the ASME judges in handing the prize to Horton.

From the moment he published it, there were questions about Horton's story. (Joe Carter at *First Things* dissected it particularly well, and *Slate's* Jack Shafer piled on to good effect.) But last week *AdWeek's* Alex Koppelman took it apart in its entirety.

The gist of Koppelman's indictment: In 2009, the government released a thousands-of-pages-long report on the deaths of the three detainees in which the government described how the men plotted and carried out their suicides. Horton constructed an alternative version of events, in which the three men were being interrogated in another part of the facility when they died, and in which the subsequent story of their suicide-by-hanging was a military cover-up.

Horton relies principally on Sgt. Joe Hickman. Hickman was posted as a guard on the camp's perimeter the night of the deaths, nowhere near the place of the alleged killing. But that didn't stop Hickman from shopping his story around. He hooked up with a law professor from Seton Hall and tried to interest all sorts of reporters in this dastardly murder and cover-up. Lots of reporters were interested—at first. Koppelman reports that *60 Minutes* took a crack at the story. The same outfit that was happy to use fake documents in a 2004 hit piece on George W. Bush spent a month investigating Hickman's claims before deciding that there wasn't a story there. Hickman went to ABC News next, with the same result. NBC News was next and correspondent Jim Miklaszewski spent four months researching the story. "Ultimately I just didn't find the story credible, quite frankly," Miklaszewski told Koppelman. "I devoted

a lot of time to it, and my conclusion was that it just didn't seem possible that that many people could have been involved in a conspiracy and to have [the killings] remain secret. It stretched all credulity, I thought."

And on and on. The *New York Times* got pitched, and passed. Just how implausible was Hickman's story? Seymour Hersh, the *New Yorker's* conspiracy theorist extraordinaire, confirmed to Koppelman that he, too, had been pitched the story, but declined. It wasn't until Hickman and his law professor got in touch with Scott Horton that they found a reporter gullible enough to buy what they were selling.

The resulting story was vintage Horton. For instance, he used the autopsy report of an independent medical examiner to cast doubt on the cause of death of one of the inmates without revealing that the same report concludes that the "most likely" cause of death was hanging. In another instance he reports that, on the night in question, a mysterious van (purportedly carrying the inmates to a secret torture facility) appeared on a road that had "only two destinations." But the road in question doesn't dead-end and you can take it to any destination in the camp. There's more, but dwelling on such details is almost beside the point. Scott Horton operates in a world beyond facts. And now the American Society of Magazine Editors does, too. ♦

## Mansfield, Hark!

THE SCRAPBOOK highly recommends Harvey Mansfield's piece on manliness and morality elsewhere in these pages. But on the compelling principle of the more Mansfield the better, we also wanted to call our readers' attention to his remarks on accepting the Bradley Prize in Washington, D.C., earlier this month, re-

printed on *City Journal's* website. Some highlights:

I want to tell you what it has been like to spend my life as a professor at Harvard, the most prestigious university in America, perhaps the world. In my time there, Old Harvard, a place of tradition with its prejudices, has become New Harvard, a place of prestige with its prejudices. What's the difference? . . .

In the Old Harvard, . . . reticence was assured arrogance trying not to be condescending; now, it's truly embarrassed and apologetic, humility fighting with pride. The pride comes from consciousness of merit. It's a reasonable pride. Respect for merit gives confidence that the inequalities resident in our democracy are the source of progress, rather than reaction and superstition. Call it meritocracy if you will, but it is better than

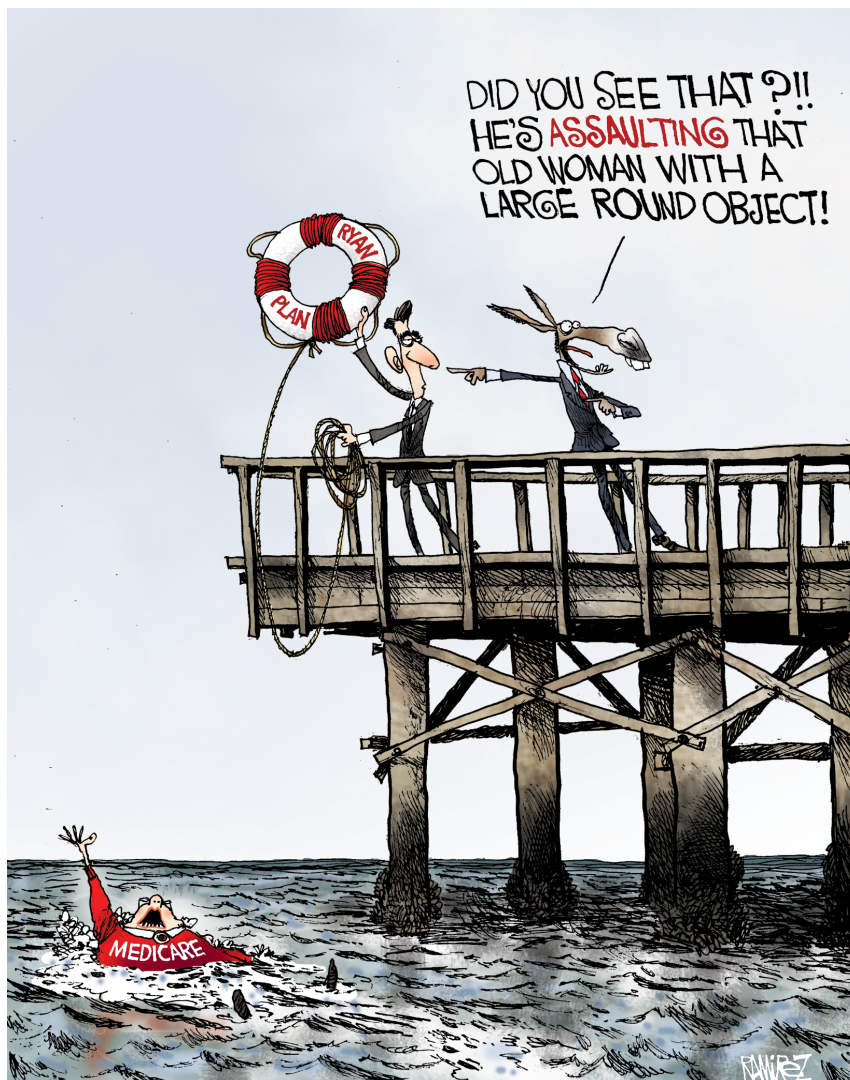
any lack-of-meritocracy. This was the confidence of the Old Harvard, really not so old; it was the former, liberal Harvard that reigned before the late sixties. It reflected an acute case of the contradiction in our democracy: between the demand for ever more equality and the progress that results from the desire to make oneself better than others by competing with them.

Confidence in progress has now been replaced by postulation of change. Progress is achieved and can be welcomed, but change just happens and must be adjusted to. "Adjusting to change" is now the unofficial motto of Harvard, *mutabilitas* instead of *veritas*. To adjust, the new Harvard must avoid adherence to any principle that does not change, even liberal principle. Yet in fact it has three principles: diversity, choice, and equality. To respect change, diversity must serve to overcome stereotypes, though stereotypes are necessary to diversity. How else is a Midwesterner diverse if he is not a hayseed? And diversity of opinion cannot be tolerated when it might hinder change. . . .

When there is no basis for what we agree to, it becomes mandatory that we agree. The very fragility of change as a principle makes us hold on to it with insistence and tenacity. Having nothing to conform to, we conform to conformism—hence political correctness. Political correctness makes a moral principle of opposing, and excluding, those of us who believe in principles that don't change.

This would have gotten us depressed about Harvard, if we hadn't already had low expectations. But then we came across last week's commencement issue of the university-produced *Harvard Gazette*. It cheered us up! The *Gazette* featured a long article, "Harvard in the military," proudly detailing the military service and achievements of several of the ROTC Harvard grads of 2009 and 2010 (who had chosen to do ROTC at MIT, with no help and little recognition from their own university), and hailing the agreement earlier this year to reestablish an ROTC formal presence on campus for the first time in nearly 40 years.

Could an appreciation of some of the principles that don't change be set for a comeback at Harvard? ♦



## Sentences We Didn't Finish: Special Oprah Edition

‘I’ve got to say, I bow before cultural icons like Oprah, who take things that can be as minor and goofy as an hour worth of TV and turn it into something that is actually something everybody can be talking about. You know what’s going to be missing now from the vernacular? ‘Did you see Oprah yesterday? Did you see that girl . . .’ (Tom Hanks).

“When I think about the Oprah legacy it’s humbling. She’s changed the lives of millions of people. She brought important issues to the

dinner table that never would have been there otherwise. She leaves behind a body of work . . .” (Ellen DeGeneres).

“Oprah has set the bar so high that no one touches her. She redefined the genre. . . . The thing I respect most about her is her absolute authenticity. She is genuinely curious about everyone she meets, expresses a genuine gratitude to all who cross her path and has a zest for life that is second to none. She is a seeker of the truth . . .” (Hugh Jackman).

“[Oprah has] made a difference in really fun things and she’s made a difference in really serious things and she’s told us stories that . . .” (Stevie Nicks). (Associated Press, May 24) ♦

## The Low-Profile Candidate

You've likely never heard of Dan Adler, an unsuccessful Democratic candidate for Congress. Neither had many of the voters in California's 36th district, apparently. Adler, a former Hollywood agent and Disney executive, ran a quixotic campaign in a recent special election to replace Jane Harman in the House of Representatives. Actor Sean Astin (of *Rudy* and *Lord of the Rings* fame) was his campaign manager.

Astin's celebrity got the unknown, first-time candidate some much-needed publicity. Astin appeared on behalf of the fledgling Adler campaign on MSNBC and Los Angeles's local NBC and Fox affiliates, and the actor's foray into politics got mentions in *USA Today*, the *Washington Post*, *Time*, and the *Boston Globe*. But as *Roll Call* noted, there are downsides to having a campaign manager who's better-known than the candidate:

Astin's local NBC appearance demonstrated part of the challenge of the campaign. While he was trying to promote his candidate and longtime friend, B-roll clips of Astin's father in the 1960s television show *The Addams Family* were playing in a split screen.

Not even endorsements from Hollywood middleweights like former Disney CEO Michael Eisner, comedian Paul Reiser, or Grammy-winning recording artist Macy Gray could help Adler, who ended up with a whopping 361 votes, or less than 1 percent

of the total votes cast. But given Astin's prominence in the campaign, *THE SCRAPBOOK* wonders how many votes were written in instead for "Rudy Ruettiger" and "Samwise Gamgee." ♦

## The Greasy Pole Is Back!

Like all conservatives of a certain age, *THE SCRAPBOOK* has grown accustomed to seeing institutions in decline, authority degraded, and tradition in decay—all too often paraded before us clad in the ill-fitting disguise of "progress" and "reform." So it's with unaccustomed cheer that we can report the return of a venerable custom to the U.S. Naval Academy.

A year ago we recorded the sad news that—in the name of nannyism and safety—plebes were to be denied the challenge of scaling the lard-slated, 21-foot tall granite obelisk known as the Herndon Monument, a perennial rite-of-passage to mark their completion of the academy's harrowing first year.

The *Washington Post* reports that the new superintendent, Vice Admiral Michael H. Miller, brought back the greasy pole. "Two hours, 41 minutes and 32 seconds after the Class of 2014 started," the *Post* reports, "Matthew Dalton of Florida was pushed to the top, dislodged the plebe cap and placed the midshipman's hat in its place." Last year's ungreased ascent took mere minutes.

*THE SCRAPBOOK* tips its homburg to the new superintendent—and to the midshipmen of the class of 2014. ♦

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## Mr. Rogers Among the Savages

I've been spending a lot of time with Fred Rogers lately. Mr. Rogers passed away in 2003, but he lives on in an endless series of television repeats on PBS stations across America. In life, he was celebrated as a secular saint and a national treasure. But now that he's gone it's clear he was more than that.

For all of his sweetness, Mr. Rogers was a countercultural figure. His show, *Mr. Rogers' Neighborhood*, presented a liberal view of the world that often verged on self-parody. One episode I saw recently featured a nonsexist orange construction sign proclaiming "People at Work." In another, Mr. Rogers made little bags of homemade granola ("for some of my friends," he explained) before heading off to tour a tofu factory.

That makes sense, of course. *Mr. Rogers' Neighborhood* began filming in 1968. The drug culture was unfurling; homeless teenagers were taking over San Francisco; student protesters were rioting. Hijackings and assassinations had become routine. America's center was failing to hold.

But the hippie aesthetic of Mr. Rogers' neighborhood was more Society of Friends than SDS. In one episode Mr. Rogers visited Adelia Moore-Gerety, a pretty young woman who sported an ostentatiously hyphenated last name and a fashionable peasant blouse. But Adelia was a homemaker who showed Mr. Rogers how she sewed quilts and stuffed animals for her children.

Part of Mr. Rogers' mission seems to have been to honor people who work with their hands. In nearly every episode he toured some workplace—a metal-working plant, a factory making rain slickers, a mushroom farm, a paper mill. He approached the workers as though they were artisans, performing interesting and valuable work. Which, of course, they were.

I suspect that few of those jobs still exist in the American heartland. And to the extent they do persist, they're eyed with some discomfiture by middle-class society. We think everyone should go to college now, and then get a proper office job.

In a way, Mr. Rogers' mode of liberalism is more countercultural today



than it was in the '70s. When it came to politics, Mr. Rogers kept his cards fairly close to his chest. I'd make book that he was in favor of the United Nations and the Nuclear Freeze movement and Jimmy Carter and all of the other horrors of the left. But when it came to culture, Fred Rogers was deeply conservative.

An ordained Presbyterian minister, he was conventionally religious, not spiritual. He believed in the importance of form and tradition. And silence. In one episode, Mr. Rogers sat on his couch, addressed the camera, and said, "Sometimes I like to have

quiet time, to just sit and think. Do you ever like to sit quietly and think?" He then sat in silence for a full 45 seconds. No one, before or since, has so blasphemed against television. It was glorious to behold.

In another episode, Mr. Rogers played a home video of a family holding a 100th birthday party for an antique doll. The clan was gathered around a table—children, parents, and a grandmother. The frail elderly lady cheerfully though haltingly recounted playing with the doll when she was a girl. The children at the table listened attentively, without either sentimentality or condescension—just genuine interest. Mr. Rogers did, too.

No children's program today would dare feature a geriatric with such honesty. To do so would hint at all sorts of unmentionable ideas about mortality and the human condition. Even worse, it might suggest that children were the base, rather than the apex, of the family order.

It's this last bit that's most remarkable about Mr. Rogers. Watch children's television today and the grown-ups are bumbling fools, while the kids are sly, ironic, and knowing. It's the kids' world, these shows say, the adults just live in it.

Mr. Rogers loved children—loved them as St. Francis did the birds. But he did not believe that children were the moral center of the universe. At the precise moment when America began committing idolatry with its youth, Mr. Rogers stood to suggest that adults could be kind to children while still acting like adults. Which is to say that grown-ups know best and should civilize the dear little savages, with love and understanding in their hearts.

Fred Rogers shot 895 episodes of his show over the course of 30 years. Eighteen months after retiring, he was diagnosed with stomach cancer. He died three months later. Happily, he remains very much with us.

JONATHAN V. LAST

# Harbingers of Success

Ronald Reagan's defeat of Jimmy Carter in 1980, and the subsequent rapid American recovery at home and abroad, didn't come out of the blue. There were plenty of signs before Election Day 1980 that such a reversal and triumph were possible:

★ The late 1970s featured a broad-based rebellion throughout America against big-government, welfare-state liberalism—in the form of tax revolts at the state and national level, the rise of religious conservatism, and popular resistance to elite acquiescence in a foreign policy of weakness and accommodation.



**U.S. President Ronald Reagan and British Prime Minister Margaret Thatcher in London, England, Thursday, June 7, 1984**

★ The late 1970s saw the election of strong conservative leaders abroad who were willing to take on the political establishments and welfare states in their own countries—such as Menachem Begin, who charged out of the political wilderness to victory in Israel in 1977, and Margaret Thatcher, who prevailed against many in her own party and won election in Great Britain in 1979.

★ The late 1970s also saw an inspiring popular rebellion against a seemingly well-established dictatorship in Poland, led by Lech Walesa and (in a sense) by Pope John Paul II.

Needless to say, history doesn't repeat itself. We can't expect a moment like the pope's visit to Poland in June 1979. We can't perhaps expect another Reagan here at home. But there is the real possibility that we are today at a big, pre-recovery-of-the-West moment similar to the late 1970s. The Tea Party is of no less importance than the tax revolt, and the widespread sense that America needs finally to deal with

her out-of-control spending and debt is no less fundamental than the sense of liberalism's failure in the late 1970s. The revulsion (not too strong a word) at the cavalier and disdainful treatment of an old and deep ally like Israel is as heartfelt as the sense of disgust at Jimmy Carter's foreign policy. The electoral and governing successes of conservative prime ministers Stephen Harper in Canada and Benjamin Netanyahu in Israel are comparable to the achievements of Thatcher and Begin. The Arab Spring in the Greater Middle East, and even the Jasmine Revolution in China, are reminiscent of Solidarity. These developments of 2009-2011 could be precursors of not just a renewal of American conservatism, but a renewal of the West, just as the events of 1977-1979 were harbingers of better days to come.

Of course, as signs of renaissance came into view in the late 1970s, many conservative elites were lapsing into despair, and many in the Republican party waffled and wavered. So it is now. The main obstacle to November 6, 2012, turning out as happily as November 4, 1980, is a kind of premature intellectual resignation, a pseudo-sophisticated political pessimism, that would lead us to settle over the next year for uninspiring champions and timid agendas.

The obstacles to success today remain daunting. It's understandable that politicians and commentators may lose heart. But here's a suggestion: Read up on Stephen Harper. Listen to Benjamin Netanyahu. They had (and have) tougher rows to hoe than conservatives in America. Are we truly less able than the tiny state of Israel, or our northern neighbor Canada, to produce a platform that—to quote Ronald Reagan in 1976—“is a banner of bold, unmistakable colors, with no pastel shades,” and to find serious and courageous leaders to explain, and then implement it?

—William Kristol

## ‘Enough’

In the next month, after more than four decades of distinguished public service including almost five extraordinary years at the Pentagon supervising the successful surges in Iraq and Afghanistan, Defense Secretary Robert Gates will retire. He departs as the very model

of a Washington “wise man,” having served in senior positions in two Democratic and three Republican administrations—the best the inside-the-Beltway establishment has to offer. His parting words, delivered in a series of valedictory speeches, carry the weight of his long experience and sober judgment.

Gates’s career spans a remarkable period from the Cold War to today, the events of which raised immense hopes—none more than the collapse of the Soviet Empire—and were punctuated by deep darkness—9/11 and the year 2006 in Iraq. In his May 22 speech at the University of Notre Dame commencement, Gates summed up the classical wisdom of a conservative: “If history—and religion—teach us anything, it is that there will always be evil in the world, people bent on aggression, oppression, satisfying their greed for wealth and power and territory, or determined to impose an ideology based on the subjugation of others and the denial of liberty to men and women.”

If mankind has fallen, the United States of America still struggles to lift it up. “Since I entered government 45 years ago, I’ve shifted my views and changed my mind on a good many things as circumstances, new information, or logic dictated,” Gates allowed in a speech last week at the American Enterprise Institute that developed the themes of his commencement address. “But I have yet to see evidence that would dissuade me from this fundamental belief: that America does have a special position and set of responsibilities on this planet.”

To protect and promulgate its liberties and the cause of liberty, America must be strong. “More than any other secretary of defense, I have been a strong advocate of ‘soft’ power—of the critical importance of diplomacy and development as fundamental components of our foreign policy and national security.” But, said Gates, “Make no mistake: the ultimate guarantee against the success of aggressors, dictators, and terrorists in the 21st century, as in the 20th, is ‘hard’ power—the size, strength, and global reach of the United States military.”

This is the heart of the matter. During his service under Barack Obama, Gates has been directed to make three significant rounds of reductions in Pentagon plans and budgets. The first came in early 2009. As the Obama administration prepared to inject \$800 billion in “stimulus” into the faltering U.S. economy, canvassing agencies for “shovel-ready” projects, it ordered weapons cuts that totaled about \$330 billion.

In 2010, seeing the shifts in the domestic political landscape, Secretary Gates seized the initiative to wring \$100 billion in “efficiencies” from defense programs, hoping he would be permitted to reinvest the money in higher priority procurements. He got to keep about three-quarters of the “savings,” but the White House took not only the remainder but another \$75 billion. The net result was

that Gates transferred \$78 billion from one Pentagon pot to another, but a further \$100 billion was cut. The third round began on April 13, when the president announced—though he hadn’t informed Gates until the night before—that the Defense Department would contribute another \$400 billion to his “deficit reduction plan.”

If brought to fruition, the Obama administration will have sliced something on the order of 15 to 20 percent out of the already overstretched military it inherited. The dollar figures don’t reflect the full extent of the damage, but the loss in power is clear: The Army and Marine Corps will return to their pre-9/11 size, and major land, sea, and air projects have been reduced, ended early, or never brought into production. And it might be worse: Secretary Gates has acidly described the defense cuts called for by the chairmen of the president’s deficit commission, Alan Simpson and Erskine Bowles, as “catastrophic,” driven by budget “math, not [military] strategy.”

Gates’s parting wisdom can be boiled down to one word: enough. The “low-hanging fruit,” he declared at AEI, “those weapons and other programs considered most questionable, have not only been plucked, they have been stomped on and crushed.” The fat has been trimmed; what’s left is bone.

Gates also defined the challenge for the man nominated to be his successor, Leon Panetta, who’s been a strong director of central intelligence but who also, as a congressman in the 1990s, led the charge to reduce defense spending. “We

need to be honest with the president, with the Congress, with the American people, indeed with ourselves, about what the consequences [of further defense cuts] are: that a smaller military, no matter how superb, will be able to go fewer places and be able to do fewer things.”

Gates’s warning should be a call to arms for conservatives who, in election after election, have retained the public’s trust by adhering to the principle that American military preeminence is absolutely essential if we want security at home and great-power peace abroad. It is a platform that Republicans in Congress and those running for president, in particular, need to reaffirm. Former Minnesota governor and 2012 presidential candidate Tim Pawlenty got it precisely right when he said: “I’m not one who’s going to stand before you and say we need to cut the defense budget. . . . I’m not for shrinking America’s presence in the world. I’m for making sure America remains the world leader.”

Through the surges in Iraq and Afghanistan, Bob Gates has seen the thin line that separates “too few” from “just enough.” He knows how hard it is to turn defeat into a chance for victory. When he says “enough,” conservatives—and all Americans—should listen.

—Thomas Donnelly and Gary Schmitt



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# Let Our Criminals Go?

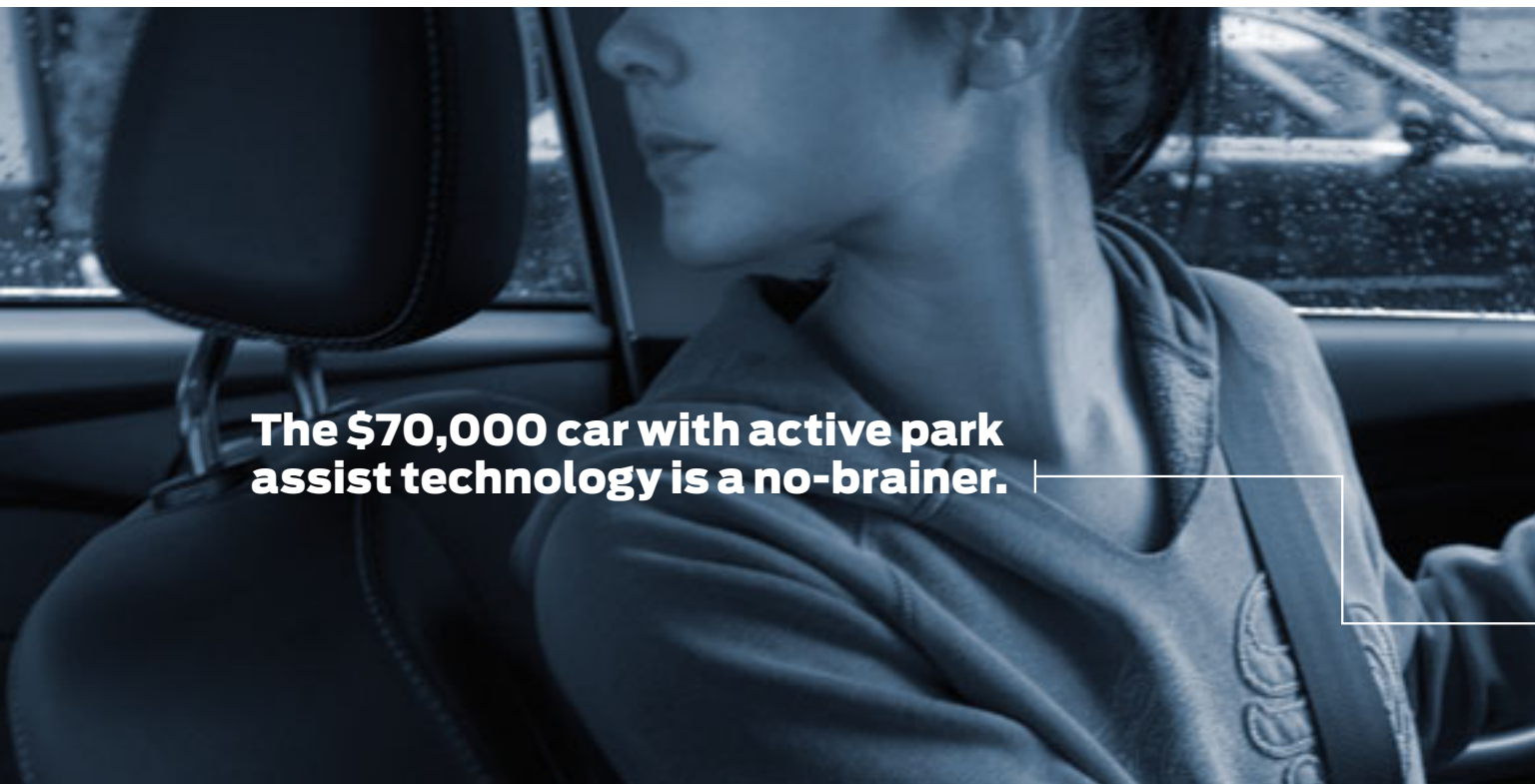
Last week the Supreme Court reentered the business of dubious liberal policymaking with its decision in a case from California, *Plata v. Brown*. With Justice Kennedy writing for himself and four colleagues, the Court sustained a lower court's order requiring the state to reduce the number of convicted criminals in its correctional facilities by as many as 46,000.

California's prison system was built to house 80,000 inmates and now holds almost twice that number. The system is overcrowded, and maybe *Plata* will motivate elective officeholders to reduce it in ways that make sense. Earlier this spring Governor Jerry Brown signed a bill that would transfer some inmates to county jails. Funds, however, have yet to be approved by a legislature notoriously strapped for cash. Work on some new correctional facilities authorized four years ago also has begun. But more jails—and the funds to build them—may be needed.

Law-abiding Californians have benefited over the past 20 years from policies that have locked up more felons for longer periods of time. In California and across the country crime rates have gone down—see the latest figures from the FBI, released the same day as *Plata* was decided—as the number of criminals actually incarcerated has gone up. But if Californians are safer than they used to be, they have yet to pay in full for that happier circumstance. It can be argued whose fault this is—the people or their political leadership. But, if public safety is a priority, the state should have funded facilities to accommodate the state's large prison population.

In any case, *Plata* is the culmination of two prisoner lawsuits dating to the 1990s, one involving prisoners with serious mental disorders, the other prisoners with serious medical conditions. The district judges in the two cases both came to the view that reducing the prison population was the only effective cure for the constitutional violations they identified. Because authority to issue such a remedy is confided under the Prison Litigation Reform Act (PLRA) to a special three-judge court, the two judges asked for such a court to be convened.

It is the order of this court that was challenged in *Plata*. The order does not say how the state must reduce overcrowding. It is entirely possible that the state will have no place to relocate some prisoners other than on the streets of



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California. Just how many might be released, no one knows. But it could be in the thousands—even as many as 46,000. Given the relationship between incarceration and crime rates, it stands to reason that, as prisoners are prematurely released, crime will increase—a prospect that led Justice Alito, in dissent, to accuse the majority of “gambling with the safety of the people of California.”

It is also possible that the court will amend its order in ways that enable California to reduce overcrowding without having actually to release any prisoners—such as by extending the length of time (now two years) the state has to implement the order. On the other hand, it’s possible the judges will be less accommodating than not. And that is where the smart betting lies.

As Justice Alito pointed out, the judges’ order “flies in the face of the PLRA” and its requirement that remedies must be “narrowly tailored to address proven and ongoing constitutional violations.” Alito asks whether any of the deficiencies in the California prison health care system identified in the judges’ order and highlighted in the Court’s opinion could have been remedied without releasing (potentially) 46,000 prisoners. Not even the “not routinely disinfected” exam tables and counter tops? Not even the basic medical equipment that is “often not available or used”? Not even medications that “are too often not available when needed”?

Alito’s point is that the judges seemed so intent on attacking the broader problem of general overcrowding that they could not bother with trying to come up with truly “narrowly tailored” remedies, as the law requires and to which their authority only extends. Indeed, Alito called the judges out for having their own criminal justice agenda, one at odds in key respects with the sentencing policies adopted over the years by the legislature. It is not surprising, though it did not interest Justice Kennedy, just who was on the three-judge court: the two district judges in the original prisoner lawsuits, who indeed asked to be appointed to it, and Ninth Circuit judge Stephen Reinhardt, who is among the most liberal jurists in the nation. The lawyers for the prisoners could not themselves have picked a better (from their point of view) threesome.

It is not necessary to accept Justice Antonin Scalia’s characterization of the special court’s order as “perhaps the most radical injunction” ever issued by a court in American history. But it certainly is *a* radical injunction, at odds with the governing statute and betraying no concern for traditional constitutional limitations on the judicial power. Certainly it deserved more careful scrutiny than Kennedy, whose vote decides so many of the big 5-to-4 cases, gave it. The last thing the country needs are judges running our prisons. Unfortunately, that is precisely the state of affairs in California.

—Terry Eastland



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# From the Midwest to the West Wing

The formula for a winning GOP candidate.

BY JEFFREY H. ANDERSON



From the moment the Democratic House passed Obamacare on March 21, 2010, it was clear that November 6, 2012, would be a defining moment in American history. It is not an exaggeration to say

*Jeffrey H. Anderson was the senior speechwriter for Secretary Mike Leavitt at the Department of Health and Human Services.*

that, in many ways, that day will decide the future course of this country: Will our fellow citizens reelect President Obama and thereby ratify his signature legislative initiative, or will they reject both Obama and his namesake? Will they choose liberty and prosperity, or statism and insolvency?

Republicans will have a lot to do with providing the answers to these

questions—especially those few who must decide whether to enter the presidential race. They should bear in mind a basic truth of American presidential politics: Presidential elections are won on personal appeal and the ability to convey and defend ideas in a compelling way. To beat President Obama, Republicans must nominate someone who can compete with him in the former category and can beat him in the latter. In other words, they need a candidate who can best him in a debate without suffering from a clear deficit in personal appeal.

President Obama can certainly be beaten. While most Americans still find him to be generally likable, they more often disagree than agree with him on the issues and don't think he's particularly good at his job. Polling has repeatedly shown that a majority of Americans don't think he deserves reelection.

National exit polling during the 2010 election showed Obama suffering from an 11-point deficit in his approval rating among all voters (44 to 55 percent), and from a 19-point deficit (22 to 41 percent) among those who feel strongly (and who therefore are not as apt to change their minds). On Election Day 2010, Obama's approval rating was 44 percent in Gallup's polling and 48 percent in Rasmussen's. Since then, it's generally remained in the mid-to-high 40s in both polls. So despite the incessant efforts by Obama's supporters to imply otherwise, there is little reason to believe that his—let's be nice—mediocre exit polling numbers have changed substantially.

Obamacare is the one issue likely to keep his numbers from improving dramatically, as it's the one issue from which he cannot escape. Obamacare will of course be part of a larger debate over entitlement spending—including the merits of the House Republicans' proposed entitlement reforms—and over deficits and debt as a whole. But it will remain the clear symbol of government largess, the principal threat to liberty, and a significant impediment to prosperity. Republicans

GARY LOGKE

won the House largely on the basis of their unflinching advocacy of repeal, and they can similarly win the White House if their nominee will directly engage Obama on that issue.

Ours is a federalist system, however, in which candidates are rewarded for winning a sufficiently large number of (sufficiently large) states. And 17 months out, it is already clear that the 2012 election will be decided in about a quarter of the states. Looking at the 2008 (and 2004 and 2000) presidential election results by state, Obama's approval rating in state-by-state exit polls, support for repeal in those same exit polls, and states' 2010 House election results, it looks like 13 states will be somewhat or very competitive. Of the somewhat competitive states, three are Democratic-leaning—Michigan, Minnesota, and New Mexico—while the fourth leans Republican: North Carolina. Let's assume they stay in those respective columns. When added to the 37 predictable states, the electoral tally would be Democrats 217, Republicans 206.

And the 9 very competitive states? Three of these lean Republican: Florida (29 electoral votes), Ohio (18), and Virginia (13). Three lean Democratic: Pennsylvania (20), Wisconsin (10), and Nevada (6). And three are essentially toss-ups: Colorado (9), Iowa (6), and New Hampshire (4). If each party holds all of the states that lean its way, the electoral tally will be Republicans 266, Democrats 253, with Colorado, Iowa, and New Hampshire hanging in the balance. To prevail, the Republican nominee will have to win one of these three remaining states. Obama will have to sweep them.

When thinking, therefore, about which candidates could maximize the GOP's advantages on the electoral map—advantages that were accentuated through the allocation of 6 electoral votes from Democratic-leaning states to Republican-leaning states as a result of the recent census—one should keep in mind that the ideal state for a candidate to be from would be one that is bigger than most (a state with 8 or more electoral votes), is very competitive, and which the

other party can't really afford to lose.

For Republicans, the ideal home states would be Florida, Pennsylvania, and Wisconsin—Florida, because it's huge and very much in play; Pennsylvania and Wisconsin because they're large, Democratic-leaning, and yet winnable for the GOP (Ohio would also be advantageous, but it's less than two-thirds the size of Florida and already leans Republican; it's an ideal state for a *Democrat* to be from.) Among top-tier prospective Republican presidential candidates, no one is from Pennsylvania or Florida. (Rick Santorum is from Pennsylvania but would need to make a big move to get to the top tier.) Paul Ryan, however, hails from Wisconsin.

**If each party holds all of the states that lean its way, the electoral tally will be Republicans 266, Democrats 253, with Colorado, Iowa, and New Hampshire in the balance. To win, a Republican nominee will have to win one of these three states. Obama will have to sweep all three.**

Among top-tier prospective nominees, Ryan would have the biggest geographical advantage in a race against Obama. To win the presidency, Ryan would just have to win his home state and hold GOP-leaning Florida, Ohio, and Virginia. That would be it: election over, Obama defeated, Ryan's pen poised to sign the Obamacare-repeal legislation.

Ryan's advantage in Wisconsin as a home-state candidate would fundamentally change the dynamic in that "must win" Democratic state. A Public Policy Polling survey in March showed Ryan having a higher net favorable rating in Wisconsin among independents, among Republicans, and among all respondents, than any other prospective GOP candidate included in the survey. Additionally, Wisconsin borders three other states in play: Michigan, Minnesota, and the

important toss-up state of Iowa. The Badger State also isn't far removed, geographically or culturally, from Ohio or western Pennsylvania.

Ryan's competitiveness in Wisconsin would open up scenarios in which he could potentially survive even the loss of the most important state on the electoral map: Florida. Without winning Florida, a Republican who doesn't win Wisconsin would absolutely have to win Pennsylvania. Even then, he or she would face an uphill battle, as Pennsylvania is worth 9 fewer electoral votes than the Sunshine State. Wisconsin's 10 electoral votes, however, would more than make up that difference. Moreover, Ryan could potentially survive the loss of both Florida and Pennsylvania—which no other potential GOP nominee could realistically do—by sweeping Wisconsin, Nevada, and the three toss-up states of Colorado, Iowa, and New Hampshire. This would be a tall order, but a feasible one if the youthful and engaging Ryan were to catch fire in the West.

The only other potential top-rung nominee who would enjoy similar geographical advantages would be Minnesota's Tim Pawlenty. But Minnesota would be harder for a Republican to win than Wisconsin, it doesn't border Michigan, and it's a little farther removed from Ohio and Pennsylvania.

The *Chicago Tribune* editorialized last week that Mitch Daniels's decision not to run left "a big hole in the field . . . representing certain qualities that can be thought of as Midwestern. And it may be that the person who wins the election next year will be the candidate who displays those attributes most convincingly."

Indeed, more than any other election in recent memory, the 2012 election clearly calls for a candidate who possesses the characteristically Midwestern virtues of prudence, integrity, humility, and—most of all—fiscal responsibility. Not so coincidentally, it also calls for a candidate who can carry the Midwest, the most crucial region on the electoral map. It almost goes without saying that the candidate who possesses the former can win the latter—and, with it, the White House. ♦

# Manliness and Morality

The transgressions of Arnold Schwarzenegger and Dominique Strauss-Kahn. BY HARVEY MANSFIELD



Schwarzenegger on his way to lunch in mid-May

What with Arnold and DSK, male transgression is once again in the news. Let's not equate the two cases—one is forgivable, the other, if the accusations are true, is not. Together with these male transgressions is the reaction to them, still more interesting. The reaction shows the power of morality to produce disgust and disgrace at the sight of these male weaknesses. Even though morality can't prevent such excesses, it won't let go of us. Just when we think we are too advanced, too sophisticated, too New York to care, we all have to stop and gasp and exclaim to one another.

Look at the old-fashioned, home truths that are vindicated in these spectacles, some obvious, some less so.

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Harvey Mansfield, recipient of a 2011 Bradley Prize, is professor of government at Harvard University and senior fellow at the Hoover Institution.

(1) *Men are more adventurous and aggressive than women.* This is true for good as well as ill. Men are much more violent, but also more given to innovation and invention. Most science and all common sense says this, but our society now wants desperately to be gender-neutral, and it has great difficulty in admitting this obvious difference between the sexes. Many think that admitting such differences will hurt the chances of women to gain for themselves formerly male occupations that require initiative and drive. It certainly seems strange that being capable of rape can make a person better qualified for greatness, but it's probably true. Yet it's not surely true; some women do have these manly qualities and do succeed.

(2) *Women are more vulnerable than men.* They are not rapists but victims of rape. Being mothers, they are closer to their children, and usually suffer more from divorce. Because women

are weaker and closer to children than men, the equality of the sexes cannot rest on their being the same. Nor can women be independent, or "autonomous," certainly not as much as modern women want to be. As vulnerable, they depend on law and morality for protection. The enforcement of law and morality is done mainly by men or by women with the strength of men. Martial arts! But it's better usually to call the police. Women need men to save them from men.

(3) *Sex is not just pleasure.* Only young men in passion and the deluded friends of sexual liberation believe that this is all there is to it. Sex is not like a cup of coffee or a glass of beer, a harmless, passing pleasure. It is different because it involves honor and shame. Casual sex when young can give you bad habits, and you find yourself unprepared for the trouble you encounter when you see that sex matters. If you are young and unsuccessful in love, be glad. But of course you won't be.

A woman has the right to consent, but if she consents too easily, she easily begins to think less of herself, and others think less of her. When she defends herself like DSK's alleged victim, however, she may be frightened, but people, and especially other women, will be proud of her. The casual promotion of casual sex, seen in many colleges including the one where I teach, is irresponsible, to say the least. The basic reason for this is that life is about honor, not only pleasure, and misbegotten sex when it violates honor can make people very angry. They will come after you, one way or another.

(4) *The gentleman is not obsolete.* A gentleman is one who does not take advantage of those who are weaker than he. So defined, a gentleman could be a woman, but men like to be protective, and convention gives a woman the chance to be a lady instead. A lady is a person who keeps her dignity in every situation, even one in which a gentleman would lose his. A lady doesn't swear; she knows that the gutter is not where women thrive and rule.

(5) *Morality can bring you down.* So we see in these two cases, one a

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governor, the other a leading statesman on his way to becoming president. Of course the first is a Hollywood star, the second a Frenchman; no surprises there when it comes to erotic shenanigans. But Arnold was in high office and well married. He has taken a hit but will survive because he did take responsibility for the love child—after leaving office. DSK is a much more serious matter. Frenchmen are known for making love, not for rape. His disgrace is a dramatic fall from a \$3,000 room, a first-class cabin, and probably the presidency of France. Rather than gaining a triumph to his glory and his country's benefit, he has humiliated both himself and his country. Morality has a hold on all human beings, and it does not easily accept excuses. It is more powerful than the cynics believe. It can be very democratic in raising the low and abasing the high. Morality and democracy are both levelers; they encourage each other and they take satisfaction in each other. Democracy on its own doesn't care for moral relativism; only democratic intellectuals want that.

But let's not leave with morality altogether secure in the saddle.

(6) *Morality wants to be sovereign over all other considerations, but it doesn't deserve to be.* Morality when sovereign makes moralism, an ugly posture that breeds fanaticism.

So, whether it's because I have studied Machiavelli or am now a grandfather wise in the world I couldn't say, but I can think of scenarios in which Dominique Strauss-Kahn might be excused (still assuming he is guilty). Many French now think that he has been the victim of a plot, which seems far-fetched and against the evidence. But suppose he were; could that plot not be justified if it removed a very bad man from a situation in which he could do much harm? And, on the contrary, supposing he were a very good man essential to the good of his country, could not another plot have been mounted to cover up his unfortunate moral failing? Working out these possibilities will keep you from feeling too much moral indignation. Not too much of it, but not too little, either. ♦

# Obama in the Abstract

Spokesman for the 'international community.'

BY TOD LINDBERG

Let's assume that it was not President Obama's intention for the final section of his big Mideast speech, in which he took up the subject of the Israeli-Palestinian conflict, to entirely overwhelm everything he had just said in support of democratization and the "universal rights" of those living in the region.

Of course, that's exactly what happened when the fateful words "1967 lines" passed his lips. Nor is it inconceivable that Obama—after taking a large (if unacknowledged) step in the direction of the "freedom agenda" of George W. Bush in the rest of the speech—wanted to end on a somewhat emphatic note of *voilà la différence*.

But the more likely explanation is simply that Obama sees the Israeli occupation of the West Bank in the context of the full panoply of repression in the Middle East—that is, as contrary to "the broader aspirations of ordinary people" throughout the region. In this light, one can't really talk about what has been happening in Tunisia, Egypt, Libya, Syria, and elsewhere without also mentioning the plight of the Palestinians, who have been "suffering the humiliation of occupation, and never living in a nation of their own."

If he had to do it all over again, the president might have expressed the sentiment differently, so as not to require his own State Department to walk back any implication of a major change in policy in the magic words "1967 lines"—or to require the deployment of squadrons of apologists

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insisting, "*With swaps!*" He said, "*1967 lines with mutually agreed swaps!*"

In a certain sense, Obama did do it all over again. His speech a few days later at the Washington conference of the American Israel Public Affairs Committee became an exercise in damage control, in which he adopted a posture of calming reassurance rather than the tough love of the previous Thursday ("precisely because of our friendship, it's important that we tell the truth").

In Obama's original speech, the "1967 lines" got all the attention, but the intellectual heart of his analysis came a few sentences before. "The international community," he said, "is tired of an endless process that never produces an outcome. The dream of a Jewish and democratic state cannot be fulfilled with permanent occupation." Those two gnomic statements do a remarkable job of opening the curtains to reveal the liberal internationalist window through which Obama sees the world.

Let's begin with the partisan element: It is hard to imagine a Republican president (or a serious aspirant for the job) affecting a posture of solidarity with the "international community" in order to reproach a U.S. ally, Israel above all. When Obama speaks of the "international community," he is at one with it. In fact, whether "the international community is tired" may be subject to debate, but that Barack Obama himself has grown weary "of an endless process that never produces an outcome" seems beyond dispute.

And what is this "international community"? The phrase, of course, is one many conservatives shun, on the putative grounds that there is no

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such thing—that the nation-states of the world can in no meaningful sense be described as a “community.” All you have to do to see the problem is to ask *why* the members of the international community happen to be tired of this “endless process that never produces an outcome” (if indeed they are). Some are tired because they have long supported a two-state solution to the Israeli-Palestinian dispute. Others, however, may be tired because 63 years after its creation, Israel has not yet been swept into the Mediterranean, its territory not yet deeded to an independent Palestine—or a satrapy of Iran, or a new Wahhabist caliphate. Some in Israel and on the West Bank are no doubt tired because they have failed to vindicate their claim to the lands of the biblical Israelites. I know that the South Pacific island republic of Vanuatu maintains a consul in Tel Aviv, but I don’t offhand know whether he or she is tired or why.

I don’t share the view that the term “international community” is meaningless. It seems to me the phrase is useful shorthand for those who want to uphold, for example, the principles articulated in the Universal Declaration of Human Rights. In that context, one may meaningfully say that this or that atrocity deserves the condemnation of the international community. But the term is an abstraction, and it is aspirational. It would be a big mistake to conclude from the proposition that the world would be a better place if everyone shared the values of the Universal Declaration of Human Rights that the “international community” of actual states does share those values.

Obama surely knows this. But he thinks he is furthering the cause of international community by speaking in the name of “the international community.” Those who share his liberal internationalist outlook tend to agree—they tend to think of themselves as spokespersons *for* the international community, construed as right-thinking, Enlightenment-friendly people everywhere. Barack Obama and those who share his outlook know exactly why *they* are “tired

of an endless process that never produces an outcome.” But “the international community” in any actual sense—involving states and international organizations and nongovernmental organizations and influential individuals such as the late Osama bin Laden—if it is tired, is tired for many different and conflicting reasons. And it is misleading if not arrogant to impute to this collectivity of wearinesses a liberal internationalist rationale. The “international community” is an abstract normative concept born of liberal internationalist aspiration. It is not an actor.

Although much unites the neo-conservative-influenced “freedom agenda” of George W. Bush and the newly assertive liberal internationalist view in support of freedom and democracy of Barack Obama, the question of the “international community” divides them and drives most of their respective partisans somewhat crazy. Liberal internationalists view Bush as arrogant for speaking up for universal values that he grounds only in American, indeed Bushian, exceptionalism. Conservatives view Obama as arrogant because he presumes to speak for the “international community.”

Obama’s next statement was similarly revelatory. Let’s grant the trivial truth that a democratic state, whether Jewish or not, cannot presume to rule in perpetuity over the territory of people to whom it affords no say in government. Viewed from the perspective of eternity, such an everlasting state would by definition have to be construed as undemocratic.

What, one wonders, does that have to do with Israel? Israel is an occupying power, as it has been since the end of the 1967 war. The occupation is ongoing. Obama’s reference to an occupation that is “permanent” is presumably something other than a description of the current status of the West Bank: What will leave the “dream of a Jewish and democratic state” unfulfilled is the current status projected indefinitely into the future.

“Permanent occupation” in the Obama sense might be an apt description if, say, a government of Israel ever decided to adopt the view of the extremist voices of its right-wing nationalist parties to the effect that the lands of the “Greater Israel” of biblical times must never be surrendered. But apparently, the policy need not be adopted and declared to run afoul of Obama’s formulation; indeed, it need not even be a policy.

Once again, Obama is moving back and forth rather casually between actuality and aspirational abstraction. After all, there is a pretty good *prima facie* case that the “dream of a Jewish and democratic state” was in fact fulfilled in 1948, with the creation of the state of Israel.

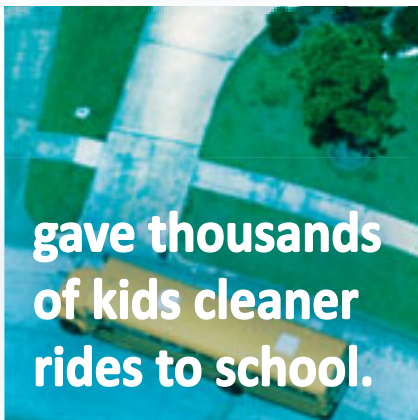
Israel today is no less Jewish or democratic than it was in the years after its declaration of independence. So the “dream” to which Obama refers obviously has some other content to it. That seems to be nothing other than an Israel not only Jewish and democratic but also untainted by the fact of occupation. It is, to borrow a phrase, a “more perfect” Israel.

But does the inability to attain this more perfect Israel through an end to the occupation make Israel any less “a Jewish and democratic state”? I would say no. I don’t know if Obama would say “yes” or “it depends.”

If Obama’s answer is yes, then we have another case of an aspirational abstraction, in this case Obama’s idealized notion of what “a Jewish and democratic state” *should be*, as opposed to the one that actually exists. The problem is that there is no Jewish and democratic state apart from the real Israel, including the totality of its history, including the 1967 war and the occupation of the West Bank, Gaza, and the Golan Heights. Obama’s standard of judgment is a facile one.

In fact, there is no liberal democracy in the absence of actual liberal *democracies*. There is an *idea* or ideal of liberal democracy. But judged against this ideal, whose content is subject to considerable contention, any actual liberal democracy is going to be

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found wanting. What would Obama think of the proposition that “the dream of a democratic state cannot be fulfilled with permanent detention at Guantánamo”? Before he took office, people around him used to say things like that all the time. Now, not so much, but still: Even if Obama would agree with that proposition, he would surely not deny that the United States is a democratic country.

So maybe “it depends” on how hard you try to close Guantánamo, or to end the occupation. And maybe, in Obama’s view, Israel isn’t trying hard enough. I happen to think this is a classic case in which reasonable people might differ. Again, though, one gets the impression that for Obama, the only acceptable demonstration of sufficient effort would be the end of the Israeli occupation. An aspirational abstraction inherent in liberal internationalism—democratic states don’t occupy the territory of others—trumps all facts on the ground: History, politics, culture be damned.

But unlike Guantánamo, one of the things “it depends” on for Israel is the view of the political authority of the territory Israel is occupying. (Actually, that’s “authorities,” Fatah and Hamas both, which is another problem.) Can it really be the case that Palestinian political leaders, by holding out—indefinitely? *permanently?*—for demands Israel cannot meet (the “right of return” above all), can cause the American president and the weary “international community” for whom he presumes to speak to conclude that Israel, while still a Jewish state, is no longer a democratic one?

Maybe so. And it’s but a short step from there to a bigger problem of liberal internationalism arising from liberalism writ large. That’s the tendency to reject all particular and exclusive claims in favor of universal standards for judgment of right conduct—a tendency that also, by the way, constitutes liberalism’s greatest strength and most important contribution to the betterment of the human condition.

In this case, however, that short step can lead to the conclusion that “Jewish” is the real problem. ♦

# The Politics of Defense Cuts

The president tries—and fails—to paint Republicans into a corner. BY MICHAEL GOLDFARB

Not that long ago it looked like President Obama had Republicans right where he wanted them. As the debate over the 2011 budget played out on Capitol Hill, he threatened to veto the legislation if it cut one dollar more from defense spending than the budget request submitted by Secretary of Defense Robert Gates.

It was an unusual position for Republicans to find themselves in. They’d been fighting against defense cuts since liberals dropped all that imperialist talk of paying any price and bearing any burden in favor of calling for an Air Force funded by bake sales. And suddenly a Democratic president—*this Democratic president*—was threatening to veto Republican legislation that would, the White House claimed, “leave the department without the resources and flexibility needed to meet vital military requirements.”

Obama and Gates have cut viciously at the defense budget since the administration first came into office. Nothing’s been safe. They cut aircraft programs like the F-22 and the C-17, they cut the Navy down to its smallest size since World War I, and now they were cutting the Army and Marine Corps by 47,000 troops even as those two services bear the brunt of the fighting in Afghanistan. But they were playing the politics well. Obama was bankrupting the country and devaluing the dollar. Who, then, was going to argue with his Republican defense secretary

when he said he didn’t need all those pricey weapons?

The Obama-Gates cuts had begun very deliberately, with big speeches made to defend the termination of high-profile, big-ticket, but mostly controversial weapons systems. But after the rout of Democrats at the polls last fall, and with Republicans promising they were serious about cutting spending this time, Obama

and Gates grew bolder. Even as they cut deeper and deeper, they cleverly tried to paint the new Tea Partyish Republican Congress as extreme, and as endangering U.S. troops with plans to

reduce the deficit by cutting defense.

Except it didn’t work. It turns out the Republican Congress didn’t have any intention of making additional defense cuts. A shutdown was averted, a stop-gap funding measure was passed, and Republicans focused their attention on Paul Ryan’s 2012 budget. House Armed Services Committee chairman Buck McKeon, along with Republican members of his committee, pushed Ryan to keep defense spending roughly where the Defense Department had requested. In a budget proposal that would cut \$4 trillion over 10 years, Ryan managed to keep defense spending on a course for small but steady growth—roughly in line with Defense Department planning.

For all the recent talk about how the Ryan budget has made Republicans vulnerable to Democratic attacks on Medicare, little attention has been paid to how it has once again made Democrats vulnerable to Republican attacks on defense. Just when it



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looked like Obama had neutralized an issue Republicans had owned for decades, he threw it all away. In an attempt to show he was as serious as Ryan about reining in spending, he gave a speech calling for another \$400 billion in defense cuts over ten years—an arbitrary number that Obama didn't even try to connect to an assessment of the challenges U.S. forces will face in the next decade.

Liberals still seem hopeful that the Tea Party will lead Republicans into a defense spending revolt, but they're hoping against all evidence to the contrary. The early frontrunners for the Republican nomination have all made the case that the country can't afford the further military cuts Obama has called for.

Tim Pawlenty broke the news to the libertarians at the Cato Institute last week. When asked why the United States needed so many military bases, Pawlenty pushed back. "I'm not one who's going to stand before you and say we need to cut



*'Cut how much?' Gates with Obama.*

the defense budget," he said. "I'm not for shrinking America's presence in the world. I'm for making sure America remains the world leader." Alex Conant, a senior Pawlenty aide, says that "a president's budget reflects his priorities and Obama's overseen a huge increase in spending on stimulus and Obamacare."

Pawlenty, on the other hand, would "refocus spending on the federal government's core responsibilities, like national defense."

Likewise, when Mitt Romney gave a speech about fiscal responsibility in New Hampshire in March, he stipulated that because defense comprises just "20 percent [of federal spending], and given what's happening in the world, we should not reduce our commitment to national security. In particular, we should not cut the number of our men and women in uniform!"

The potential candidates most closely associated with the Tea Party tend to share that view. Sarah Palin has been vocal in her opposition to additional defense cuts, and Michele Bachmann, in her own list of proposed cuts, went no further on military spending than Ryan and Gates. It's the dropouts—Mitch Daniels, Haley Barbour, and Mike Huckabee—who were most squishy on the issue of defense spending. And as is often the case with squishes, they

## Hiring Our Heroes

**By Thomas J. Donohue**

President and CEO  
U.S. Chamber of Commerce

This Memorial Day roughly 1 million veterans were looking for jobs. The 11.5% unemployment rate for post-9/11 veterans last year was well above the national average. And more than a quarter of the veterans between the ages of 18 and 24 are currently without work.

What can be done for these valiant men and women who answered our nation's call to duty? For its part, the U.S. Chamber launched its Hiring Our Heroes program. It has two goals—better coordinating public and private sector efforts to help veterans and their spouses find jobs and developing a network of mentors in the business community to help veterans transition to the civilian workforce.

Over the next year, Hiring Our Heroes will work with local chambers of commerce, the administration, and the National Guard and Reserve to connect 100,000 veterans with more than 1,000 different employers

during 100 hiring fairs across the country. The first hiring fair took place in Chicago, bringing together more than 125 employers and 1,200 veterans and their spouses. About 150 of them will end up with new jobs.

We have also created strategic partnerships in three other areas to deal with specific populations of veterans and their unique challenges. They are a Wounded Warrior Transition Assistance Program, a Student Veterans Internship and Employment Program, and a Women Veteran and Military Spouse Employment Program.

For this initiative to succeed, local communities must be the cornerstone of any national program to reduce veterans' unemployment. The reason is simple: When veterans and their families are transitioning out of the military, their top priority is getting back to a local community. By targeting resources where we know veterans are and want to be, we can be that much more effective.

We must also look for innovative ways to assist transitioning veterans. This includes helping them launch a small business, providing

vocational education and apprenticeships, improving and expediting certification and licensing, and enhancing the availability of internships and mentoring programs.

Why is the Chamber devoting significant resources to helping veterans and their spouses find jobs? As Martin Luther King Jr. once said, "The time is always right to do what is right." Beyond that, businesses of all sizes have an urgent need for skilled workers, even with our 9.0% unemployment rate. Veterans can help fill this skills gap with their unique leadership experience, technical expertise, and problem-solving skills.

As we celebrate the heroic accomplishments and tremendous sacrifices made by our veterans, we must always remember that their contributions don't end when they stop wearing the uniform. Visit [www.uschamber.com/veterans](http://www.uschamber.com/veterans) to learn more.



**U.S. Chamber of Commerce**  
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were squishy about being squishy. The only Republican candidate who seems gung-ho for serious defense cuts is Obama administration veteran Jon Huntsman.

In fact, the politics of national security seem to be returning to more familiar, and more favorable, terrain for Republicans as the 2012 presidential campaign gets under way. Obama's uncharacteristically impulsive response to the Ryan budget, with its call for \$400 billion in new defense cuts, will now be followed by the departure of Secretary Gates, who provided cover and credibility for Obama's stingy defense budgets with Congress, the military, and the press.

Ironically, on his way out the door, Gates is doing to Obama what Obama tried to do to Republicans just a few weeks ago. In a series of speeches and press conferences, Gates has warned that there isn't any fat left to cut—and that the president risks jeopardizing our ability to meet vital military requirements. At the American Enterprise Institute last week, Gates said, "We need to be honest with the president, with the Congress, with the American people, indeed with ourselves, about what those consequences [of more cuts] are: that a smaller military, no matter how superb, will be able to go fewer places and be able to do fewer things."

The Republican candidates for president need to be honest with the American people, too. The military has done everything Obama has asked of it, including killing Osama bin Laden in a daring raid that relied on capabilities that were previously undisclosed or only rumored, like stealth-modified helicopters and stealth drones. American aircraft are flying missions over Libya, American soldiers and Marines are fighting the Taliban in Afghanistan, and American ships are supporting combat and relief missions all over the world. Republicans are well positioned to seize the opportunity and make a compelling case that Obama's defense proposals are irresponsible and dangerous. It's not just good politics, it's good policy. ♦

# A Day Without U.S. Seapower

It's June 2025. Do you know where your fleet is?

BY MACKENZIE EAGLEN & BRYAN McGRATH

The idea of a world without the benefit of preponderant American seapower may sound alarmist and farfetched. Unfortunately, those who follow military cutbacks and world affairs know that it isn't. Indeed, the following scenario is all too plausible. . . .

In 2020, several major European nations default on their debt. Contagion in the financial markets plunges the world economy into global depression. From 2020 to 2025, the U.S. economy contracts from \$20 trillion to \$12 trillion. During this time, two successive U.S. presidents seek and obtain deep cuts in the size of the U.S. armed forces. Homeland security becomes the main focus of the Department of Defense, with policymakers concentrating on port and border security, land-based strategic nuclear forces, antiterrorism, and managing civil unrest.

The global implications of this retrenchment are stark. China's claims on the South China Sea—previously disputed by virtually all nations in the region and routinely contested by U.S. and partner naval forces—are accepted as a *fait accompli*, effectively putting the entire expanse under Chinese hegemony. Korea, unified in 2017 after the implosion of the North, signs a mutual defense treaty with China.

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Japan is increasingly isolated and executes long-rumored plans to create a nuclear weapons capability.

India, recognizing that its previous role as a balancer to China has lost relevance with the pullback of the Americans, agrees to supplement Chinese naval power in the Indian Ocean and Persian Gulf to protect the flow of oil to Southeast Asia. China agrees to exercise increased influence over Pakistan.

Iran dominates the Persian Gulf and is a nuclear power. Its navy aggressively patrols the Gulf while the Revolutionary Guard Navy harasses shipping and oil infrastructure to force the

Gulf Cooperation Council countries into Tehran's orbit. Russia supplies Iran with a steady flow of military technology and nuclear industry expertise.

In Egypt, a decade-long experiment in participatory democracy ends with a violent seizure of power by Islamists. The United States is identified closely with the previous coalition government, and riots break out outside the U.S. embassy. Americans in Egypt hunker down and hope for the best, as there are no U.S. forces in the Mediterranean to evacuate them.

The NATO alliance falls apart. For its energy security, Europe depends on Russia and Iran, which control the main supply lines and sources of oil and gas to Western Europe. Major European nations stand down their militaries and make only limited contributions to a new EU constabulary force. No European nation maintains the ability to conduct significant out-of-area operations, and Europe as a whole maintains little airlift capacity.



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The impact of the world fiscal and political crisis is devastating to the U.S. Navy, which has been in decline since the latter part of the Obama administration, when Secretary of Defense Leon Panetta chose to maintain proportional resourcing of the Navy, Air Force, and Army rather than make difficult choices among competing priorities.

World trade goes into steep decline. In addition, shippers avoid U.S. ports as a result of the onerous container inspection regime. As a result, American consumers face a diminished selection of goods and a lower standard of living.

By 2025, the Navy is down to 70 deployable ships (from 286 in 2011). All aircraft carriers and all but six attack submarines are sidelined, as the Navy dramatically cuts back on expensive nuclear engineers and pilots. Additionally, the Navy de-emphasizes projecting power and sea control beyond U.S. territorial waters. A fleet of four ballistic missile submarines is retained for nuclear deterrence.

With the Navy no longer seeking to project power, the carrier force is decimated; the amphibious force is cut less severely because of the flexibility of these platforms and because they are highly valued for their usefulness in defense support to civil authority missions, such as disaster relief.

All forward-deployed naval forces pull back to the bases in Norfolk and San Diego. A greatly diminished Coast Guard maintains a presence in Hawaii. All other naval bases are closed. The fleet of 70 ships consists of 6 attack submarines, 4 ballistic missile submarines, 8 aviation-capable amphibious ships, 8 other amphibious ships, 15 destroyers, and 29 small combatants. The Navy also operates 2 hospital ships, which are in heavy domestic demand. It does not operate a logistics force because all fueling, provisioning, and arming is done in port.

The Navy's operational mandate is homeland defense, and its activities have become largely indistinguishable from those of the Coast Guard.

Some members of Congress call for combining the two services.

There is one remaining private shipyard suitable for building both conventional and nuclear combatants. Specialized shipbuilding trades are in fatal decline. The ship repair business has disappeared, and all depot-level maintenance is conducted in two heavily subsidized public shipyards . . .

**B**ack to 2011: How might we arrive at this same abysmal state of naval readiness absent a crippling world financial crisis? By continuing down the path that we are on now. Changes in world naval power tend to play out over decades, and by the time action is taken to arrest decline, it could easily be too late.



*U.S. ships in the Persian Gulf*

Some steps that might be taken to preclude this fate include:

*Recapturing innovation and a sound industrial base.* Congress can still prevent the loss of innovation in defense-related research and development. Members should already be alarmed that the U.S. military has no manned aircraft under development, a first in the history of aviation. Similarly, no surface ships or attack submarines are in the design phase. With development cycles lasting 20 years or longer, elected leaders need to ensure the Defense Department is not losing access to critical skills that will be needed to imagine and build the next generation of ships, aircraft, sensors, and weapons for the U.S. Navy.

*Developing a long-term research and development plan.* After numerous studies and a half-dozen shipbuilding

plans, Navy leaders have correctly concluded that the United States needs a larger fleet—not simply in numbers of ships and aircraft, but also in terms of increased network capability, longer range, and increased persistence. Navy leaders recognize that the United States is quickly losing its monopolies on guided weapons and the ability to project power. Precision munitions (guided rockets, artillery, mortars, and missiles) and battle networks are proliferating, while advances in radar and electro-optical technology are increasingly rendering stealth capabilities less effective. Congress should demand long-range technology road maps, including a science and technology plan and a research and development plan for the U.S. Navy. These plans should broadly outline future investments, capabilities, and requirements.

*Getting the fleet size right.* Congress should direct the Navy to provide a “resource unconstrained” fleet composition appropriate to meeting the requirements of *A Cooperative Strategy for 21st Century Seapower*, the Navy’s 2007 maritime strategy. The study should include an analysis of the capabilities and missions called for in the strategy and identify which are at risk, given current and planned fleet size and resources.

This study should include options for additional forward stationing of U.S. Navy vessels and proposals for new classes of ships designed specifically for low-end naval presence missions.

Without this type of strategy-driven analysis by Navy leaders, Congress will continue to struggle to determine where to apply diminishing resources within the defense budget and how to justify the additional investments needed in higher-priority areas.

America is a maritime nation, and our Navy is the most visible and effective symbol of our national power and strength overseas. Washington decision-makers should recognize the impact and influence of forces that are as useful in peacetime in deterring conflict as they are in wartime while pursuing it. And they need to recognize it before it’s too late. ♦

U.S. DEPARTMENT OF DEFENSE

# Law and Order

Targeted killing is legitimate and defensible.

BY KENNETH ANDERSON

Even before the successful raid against Osama bin Laden was announced, news that America's most admired general, David Petraeus, would take the helm at the CIA while CIA director Leon Panetta would become secretary of defense had induced much discussion about the intertwining of the CIA and military special operations. The intelligence community's agencies and military intelligence and operational assets have been gradually converging. The results include the counterterrorism drone campaign and the intelligence-intensive pursuit of "high value" terrorists. The OBL raid—a combination of relentlessly focused CIA efforts over many years and, at the end, a military SEAL team on the ground—has now pointed the way for intelligence and military assets to work as one.

All this is to the good, but there is a crucial gap. The law—or at least its public articulation—appears not to have kept pace with operational and institutional integration, and the increasing scope and importance of special operations. That's so with respect to both domestic U.S. law and international law.

Does it matter? If it works for Petraeus and Panetta, and for the CIA and military special ops, why should anyone care whether U.S. domestic law governing the uniformed armed forces and the "intelligence community" precisely reflects working relationships on the ground? So long as the statutory oversight process for the intelligence

community is followed and the president makes the required reports to Congress, surely only lawyers could get very worked up over the legal niceties.

International law, for its part, might be even less interesting on questions of covert action and what we might call the "intelligence-driven uses of force" that increasingly account for counterterrorism operations. That's so whether it is targeted killing using drones or human teams on the ground.



As Al Gore is reported to have said in the Clinton years, *of course* it's illegal—that's why it's covert.

The traditional, yet mostly unstated and informal, position of countries' intelligence agencies on covert operations has three elements: First, covert actions are legal with respect to the law of the intelligence agency's country. Second, covert actions are possibly (i.e., almost certainly) illegal with respect to the domestic law of the country where the action takes place (but, then, agents are not claiming any privileges such as combatant status, either). Third, covert actions are something like "extralegal" as regards international law. "Extralegal" is not actually a term of international law; like "covert action," I use it colloquially. Espionage uses of force are a violation of the international law of sovereignty, apart from any violations of that country's laws. And yet countries do it, the United States and a long list of others. States have long done it and are not going to stop doing it—or admit to doing it, either. Covert action's extralegal status is either a bug or a feature, depending mostly on how secret you manage to keep operations.

Extralegal is distinctly a bug for the United States, however, because we are very, very bad at keeping secrets. Covert

operations frequently do not remain covert—sure, one can hypothesize a universe of "unrevealed" covert actions compared to which the ones we know about are a tiny percentage. But no one believes the United States is very good at keeping these things secret. And when things become public, one of the first questions is always, was it legal? Yes, people also ask, did it keep us safe—but Americans expect law and effectiveness to come together at some point. Law matters because it reflects and structures legitimacy in the use of force; it matters to the American public and beyond. It matters equally or more to the people tasked to use force on behalf of the United States. Whether police, military, or civilian intelligence agents, they want to know the legitimating principles behind what they do, and that means laws.

So it matters to more than just lawyers whether the bin Laden operation might have contravened the Ford-era executive order banning assassinations; and it matters that the executive order is one sentence long with no definitions, because it shows how little that provision has kept pace with accepted practice. It matters in special ops whether actors on the ground are CIA or military, because it might affect whether the U.S. government would demand POW treatment in case of capture of its personnel—a commitment that soldiers take as bedrock, while civilian CIA operatives understand that deniability as civilians might preclude that in some circumstances.

It matters in domestic law, too, that the OBL raid has been described in some quarters as simply a conventional military operation. But the raid was also described by Panetta as a covert operation, by reason of CIA participation, with attendant reporting and oversight requirements. In the OBL raid, no one is unhappy to report, of course. But in the future, these commingled operations might produce less positive results. Clarity on the oversight requirements, when and by whom they are triggered in mingled operations, is far from merely lawyers' worries.

Much more important, however, but also much harder to convey, is the

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importance of engagement with international law. The time for saying with a shrug, *of course* it's illegal or extralegal, is long gone. Needed, rather, is for the United States to articulate on a regular basis its views of why it thinks its counterterrorism programs are consistent with international law. State Department legal adviser Harold Koh, to his credit, has done so both in the case of targeted killing using drone warfare, in a widely remarked speech last year, and more recently in a short statement on the bin Laden killing to the international law blog *Opinio Juris*.

The United States does not believe it is acting extralegally, let alone illegally, in its counterterrorism programs, and it should be willing to say why. The U.S. government believes, as former State Department lawyer Ashley Deeks observed in a recent, influential paper, that states that are unable or unwilling to deal with terrorists in their midst lose claims of sovereignty, thus allowing other states to reach inside to deal with them. The U.S. government believes, moreover, in Koh's formulation, that even covert operations undertaken outside of an armed conflict must still adhere to international law principles of necessity, distinction, and proportionality in their conduct; there are limiting principles of international law that the U.S. recognizes and abides by.

The problem is, such public, official articulations are rare. Without question, lawyers at Defense, Justice, the CIA, and other agencies closely scrutinize U.S. practices and operations for legality under both domestic and international law. This is good and proper, particularly as secret opinions can address facts that must remain secret. But it is not enough, because secret opinions, however persuasive, do not convey legitimacy. Public legitimacy does not require that the government reveal secret facts, programs, activities, and other things that ought to remain secret. But there is much that can be shared about the basic interpretations of domestic and international law that inform the necessarily secret work.

It is quite true that wide swaths of critics won't be satisfied; that's not the point. The international law

community will never be satisfied, and whatever one gives them, if it's done merely to appease them, they will take as weakness. International law critics will speak with utter confidence and great bluster. "International law" is better understood not so much as a unified field with definitive answers but as a set of more and less "plausible" interpretations, in a world of sovereign states in

which there is no final adjudicator to say yes or no. It is fused with diplomacy, politics, and real-world consequences.

The United States should seek to convey that it has a considered, plausible view of the law, whether shared by the critics or not. That view will achieve public legitimacy in no small part because the U.S. government has the confidence to articulate it and defend



# Exploring

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\*The Economic Impacts of the Oil and Natural Gas Industry on the U.S. Economy, PricewaterhouseCoopers LLP, September 2009 (Sponsored by API)

it as such. This is an approach to the public articulation of international law begun by then-State Department legal adviser John Bellinger in the later years of the Bush administration, and while it requires being willing to weather a great deal of criticism and sometimes abuse, it is the right approach.

Moreover, as current legal adviser Harold Koh has been careful to note in

his speeches, these legal views are connected in their claim of plausibility to a long line of jurisprudence articulated by the State Department over decades. One might disagree with the conclusions, but this jurisprudence cannot be dismissed out of hand. The decades-old views of the United States on international law matter more than those of Bolivia or Tajikistan, or subcommittees

of the United Nations, or congeries of NGOs. Which is to say, the U.S. view of its counterterrorism activities is that they are not truly “extralegal” but have a legal basis, including limits upon them, even if they are not the limits sought by Washington’s critics.

This call for the U.S. government to put forward its genuine view of the legality of its use of force in the war on terror is not what it might sound like—a foolish and misguided call to “engage” with an “international community” that will never approve of such actions. The U.S. government should be utterly clear that in articulating its international law positions, it is not seeking permission. It is not granting anyone in the international community a veto on U.S. action. It has no reason, for example, to engage with the U.N., its special rapporteurs, or the Human Rights Council on this issue.

The United States should, on the contrary, assert its considered view of what it believes is a legal and essential category for the use of force in combating transnational terrorism—as well as its limits. It is happy to entertain debate, discussion, and disagreement, but after due consideration of other views and taking them as it thinks proper, it finally abides its own counsel. Washington’s bedrock position on international law, after all, is that the views of a core international actor such as the United States might not be decisive in determining international law—no one is—but neither can its views ever be merely dismissed, either.

These “intelligence-driven” covert operations are not going away. Integration of military and civilian assets will make them easier and more effective. The United States *will* conduct such operations more frequently and more visibly than anyone else. A consistent and unapologetic public stance on the basic principles of their legality by counselors to the United States government—including lawyers in the CIA—is an important mechanism to defend their legitimacy within this country and abroad, and on something more than merely their functional utility. It is hard to imagine that Director Petraeus would settle for less. ♦



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# Small Is Beautiful

Memo to GOP: Think less about corporate America, more about startups. **BY DAVID SMICK**

In late 1979, during an economic strategy meeting, Ronald Reagan was talking about his upcoming presidential campaign. At one point, somebody expressed concern that John Connally, the former governor of Texas and another presidential candidate, was gaining support among corporate chief executive officers, with all the financial support and credibility that that entailed. Reagan said this didn't bother him at all. "Let him have the Fortune 500," he said. "I want our campaign to stand for Main Street, not Wall Street. I want us to stand for the worker, the shopkeeper, the entrepreneur, and the small businessman." Reagan's instincts were right on the mark.

Last week, House Republicans announced a "pro-growth" agenda that concentrates on corporations. The plan lowers the top corporate tax rate while eliminating loopholes as a means of helping reduce today's horrendous joblessness. Sounds logical; big corporations such as General Electric pay no taxes while other less politically connected firms pay the full freight. The playing field, therefore, needs to be leveled. Plus, the U.S. corporate tax rate is uncompetitively high by international standards.

Yet the GOP should be wary of becoming the political face of corporate America. The same goes for those Republicans who lately have been defending Wall Street's incompetent, too-big-to-fail bankers.

Instead, Republicans should concentrate on reforming the *individual* tax schedules. Listening to the

Washington debate, you encounter a troubling misperception that individuals merely consume while corporations create economic growth and net new jobs. In other words, "capital" precedes, and is more important than, "labor." Certainly capital is important. But as Abraham Lincoln said, "Capital could never have existed without labor."

Individuals (i.e., human capital) are essential to reigniting the dynamism of the American economy. People are the economy's essential producers, savers, investors, and innovative risk-takers—as well as consumers. People are the prime players in Schumpeter's bottom-up process of creative destruction. Reforming the *individual* tax code, therefore—by lowering personal tax rates while eliminating special interest tax shelters as a means of mobilizing these creative individuals—is the key to reducing joblessness.

The administration's approach to job creation calls to mind the old joke about the guy on hands and knees under a lighted lamppost down an otherwise dark alley. He is desperately looking for his lost car keys. When asked where he last saw the keys, he points to a nearby dark corner. "Then why aren't you looking there?" is the logical next question. To which the guy on hands and knees responds, "Because the light's better here."

The administration has looked to the Fortune 1000 for job creation because the light's better closer to corporate America. Last January, when the White House needed someone to head up a new jobs council, they named the CEO of General Electric even though data show large corporations are by nature net job eliminators. Witness the 34,000 American

jobs lost at General Electric between 2000 and 2009.

Meanwhile, over in the dark corners, new small businesses are starting up. These firms create the vast majority of net new jobs. Picture a highly unpredictable, boiling cauldron of winners and losers engaged in fierce competition. That's the definition of a vibrant, job-producing economy. Some of these new firms produce society-transforming technologies. But most provide everyday services, sometimes with specialized niche products ignored by corporate America. Most of these highly risky startups fail, but others spring to life to take their place. The net result is an expansion of the job base.

American joblessness has reached heartbreaking levels for largely one reason: Who in their right mind in today's highly uncertain tax, regulatory, monetary, health care, and geopolitical environment would take the risk of striking out with a new venture? New enterprises flourish in a climate of abundant liquidity and confidence—exactly the opposite of today's conditions. Everyone in the risk capital community, moreover, knows that the likelihood of a new venture achieving a public stock offering in today's climate of caution and pessimism is strikingly low. That's why risk capital is so hard to come by. And forget about using government funds to pick the innovative winners from the losers. That's a fool's errand.

So U.S. unemployment is likely to remain high, which is a prime reason the 2012 GOP presidential nomination still retains considerable "value." True, the unemployment rate in recent months has come down, but most of the improvement has been the result of discouraged workers exiting the labor force. Today one in five American men are without jobs. Among people aged 16-19, the unemployment rate is a stunning 24 percent. With the price of gasoline at \$4 or \$5, 2012 could become a real political horserace despite President Obama's advantages of incumbency.

But Republicans would be wise to

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*David Smick is founder and editor of the International Economy magazine and author of The World Is Curved: Hidden Dangers to the Global Economy.*

pivot on the corporate tax issue. The 2012 presidential race should pit the “small” and the “new” against the “large” and the “well-connected.” It should be a contest between the small town populist and corporate elitist models of America’s future.

This transition is likely to be more difficult than anticipated. That’s because, with one exception, every

economic player in Washington has a lobbyist. The one exception? Those innovative, job-creating firms that are yet to come into being. They exist only in people’s dreams and imaginations. These innovators are America’s only hope for pulling out of today’s economic mess, and they desperately need someone in Washington to champion their cause. ♦

## A Coming Arab Winter?

The Fatah-Hamas deal may presage a new Iranian approach to the Middle East. **BY LEE SMITH**

**I**t can’t give many Americans much lasting pleasure that the Israeli prime minister humbled our commander in chief this week on his home turf. To be sure, a president who seems to relish provoking public confrontations with an ally may have had it coming, but in the end Netanyahu’s speech before Congress won’t satisfy too many Israelis either—or for that matter many other Middle Easterners who have come to depend on American stewardship. The fact that an Israeli leader makes the case for American exceptionalism and U.S. power better than Barack Obama is a signal that Washington has forsaken its traditional role in the Middle East at a dangerous time.

Netanyahu was only the first to state the obvious in public, but other U.S. allies, like Egypt and Saudi Arabia, convinced that the Americans are living in a fantasy world, are also starting to strike out on their own. If no one knows yet what new architectures and anatomies the Arab Spring will

engender, putative U.S. allies and genuine adversaries, states, and even non-state actors like the Muslim Brotherhood are scrambling for position.

Iranian aggression, and not the peace process, as Netanyahu was careful to remind his American audiences this past week, is still the key regional issue. With the administration turning on traditional American allies, some observers are starting to see similarities between Washington and Tehran, in one important respect. “If Obama says the status quo is unsustainable,” says Martin Kramer of the Washington Institute for Near East Policy, “and won’t do anything to sustain it, then Washington, like Iran, is an anti-status quo power. Others have to take it upon themselves to defend the status quo.”

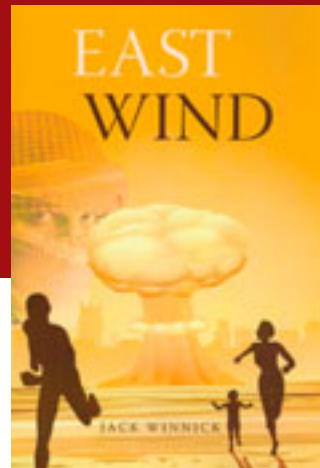
Because Riyadh no longer trusts the Americans to take on Iran, a Saudi initiative led by Prince Bandar, the *Wall Street Journal* reports, is putting together a large alliance, including Pakistan, Malaysia, Indonesia, and Central Asian states, to stand against the Islamic Republic.

In the Arabic-speaking states, there’s also a proposed expansion of the six-member Gulf Cooperation Council to include one North African nation, Morocco, and another from

*Lee Smith is a senior editor*

*at THE WEEKLY STANDARD. His book The Strong Horse: Power, Politics, and the Clash of Arab Civilizations (Anchor) has just been published in paperback.*

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the Levant, Jordan (which would gather all of the region's hereditary rulers—sheikhs and kings and sultans and emirs—under one umbrella). The Arab press is awash with rumors that the GCC's leading member, Saudi Arabia, has promised Rabat and Amman large influxes of cash so long as they resist Washington's entreaties to reform—reform that, in the Saudi view, would pave the way for their own demise and eventually the fall of the House of Saud.

In any case, this onetime regional organization has now become a de facto alliance of pro-U.S. states that no longer believes it can count on the Americans to advance their interests. The major Sunni Arab players outside the enlarged GCC would be Fatah, now reconciled with Hamas, and Egypt, formerly the central pillar of Washington's Middle East policy, and now after thirty years once again up for grabs.

In a sense, the Arab Spring has also turned Syria into a wildcard. Up until now, Damascus was for Iran what Cairo was for the United States, the key to its Arab strategy. Not only does the alliance with Syria allow the Iranians to arm Hezbollah easily, but Damascus also gives Tehran an Arab face to confront the Sunni states and win points with the Arab masses. However, the continued Syrian uprising is taxing the Damascus regime's regional prestige, as even Turkey and Qatar, as well as Doha's satellite network Al Jazeera, have turned against the Syrian rulers. Hezbollah's Hassan Nasrallah may continue to praise Bashar al-Assad's resistance credentials and argue, along with Hillary Clinton, that the Syrian president is really a reformer at heart, but a death toll that is conservatively estimated at 1,100 and climbing has many around the region concluding the Syrian strongman is more interested in killing Arabs than in resisting Zionists.

The Iranians want to protect their investment in Syria, but at some point Tehran may come to feel that the Alawite regime's sectarian cleansing of Sunnis is bad for business. The Obama administration has believed, not incorrectly, that turmoil in Syria might

prove a setback to the Iranians—but that could happen only if Washington actually moved to tilt the regional balance against Assad. By passively observing the situation unfolding in Syria, the White House has given Tehran time to consider its options. Presumably, Tehran is watching the new Palestinian concord with great interest, and may be learning from its client there, Hamas.

It is true that the Hamas-Fatah reconciliation may not survive even until the Palestinians' September push at the U.N. General Assembly, but in terms of the regional chessboard Palestinian unity is irrelevant. The major player here is Egypt, which helped broker the deal. Hamas sloughed off Damascus's problematic patronage once it realized that it could ride Cairo instead—a much more natural fit given that Egypt is a Sunni power, and one whose Muslim Brotherhood, with whom Hamas has strong ties, is enjoying a period of political prominence.

Washington is starting to realize that one of the values of the late Mubarak regime was its implacable hatred of Hamas. Cairo's present rulers, however, can no longer afford such an ideological luxury; the Egyptians need to raise money quickly or they will starve. The way to do that is by presenting themselves as the antithesis of Mubarak's stable, or static, Egypt, an Egypt that may well spin out of the American orbit—unless Washington antes up. The concern is not that Egypt will jump sides entirely and join the resistance bloc, but rather make trouble by flirting with Iran, like with its decision to end the blockade of Gaza.

Shortly before the Arab Spring erupted in January, some analysts argued that Washington ought to explore the opportunities presented by countries like Syria and Qatar that weren't in the U.S. camp but weren't enemies on the order of Iran either. Now that Egypt has become part of that constellation, perhaps we are starting to long for those simple and innocent days when Washington tied its interests to allied states, and not fuzzy constructs like “the Muslim world.”

“The key to winning the Middle East is in stringing together unnatural allies,” says Kramer. “The American circle was a coalition of unnatural allies, Turkey, Israel, Egypt, Saudi Arabia, the Gulf states. Everyone knew the U.S. was strong, so they were prepared to put up with quite a bit, even though they didn't like the company. The circle started to come undone when Turkey and Israel had their problems, but now Egypt and Saudi Arabia are starting to move.”

Iran can profit from the upheavals, according to Kramer, “by building linkage with the Muslim Brotherhood.” In other words, with Syria's problems and the possible fallout for Hezbollah, Tehran would supplement or substitute its Shia crescent with a Muslim Brotherhood crescent—a coalition stretching from Turkey's AKP to Hamas and Egypt's newly empowered Islamists.

“The fewer Shia there are in the immediate surroundings, and there are virtually none in Egypt and the Palestinian territories, the easier that is to do,” says Kramer. “The Muslim Brotherhood has their usual reservations about Shia, but they're not anti-Shia like al Qaeda. The landscape of the Middle East is too broken for coalitions to have only the like-minded. If Saudi Arabia and Israel could be in the American circle, the Brotherhood could be in the Iranian crescent. The Iranians and the Muslim Brotherhood both have an interest in reconstituting an arc of resistance.”

Given the Obama administration's ambiguous statements regarding the Muslim Brotherhood and other regional Islamist movements, it seems Washington is preparing for the likelihood of a region entirely remade in the image of political Islam, its Shia as well as its Sunni versions. Whether the White House is prepared to do anything to protect American interests and allies against a political current that is anti-American at its core is another question. Netanyahu's speeches, Saudi diplomacy, and Egyptian brinkmanship are evidence that traditional U.S. allies do not believe Obama is up to the task. ♦



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# Syria's Nuclear Impunity

Bashar al-Assad's lengthening rap sheet.

BY JAMIE M. FLY & ROBERT ZARATE

Contrary to what the Obama administration might hope, Syrian president Bashar al-Assad is no reformer. Even with the Syrian government's murderous crackdown against its unarmed opposition, the White House is not getting the message. Yet Assad's true colors should have been plainly obvious at least as far back as September 2007, when an Israeli airstrike destroyed the secret Al Kibar nuclear facility near the Syrian town of Deir al Zour. Built with North Korean assistance, Al Kibar was a plutonium-producing reactor that, once completed, could have been used to generate fissile material for nuclear weapons.

Given how Iran's quest for nuclear weapons has already roiled a region beset by deep rivalries, a widespread—and potentially destructive—race for atomic arms would have likely ensued had Syria successfully followed Iran's model for nuclear misbehavior. Assad was aware of this fact. Yet he consorted with Pyongyang for years, slowly assembling the pieces required for a nuclear bomb breakout.

Once Assad's nuclear ambitions were out in the open, he had a chance to come clean. As a signatory to the Nuclear Nonproliferation Treaty (NPT), Syria is obliged to make correct and complete declarations of its nuclear material and related activities to the International Atomic Energy Agency (IAEA). Instead, the Assad regime adopted the Iranian playbook, obstructing efforts by IAEA inspectors to confirm that Syria conducts no

other undeclared nuclear activities.

Nonetheless, in its May 24 report on Syria, the IAEA concluded for the first time that the Al Kibar facility "was very likely a nuclear reactor." It appears that the IAEA, exasperated by the Assad regime's stonewalling, may be laying the groundwork for a vote



Uranium on his hands: Syria's Assad

by its 35-nation board of governors to refer Syria's nuclear case to the U.N. Security Council, just as it did with Iran in 2006.

Under Mohamed ElBaradei's management, the IAEA refused to move on Syria. Rather than rebuke Damascus for its clandestine program, ElBaradei focused his ire on Israel. The strike on the reactor, he said, violated "the rules of international law." The Syrians exploited ElBaradei's anti-Israel rhetoric, and argued that samples of uranium found at Al Kibar were from the munitions Israeli planes dropped on the site. Things are different these

days at the IAEA, now run by Japanese diplomat Yukiya Amano, but the agency still doesn't know how far the Syrian nuclear program progressed before the Israeli attack or how much of it still exists.


Washington needs to support the IAEA's efforts fully. Back in 2007, the Bush administration avoided public condemnation of Syria's nuclear ambitions for fear of heightening tensions between Syria and Israel. Moreover, there was concern that the potential uproar might also threaten ongoing diplomatic efforts to get the North Koreans to give up parts of their own nuclear program. Then the Obama White House, in its desire to engage Damascus, also downplayed Syria's nuclear adventurism. Recently, the administration has taken positive steps by sanctioning Assad for human rights abuses. But, by ignoring his dangerous nuclear legacy, the United States and its European allies are missing an opportunity to gain additional leverage.

Washington should support Syria's referral to the U.N. Security Council and pursue sanctions until the regime reveals the full extent of its nuclear program. More immediately, the White House should also impose, in addition to the human rights sanctions recently put in place, unilateral sanctions on Syria for its illicit nuclear activities. For instance, the Obama administration last year sanctioned several North Korean individuals and companies that assisted Syria's nuclear, ballistic missile, and advanced conventional weapons programs. However, to date it has declined to sanction the Syrian officials and entities that received North Korean assistance.

In taking such actions, the White House would be acknowledging that Assad is a pillar of instability. U.S. national security and the region itself would be better served with new leadership in Damascus. Otherwise, Washington is sending the message that any criminal regime can slaughter its own people, consort with terrorists, violate international obligations, and pursue nuclear weapons—and face no real consequences. It's high time to make an example of Assad. ♦

Jamie M. Fly is executive director and Robert Zarate is policy adviser at the Foreign Policy Initiative.

# THE FDIC'S JOB POLICY



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# Targeted by the EPA

Don't mess with Texas.

BY BETH HENARY WATSON

A three-inch lizard scuttled into the spotlight in December after the U.S. Fish and Wildlife Service proposed moving it onto the Endangered Species List. The dunes sagebrush lizard's habitat covers just eight counties on the Texas-New Mexico border, right in the heart of the Permian Basin, a major oil-producing region. Particularly in Texas, industry leaders and local businesses see the action as hostile—another Obama administration environmental policy targeting their successful, energy-sparked economy.

"This is a lizard versus families," says Bill Hammond, president of the Texas Association of Business, the state's largest business interest group. "Nothing is more important than a job."

Setting 1980s *Dallas* stereotypes aside, oil and gas production is between 12 and 15 percent of the Texas economy. It's more than 70 percent of the economy in the vast and sparsely populated Permian Basin. The 17-county basin produces nearly 20 percent of all domestic crude oil. Of the eight counties in the lizard's habitat, four are in Texas. All those are among the top ten oil-yielding counties in the state.

In its proposal to list the lizard as endangered, U.S. Fish and Wildlife argues that several activities fragment the creature's habitat. Together these constitute a clean sweep of the region's economic drivers: oil and gas (particularly exploration), wind turbine erection, and agriculture. The dunes sagebrush lizard resides only in areas with sandy dunes covered by low-lying shinnery oak trees.

A public comment period closed May 9, and U.S. Fish and Wildlife will decide by mid-December whether to

put the lizard on the Endangered Species List. An "endangered" finding triggers an assessment period to define the lizard's range and identify protection strategies. At that time, new surface-disrupting economic activity and perhaps maintenance of existing wells and windmills could be hampered.

Steve Pruett, president and CFO of Midland-based Legacy Reserves LP, explains that stifling exploration threatens the most jobs. He hires subcontractors to operate his rigs, the towering structures used to drill wells. Legacy runs just one rig in the lizard's presumptive habitat, but 131 other rigs are active, each of which drills two wells a month and employs about 150 people.

"We wouldn't be contracting as many wells to be drilled," Pruett says. "Not to mention the general loss of confidence of our investors. We would have less production and less cash to pay out."

According to Permian Basin Petroleum Association president Ben Shepperd, wells produce at diminishing rates, making new exploration vital to retaining blue-collar workers like roughnecks and roustabouts. He cites a study that found a majority of jobs even in the cities of Midland and Odessa depend on oil and gas production.

"If oil and gas were to stop out here, these West Texas towns would just dry up and blow away," Shepperd says. Excluding giants like Chevron, the average Permian Basin Petroleum Association member employs about 10 people.

Texas opponents of listing the lizard dispute the thoroughness of U.S. Fish and Wildlife's science and say they will work cooperatively to rehabilitate the population. Conservation agreements—another way to restore species populations—are already in place in New Mexico. With the agreements, private

landowners, businesses, and the government follow a prearranged plan, although Sheppard says signing on can cost an oil business as much as \$20,000 per well.

Texas land commissioner Jerry Patterson told an industry rally in Midland in late April that the state's landowners and businesses need a chance to work out agreements with the fish and wildlife service. The state currently enforces mitigation for turtle populations near drilling along the Gulf Coast, an arrangement that followed a court battle. "We can plant a lot of shinnery oak if we need to," Patterson said. "It's not the lizard or us. It's both of us."

Even if Texas, with New Mexico's help, is able to avoid endangered species classification for the dunes sagebrush lizard, a proposed listing for another species in the Permian Basin, the lesser prairie chicken, lurks in the future.

Hammond, with the business association, says the effort to list the lizard as endangered is but one grievance his group has with the Obama administration, which he says is engaged in a "job-killing enterprise" against Texas.

Texas's showdown with the Environmental Protection Agency over air permitting is the major concern.

"Industry has spent literally trillions of dollars to bring air quality to a level that is perfectly acceptable," according to Hammond.

Industry efforts aside, last year the EPA ruled that certain permits issued by the Texas Commission on Environmental Quality—which had regulatory authority under the Clean Air Act—do not comply with federal law. Operating under the permits since 1994, more than 100 businesses have been left in legal limbo while Texas contests the decision.

One affected business is EBAA Iron, Inc., a family-owned iron foundry with 250 employees at plants in Eastland and Albany, Texas. Until last year, the foundry ran under a flexible permit issued by the state environmental agency. The flexible permits emphasized results over an entire organization, while EPA concerns itself with individual sources of emissions.

*Beth Henary Watson is a writer in Texas.*

Jim Keffer, president of EBAA Iron, Inc., says his staff has contacted EPA for guidance but keeps getting put off. The business, which opened in 1964, may be operating illegally.

Keffer runs the iron foundry full time, but he also serves as the state representative for his area and chairs the Texas House Energy Resources Committee.

"Everywhere you look, every time you turn around, the federal government is trying to stop exploration, to stop the use of fossil fuels," Keffer says. "We're trying to work on self-reliance. We're trying to explore and bring to the country the resources that Texas has been blessed with."

While the Texas Commission on Environmental Quality's mission requires it to consider economic impacts, U.S. Fish and Wildlife and EPA don't have to. Keffer points out EPA's December emergency order to a Fort Worth company under the Safe Drinking Water Act. The agency acted in response to alleged contamination of

two drinking water wells, even though the state's gas regulatory agency had been on the scene. More than a mile separates the shallow wells from Range Resources' natural gas wells. The company says it has spent \$1.5 million defending itself against the EPA order.

"The EPA was having a press conference before they had all the facts," Keffer says. "If you sit back and take in all that's happened, it's easy to look at a conspiracy theory."

The Texas Public Policy Foundation, a free-market think tank, held a briefing last month on 10 proposed and adopted rules it says constitute an "Approaching EPA Avalanche." The organization is most concerned with EPA's order that states regulate greenhouse gas emissions from major sources. The Lone Star State alone refused to comply, although at least 20 others are also suing the agency over greenhouse gas regulations.

TPPF scholar Kathleen Hartnett White, a former state environmental director, says the rules also require

"Rolls Royce" emissions control technologies on industrial boilers and certain cement kilns. Unions claim the boiler rule alone could send 700,000 U.S. jobs to countries less concerned about air quality.

EPA is also considering tightening standards on "coarse particulate matter," White says, and the proposed rule would drop the exemption for rural dust, a fact of life in West Texas. Remediation techniques for rural dust suggested by EPA include watering dirt roads and no-till days for farmers.

Because of the makeup of its economy, including the nation's largest petrochemical complex, in Houston, Texas will be disproportionately affected by most air quality regulations. White says it doesn't matter if Washington is deliberately picking on her state, though the administration's actions speak to a strong desire to make alternatives to fossil fuels more appealing.

"We are a bad example," White says. "We are not what the administration would like to see." ♦



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# The Third Man

*Missing from the Bibi vs. Barack drama in Washington was the man who really torpedoed the peace process, Mahmoud Abbas*

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BY ELLIOTT ABRAMS

**T**he week of dueling speeches by President Obama and Prime Minister Netanyahu was great political drama, but a key character was missing from the scene: Palestinian Authority president Mahmoud Abbas. While Abbas was absent, it was in fact his creation on April 27 of a unity government with the terrorist group Hamas that provided the backdrop for what we saw in Washington. So an analysis of what happened last week must begin not with Bibi's calculations or Obama's, but those of Abbas.

Mahmoud Abbas is 76 years old and will retire from politics next year, having announced that he will not seek reelection. His tenure as chairman of both the Fatah movement and the PLO (which began when Arafat died in late 2004) has been disastrous, for he lost first the 2006 elections and then control of Gaza to Hamas. A man without charisma or great political courage, he was never a serious candidate to make the difficult compromises that a peace deal with Israel would require and then defend himself against charges of treason and betrayal. To the generous peace offer made by Ehud Olmert in 2008, Abbas responded with silence. It is true that life on the West Bank has improved considerably during his tenure as Palestinian Authority president, but he never cared much about wearing that third hat; he left such mundane matters to PA prime minister Salam Fayyad while he jetted around the world seeking support for the Great Cause.

Abbas thought his ship had come in when Barack Obama became president: Surely this man, so diffident about Israel, would deliver the Israeli diplomatic collapse the PLO needed. And sure enough, Obama's tenure began with the hiring of George Mitchell (on Obama's second day in office) and the demand for a total construction freeze by Israel—not only in the settlements but even in Jerusalem. Now, two years later, Mitchell is gone and Abbas has given up on Obama. In a remarkably bitter interview

with *Newsweek*, Abbas vented his disillusionment: "It was Obama who suggested a full settlement freeze. I said okay, I accept. We both went up the tree. After that, he came down with a ladder and he removed the ladder and said to me, jump. Three times he did it."

Unwilling to make far-reaching compromises himself, and now convinced Obama would not force deep concessions on the Israelis, Abbas decided to secure his legacy a different way: through a façade of national unity. Sure, he lost the elections to Hamas and they have Gaza, but with this unity deal there would be new elections next year and—on paper, anyway—the split would be over and the Palestinian family together again. And he would deliver more: United Nations recognition of a Palestinian state through a vote to admit it to membership. So Abbas would leave office with honor. To be sure, he would always be a transitional figure between Arafat and whatever came next, and neither peace nor real statehood would be any closer. But in the realm of symbolism and rhetoric where Palestinian political life has always been lived, he could say he had never yielded an inch to the Zionists.

These developments left both Netanyahu and Obama high and dry. For Netanyahu, the Hamas deal not only meant that no negotiations were possible but also endangered the existing cooperation with the Palestinian Authority. The West Bank economy had (with some Israeli help) improved steadily in the last few years, and the new American-trained PA police worked closely with Israel against terrorism—and especially against Hamas. It was possible to see some ways forward: handing control of more West Bank territory to the PA, strengthening PA security forces, watching a Palestinian state develop on the ground under Fayyad's pragmatic leadership. Now that approach was gone.

And so was Obama's push for a negotiation. The incoherence of U.S. policy is summed up in this passage from Obama's AIPAC speech: "We know that peace demands a partner—which is why I said that Israel cannot be expected to negotiate with Palestinians who do not recognize its right to exist. . . . But the march to isolate Israel internationally—and the impulse of the Palestinians to abandon negotiations—will continue to gain momentum in the absence of a credible peace process and alternative." So Israel

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*Elliott Abrams, senior fellow for Middle Eastern studies at the Council on Foreign Relations, was a deputy national security adviser in the George W. Bush administration.*

cannot be expected to negotiate and it must start negotiating.

That is where the president stands after two years of involvement in Middle East peacemaking, and his problems are largely of his own making. Israel and the Palestinians had been at the table together for decades until the Obama/Mitchell/Rahm Emanuel decision to demand a total end to Israeli construction froze not the settlements but the diplomacy. Previous presidents—both Clinton and George W. Bush—had managed to gain the confidence of both the Israelis and the Palestinians, while Obama is now mistrusted on all sides.

We would not be where we are had all three men—Abbas, Netanyahu, Obama—not given up on each other, a striking failure in American diplomacy. The president's inability to get it right was visible this past week. The pair of speeches must have been the products of intense effort at the White House, yet the errors made in his Thursday speech at the State Department required quick fixes on Sunday at AIPAC. He forgot on Thursday to mention the three "Quartet Principles" that are the preconditions for Hamas participation in government and in negotiations: abandon violence, acknowledge Israel's right to exist, respect all previous Israel-PLO agreements. So those were added to the Sunday speech. His Thursday formulation suggested that the "1967 lines" would be Israel's new border with some swaps agreed to by the Palestinians. Owing to protests, he had to add in his Sunday AIPAC speech that the parties "will negotiate a border that is different than the one that existed on June 4, 1967"—while complaining that he had been deliberately misunderstood.

Meanwhile his mistreatment of the visiting Netanyahu can only have deepened the latter's belief that Obama was irretrievably hostile. While the diplomatic niceties were observed this time (Netanyahu got to stay in Blair House, and there were plenty of photos and a TV session in the Oval Office), the fact remains that Obama gave a major Middle East speech the day before Netanyahu arrived. The message was clear: I have no interest in what you are saying and will make my views plain even before we exchange one word. Worse yet was the lack of any advance notice. The Israelis had been told days before that the Obama speech

would cover the Arab Spring and say little about them, and were given only a couple of hours' notice that, on the contrary, the president would make a significant policy statement that contradicted Israeli views. They felt—and they were—blindsided. In the Clinton and Bush administrations such major policy statements were preceded by weeks of consultations, and when a president breaks that pattern it is a deliberate and powerful message. This is the explanation for the brief tutorial in Israeli security concerns that Netanyahu held Friday in the Oval Office: The gloves were off, but it was Obama who took them off first.



*Mahmoud Abbas leaves a poisonous legacy.*

The president jetted off to Europe after his AIPAC speech, and after his own speech to Congress Netanyahu went home. Washington is celebrating Memorial Day weekend, entering the summer, and watching the Republicans begin to figure out who will be their candidate in 2012. But now what? After the four dueling speeches, is there an American policy? What remains of the "peace process"?

For Abbas, the path forward seems clear. Get the U.N. vote in September; hold local elections this fall; hold parliamentary and presidential elections next year; and then retire. This requires holding the Hamas-Fatah deal together, no easy task: The last such deal, in 2007, failed in a few months and led to the Hamas coup in Gaza. But this one may last longer because it is less ambitious. It is an agreement to have an election next year, while Hamas keeps Gaza and Fatah keeps the West Bank for the interim. Fatah and Hamas hate each other no less today than they did yesterday. Their leaders have decided that the right formula for the coming year is patriotic speeches plus a U.N. vote plus an election, and in part this is their reaction to the "Arab Spring." They need to have elections because every Arab state seems to be doing so now, and they need to keep public dissatisfaction focused on Israel lest people decide that their own rulers are the problem.

But Abbas is in fact creating a very dangerous situation with these maneuvers. As noted, they bring into question the growing security cooperation in the West Bank. Will a PA leadership now doing deals with Hamas

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be willing to continue acting against it on the ground? What is to become of the American-trained police forces when Prime Minister Fayyad, who has provided leadership to them, leaves office this summer in accordance with the Hamas-Fatah agreement?

Moreover, the deal with Hamas will allow it to enter next year's internal elections in the PLO, the body responsible for negotiating with Israel, while it also enters the PA parliamentary and presidential elections. Hamas victories would mean permanent confrontation with Israel. Once again—as with the emergence of Haj Amin al-Husseini in the 1920s and Yasser Arafat in the 1960s—Palestinians would be led by extremists and any hope of peace would be gone. Hamas and Fatah, moreover, are likely to agree on the immediate tactic of “nonviolent demonstrations” on Israel's borders after the U.N. vote, and these could deteriorate quickly into violent confrontations. Abbas will retire happily to Amman or Doha (where he keeps homes) next year, but his true legacy to his people may be disaster.

As for President Obama, his two speeches leave one wondering about his true intentions this year and next. Perhaps the speeches were meant to set up a certain distance from Israel and enable easier negotiations with the Europeans over the coming U.N. vote. Perhaps the president has concluded that nothing good will happen in the coming year, so he meant to say his piece, stake out what he no doubt viewed as a balanced, middle-of-the-road position, and park the Israeli-Palestinian conflict for a year and a half until he can get himself reelected. Surely the president knows that at least until after the Palestinian elections no negotiations are possible, but perhaps he hopes that by 2013 Hamas might have been defeated—or Netanyahu might have been ousted in Israel's elections. Obama's brief experiment in laying out an American position—“The borders of Israel and Palestine should be based on the 1967 lines with mutually agreed swaps”—brought him immediate trouble and necessitated a partial retraction, but may nevertheless be a foretaste of what is to come after reelection. He may lay out an American plan and push the parties to accept it or at least negotiate from it. If the Israelis refuse, the bitterness in today's relations between the White House and the prime minister's office will only deepen in an Obama second term.

All of this makes life harder for Israel and in a way easier for Prime Minister Netanyahu. When a deeply sympathetic American president asks for concessions and compromises and appears able to cajole some from the Palestinians, which was the Clinton/Rabin and Bush/Sharon combination, Israel must respond. When a president most Israelis regard as hostile pushes them while the PLO leadership turns to Hamas, most Israelis will back Netanyahu's tough response.

“The Palestinian Authority must choose either peace with Israel or peace with Hamas. There is no possibility for peace with both,” Netanyahu said after the Hamas-Fatah deal was announced. Few Israelis will disagree. Netanyahu's plans for the coming year and a half may include an early election, to capitalize on popular support for his tough defense of Israeli security in his Washington speeches. With the future of Egypt and Syria uncertain, rumblings in Jordan, and Hamas entering the PA and PLO elections next year, a policy of hanging tough may be Bibi's best bet—and Israel's as well. In addition to the considerable danger that Palestinian demonstrations after the September U.N. vote will turn violent, that vote may also bring further energy to the “boycott, divestment, and sanctions” movement in Europe—perhaps even a greater danger to an Israel dependent on its export economy.

What strengthens Bibi's hand is not that the prospects Israel faces are good, but that no alternatives appear real to most Israelis. Negotiations are out for now, and unilateral concessions in the West Bank cannot be made when the future roles of Hamas and the PA security forces are unknown. Anyway, Israelis will think, who knows what the future will bring? Maybe Obama will not be reelected. Maybe Hamas will lose the election, or the unity deal will collapse. Maybe Syria's Assad will fall. Maybe events in Egypt or Jordan will change the American outlook. Israel faced worse situations in 1948 and '56 and '67 and '73, and it survived. On May 19, while Netanyahu visited Washington, Jews there and throughout the world read the Torah portion completing the book of Leviticus and, according to tradition, stood and chanted the words from the book of Joshua: “Be strong and of good courage.” That may sum up Israeli policy for 2011 and 2012.

If there was a symbolic moment that epitomized the events of this past week and the months that preceded it, it was not the president's partial retractions before AIPAC. Nor was it Netanyahu's superb speech to and rapturous reception by a joint session of Congress while the president was absent from the city. It was instead in Austin, Texas, where Salam Fayyad attended his son's graduation from the University of Texas. While there, Fayyad suffered a mild heart attack. Well might his heart fail as he watched the direction of Palestinian politics and the continuing policy failures in Washington. Fayyad served as finance minister for the PA after 2002 and has served as prime minister since 2007, but will now be leaving office. Whether the institutions he helped build and the practices he imposed—from police forces fighting terror to public finances free of corruption—will survive is much in doubt. It is not hard to picture him in a hospital room in Texas, wondering if the effort to build a decent Palestinian state from the ground up was now to be wasted. ♦



Ronald Reagan



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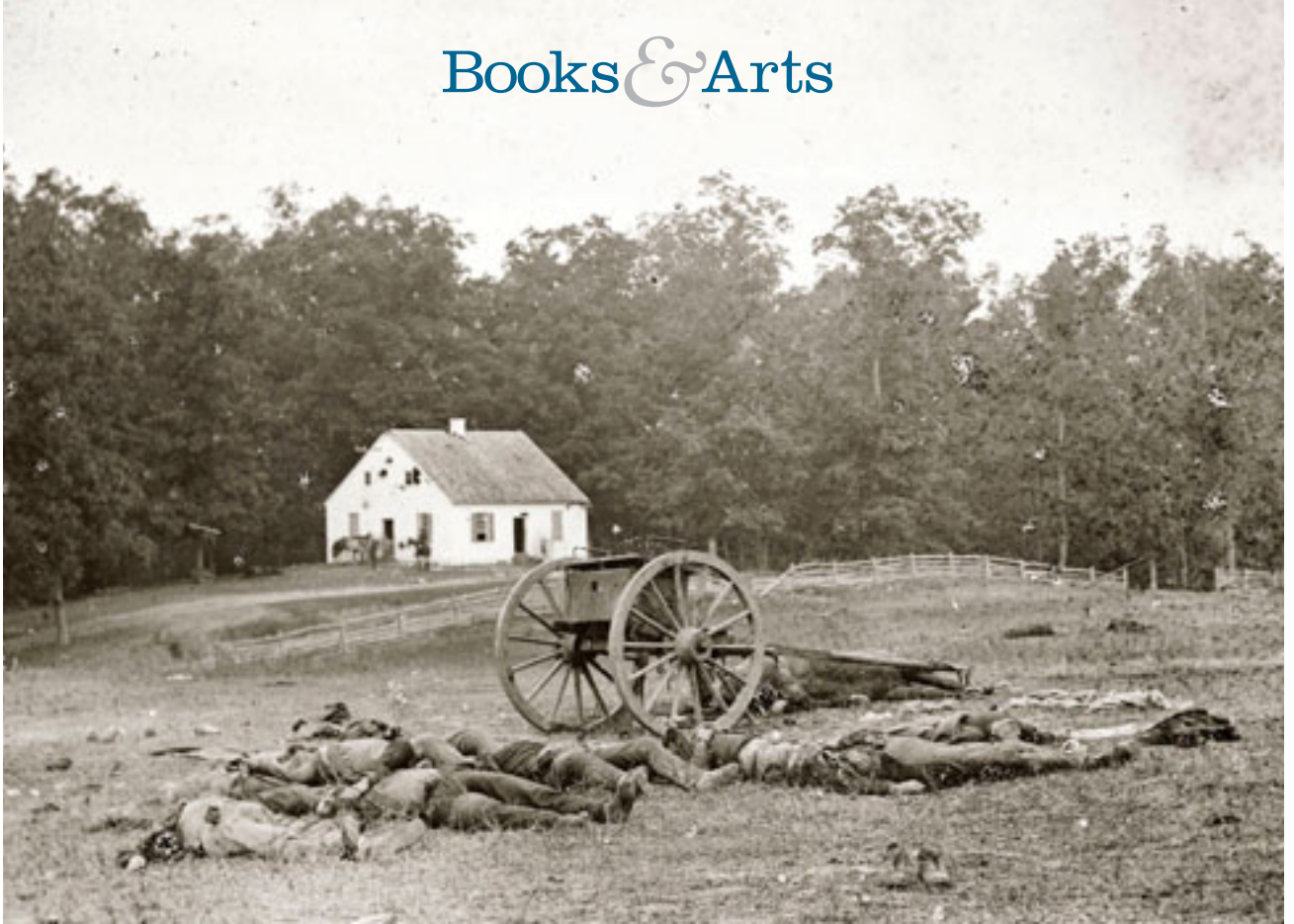
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*The Dunker Church, Antietam, September 1862*

# The Reasons Why

*Cause and effect in the Civil War.* BY EDWIN M. YODER JR.

In the earlier of these companion books, *The Confederate War* (1997), Gary Gallagher posted an emphatic disclaimer. Don't dismiss me as a "neo-Confederate," he said; his origins were solidly Western: "As a native of Los Angeles who grew up on a farm in southern Colorado, I can claim complete freedom from any . . . special pleading." Moreover, "not a single ancestor fought in the war."

This may seem a remarkable protestation from a distinguished University of Virginia historian. But it was prudent, since his examination of recent Civil War writing is icono-

*Edwin M. Yoder Jr. is the author, most recently, of* *Vacancy: A Judicial Misadventure.*

## **The Union War**

by Gary W. Gallagher  
Harvard, 256 pp., \$27.95

## **The Confederate War**

by Gary W. Gallagher  
Harvard, 272 pp., \$17.50

clastic in tone, and at times it seems heretical. The heresy lies in this: Gallagher reinforces the understanding of our "American *Iliad*" that so many of us—especially of a pre-1960s vintage—absorbed in the old school of Civil War history. There, the war was understood not as a sociological experiment but as deadly combat. That this old-school conception is

now widely questioned in the academy may be a consequence of the upheavals of the Vietnam era, when the draft disappeared, war was widely vilified, and infant historians became unlikely to come within earshot of a drill sergeant, let alone the whistle of a bullet. Accordingly, much of the Civil War history now written and taught (at least as Gallagher tells the story, with powerful documentation) tends to de-emphasize shot and shell and stresses, instead, the present generation's moral superiority to the warlike past and its gun-toting actors, especially "Southern oligarchs."

Every story needs a fall guy of sorts, and Gallagher's would seem to be the hapless James B. Gardner, an executive of the American His-

torical Association. In congressional testimony two decades ago, Gardner decried the attribution of “special historical significance” to battles and battlefields—a bias that would, he warned, perpetuate a “narrow, antiquated view of the past” while unduly soft-pedaling the more modern view of it as “a combat of societies.” Gallagher so much dislikes this attitude that he cites Gardner in both books, though the precise context of that witness’s remarks is not given. And battle-worship can certainly be overdone.

It is Gallagher’s challenge in both these books, including his newly published *The Union War*, to answer several essential questions. What was it in the doctrine or ideology of Unionism that made it so powerful for Abraham Lincoln and those who fought on the Union side? For Lincoln, remarked the astute Alexander Stephens, Unionism rose to “the sublimity of religious mysticism.” What was it, moreover, about that creed that bade young men in such numbers to wager life and limb? In *The Confederate War*, Gallagher explored, but left for further answer, a parallel mystery:

It defies modern understanding that any people—especially one in which nonslaveholding yeomen formed a solid majority—would pour energy and resources into a fight profoundly tainted by the institution of slavery. Yet the Confederate people did so. Until historians can explain more fully why they did, the story of the Civil War will remain woefully incomplete.

Some 14 years later the mystery is still unsolved.

Such questions are not the easier to answer when one looks back to earlier episodes in the American past. The nature of that “more perfect union” the Framers sought to create in 1787 did not come under threatening tension for the first time in the secession crisis, or with Lincoln’s election, or with the quarrels over slavery in the Western territories. It was a counterpoint in political debate for earlier

generations: in the Hayne-Webster dialogue; in the Jackson-Calhoun clash over nullification; among the New England Federalist opponents of the War of 1812; and still earlier, in the legislative resolutions Madison and Jefferson ghostwrote in response to John Adams’s Alien and Sedition Acts of 1798.

This in itself constitutes an ample agenda for the Civil War sesquicentennial. But the auspices are not promising. It seems conceivable that the anniversary years may be stultified by ideological prepossession, as was the Columbian quincentenary of

*Much of the Civil War history now written and taught tends to de-emphasize shot and shell and stresses, instead, the present generation’s moral superiority to the warlike past and its gun-toting actors.*

1992 when the Discoverer was found to be a racist proto-imperialist and the careless carrier of deadly germs to the new-world Paradise.

As an articulate exponent of old-school Civil War history, Gallagher insists on the continuing pertinence of a once-familiar story. In that story Lincoln emerged as a commander in chief who had great difficulty finding generals who could arrest the march of Confederate arms—highlighted by such Union disasters as First Manassas, McClellan’s failed campaign on the Virginia Peninsula. Not before the rise of Ulysses S. Grant in midwar did Lincoln find his man. Even then, the bloody overland campaign between Grant and Lee, stretching from the Wilderness to Richmond by way of such horrors as Cold Harbor, posed a harsh test of will. It cost a sizable proportion of

the 350,000 battle deaths suffered by Union armies in the war, and a like proportion of the killing that took the lives of more than a quarter of the South’s young men of fighting age.

These indisputable and deadly facts ought to warn us that viewing the war *as a war* is scarcely “narrow” or “antiquated.” The present tendency, *per* Gallagher, is to stress the war as a revolutionary social experiment. But the war undeniably began as a war to subdue secession and save the Union. As undeniably, Lincoln was forced to modify Union war aims in 1862 for fear of European intervention. (Had William Gladstone at Newcastle in the fall of 1862 not said that the South apparently had “made a nation”?) In the old-school version of the war, it was this danger, far more than humane instinct, that led to Emancipation. And its scope was limited to terrain under Rebel control since Lincoln understood that the loyalty of the unseceded slave states was as critical to his cause as deterring Lord Palmerston or the mischievous Napoleon III.

It might be gathered, from some recent academic history canvassed here, that we’ve changed all that. It might be gathered that Lincoln’s famous vigils at the telegraph office were spurred less by war anxieties than by thirst for the latest antislavery gossip in New England or Copperhead mischief in Ohio. The crowning touch of old-school heresy here, however, is Gallagher’s insistence that it was the war, not a proclamation, that destroyed slavery. As James McPherson of Princeton has said, “Slaves did not emancipate themselves; they were liberated by Union armies. Freedom quite literally came from the barrel of a gun.”

Thus the author’s overarching aim in both these interesting books is “to recover what Union meant to the generation that fought the war” and, in parallel, to plumb the dedication and tenacity of Southern nationalism. This would seem a worthier enterprise for the sesquicentennial than vaunting our ethical superiority over our ancestors. ♦

# An Obvious Secret

*The monumental achievements of middle-class morality.*

BY JAMES SEATON

Deirdre McCloskey is well aware that the Western intellectual class—what she calls, following Samuel Coleridge, “the clerisy”—has been, with notable exceptions, hostile to capitalism and downright contemptuous of the morals and attitudes of the middle class that has flourished under capitalism. Since 1848, the most damning adjective among intellectuals from the radical left through the romantic right has been “bourgeois.” McCloskey also knows, and demonstrates beyond cavil, that such contempt has been not only mistaken but dangerous: She observes that “in actual fact middle-class people have not been monsters” while “their sworn enemies, from Lenin to Pol Pot, Abimael Guzman, and Osama bin Laden, commonly have been.” The great anticapitalist tyrannies of the 20th century “killed many millions and nearly killed us all.”

Meanwhile, even well-meaning attempts to interfere with free markets have almost always hurt rather than helped those needing help the most. McCloskey provides plenty of examples:

Minimum wages protected union jobs but made the poor unemployable. . . . Zoning and planning permission has protected rich landlords rather than helping the poor. Rent control makes the poor and

the mentally ill unhousable. . . . Regulation of electricity hurt householders by raising electricity costs, as did the ban on nuclear power. . . . The importation of socialism into the third world . . . stifled growth, enriched large industrialists, and kept the people poor.

**The Bourgeois Virtues**  
*Ethics for an Age of Commerce*  
by Deirdre N. McCloskey  
Chicago, 634 pp., \$22.50

Today there should be little question that capitalism “works better for the average person, as we saw 1917-1989, than so-called central planning backed by a Cheka or a KGB.” The success of capitalism and the failure of central planning in improving the lot of ordinary citizens have not, however, diminished the clerisy’s attraction to government planning or its disdain for the market. Instead, the clerisy has claimed that the wealth of some in a world where others are poor is a sure sign of the sinfulness of the former and the innocence, if not sainthood, of the latter.

McCloskey will have none of it. Ernest Hemingway is supposed to have pointed out to Scott Fitzgerald that the rich were not really different except in having more money. McCloskey makes a similar observation about those with less: “The poor are not better than you and me. They’re just poorer.” Individual success in the market does not require another’s failure, so personal wealth is not an indicator of moral culpability: “Guilt over success in a commercial society is for a victimless crime.”

Likewise, McCloskey briskly dismisses the clerisy’s use of imperialism as a blanket explanation for the gulf between the wealth of the industrialized nations and the poverty of what is still called the Third

World: “Countries are rich or poor, have a great deal to consume or very little, mainly because they work well or badly, not because some outsider is adding to or stealing from a God-given endowment.” Or yet more pithily: “Countries where stealing rather than dealing rules become poor and then remain so.” The kleptocratic socialisms of the Third World, that is to say, have succeeded in preventing the *embourgeoisement* of their countries at the price of keeping the wretched of the earth wretched.

Others, of course, have made the case for capitalism as an instrument for creating wealth, but some of the most influential defenders have erred, McCloskey argues, in assuming that nothing more needs to be said. They have also erred in believing with Jeremy Bentham’s utilitarianism that human beings are concerned with nothing but maximizing pleasure and minimizing pain. On this view, courage, faith, justice, and the other traditional virtues are irrelevant and unnecessary, since the only virtue required for the good life is a narrow prudence. In the American academy for the last half-century the dominant view of capitalism was set by the late Paul Samuelson, whose “Samuelsonian economics” intimated that “the *only* character we need in understanding capitalism is Mr. Maximum Utility, the monster of Prudence who has no place in his character for Love—or any passion beyond Prudence Only.” Thus “in the late twentieth century even sophisticated capitalists came to recommend a devotion to Prudence Only, Wall Street’s ‘greed is good.’”

The clerisy properly rejects such an impoverished view of human beings, but falsely assumes that if Bentham and his intellectual descendants are wrong, then capitalism itself is wrong. Deirdre McCloskey is out to demonstrate that life under capitalism—bourgeois life—nourishes the virtues more than life under feudalism, socialism, or any other alternative. She claims that “actually existing capitalism, not the collectivism of the left or of the right, has reached beyond mere consumption, producing

James Seaton, professor of English at Michigan State, is the editor of George Santayana’s *The Genteel Tradition in American Philosophy and Character* and *Opinion in the United States*.

the best art and the best people.” Even if capitalism were not able to do what almost all observers agree it does do—deliver the goods—McCloskey argues that it would, on moral grounds, still be the best economic and social system around: “Had capitalism not enriched the world by a cent nonetheless its bourgeois, antifeudal virtues would have made us better people than in the world we have lost.”

McCloskey’s argument is, in part, historical. Against romantics of both the right and left who yearn for the alleged warmth and community of a medieval village, she points out that “the murder rate in villages in the thirteenth century, to take the English case, was higher than comparable places now.” It was, after all, the despised bourgeoisie that “ended slavery and emancipated women and founded universities and rebuilt churches, none of these for material profit and none by damaging the rest of the world.” In the long view, it has been the “bourgeois virtues [that] led us from terrified hunter bands and violent agricultural villages to peaceful suburbs and lively cities.” In traditional societies where outsiders are enemies, “one makes friends to keep from being assaulted,” while in societies where relations between individuals are governed by the infamous “cash nexus,” friendship based on personal affinities is possible: “In a world governed by markets one buys protection, one hopes, anonymously with taxes or with fees to one’s condominium association, and then is at leisure to make friends for the sake of real friendship.”

For her defense of the morality of capitalism on the basis of its encouragement of the virtues to be fully persuasive, McCloskey must first demonstrate the centrality of the seven traditional virtues—courage, justice, temperance, prudence, faith, hope, and love—to the consideration of moral issues. Just as McCloskey criticizes the Benthamite attempt to answer all moral questions by reference to utility alone, she argues that the Kantian project to reduce all morality to “good intentions” is similarly flawed. Kantianism and utilitarianism may achieve logical



*‘Courtyard of a House in Delft’ (1658) by Pieter de Hooch*

consistency, which is fine for academic system-builders, but human life is too complicated to be explained by focusing on only one quality to the exclusion of all others. Hope is a virtue, certainly, but “when unbalanced by the other virtues, it produces evil, such as revolutionary socialism or revolutionary fascism.” Hitler had hope and possessed “personal courage beyond doubt,” but, McCloskey notes, he lacked “temperance and justice and prudence.” Figures even more celebrated than John Lennon have proclaimed that “love is all you need,” but unless love is guided by the other virtues, it too can be self-destructive.

Having made a strong case for the importance of the traditional virtues to moral questions, McCloskey goes on to argue that capitalism not only allows

but encourages individuals to exercise the seven both in and outside the market. The qualities of the bourgeois virtues may differ in some respects from the virtues practiced in pre-capitalist societies, but that is not necessarily a bad thing. Bourgeois justice emphasizes equality before the law, in contrast to the justice between unequals in traditional or feudal societies, since “two people doing business must deal with each other, not overawe or submit to each other. So bourgeois society developed a historically unique notion of justice.”

Love in bourgeois culture surely includes “the Love to take care of one’s own,” but under capitalism, society is not divided into friends and enemies, our family or tribe against the others, since the free market depends on

equality under the law. Thus, “it is also a bourgeois love to care for employees and partners and colleagues and customers and fellow citizens, to wish well of humankind, to seek God.”

Yes, McCloskey concedes, “The leading bourgeois virtue is the Prudence to buy low and sell high,” but such bourgeois prudence also includes the inclination and ability “to trade rather than to invade, to calculate the consequences, to pursue the good with competence.” Temperance in a commercial society certainly includes the ability “to save and accumulate,” but bourgeois temperance is “also the temperance to educate oneself in business and in life, to listen to the customer humbly, to resist the temptations to cheat, to ask quietly whether there might be a compromise here.”

*The Bourgeois Virtues* is a most impressive book: thoughtful, scholarly, wide-ranging, and well-written. Whether these qualities will be enough to convince McCloskey’s intended audience—“people who think that capitalism is probably rotten, and who believe that a claim to bourgeois ‘virtues,’ of all things, is laughable”—is another matter. Reaching out to the intellectuals while questioning their most cherished beliefs, McCloskey emphasizes her essential kinship with her would-be readers. Although she believes the clerisy has been persistently and grossly mistaken about capitalism, she herself remains a member of the group. The author shares the tastes of the intellectuals she hopes to persuade and accepts, it seems, the same cultural arbiters. She writes for “the readers of the *New York Times* or *Le Monde*, listeners to Charlie Rose, book readers, or at any rate book-review readers. My people. Like me.”

McCloskey also goes out of her way on several occasions to signal that, like the clerisy in general, she has nothing in common with garden-variety conservatives and especially anybody who may have voted for George W. Bush—except, that is, for preferring capitalism to socialism. Explaining the nature of faith as a virtue, she offers the following examples: “Faith is the

who-you-are that finds you contributing to public radio” or “turning up to vote against George W. Bush when your vote was after all of no consequence.” Whether faith is possible for those who listen to unsubsidized talk radio, or voted for George W. Bush, is left unclear. Later the notion that the “tough-guy American style of making decisions . . . is a sacred thing” is illustrated by “George W. Bush in his maturity accepting Jesus as his personal savior.”

If McCloskey is not a typical conservative, she might yet be considered a philosophical neoconservative since, unlike many traditionalists or “paleos,” but in accord with most neoconservatives, she harbors no doubts about the superiority of capitalist society not only to socialism but also to traditional social orders. It is hard to imagine any neoconservative, no matter how convinced of the value of capitalism and democracy for the rest of the world, going further than the author when she declares that “during the twenty-first century, if we can draw back from the unfreedom of anticapitalism and adopt instead the simple and obvious system of natural liberty, every person on the planet, in Vietnam and Colombia, India and Kenya, can come to have, compliments of the bourgeois virtues, the

scope of life afforded now to a suburban minority in the West.”

It turns out, however, that McCloskey no more wants to be identified with neoconservatives than with supporters of George W. Bush. According to her, “neocons seem often to want order at any cost in freedom, rather than freedom achieved in an orderly manner.” She herself is pleased by the “breaking of constraints in the 1960s that so irritates neoconservatives.” In contrast to those picky neocons, she offers cheers: “Hurrah for late twentieth-century enrichment and democratization. Hurrah for birth control and the civil rights movement. Arise ye wretched of the earth.” But after revealing her inner Frantz Fanon, McCloskey immediately has second thoughts:

True, the 1960s worldwide saw itself as antibourgeois, even socialist, and this intemperance of freedom had costs. . . . It would have been better if every social movement of the 1960s had adhered to nonviolence and self-discipline and mutual respect, and had therefore joined the bourgeois project down in the marketplace.

No doubt it would have been better. But now the differences between her view of the movements of the sixties and that of most neoconservatives has narrowed to the vanishing point. ♦



## Broken Record

*When the going gets tough, the tough sing*

*‘Besame Mucho.’* BY JOE QUEENAN

A friend, now long dead, once told me that when the Beatles were putting the finishing touches on their second album, they found themselves one track short. So Paul McCartney

*Joe Queenan is the author, most recently, of Closing Time: A Memoir.*

suggested recording “Besame Mucho.” The way my friend recounted it, when Paul suggested including this innocuous little ball of hot-tamale flapdoodle on the album—a song the Fab Four had played at their Decca Records audition—John Lennon flew into a rage and threatened to quit the band. This was presumably because Lennon deemed the tune, writ-

ten in 1941 by a love-smitten 25-year-old Mexican girl, to be totally uncool and sad and pathetic. Cooler heads prevailed and “Besame Mucho” was scotched in favor of “Till There Was You,” a saccharine, infinitely lamer, ballad from *The Music Man*.

For whatever the reason, the decision to record the treacly show tune, which provided the first warning of the Brobdingnagian sappiness that lurked in the recesses of Sir Paul’s soul, and to ditch the ethnic chestnut, placated Lennon. The rest, as we know, is history.

Partly out of deference to my long-dead friend, but mostly because I love this story, I have never bothered to find out if it is true. Lennon’s drawing a line in the sand regarding “Besame Mucho” has always struck me as both principled and sagacious; Lennon, who had probably played the song literally thousands of times during the Beatles’ formative years in Hamburg, trembled before the song’s Promethean corniness, and felt that its cloying, hyperbolic cutie-pie quality and general ethnic inanity might make the Beatles look silly, grounding their flight to the stars before they even got off the runway.

I agree. To this day, I can think of no single song that will prompt me to exit a restaurant, a subway car, a relationship, or a society faster than “Besame Mucho.” Not a one. Usually, I leave on the dead run.

“Besame Mucho” is not the worst song ever written; it is certainly not in the same category as “Feelings,” “Piano Man,” “Sometimes When We Touch,” “I Am Woman,” “Cherokee Woman,” “Gypsies, Tramps & Thieves,” or more recent abominations like “[Had a] Bad Day.” These are songs that emit a kind of Chernobyljoeyean hideousness from the moment they are first recorded, heartrendingly awful songs with the power to make ordinary people lose faith in humanity and start chugging carbolic acid. These are songs that make people who do not believe in the Devil believe in the Devil.

This is not what we are talking about here: “Besame Mucho,” a harmless ditty about puppy love, is not so much a bad song as a bad habit. Like “Danny Boy” and “Volare,” it falls into the cat-

egory of overplayed ethnic hooey, harmless piffle from another time and place that has survived and even prospered long after it should have gone the way of “Danke Schön,” “Sukiyaki,” “The Song of the Volga Boatmen,” and yes, perhaps even “Thumbelina.” Much like that revoltingly murky coleslaw that is always served up in diners, extraneous and inedible, “Besame Mucho” is a song that abides and endures and adamantly refuses to go away, even though no one is entirely sure how it got here in the first place.



Andrea Bocelli

Yet 70 years after its release, “Besame Mucho” is still very much with us. What’s more, long after innocuous fluff like “Livin’ La Vida Loca” and “Macarena” have faded from memory, “Besame Mucho” will continue to be warbled, croaked, hummed, strummed, or fingered on the accordion in restaurants, subway cars, bus stations, banquet halls, arcades, underground passageways, Andrea Bocelli’s shower, and execution chambers everywhere. “Besame Mucho,” a song that kills, is a song that literally refuses to die.

I sometimes suspect that, on the eighth day, after He had rested, God commissioned “Besame Mucho” as a

fallback punishment should Adam and Eve ever be foolish enough to partake of the Tree of Knowledge. (I admit that my time frame may be sketchy here.) I also believe that “Besame Mucho” is actually tailing me, that I am being hounded to death by shadowy musicians I refer to as *los besame muchachos*. Two years ago, while on the train to Charles de Gaulle airport, I was forcibly serenaded on the accordion by a young man playing the song. I told him the Beatles story, and gave him two euros, but only with the proviso that he immediately stop playing the accordion and get off at the next station. The same thing happened in March when I was on the very same train to Charles de Gaulle: A young, talentless North African man boarded the train, armed with a jumbo-sized karaoke machine, hacked his way through “Delilah” and what appeared to be a trans-Siberian rendition of “Those Were the Days,” and then essayed the dreaded “Besame Mucho.” *This was in fact the day, my friend; I thought it would never end.* When the conscienceless young man went through the car after his set, seeking tips, not a single person loosened their purse strings.

“*C’est cauchemardesque,*” I explained to him. “It’s a nightmare.”

I thought that was the end of it. But two weeks later, while dining in a Mexican restaurant near my home, I was hemmed in by three overbearing mariachi musicians who asked if I had any favorites I would like to hear. I requested “Aquellos Ojos Verdes,” the beautiful old love song, but they said they didn’t know it. “Perhaps we could do ‘Besame Mucho’ instead,” the lead guitarist suggested.

“No,” I said. “Anything but that.”

The trio launched into a bracing version of “Perfidia,” but after I generously tipped them \$20, they went to the very next table and started playing “Besame Mucho.” Pretty aggressively, too. This didn’t seem very sporting. The dozen diners at the table grabbed their things, got up, and left before the final verse. No tip, either. The diners at the next table were similarly unamused when the trio began to belt out “La Cucaracha.” I now suspected that the owner of the restaurant was using the mariachis to clear

the room and free up tables in a diabolical form of ethnic cleansing. They were doing a pretty good job of it.

My waitress asked if I would like dessert and I said no, but a cappuccino would be fine. But just then the three men, having virtually emptied the room in less than 10 minutes, launched into a reprise of “Besame Mucho.” I canceled the coffee, paid my bill, and left.

That night, when I got home, my wife informed me that the wine-tasting fundraiser for the senior citizen center she operates *pro bono* would feature a Mexican theme this year, complete with a five-piece mariachi band. I asked if we had any carbohic acid lying around.

It is, I must now concede, a “Besame Mucho” world. I am merely living in it. ♦

BCA

# Venice Observed

*Canals, commerce, and Carnival.*

BY SARA LODGE

**I**t's only noon and already I have bumped into a female unicorn, Romeo, and a cluster of dancing Magic Trees. I'm in Venice and this is Carnival, a time of transformation in which everyone is invited to don a mask and become as fantastical a creation as the baroque palaces, statues, and carvings of the city around them.

In 1789, Arthur Young was struck by the Venetian love of performance: There were seven theaters and all were said to be full during Carnival season. Over two centuries later, for the two weeks before Lent, Venice still becomes a theater without walls, where players and spectators choose their own parts. If you have ever longed to be a star, posing for the flashbulbs of hundreds of photographers, but also to maintain the mystique of complete anonymity, then this is your perfect stage.

Venice in winter has a fierce beauty. The water in the canals is dark teal green: the color of Roman glass or Byzantine marble. The wind off the lagoon is brutal. Emerging onto the wharfs, your face is battered, your body bent to shield yourself from the blast. But the

drama of the architecture is exaggerated by the coldness of the light. The Moorish arches and pillars of checkerboard palaces, the white marble-stepped bridges, the flights of angels from the porticos of immense churches all acquire the intensity of visions glimpsed at dusk. The topography of the city—where high-walled streets, often just broad enough for two people to pass, sometimes peter out at the water's edge, sometimes lead into magnificent squares—makes the experience of walking in Venice one of perpetual doubt and revelation. It is as if the city is a metaphor for the mind: One is constantly aware of what is hidden, as well as what is available to view; one pursues an idea along a dark alley to arrive either at bafflement or wonder.

During Carnival, the strangeness of encounter so intrinsic to Venice is multiplied a thousandfold. You duck beneath an archway and meet the eye of a dragon. A lord and his lady, in lace ruffs, cloaks, and robes stride imperiously out of a pizzeria. I sheltered in a pastry shop to wrap my frozen fingers around a rich hot chocolate. A lady entered behind me in a pink and green crinoline, with a full-face white mask and a pink scarf wrapped around hair and neck. Mask off, the figure lifting a cappuccino was a smiling young man with sideburns. One day I took the ferry to San Michele, the cemetery island of cypresses, where I visited Ezra Pound's plain grave. As

I admired the rows of tombs, a strange party solemnly processed along the gravel walk: a dandy, with topboots, wig, and a beaver hat; then a cluster of women in 1780s costume; and finally a man with a silver-topped cane and a vast purple-lined cloak, beneath whose elaborate veil I could see a flour-white face with a beauty spot. They laid red roses on the tomb of Sergei Diaghilev, director of the *Ballets Russes*, forming a funeral tableau that might have belonged to an enigmatic dream.

Carnival in 18th-century Venice was an extended period of license where masters and servants, nuns and nymphomaniacs, could exchange roles. The festival also had a strong ritual element of civic renewal: Bulls were sacrificed and the Piazza San Marco, Venice's focal point, became an amphitheater, lit by artificial fire. Acrobats formed human pyramids, there were Moorish dances, and tests of strength and agility including the “flight of the Turk,” a descent along a wire from the top of the bell tower of St. Mark's into a boat on the canal. Now, few free civic events remain. There is still a stage in Piazza San Marco, but it features a digital advertising screen. The flight of the Turk has become “the flight of the angel,” in which a pretty actress wafts harmlessly in harness from the campanile to the ground. In truth, Carnival was largely extinct in Venice by the 20th century but was revived in 1979 as a lure for tourists during the winter months.

“But at the beginning it wasn't just about tourism,” Andrea da Marchi told me. He was an organizer of Carnival events in the 1980s. “At that time,” he said, “reviving Carnival was important because we had just had a terrible era of terrorism where people were afraid to gather in public in large groups.” In the 1980s, participation in Carnival was more local, with young Venetians busking in their neighborhood square.

Sadly, the modern Carnival is driven less by motives of fun than funding. Visitors can buy expensive tickets for organized parties in palazzi, concerts, and pub crawls. But, as da Marchi commented: “Have you ever been to a great party where you had to pay an entrance fee?” For the most part, then, carnival-goers simply throng the streets admir-

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ing each other, eating, drinking, and window-shopping.

Boutiques proliferate, selling everything from Cinderella slippers made of recycled Coca-Cola bottles to Elizabethan-style lace ruffs (a steal at 160 euros, and useful for supporting your head during transatlantic flights). Masks—gold, red, black, feathered, leather, papier-mâché—stare sightlessly from infinite stalls. They reproduce traditional forms: the parti-colored “colombina” for Harlequin’s mistress, the scarily mouthless leather “bauta” (an early precursor to Darth Vader’s mask), the protuberant nose of the plague doctor, in which herbs were stuffed to prevent infection. But I also saw a massive bull’s head, inset with crystals, alongside hippos, fauns, sun-gods, Medusas, Albert Einstein, and the blue heroes of *Avatar*. I was surprised by the wide variation in approaches to disguise. Some carnivalgoers are accoutred as carefully as Casanova, in period costume. Others wear tired tiger suits, or merely a Zorro eye-band.

You can’t wear a mask inside Venice’s art museums, in case you stage a heist. Nothing prevents you, however, from going, clad in Renaissance doublet, to see the jaw-dropping Veronese painting “Christ in the House of Levi” at the Accademia, or from ogling the Salvador Dalís in the Guggenheim Collection while dressed as a banana. Whether or not you embrace your inner fruit, you shouldn’t miss the Guggenheim, housed in a light-filled palazzo towards the end of the Grand Canal. Its superb catalogue of cubist and surrealist masterpieces, from Picasso to Magritte, are bound to bend your mind.

I also recommend the Palazzo Grimani, a gem of menacing splendor from the 1500s whose staircase featured in the terrifying final sequence of *Don’t Look Now* (1973). Its ceilings, one depicting a forest of fruit and birds, one hung with a sculpture of Ganymede and the Eagle that seems about to fall on the viewer, alone are worth the price of admission. This year, the palace hosted an exhibition of three triptychs by Hieronymus Bosch whose brilliantly weird composite creatures share the energetic mutability of Carnival.



‘One pursues an idea along a dark alley . . .’

PHOTOS COURTESY OF SARA LODGE

Homer Simpson would rush to Venice if he heard about the Carnival speciality: frittelle. They are spherical doughnuts, studded with raisins. The best are filled with zabaglione: egg custard spiked with Marsala. You eat them warm at a pasticceria, standing at the counter, licking the oily crystals of sugar off each contented finger. Otherwise, Venetian food can resemble an opera most memorable for its overture. Locals begin the evening in a bar with cichete (tapas) and Prosecco and, frankly, there is much to be said for staying there. Among the delicious antipasti I sampled



were prosciutto with rocket, pear, and parmesan; grilled zucchini strips rolled around stracchino cheese, with capers and olive oil; crostini with truffle paste and radicchio; breaded fried anchovies and mantis shrimps on polenta.

My favorite place for lunch became the welcoming Osteria ai Artisti (Fondamente della Toletta, Dorsoduro 1169). Their tagliatelle with baby artichokes, parsley, and sweet prawns fresh from the market are so tender and comforting that you feel as if you personally have been drizzled in melted butter. Try the Amarone della Valpolicella, a deep velvet concentrated red wine, and you may never leave.

Although Venice's alleys are labyrinthine, they are well sign-posted, so you are unlikely to get badly lost.

Getting slightly lost is a pleasure. You might discover a bread shop decorated with focaccia masks. Or a clothes shop whose door bears the teasing handwritten message "Open Some Time." Petting a wary cat in an empty back street called Calle del Fumo, I stumbled across a tiny and exquisite print shop. The proprietor, Gianni Basso, ushered me in and showed me his collection of old letterpresses, type, woodcuts, and copper engravings with which he produces, individually and by hand, beautiful visiting cards, business letterheads, and prints of Venice. I was entranced. His stamps showed a miniature bestiary of winged lions, foxes, squirrels, dragons, wolves, monkeys, and hares.

Basso told me that he had learned the art of letterpress in an Armenian monastery. When the monks got computers, he decided to leave and set up shop himself, rescuing old materials from the defunct printmakers of Venice. He still doesn't have a computer, or a fax; but he gets orders, by post, from around the world, including among his clients the actor Hugh Grant. Explaining his passion, he chuckled, "This is the real Venice; everything south of here is Taiwan."

He has a point. Venice has always been a tourist city, but in recent years the balance between residents and visitors, local craftsmanship and imported tat, has tipped worryingly towards the plastic gondola end of the market. In the 1950s there were 150,000 Venetians; now there are only 60,000. That means that there are three tourists for every two residents.

"People call it the Exodus," said Marina Scibilia, president of Forty for Venice, a social networking organization that is trying to revive a sense that Venice should be run for and by its residents as well as tourism. "The trouble is that young people simply can't afford to live here any more." In 2000, the council decided to develop more hotels—leading, ironically, to falling room rates. Many butchers and other shops necessary for locals have turned into mask shops, selling only to tourists. The more I spoke to Venetians, the more I realized that, behind the mask of serenity, Venice is angry. There were notices in the market on the Rialto complaining about

the effects of a proposed removal of the wholesale fish market to the mainland. They read: "Rialto, just for tourists. Thank you Mr. Mayor."

I asked Marina what the solution was. "Tourists themselves want this to be a living city," she replied, "not Disneyland, not a theme park. In order to keep it living and breathing, Venice needs residents and the council needs to support them, to prize quality over quantity in goods and services, to foster responsible tourism, local artisans, and the long-term future of the lagoon." Her words made me thoughtful. I recalled



the 1866 account of *Venetian Life* by William Dean Howells. He notes:

I found it a sad condition of my perception of the beauty of Venice and friendship with it, that I came in some unconscious way to regard her fate as my own, and when I began to write the sketches which go to form this book, it was as hard to speak of any ugliness in her, or of the doom written against her in the hieroglyphic seams and fissures of her crumbling masonry, as if the fault and penalty were mine.

You may go then, as I did, in the spirit of Carnival to play in Venice, but the city of mirrors may make you reflect on authenticity, on what you can best do to keep its beautiful fabric alive as more than a theatrical backdrop for the antics of strangers. ♦

# Paris When It Fizzles

*Isn't it pretty to think what might have been?*

BY JOHN PODHORETZ

There's a brilliant moment in a great and unheralded comedy from 1989 called *The Tall Guy*, in which Jeff Goldblum plays an American actor in London cast as the lead in a West End musical version of *The Elephant Man* called *Elephant!* He runs into his former employer, a profoundly nasty English comedian for whom he'd served as a silent onstage foil for years. "The word on the street," says the English comedian, "is that your *makeup* is just *excellent*."

In the same vein, if I met Woody Allen today, I would say to him, "Congratulations on your new movie, *Midnight in Paris*! The *poster* is just *excellent*." It shows the actor Owen Wilson walking along the Seine, as the sky above the rooftops blends into van Gogh's *Starry Night*. Beautiful, evocative, mystical, and enchanting, the poster for *Midnight in Paris* may be the best movie ad of our time. It perfectly conjures up the movie's central conceit: A man of the present day finds himself at night wandering into the Paris of the past.

Alas, the movie is everything the poster isn't: thuddingly literal, heavy-handed, and, like most of Woody Allen's magical fancies, entirely bereft of enchantment. Perhaps that's because the poster is the one aspect of *Midnight in Paris* for which Allen is not actually responsible.

Indeed, despite rhapsodies of praise from film critics who are now all, consciously or unconsciously, grading Allen's work on a curve—by which I mean they will always say

excessively nice things about an Allen movie now if it doesn't make you feel cringingly embarrassed for him—*Midnight in Paris* is a work of value solely because it inspired that poster.

The movie is intended as a love letter to Paris, but its opening montage seems to have been constructed by typing "Paris" into Google Images and then filming all the pictures

in the top row—the Arc de Triomphe, the Eiffel Tower, the Seine, the Louvre, the Tuileries. The travelogue aspect of the movie never strays from the obvious: In the course of *Midnight in Paris*, the characters visit Monet's backyard, hear a talk about Rodin, tour Versailles, go to Les Halles, and buy books at Shakespeare and Co. The only thing missing is someone saying, "Ooh la la."

Wilson plays an American screenwriter who takes a walk in Paris one night and climbs into a 1920s taxi to find himself face to face with Scott and Zelda Fitzgerald. They take him to a party, and then to a café. He meets Ernest Hemingway, who takes him to meet Gertrude Stein.

And you know what? They're all just so nice. Oh, maybe Hemingway is a little dramatic. But Stein is a lively, fun, friendly old lady who likes Wilson's novel, while Fitzgerald calls Wilson "old sport" just like Gatsby. And Zelda? She's the cutest little magnolia you ever saw, even when she gets sad and tries to throw herself into the river.

The oddity here is that the movie is a direct descendant of a wonderful comedy routine from Allen's brilliant standup days in the 1960s:

Hemingway had just written his

first novel, and Gertrude Stein and I read it, and we said it was a *good* novel, but not a *great* one, and that it needed some work, but it could be a fine book. And we laughed over it. Hemingway punched me in the mouth. ... Francis Scott and Zelda Fitzgerald came home from their wild New Year's Eve party. It was April. Scott had just written *Great Expectations*, and Gertrude Stein and I read it, and we said it was a *good* book, but there was no need to have written it, because Charles Dickens had already written it. We laughed over it, and Hemingway punched me in the mouth.

The problem with *Midnight in Paris* is that nobody punches Owen Wilson in the mouth.

Allen's comedy routine was a spoof of the ludicrously overripe way people talked about Paris in the 1920s. The thing is, *Midnight in Paris* is just another example of that fatuous romanticization. It's almost as though the young Woody Allen traveled in a time machine half a century into the future, saw the movie he himself would make in his 78th year, and then returned to 1964 to make glorious sport of that same movie.

There are only two things that make the movie really come to life—two performers, one marvelously naturalistic and one delightfully stylized. The naturalistic performer is the movie's putative villain, a sexy and materialistic all-American philistine played by Rachel McAdams. Saddled with most of Allen's rather ghastly expository dialogue, this very, very interesting actress makes the words she speaks sound like something an actual human being might really say and completely transcends Allen's two-dimensional caricature.

The other triumphant turn is by Adrien Brody, the Oscar-winning star of *The Pianist*. He has a single three-minute scene as a pop-eyed, cheerful, lavishly accented Salvador Dalí, going on about how Wilson reminds him of a rhinoceros.

For a moment, just a moment, *Midnight in Paris* threatens to punch Owen Wilson in the mouth. And then the moment is gone.

We'll always have that poster. ♦

## Midnight in Paris

Directed by Woody Allen



John Podhoretz, editor of Commentary, is THE WEEKLY STANDARD's movie critic.

*"When the president toasted the Queen the orchestra misunderstood a pause and what seemed to be a cue from the president for 'God Save the Queen' to begin playing. . . . But the president wasn't done speaking."*

—ABC News, May 24, 2011

**PARODY**

wrong. WRONG. That's  
right. So doesn't that make you happy?

MAY 25, 2011

ONE DOLLAR CHEAP

# President Misses His Cue

## Says Staffer, 'There Is No Off Switch'

By MARK LANDLER

LONDON — At a banquet hosted by Queen Elizabeth II at Buckingham Palace yesterday, President Obama raised his glass and offered a toast. But the orchestra mistook a pause as the end of the president's remarks and began playing "God Save the Queen." And yet Obama continued his toast to "the special relationship between our peoples and, in the words of Shakespeare, 'this blessed plot, this earth, this realm, this England.'"

To some White House staffers, this didn't come as a surprise. "Unfortunately, the president has a habit of talking through prompts and cues," one White House adviser admitted, on the condition of anonymity. "Frankly, it's one of his few flaws. That and his belief in his divinity."

White House press secretary Jay Carney insisted that Obama actually edited himself, realizing what was transpiring. "The president, ever quick on his feet, decided to cut the speech short and omit the Shakespeare sonnet he was planning to recite, as well as a song from his favorite British singer, Susan Boyle."

"It was no big deal," said White House senior adviser David Plouffe. "And besides, it wasn't nearly as bad as



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The president's plan to sing "I Dreamed a Dream" was cut short.

the New Year's Eve incident." Plouffe then explained that the president was in the middle of offering a toast last New Year's Eve when an aide informed him there were only ten seconds left until midnight. According to the official transcript, Obama said midway through his toast, "And let us not forget our Portuguese Water Dog Bo. He's hypoallergenic, as some of you know.

And we love him. Yes, three, two, one, Happy New Year. But Bo was named after Bo Diddley. Now in 1956 .."

And though the president has been known for interrupting world leaders, it isn't always the case. "Obama didn't interrupt me once—he just sat there in stony silence. It was music to my ears," said the prime minister of Is-

*Continued on Page A3*



## Credit at Tiffany's: Gingrich Scandal Grows

### Speaker Also Bought Lexus with Giant Red Bow