

**INTELLIGENCE AND
INTERROGATIONS**
REUEL MARC GERECHT

the weekly

Standard

JULY 30 / AUGUST 6, 2012 • \$4.95



REVENGE OF THE SOCIOLOGISTS

The perils
of politically incorrect
academic research

ANDREW FERGUSON

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July 30 / August 6, 2012 • Volume 17, Number 43



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A Letter from the Beach

SCRAPBOOK correspondent James W. Ceaser, the distinguished University of Virginia professor of politics, emails a charming note from the beach, which we excerpt here:

In a mid-June ritual equivalent to a New Year's resolution, I annually peruse THE WEEKLY STANDARD's Summer Reading issue, listing the alluring books I promise to read while tucked away on some remote beach. There is only one rule I impose on this exercise: No book may have anything to do with my own field of politics. In obedience to an earnest but now fading aspiration of becoming a Renaissance man, the selections must be historical, or literary, or artistic—the sorts of works reviewed by Joseph Bottum or Algis Valiunas. Of course, all this being part of a resolution, it is rare that a book order ever gets placed or, if it does, a box opened. And oh yes, I never get to the beach.

Until this summer. With a few days having carefully been blocked out, I arrive at North Carolina's Outer Banks with my stack of "books," hastily downloaded at the last minute on a Kindle. At the appointed hour, I make my way over the dune, and take in the azure sky and undulating surf. Leaving my cell phone at the lifeguard chair—no interruptions, please!—I station myself equidistant between two pairs of responsible-looking adults and begin to remove the Kindle from its case.

But to my great surprise, I discover that I am being watched. On the cusp of a small hole a few feet in front of me, a mid-sized crab, his two black eyes like jewels of onyx mounted on little posts, has me directly in his sights. Intent on holding my ground, I stare him down. After a few seconds, he raises his body like a platform on hydraulic stilts, executes a full pirouette, and slides into his underground fortress. Relieved, I return to unpacking my apparatus.

Only that's not the end of it. A half

a minute or so later he reappears. Now he is at work, oblivious to me, excavating from his hole a full scoop of sand, which he carries in his larger claw and deposits, with the action of a back hoe, on a little mound that he is forming at the edges. Nor is he alone. My eye spots a yard or so down to my left another redoubt, with another crab at work, and likewise in the opposite direction.

The Kindle back in its zipped case, I am by now fully absorbed in another world, privy to all of its operations. Continued observation reveals new details. These fellows are not exactly the same. And why should they be? One, closer to the moms who have been discussing their kids' college preferences, is more energetic than the others, disappearing and reappearing more frequently. But his mound hardly seems to grow. Another, nearer to the stockbrokers, is more deliberate, but his wall gets higher and higher.

If ever there was a time for what one German philosopher called *Gelassenheit* (or letting things be), this should be it. Yet unable to control my scientific impulse to master and control, I wait until Mr. Efficiency is down under, and with a small piece of paper shave off a tiny portion of his mound, what he has built in the last hour, which I estimate to weigh two ounces. I scurry back to the lifeguard chair and pick up my cell for some calculations. In my little area of 27 square feet, there are three crabs moving (roughly) 6 ounces of sand in a single hour. With the Outer Banks being 200 miles in length, and if we assume the same density of crab populations, then in a single month . . . the number begins to approach the national debt.

And just when you think nature is in harmony and these creatures content with their lot—each crab in his hole, all's right with the world—you find you are in for some further surprises. After some time, one of the crabs abruptly ceases his labor and goes on the move. I am distressed, the

old complaint of Carole King—doesn't anybody stay in one place anymore?—coming to mind. But oh how they move, up on tiptoes, sliding with equal ease, without breaking stride, from right to left and then left to right. Whither? There are empty holes, tough times, no doubt—say I from my perch on the beach—of foreclosures and abandonments.

And then the drama. OMG, one goes down the same hole as another. I wait for what seems like an eternity. Suddenly, they are both above ground, staring menacingly at one another from opposite sides of the hole. A few seconds, and one—the intruder—goes sliding off, past the stockbrokers.

It's getting windy now, folks are packing up ready to return to their other world. I call my wife, who has been spending time with friends a couple of towns up the beach, affording me the time to pursue (supposedly) those long-talked-about literary and aesthetic refinements. The subject now is dinner. I think I hear her say something about Dirty Dick's Crab House. "Ready to go?" she asks. "Funny thing," I said, "I had my heart set on that little steakhouse around the corner."

In appreciation of so thoughtful a correspondence, we hereby dub Ceaser THE SCRAPBOOK's Carcinologist in Chief (Google it yourself). ♦

Marshal Kim

THE SCRAPBOOK felt a certain satisfaction last week when we learned that Kim Jong Eun had been named a marshal of the Korean People's Army.

This promotion to the highest rank in the North Korean armed forces seemed, to THE SCRAPBOOK, only fitting: At 29, Kim is the world's youngest head of state, and his sloping shoulders bear an awesome burden of responsibility. The Great Successor, as he is popularly called, has been first secretary of the Workers' Party

of Korea, chairman of the Central Military Commission, first chairman of the National Defense Commission of North Korea, supreme commander of the Korean People's Army, and a member of the presidium of the Central Politburo of the Workers' Party of Korea. At his father's funeral last year, he was described as "our party, military, and country's supreme leader who inherits Great Comrade Kim Jong Il's ideology, leadership, character, virtues, grit, and courage."

For "grit" alone, in *THE SCRAPBOOK*'s view, Kim deserves this boost to marshal.

Which reminds us of the reliable rule that the more preposterous the tyrant, the more likely he is to indulge himself with titles, nifty uniforms, and (self-awarded) honors. Take the late Idi Amin, for example, the Ugandan dictator of the 1970s who is estimated to have murdered as many as a half-million of his countrymen. By the time this onetime private in the British colonial army was finally toppled from power, he had risen to the status of His Excellency President for Life Al Hadji Dr. Idi Amin Dada, VC, DSO, MC, Lord of the Beasts of the Earth and Fishes of the Seas, and Conqueror of the British Empire in Africa in General and Uganda in Particular.

Or Jean-Bédél Bokassa of the Central African Republic. This former enlisted man in the French colonial forces was not content just to be president of the newly independent republic west of Sudan; in 1976 he transformed his landlocked homeland into the Central African Empire, and was thereafter addressed by members of his court as Sa Majesté Impériale Bokassa Ier.

By way of contrast, *THE SCRAPBOOK* offers up the late Muammar Qaddafi in evidence. True to his ascetic Bedouin origins, Qaddafi—who was a lieutenant and just three years out of the Libyan military academy when he overthrew King Idris in 1969—never promoted himself beyond the modest rank of colonel. He also tended to avoid superfluous titles and honors, and as early as 1977 resigned his post as chairman of the Revolutionary Command Council of Libya, opting



instead to be described as a "symbolic figurehead" in the government.

But while Qaddafi showed a certain bureaucratic restraint, he clearly let loose on the sartorial front, decking himself out in sumptuous desert robes or a variety of Ruritanian-style military uniforms. *THE SCRAPBOOK*'s favorite is the quasi-naval costume he tended to wear on ceremonial occasions, complete with War of 1812-style epaulettes and a mop of greasy, voluminous hair under an elaborate hat.

The Great Successor is clearly in touch with his inner North Koreaness: He is usually seen in public in the standard Mao-style tunic with a modest flag pin attached to his breast.

But "Marshal Kim" has a certain ring to it, and *THE SCRAPBOOK* expects to see him sometime soon in more martial attire, watching his starving subjects march past. ♦

Low Voltage

It turns out that not many people are inclined to purchase a Chevy Volt. Only 7,671 of them were sold last year, and GM has suspended production multiple times despite plans to expand production to 60,000. But suddenly *THE SCRAPBOOK* has a powerful urge to buy one—and you may too once you learn what we found out last week.

The automaker has introduced a

“Chevy Confidence’ program that allows buyers to return any model they’ve purchased within 30 or 60 days with less than 4,000 miles on the clock and no damage. GM calls it the ‘Love It Or Return It’ program,” reports the autoblog website. Now recall that one of the chief enticements to purchasing a Volt is that the government softens the blow of the car’s \$41,000 price tag by offering a \$7,500 tax credit to any purchaser. In March, President Obama was actually pushing to raise the Volt tax credit to \$10,000.

However, Mark Modica of the National Center for Legal and Policy Analysis points out the “IRS tax form 8936, for plug-in motor vehicle credit, does not have any minimum time requirement for buyers to own their qualified vehicles. The vehicle only has to be new and purchased during the tax year being claimed.” That means you can buy a Volt, return it to get your money back, and still claim the tax credit the following April 15. Last year, Modica questioned whether some Chevy dealers were claiming the tax credit for themselves and then reselling the vehicles. According to Automobilemag.com, a Chevy spokesman “said there’s no real issue with the practice so long as dealerships are honest with customers” and point out “that the cars are technically used, and are therefore ineligible for the tax credit.” Modica also pointed out that last year’s IRS form didn’t even require those claiming the tax credit to list the Vehicle Identification Number (VIN) of the car in question, so there was no way of telling whether the tax credit for a given Volt was being claimed multiple times. This year the tax form has been altered to require you include the VIN of your Volt.

As for whether Chevy’s new return policy will result in people abusing the tax credit, well, that seems pretty likely. The angel on THE SCRAPBOOK’s shoulder tells us that taxpayers should refrain from abusing these tax credits. Then again, a study last year by the Mackinac Center for Public Policy found that each Chevy Volt might have as much as \$250,000 in state and federal subsidies behind it. It’s hard to tell

people to refrain from gaming the IRS when it can be argued that they’re just getting their own tax dollars back. ♦

Bias? You Betcha!

A conceit of political reporting is that bias occurs least in the coverage of presidential campaigns. Both candidates are savaged equally. This hasn’t been true for years. It wasn’t in 2008 when Barack Obama was pampered. And it’s not true this year. A glaring example is the contrast between coverage of the date of Mitt Romney’s departure from Bain Capital and President Obama’s memorable gaffe: “If you’ve got a business—you didn’t build that. Somebody else made that happen.”

Obama uttered his remark on July 13 while campaigning in Roanoke. ABC, CBS, and NBC broadcast exactly one segment on their morning and evening news shows over the next five days. That segment was on the *NBC Nightly News* on July 17. CNN waited four days before reporting the Obama statement and then only after Romney had jumped on it.

But the networks were all over Romney on the matter of when he left Bain Capital. From July 12 through July 19, there were 17 stories on the flap over whether he really quit Bain in 1999 when he moved to Utah to run the Winter Olympics. (Thanks to Brent Baker and the Media Research Center for compiling these numbers.)

Is there any question which story was more significant? The Obama gaffe was enormously revealing of his dim view of business and high regard for government. The Romney exit from Bain? Barely a story at all. He was physically gone from the company and there’s no evidence he took part in any financial decisions at Bain after that.

To underline the bias, let’s have Romney and Obama change places. If Romney had suggested government is the key to the success of a business, the media would have run with the story—it would be news. Had a question arisen of precisely when Obama left his job as a community organizer, the media would have yawned. ♦

the weekly
Standard

www.weeklystandard.com

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The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, second week in July, and fourth week in August) at 1150 17th St., NW, Suite 505, Washington D.C. 20036. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-283-2014. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-850-682-7644 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$4.95. Back issues, \$4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. For a copy of The Weekly Standard Privacy Policy, visit www.weeklystandard.com or write to Customer Service, The Weekly Standard, 1150 17th St., NW, Suite 505, Washington, D.C. 20036. Copyright 2012, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.



Summertime

The only real escape from the oppressive heat of a New York summer is a night in the open air under the lights at a big-league ballpark. That's what my brothers and I thought, anyway, growing up as we did spending a dozen or more evenings every year at Yankee Stadium. We cut coupons from milk cartons that earned us free general admission seats, leaving our mother amazed at how much cereal we managed to eat from April to October. After a brutal day in the sun or cooped up in a Manhattan apartment, the three of us would hop on the 4 Train uptown, and by the time it rose from underground at 161st Street and River Avenue in the Bronx to reveal the big ballpark, we were breathing again.

We'd get there early enough to watch the opposing team take batting practice and, pressed close to their dugout, try to strike up conversations with the visiting ballplayers. The light-hitting Mario Mendoza is still a punch line for baseball writers, but I'll always think kindly of the slick-fielding shortstop who took the time one night to explain to three high-school infielders how he'd made a certain play the day before.

We respected the opposing players, but of course it was the Yankees that we loved, enjoying their triumphs and suffering their defeats as though they were our own. We were so distraught the summer Thurman Munson died in a plane crash that our father was concerned our younger sister might think a close family member had passed away.

It wasn't just the team that thrilled us but also the legend of the Yan-

kees—from Lou Gehrig's farewell speech in 1939 to the famous fight at the Copacabana nightclub in the summer of 1957, when Billy Martin, Mickey Mantle, Whitey Ford, and Hank Bauer brawled with a bowling team. These events mattered intensely to the three of us, though they happened before we were born. Even as very young fans, we felt tied to the history of the Yankees. Call it Yankees chauvinism.

The central event of our summer was Old-Timers' Day, when the Yankees would parade all their ancient



and recent greats before a full stadium, the applause growing steadily until it reached its crescendo with the last player announced, the greatest living Yankee of them all. We'd never seen Joe DiMaggio play in his heyday, but our hearts still stirred when the Yankee Clipper walked out onto the field.

The sentimental force of Old-Timers' Day came flooding back to me with this year's game, which I watched on TV. When I saw Whitey Ford and his batterymate Yogi Berra take the field in a golfcart, all I could think of was the afternoon I drove around with Whitey.

It was the summer just after high school, and I was hired as a junior counselor at a baseball camp in Oak-

dale, Long Island—the Whitey Ford Baseball Camp. The job involved hitting pop-ups to 10-year-olds. We taught more advanced techniques as well—like bunting and running the bases, and how to take proper leads, and how to round the corners—but this was lost on most of our charges. Even getting the campers to keep their heads down to field ground balls was a challenge. “The dog catches a ground ball with his face, fellas,” one counselor explained. “Be a dog and stick your face in it!”

Another counselor and I were coming off the field one especially hot morning, dragging along equipment and lagging well behind the kids who were racing to the dining hall, when a van pulled up beside us.

A familiar head of white hair leaned out the window and called us over. It was Whitey. He hadn't been around much that summer—not that it mattered to the kids, who didn't seem to be old-timer aficionados like my brothers and me. In any case, the Ford brand was meant to appeal to the fathers who paid the camp fees.

“If you guys are heading up to lunch,” said Whitey, “I'll give you a ride.”

We were too nervous to make much conversation. That he was a Hall of Famer registered more significantly with us than the fact that he was also our boss. Whitey didn't know what to say to us either, so he reached into the big cooler beside him for a couple beers and handed them to us. We hesitated, and Whitey smiled brightly. I think I saw the same mischief in his eyes that Mantle, Martin, and Bauer must have seen that night back in the summer of 1957 at the Copa. I considered myself the luckiest Yankees fan on the face of the earth.

LEE SMITH

No Sanctuary for Assad



Damascus: The Syrian dictator is losing his grip on the capital.

As we go to press, Bashar al-Assad seems to be losing Damascus, as he has lost much of the rest of the country. Reports last week suggested the Syrian president might already be in Latakia, the de facto capital of the Alawite heartland on the Mediterranean coast. But even if he has not already decamped, he will likely find his way there before long. The Assad regime is fighting with its back to the wall. It is a critical moment for Syria. And it is a critical moment for the Obama administration. Having watched the bloodshed in Syria from the sidelines for the last 16 months, it can still act to bring down the Assad regime before it kills thousands more.

So far, the White House's response has been timid. Last week it leveled more sanctions against regime officials, and backed yet another U.N. Security Council resolution against Assad. For the third time, the Russians and Chinese vetoed it. And yet again Obama's U.N. ambassador, Susan Rice, evinced shock that Moscow and Beijing would stay with Assad "to the bitter end."

That end may be nigh. And if it is, the U.S. invasion of Iraq in 2003 may have been a turning point for Bashar al-Assad's rule. By facilitating the flow of foreign fighters into Iraq, Bashar hoped to show Syrians what lay in store for them should they embrace the Americans' freedom agenda—not democracy but civil war. Instead, what Assad's policy illuminated for Sunni Arabs was the sectarian nature of the region. No matter how much the Assad regime waved the banner of Arab nationalism and cursed Israel, the Sunnis' most pressing hostility was with the minority clique

that they decided, on reflection, had no right to rule them. By the time Tunisians, Egyptians, and Libyans had moved to topple their regimes in the spring of 2011, the Iraq war had already primed Syria's Sunni population for a much bloodier conflict than any of the other Arab Spring countries experienced.

Throughout the uprising, the Obama administration has argued that the rebels were no match for the Syrian Army, with its overwhelming firepower and its hundreds of thousands of men under arms. However, this assessment entirely ignored the demographic equation: Sunni Arabs outnumber Alawites by about 5 to 1.

Today, Assad's forces are stretched impossibly thin. Months ago came the first evidence, as regime troops found that whenever they quelled the uprising in one town, another town rose up. Assad didn't have enough loyal hands to put the rebellion down everywhere once and for all. The presence of Iranian and Hezbollah troops was further proof that Assad was shorthanded. And now rebel forces are fighting for control of the borders with Turkey and Iraq, while the regime has moved troops from the Golan Heights border to defend Damascus. The mighty Syrian Army is nothing but a sectarian militia defending a shrinking territory.

As Tony Badran, a fellow at the Foundation for Defense of Democracies, has documented, the regime seems to be waging a campaign of sectarian cleansing in order to carve out a rump state along the Mediterranean coast, reflecting the geographical contours of the traditional Alawite heartland, with its capital in Latakia. The regime has lost the

hinterland and may be on the verge of losing Damascus, but it is still counting on survival. If Assad can't have all of Syria, then he and his Russian and Iranian backers will console themselves with an Alawite state on the Mediterranean. The Obama administration should ensure that this doesn't come to pass.

Under the Assad regime, after all, Syria has been a state sponsor of terror, one that has directed its energies against the United States and American allies. The regime's survival even in reduced form would serve Iranian interests as well, since Assad is a key link in the chain connecting Tehran to its terrorist asset in Lebanon, Hezbollah.

Almost everything that has unfolded in Syria over the last 16 months was predictable. The White House has failed repeatedly to take advantage of the Syrian dictator's travails. Now with Assad fighting for his life, it's time for the administration finally to show a killer instinct. If the regime takes flight from Damascus, it should never be allowed to reach safe haven in Latakia.

—Lee Smith

Democracy and the Asia Pivot

President Obama's announcement last fall of a "pivot" to Asia has been greeted with skepticism. For one thing, there will be no appreciable increase in U.S. military assets in the region any time soon. Furthermore, even for an administration generally unconvincing in its commitment to the promotion of democracy and human rights abroad, Team Obama has been remarkably timid in advancing any such agenda in this region of 4 billion people.

So it was encouraging that on her swing through Asia last week, Secretary of State Hillary Clinton told a conference in Mongolia that support for democracy and rights are at the "heart" of the Asia pivot. She also left no doubt about the biggest obstacle to democracy's success in Asia. In several passages that seemed directed at China, Clinton rejected the idea that economic success could be sustained in the absence of political reform and the rule of law. Repression, she said, can "create the illusion of security, but illusions fade because people's yearnings for liberty do not." Unfortunately this welcome rhetoric was absent when it came time to meet China's foreign minister and Vietnam's Communist party general secretary.

The administration also raised doubts about its commitment to democracy and human rights when it took a backward step in its Burma policy, easing sanctions on investment there, including in the energy sector. President Obama abandoned an earlier "step by step" approach that was supposed to maximize the benefit to Burma's people by allowing investment in sectors like tourism, manufacturing, and agriculture first, and only later, after progress on institutionalizing democracy, in sectors controlled by the unreformed, brutal military, like natural gas.

Washington's move undermined Aung San Suu Kyi, Burma's democracy leader, who recently warned against allowing investment in the state-controlled oil and gas industry until guarantees of transparency could be implemented. With a small presence in Burma's parliament, Suu Kyi and her National League for Democracy party have limited political capital during a precarious phase that will last at least until elections in 2015 offer a chance for the popular democratic movement to consolidate its position. American support during this time is vital.



Secretary of State Clinton and China's foreign minister, Yang Jiechi

America's conduct of its foreign policy can never be separated from its identity as the world's leading democracy. "It is who we are," President Obama likes to say of America's commitment to democratic values and human rights. Indeed, the United States contributed to democratic transitions in the Philippines, Taiwan, and South Korea that transformed the region.

Those of course were small authoritarian regimes, ones that did not seek to project their power or political model. In China, Washington faces a bigger and more complicated challenge. The secretary of state staked out an ambitious position in her Mongolia remarks. If the United States fails to follow through, the Asia pivot will lose credibility. Asia's people will lose much more.

—Ellen Bork

Only 108 Days to Go

Does this year's presidential campaign strike you as strikingly petty? Boringly conventional? Uncommonly stupid? Yes? Join the crowd.

It shouldn't be this way. After all, the times are unusually interesting, the nation's circumstances fundamentally challenging, our conditions unpredictably surprising. And yet the campaigns seem incapable of saying anything that might inform, making arguments that might educate, doing anything that might inspire.

One is tempted now to provide the obligatory quotation from Matthew Arnold—*And we are here as on a darkling plain / Swept with confused alarms of struggle and flight, / Where ignorant armies clash by night*—and call it a day (or a night).

But that would be wrong. Yes, it's a contest between two unusually unreflective candidates, one a liberal technocratic law professor, the other a moderate technocratic financier, in an era that has exposed the deficiencies of both liberal technocratic legalism and moderate technocratic finance capi-

talism. Yes, we're watching a showdown between factions within an American elite whose recent contributions to the nation have mostly been conspicuous consumption, conspicuous arrogance, and conspicuous policy failure.

Still, whining is unmanly, and complaining pointless. And the fact remains that the choice this fall is far from an unimportant one.

It will likely come out well. Mitt Romney should win. The public doesn't seem inclined to swoon for a second time at the charms of Barack Obama. The American people are resistant to their attempted seduction by the carnival barkers of modern liberalism. In general, the country has shown impressive resilience and good sense.

And it's quite possible a Romney administration will prove superior to the Romney campaign. In any case, some Republicans in Congress seem poised to provide bold leadership next year. And even if Washington sounds an uncertain trumpet, conservatives around the country—governors and mayors and private sector reformers and policy entrepreneurs—stand ready to accelerate their efforts in many areas.

Reformist ages have followed on the heels of dreary presidential campaigns (e.g., 1932 and 1960). A stupid campaign needn't mean we're condemned to a stupid future. We can endure this campaign—not that we have much choice. And then we can prevail.

We hope.

—William Kristol

The Looming Fiscal Cliff ...

By Thomas J. Donohue
President and CEO
U.S. Chamber of Commerce

Unless Congress acts, at midnight on December 31, 2012, a disastrous combination of tax hikes and spending cuts will automatically take effect, threatening to plunge our economy back into recession.

If the 2001 and 2003 tax provisions and other tax extenders expire, current marginal rates and dividend and capital gains rates will increase—hitting investors and retirees especially hard. Vital business tax provisions will lapse. Estate tax relief will be dramatically reduced. And relief from the alternative minimum tax will be wiped out. Successful small businesses could see their marginal rates soar as high as 45%. If Congress doesn't extend these pro-growth tax provisions *for everyone*, the result will be the largest tax hike in history.

On top of that, \$1.2 trillion in automatic budget cuts will be triggered on January 1. The ill-designed, across-the-board

discretionary spending cuts resulting from the failure of the Deficit Supercommittee will disproportionately cut \$500 billion in defense spending. And they fail to address the real drivers of runaway spending—massive and growing entitlement programs.

This looming fiscal cliff is already raising economic uncertainty and stifling business investment. The Congressional Budget Office projects growth could slow to an anemic 0.5% in 2013. And unemployment would soar. Some estimates put lost jobs stemming from the tax hike alone between 300,000 and 2.9 million. Automatic spending cuts could wipe out 1 million defense and manufacturing jobs in two years.

Leaders must act immediately to extend all expired or expiring tax provisions and make smarter spending cuts. At the same time, Congress must agree to a strict timetable for restoring America's long-term fiscal health by reforming the tax code and curbing entitlement-driven spending.

Specifically, we must adopt a fairer, simpler tax system that lowers marginal

rates, encourages economic growth, promotes competitiveness, and eases compliance. We must make sensible changes to Medicare, Medicaid, Social Security, and other mandatory spending programs, which make up nearly 60% of our budget. Reforming entitlements is essential not just to our nation's long-term fiscal health but to the future of the programs themselves. We must reform them to keep them solvent for other generations.

Let's not use the excuse of an election year, or partisan gridlock, to punt on our problems. We can't afford to wait and fix our economy after it's taken a plunge for the worse. Instead, let's stabilize our economy to create the jobs and growth we need today and build a stronger foundation for the future.



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Pandering to His Base

Obama goes left, left, and left again.

BY FRED BARNES



The usual strategy for presidential candidates is to appeal to the political center in hopes of broadening their support. President Obama isn't doing that. He is tilting sharply to the left on issue after issue: immigration, religious liberty, welfare, gay marriage, the environment, race, the role of government. Why?

The simplest answer is that his bid

for reelection is in trouble, and he's going where he has the best chance of finding friendly faces. In fundraising, you rely on folks who've donated before. Obama is going after voters who've voted for him before.

But why focus his campaign on them? Didn't Obama long ago lock up the various liberal elements and interest groups who make up the Democratic party's base? Yes, but their mere support is not enough. He needs them to swarm to the polls and

vote in the same massive numbers they did in 2008. At the moment, that seems unlikely.

A poll in mid-July by Resurgent Republic found that Republicans are more enthusiastic about voting in the presidential election than either Democrats or independents. Sixty-two percent said they're "extremely enthusiastic," compared with 49 percent of Democrats and 45 percent of independents.

In truth, Obama has few alternatives to trying to jack up the Election Day turnout of his base. Pollster Whit Ayres of Resurgent Republic believes Obama has given up on going after white working-class voters. His share of their vote has dipped below 30 percent in polls. And while he won independents handily in 2008, recent surveys show that crucial bloc favors Romney.

Obama's emphasis on liberal issues won't appease independents—and may alienate many of them. He has a separate plan for overcoming their disaffection: trashing Romney. His personal attacks and campaign ads characterize Romney as a capitalist buccaneer unfit to be president. If those work, independents—a few million, anyway—may reluctantly settle for Obama as the lesser evil.

But arousing the base is still key. "He has gone to the left on everything as aggressively as he can," says Scott Reed, a Republican consultant who ran Bob Dole's presidential campaign in 1996. And on practically every issue he can.

The Obama administration's imposition of a rule requiring health insurance policies to provide free birth control pills and free sterilization thrilled liberals, especially feminists. His blocking of the Keystone XL oil pipeline from Canada to the Gulf Coast of Texas made the environmental lobby happy.

By an executive order of dubious constitutionality, Obama changed immigration law to allow roughly one million illegal immigrants to remain in the country free from arrest and deportation—an unabashed effort to increase the Hispanic vote. His attorney general, Eric Holder, has noisily criticized voter ID laws as thinly

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DAVE MALAN

veiled attempts to prevent African Americans from voting.

Two weeks ago, the administration announced another policy shift to please liberals. By bureaucratic directive, it decreed states could abandon the requirement that welfare recipients seek work. Intentionally or not, this gutted the welfare reform law of 1996, the most significant achievement of Bill Clinton's presidency.

Besides Hispanics and African Americans, Obama has wooed gays by announcing his support for same-sex marriage. This also had the intent of unleashing a flood of campaign contributions from wealthy gays, just as the Keystone decision was expected to spark donations from environmentalists.

In pulling off these unsubtle moves, Obama has had an ally. Republicans and conservatives complained about all of them, the Catholic bishops are furious over the unprecedented requirement that Catholic employers provide health insurance that violates their church's teaching, and the about-face on enforcing immigration law drew strong attacks. But the mainstream media were sympathetic to the president's actions, either downplaying them or openly siding with Obama, and the protests died down. The notion that Obama was purposely veering away from the center was rarely noted.

But the impact of Obama's latest pitch to the left, delivered on July 13 at a firehouse in Roanoke, Virginia, is likely to linger. Except for the conservative press, the media largely ignored his speech. Yet it was memorable for his denigration of success in business and glorification of government.

Obama's hostility to business, the profit motive, and wealth in general is no secret. During the 2008 campaign, he talked up income redistribution, telling Joe the Plumber that "when you spread the wealth around, it's good for everybody."

In 2009, he suggested that doctors often gouge their patients by insisting on more treatment than necessary. This reflects a "business mentality," he said. In 2010, he said he didn't "begrudge success that's fairly earned." Then he

added: "I mean, I do think at a certain point you've made enough money."

In his Roanoke riff, he outdid his previous hymns to government. The thrust of his argument was that government, even more than personal initiative and hard work, is responsible for the success of individuals. "If you've got a business—you didn't build that," he said. "Somebody else made that happen." He cited projects like the Hoover Dam and Golden Gate Bridge as evidence "you're not on your own."

The Obama campaign quickly sensed a backlash. When Mitt Romney read the "you didn't build that" quote at a rally, it responded with a TV

ad declaring "that's not what [Obama] said." Not true. Romney, gazing down at a text, had read the comment accurately, word for word.

Perhaps it was better, at least for campaign purposes, to deny the quote rather than try to explain it. Who would believe Obama didn't mean exactly what he said? His history, his earlier comments, his policies—all stand as evidence of his loathing of business, profits, and affluence.

Obama's campaign advisers appear confident of winning. Their contempt for Romney is palpable. But their cockiness is unearned, particularly when appealing to liberals is the best strategy they've got. ♦

Rules for Romney

How to win.

BY JEFF BERGNER & LISA SPILLER

The two of us recently published a book about the highly successful Obama presidential campaign of 2008. From our research we distilled 10 lessons for 2012 Republican primary candidates called (with apologies to Saul Alinsky) "Rules for Republicans" (*THE WEEKLY STANDARD*, January 2-9, 2012). With the Republican primary now behind us, it is fair to ask: How is the Romney campaign doing?

First, the good news. Romney campaign headquarters is located far outside Washington, D.C. (unlike the Clinton and McCain campaigns of 2008). The Romney campaign has developed a state-by-state electoral strategy with multiple avenues to victory. The campaign has made it clear that it will reject public financing and its attendant spending limits (unlike the McCain general election campaign

of 2008). The Romney campaign is running a strong ground game, especially in the battleground states. And the rumored names of potential vice-presidential running mates are largely solid and promising.

There is also bad news. There are three major areas in which the campaign urgently needs to sharpen its focus, and these areas are absolutely critical to success. We outline them here in three "Rules for Romney."

Rule 1: Define your "big idea." What is the overarching theme of your campaign? What is the first thing you want people to think and say about you? What do you stand for? These questions—which are all really the same question—are not easy to answer. In answering them, you are defining your brand.

To date, the closest you have come to defining yourself is that you are not Barack Obama. This is a decent start, but no one else is Barack Obama either, and you need to say what it is you will do if you are elected. Why should the American people vote for

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you? What will you do differently from a second-term Barack Obama? You say you know how to create jobs and grow the economy. Fair enough. But how will you do this? You have to tell the American people what you are promising them.

The field is wide open. The Obama 2012 presidential campaign is a sad contrast to his 2008 campaign. It is hard to believe that this is the same candidate and the same team of senior advisers. To say that there is no big idea comparable to “change we can believe in” in 2008 is to vastly understate the poverty of the current Obama campaign. Barack Obama has no ideas to which majorities of the American people feel any emotional connection. He has almost nothing to say about his record, which is dismal, or about his plans for a second term, which are nonexistent. Unlike 2008, he offers no reason for anyone to vote *for* him; his only option is to attack you.

That is why you need a simple, positive, and emotive idea around which to present yourself to the American people. Prove that your big idea speaks to the hopes and fears of the American people. Let average Americans speak for the agenda which flows from your big idea. Run a series of political commercials in which Americans from all walks of life describe how your plans will help them. Decent, ordinary people can express in their own words the benefits of your ideas. Let them do that. Let them communicate to their fellow citizens why they should vote for you. Let them prove that ordinary Americans feel an attachment to you, to your vision of the future, and to how your agenda will help them.

Rule 2: Sell your benefits, not your features. What do voters know about you? They know your background. They know you were a businessman at Bain Capital, that you were governor of Massachusetts, and that you saved the Salt Lake City Olympics. But let’s be clear: Electoral success is not about services rendered or experiences accumulated. It is about promises for the future.

How do successful business marketers sell their products? They do not

list the features, or qualities, of their products; they demonstrate the *benefits* of their products for people in the real world. Consider the oft-run television cell phone commercial. A woman is alone in a parking lot at night. Her car will not start. She is scared. She places a call on her cell phone. Will the call go through? The call goes through,



Do not put your biography, however eminent, at the center of your campaign. You have to explain to voters the benefits of voting for you, not your background or qualifications or experience.

and she feels safe. That is how you show people the benefits of your product, not by listing statistics about cell phone capabilities.

In political campaigns this means that you do *not* put your biography, however eminent, at the center of your campaign. You have to explain to voters the benefits of voting for you, not your background or qualifications or experience. John McCain and Hillary Clinton found this out the hard way in 2008. If your campaign is centered around your “experience” or

your “record” or your “competence,” you are on the road to defeat. What is important is how your experience can get voters where *they* want to go. How is your campaign demonstrating this?

To be perfectly blunt, voters do not much care about experience (or your religion, despite misguided liberal hopes to the contrary). This was the message of the 2008 campaign. It was also the message of the 2010 congressional midterm elections. And why *should* voters care? Voters look at the country today and what do they see? They see high unemployment, enormous federal deficits, a dangerous and unsustainable federal debt, declining family incomes, a growing poverty rate, ballooning food stamp rolls, declining influence around the world, and people everywhere gaming the system to receive federal benefits. They think to themselves—and they are surely right about this—if this is what all the smart people in the political class have brought us, we do not need any more of it. They also see a political class in Washington that does not seem to understand or care about any of it. Voters do not want to hear one more word about the experiences of the political class; they want to know what you intend to do to address their concerns. What will be different if we elect you?

Rule 3: Go all in. Nearly 70 percent of Americans believe the country is on the wrong track, and a sizable share of those believe the country’s very future is at stake in this election. Go all in. You have done this well on many occasions, and aspects of your campaign have been a refreshing change from the McCain campaign of 2008. But you will come under increasing pressure to dilute your positions to win over so-called moderates. If that strategy worked, the moderate John McCain would be president, not Barack Obama, the most liberal of all 100 U.S. senators. And Jimmy Carter would have defeated Ronald Reagan. You will not win this election by being the lesser of two evils; you actually have to attract voters to win. Boldness, directness, and honesty—the type which you displayed in your speech

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to the NAACP—will trump subtlety and nuance every time. Just ask Mike Dukakis, George H.W. Bush, Bob Dole, or John Kerry.

Draw the contrast between you and Barack Obama as sharply as you can. Wherever possible, use his own words and his own voice to portray his arrogance, his empty rhetoric, and his broken promises. Relentlessly advance your own brand and relentlessly brand President Obama negatively. That is what he did to John McCain in 2008; that is what he is trying to do to you in defining you as a wealthy vulture capitalist. There is not a reason in the world that negative branding should work for him and not for you. The only question is who does it better. If you are not on offense, you will be on defense.

Do not pull your punches, especially in an effort to find favor with the national media and the political class. The days of neutral media, if they ever existed, are long gone. The media are partisans, just as they were in the early days of the republic; they have chosen sides. When you or your campaign are criticized for branding President Obama negatively, know that you are having an effect. Double down on it. Your electorate is the American people, not the media.

The Paris Hilton “Celeb” ad, which made fun of Barack Obama’s celebrity status, was the best ad of the McCain 2008 campaign. It unnerved the Obama campaign; it positioned Barack Obama as a self-oriented pop star, not the potential leader of the nation. The most devastatingly effective form of negative campaigning is ridicule. This is the left’s tool against Republicans, and they hate it when it is turned against them. Use it.

In sum, develop a simple big idea that expresses the core of your campaign; develop a clear and easily understandable set of initiatives that flow from this idea; show how these initiatives will benefit ordinary Americans of all walks of life; and intensify your campaign’s focus on Barack Obama’s record of failure. It’s not too late to kick your campaign up a notch. The future of our nation depends on it. ♦

Meet Kate Upton’s Uncle

How a moderate Republican retooled for the Tea Party era. BY MICHAEL WARREN



Congressman Fred Upton at a Capitol Hill press conference

‘All eyes on Upton (Kate, not Fred),’ read the headline in the February 14 edition of the St. Joseph, Michigan, *Herald-Palladium*. Her hometown paper reported that Kate Upton was the cover model of this year’s *Sports Illustrated* swimsuit issue, making her instantly more famous than her uncle, Republican congressman Fred Upton. When Kate was the subject of *GQ*’s July cover story, Uncle Fred got a small mention near the end, a quirky feature of the supermodel’s biography. Perhaps only inside-the-Beltway publications like *Politico* refer to Kate as “Fred Upton’s niece.”

At 59 years old, Upton himself doesn’t get cover story-level attention—but perhaps he should. As the chairman of the House Energy and

Commerce Committee, he’s one of the most powerful members of Congress, and since taking the helm in January 2011, Upton has been the unlikely leader of the GOP’s fight against the Obama administration’s ever-expanding slate of federal regulations.

The consensus among conservatives, both in Congress and out, is that Upton’s chairmanship has been a “pleasant surprise.” For over two decades, Upton had quietly represented his southwestern Michigan district with a familiar brand of Midwestern moderate conservatism. His lifetime American Conservative Union rating is 73, the lowest among Michigan Republicans. He scores 49 percent on the Heritage Action for America legislative scorecard, well below the House GOP average.

How moderate has he been? Upton has voted against federal funding of abortion but for funding of embryonic

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stem cell research. He was instrumental in opposing cap and trade in the House but supports environmentalist agenda items like the Endangered Species Act. Upton is for cutting NPR's funding, but he also voted to increase federal grants to firefighters.

If there's a symbol for the middle-of-the-road incumbent Republicanism that grassroots conservative activists rebelled against in 2010 following two devastating elections, he's it. Yet in his current role as committee chairman, Upton may be the Tea Party's most critical ally in the establishment.

The jurisdiction of the Energy and Commerce Committee is vast, from energy to trade to telecommunications to health care. In all those areas, Upton has been driving the Republican agenda. During his tenure as chairman, he's fought to overturn the Federal Communications Commission's net neutrality rules, pushed to expedite the president's approval of the Keystone XL pipeline, and forced the administration to abandon the long-term-care insurance program set up under the CLASS Act provision of Obamacare.

But Upton and his committee have been most aggressive in reining in federal regulations. "He has made sure the Obama administration does not escape robust oversight," says Dan Kish, senior vice president for policy at the Institute for Energy Research. "That's where Fred Upton has really shown some teeth."

The list of bills passed out of the committee (several with bipartisan support, Upton likes to emphasize) indicates the extent to which Environmental Protection Agency regulations have dominated the committee's proceedings: the EPA Regulatory Relief Act, the Energy Tax Prevention Act, the Cement Sector Regulatory Relief Act, the Coal Residuals Reuse and Management Act, and the Farm Dust Regulation Prevention Act.

The Obamacare regulations, too, have provided ample oversight fodder for Upton. The committee halted funding for state-based exchanges and restored flexibility to states' operation of their Medicaid programs.

"They've pulled the strings and allowed Obamacare to unravel," says Paul Ryan, chairman of the House Budget Committee.

And Upton probably deserves much of the credit for making Solyndra a household name; committee hearings helped uncover the full extent to which political cronyism and malfeasance led to the now-bankrupt California solar panel company getting government-backed loans. The mild-mannered, soft-spoken Upton doesn't get fired up about many things, but talking about the Solyndra boondoggle animates him. In his Capitol Hill office overlooking the National Mall (seniority has its perks), he excitedly flips through the pages

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of the *Wall Street Journal* to show me that day's editorial criticizing certain House Republicans for not supporting Upton's latest bill, the "No More Solyndras Act." Upton says the federal government ought to stop spending taxpayer money on venture capital.

"We'll mark it up and finish the job next week in subcommittee!" Upton beams. This is legislative yeoman's work, and it isn't sexy. The wonky Upton, a 25-year veteran of the House who once worked for David Stockman in Ronald Reagan's Office of Management and Budget, seems eager and able to do it.

But back in November 2010, in the wake of the GOP's historic electoral victory, some conservatives started sounding the alarm on Upton before he had even assumed the chairmanship. FreedomWorks, Dick Arney's grassroots operation, launched a website called DownwithUpton.com, saying Upton's record is "full of votes

for more regulation, more spending, and more taxes." Rush Limbaugh said it would be a "tone-deaf disaster" if Upton were tapped as the committee's chairman. "This is exactly the kind of guy Republicans need to avoid," Glenn Beck warned on his radio show, "or they'll destroy themselves."

Several pointed to Upton's support for the 2007 law that effectively bans the incandescent light bulb in favor of the more expensive "green" compact fluorescent bulb—some even reported he coauthored it. During the chairmanship election, Upton reversed his position and promised to repeal the law. When I ask him about the hated light bulb ban, he bristles.

"Now wait," Upton says. "This was the [California Democrat Jane] Harman bill, passed on a voice vote. President Bush signed it. And the industry supported that. And I, you know, and as we prepared for the chairman race, I said publicly, lots of times, we're going to readdress this." A repeal of the ban was attached to a couple appropriation bills, he adds, but, like most of the committee's work, died in the Democrat-controlled Senate.

That sort of Washingtonese explanation probably offers little solace to those who looked at Upton as an insider, a go-along-to-get-along Republican just itching to cut a deal with Democrats. Upton's primary opponent, former state representative Jack Hoogendyk, calls Upton a "squishy moderate" and says he's "not convinced" the congressman got the message of 2010. Others say that's just not true.

"There's an old expression," says Tim Walberg, a fellow Republican congressman from Michigan. "You use the levers of power that you have." Upton's voting record, Walberg says, reflects the sentiments of his mildly Republican district, but as Energy and Commerce Committee chairman, Upton is using his considerable power to represent a much more conservative conference. Grover Norquist, president of Americans for Tax Reform, thinks Upton's critics are looking at the wrong statistic. Says Norquist, "You don't ask a pitcher what his batting average is." ♦

Japan's New Islands?

Nationalism makes a comeback.

BY ETHAN EPSTEIN

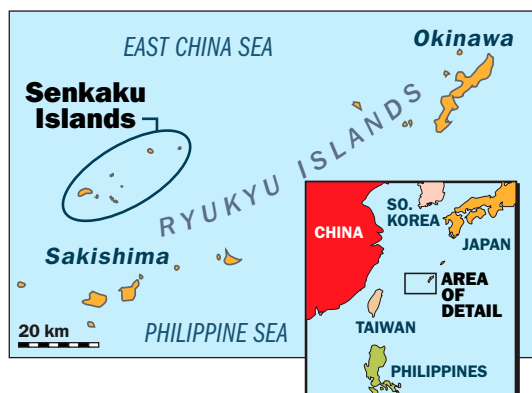
Earlier this year, Tokyo governor Shintaro Ishihara took time out from presiding over the world's largest city to initiate a fundraising drive. It wasn't his own campaign coffers that Ishihara was seeking to fill—campaign spending is severely limited in Japan, anyway. Rather, the famously nationalistic (some say jingoistic) governor began a drive to purchase three of the five islands that make up the Senkakus, which are claimed by China, Taiwan, and Japan. A chain of uninhabited islets in the East China Sea, the Senkakus are primarily valued for their fisheries and possible stores of oil.

Ishihara announced his intentions in April at the Heritage Foundation in Washington, revealing that the Tokyo Metropolitan Government was already in negotiations with the islands' owners to purchase them (they are privately owned by Japanese citizens). Shortly thereafter, Ishihara appealed for private funding to complete the purchase. The governor's campaign has already netted more than \$12 million in donations from Japanese citizens, and also spurred a flotilla of 14 privately helmed Japanese ships that sailed to the Senkakus in June, boasting signs such as "Chinese invasion of the Senkaku Islands will not be permitted!"

Unsurprisingly, Ishihara's provocations have raised the ire of Beijing; in mid-July, the Chinese dispatched three fishery patrol boats to the Senkakus (which they call the Diaoyu Islands). The *Global Times*, a tabloid

newspaper owned by the Chinese Communist party, helpfully suggested that the Chinese military use the islands as a shooting range.

Perhaps more surprisingly, Ishihara's campaign also raised hackles in Official Japan, resulting in what the *Financial Times* termed an "unheard of public rebuke from Japan's ambassador in Beijing." (The ambassador



warned of a "grave crisis.") Japanese business leaders, too, are wary of alienating the Chinese—understandable, given that Japan invests more than \$7 billion in China annually, and that China represents a huge market for Japanese products. So, there are powerful institutions in Japan with a vested interest in tamping down their country's assertiveness towards China. But the biggest impediment to a more forceful Tokyo remains Article 9 of Japan's post-World War II constitution, which prohibits any acts of war on the part of the Japanese state. Consequently, the Japanese military is known as the Self-Defense Forces (SDF) and is barred from committing any acts of "bellicosity."

Despite these strictures, Japan has been building impressive military

capabilities for some time—all in the name of self-defense. The SDF was established in 1954, and has grown to encompass more than 240,000 personnel and an annual budget of almost \$50 billion. The Council on Foreign Relations says that the Japanese Navy is "among the most sophisticated in the world." Japan even deployed "reconstruction and support" troops to Iraq in 2003, and assisted in refueling efforts for U.S. troops conducting antiterrorism activities in and around Afghanistan for almost a decade.

But the constraints imposed by Article 9 are rankling a growing segment of the Japanese population. Earlier this year, a poll from the *Yomiuri Shimbun*, one of Japan's biggest newspapers, found that "39 percent of respondents said they favored revising Article 9." That was up 7 points

from 2011. That finding actually understates the opposition to pacifism, because an additional 39 percent of respondents are open to a more assertive military—they just think that Article 9 should be "interpreted" differently. In the end, only a paltry 13 percent said that Article 9 should be "strictly interpreted to prevent Japan from participating in all foreign military operations." Furthermore, the SDF is now the most popular institution in

Japan. More than 91 percent of the population has a positive impression of the SDF—up from 81 percent three years ago. Support for the military as an institution is now at its highest level since the end of World War II.

These trends can be explained in one simple word: China. The People's Republic quadrupled its military budget in the first decade of the 2000s, a fact evidently not lost on a growing chunk of the Japanese public. Thirty-two percent of the Japanese now view China as a "military threat" to their country—up from only 8 percent in 2001. Forty-nine percent, meanwhile, view China's client state, North Korea, as a direct threat. More generally, 84 percent of the Japanese now have an "unfavorable" opinion of China; 70 percent cite "territorial

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issues” as the main reason. Another poll finds that 72 percent of the Japanese “don’t trust” China—a reasonable position, given not only the territorial disputes, but also Beijing’s propensity for deflecting the anger of its restive population of unmarried young men by whipping up violent anti-Japanese sentiment.

Back in 2007, then-prime minister Shinzo Abe used the sixtieth anniversary of the ratification of the postwar constitution to call for a “bold review of Japan’s postwar stance and an in-depth discussion of the constitution.” Abe’s tenure lasted less than a year, though, and no constitutional changes were made. Altering the constitution, after all, is hard: It requires two-thirds passage in both houses of the Diet, followed by a successful referendum. Changes are probably unlikely in the immediate future, too, given that Prime Minister Yoshihiko Noda has a moribund economy, a nuclear disaster, and massive post-tsunami reconstruction on the country’s northeast coast to deal with.

But revisions to Article 9 certainly can’t be counted out, especially a few years from now. Given that the Japanese constitution was drawn up under the guidance of the occupying Allies, it doesn’t inspire the kind of reverence that, say, the American Constitution does. What’s more, experts on Japanese public opinion say that the younger generation is much more nationalistic and much less inclined towards pacifism than previous postwar generations of Japanese.

There is also ample evidence that public opinion is already pushing the national government in a more aggressive direction, even without constitutional changes. This month, some three months after Ishihara’s initial provocation, Prime Minister Noda bowed to public pressure and declared that it is now the policy of the national (not just Tokyo) government to purchase the Senkakus. And that Japanese ambassador to China who condemned Ishihara’s plan to buy the islands? Members of the Diet have demanded he be fired, and last week he was recalled to Tokyo for “discussions.” ♦

California Dreaming

One percent a year returns won’t be enough to pay state pensions. **BY MARK HEMINGWAY**

Last week, California taxpayers, already accustomed to economic doom and gloom, received an astonishing piece of bad news. The California Public Employees’ Retirement System (CalPERS) had posted a 1 percent return on its investments over the previous



Maybe we could sell the fancy building.

year. The California State Teachers’ Retirement System (CalSTRS) didn’t fare much better, with a 1.8 percent return. CalPERS and CalSTRS currently have a combined \$383.5 billion in assets, making them the largest public pension system in the country.

That’s a lot of money, but thanks to California’s legendarily generous and corrupt pension programs, the two funds are on the hook for a lot more

than they’ll be capable of paying out. It’s long been known that unfunded state pension liabilities were an acute financial problem, but there’s been a raging debate over exactly how big it is—the Pew Center on the States estimates the shortfall nationwide is \$757 billion, while a recent report from State Budget Solutions says states are a whopping \$4.6 trillion short of covering their obligations.

However, the lower-end estimates, such as Pew’s, rely on the states’ own assumptions about the likely rate of return on their pension fund investments. For years now, state projections have been divorced from reality. Most states assume a 7.5 percent to 8.25 percent annual return on their investments. By comparison, the S&P index grew at 5 percent a year over the last decade, and many pension fund assets are tied up in more conservative investments than that broad stock market index.

CalPERS’ performance is a blow to defenders of states’ rosy assumptions. Most states are still loath to admit that the new normal is substantially less than they were betting on—CalPERS, for one, lowered its expectations from 7.75 percent all the way down to 7.5 percent in March (ignoring the advice of its own actuary, who suggested lowering it to 7.25 percent). When New York City’s actuary considered a similarly trivial adjustment downwards, Mayor Michael Bloomberg (who actually knows something about this subject) was less than impressed. “The actuary is supposedly going to lower the assumed reinvestment rate from an absolutely hysterical, laughable 8 percent to a totally indefensible 7 or 7.5 percent,”

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he told the *New York Times*. “If I can give you one piece of financial advice: If somebody offers you a guaranteed 7 percent on your money for the rest of your life, you take it and just make sure the guy’s name is not Madoff.”

The good news is that it looks like states won’t be able to get away with this fantasy accounting for much longer. The Governmental Accounting Standards Board (GASB)—a non-governmental organization that has authority from the Securities and Exchange Commission to set rules for state and local government accounting—is on the verge of adopting new transparency rules for state pensions.

GASB will force inadequately funded pension systems to assume a far lower rate of return. State pension systems that are funded at satisfactory levels could continue using their own investment projections. This would have huge ramifications.

The proposed GASB rules don’t go far enough for Wall Street, however. “I have been saying if there was going to be discipline imposed on the states, it would be through the market, not a regulator,” Robert Novy-Marx, professor of finance at the University of Rochester, recently told Chicago business magazine *Crain’s*. “I don’t care how long they drag their feet—the market will drag them along.”

In its most recent estimate of public pension debt, ratings agency Moody’s applied a 5.5 percent annual return to all state pension funds and calculated state pension shortfalls to be \$2.2 trillion. Under the agency’s calculus, in Illinois, whose pension system is one of the nation’s worst, the funding shortfall would jump from \$83 billion to \$135 billion.

Moody’s also published a report last week noting that pension burdens are major contributors to the recent spate of city bankruptcies, which Moody’s sees as part of an alarming trend of “distressed municipalities . . . view[ing] debt service as a discretionary item in their budget.” As such, unsustainable pensions are a major threat to the \$3.7 trillion municipal bond market. Unfortunately, state pension problems are

often the result of intractable state politics that won’t easily be fixed. Once again, California is the exemplar: In 1998, Phil Angelides was elected state treasurer and began an aggressive campaign to use the fiscal might of California’s pension funds to push all sorts of liberal ideas related to corporate governance and socially responsible investing.

“To this day, the California funds instigate a dizzying number of proxy fights at the companies in which they invest, focusing not just on governance-related issues like executive pay but on everything from carbon taxes to divestment from companies that do business with Sudan,” observed Jon Entine of George Mason

The recession does appear to have been something of a wake-up call, and states are slowly starting to address the pension problem. Between 2009 and 2011, 43 states cut benefits, increased employee contributions to pension funds, or did both.

University in an article in *Reason* magazine. This politically motivated investment strategy has not worked out well. Entine noted one example among many: In 2003, “CalPERS rejected a recommendation from its financial adviser, Wilshire Associates, to invest in the equity markets of four Asian nations—Thailand, Malaysia, India, and Sri Lanka—based on their alleged misdeeds.” That decision cost state retirees \$400 million.

Angelides left his job as state treasurer in 2007 and launched an unsuccessful bid to unseat Arnold Schwarzenegger as governor. That same year, the *Los Angeles Times* reported that CalSTRS had ousted investment banker David Crane—“a close friend” of Schwarzenegger—from its board for repeatedly questioning whether the pension fund was irresponsible to assume an 8 percent annual return.

In 2009, President Obama appointed Angelides to head the Financial Crisis Inquiry Commission, which was tasked with writing a report detailing the causes of the 2008 financial crisis. Looking at the wreckage of California’s pension plans—which were heavily invested in AIG, Citigroup, Lehman Brothers, and other major players in the meltdown—one might say that Angelides’s chief qualification for investigating fiscal crises is instigating one.

The recession does appear to have been something of a wake-up call, and states are slowly starting to address the pension problem. Between 2009 and 2011, 43 states cut benefits, increased employee contributions to pension funds, or did both. In 2010 and 2011, 18 pension plans in 14 states lowered their return assumptions. Still, most pension reforms have been piecemeal and inadequate.

Further complicating states’ pension woes is the related problem of retiree health costs. While the numbers aren’t as big, the actuarial problem is even more acute—in 2010, state retiree health care liabilities were \$660 billion, but “states had assets to pay \$33.1 billion, leaving a \$627 billion hole,” according to Pew. Only 7 states have funded more than 25 percent of their retiree health care obligations.

Along with Wall Street, angry taxpayers might help get state pension funds under control, as they slowly realize they are on the hook for astronomical sums. There are already signs that this is happening: In addition to Scott Walker’s recall election triumph and union reform success in Wisconsin, San Jose and San Diego residents have specifically voted to rein in public employee retirement packages this year.

But things are likely to get worse before they get better. Following the announcement of California’s dismal returns last week, Fitch released a report saying that the ratings agency “expects numerous systems to report similarly disappointing returns.” ♦

Forgive Us Our Debts

Spain looks north for a bailout.

BY CHRISTOPHER CALDWELL

The Spanish congresswoman Andrea Fabra Fernández had some words of encouragement for her prime minister, Mariano Rajoy, last week. Rajoy, of the conservative Popular party, managed in June to negotiate a \$123 billion rescue package for Spain's troubled banks. Unlike his Greek, Irish, and Portuguese predecessors in search of bailouts, Rajoy does not have to place his government under the tutelage of European Union authorities.

He is in a delicate position, nonetheless. Other European countries had to vote this week on the Spanish rescue, and they wanted some evidence that Spain was serious about fiscal discipline. Rajoy therefore passed \$80 billion in austerity

measures with the votes of only his own party. He raised sales taxes. He cut perquisites won by Spain's trade unions, including the *extra de Navidad*, a Christmas bonus for state employees. He cut the maximum duration of unemployment benefits. It was when the catcalls from the Spanish Socialist Workers' party (PSOE) grew the loudest that Fabra Fernández leapt to his defense. "Way to go, *señor*, way to go!" she was seen to shout from her seat in the Congress of Deputies. "F—'em!"

It is possible that viewers misread Fabra's lips. If not, then it is likely that she was referring only to her howling opposition colleagues, not

to the vast legions of Spanish unemployed. But, really, it was too good to double-check, and when millions of protesting leftists poured into the streets of 80 Spanish cities on Thursday, a lot of them had Fabra's words on their T-shirts and placards. The anger and composition of these Span-



Let's just bleed the Germans dry.

ish mobs adds a fresh complication to Europe's debt crisis.

For decades, since the regime of Gen. Francisco Franco, Spain has had an overregulated labor market. It always offered ironclad job security. Today it offers superb benefits, too. Those who enjoy them defend the system tooth and claw, even as it generates mind-boggling levels of unemployment (24 percent for all workers, 51 percent for young people). And any long-term solution will make things worse in the short term. Marcos Peña, president of the government's Economic and Social Council, says that with stronger-than-expected job growth, Spain can regain its economic level of 2007 by 2025.

This week's protests are not likely

to speed up that schedule. For a year a group of young people calling themselves the *indignados* have marched in Madrid, complaining, with some reason, about a system that locks them out. On Thursday, they joined forces with a group called Platform in Defense of the Welfare State and, less logically, pretty much every trade union in the country. That means firefighters, judges, and—alarming—policemen in uniform. To a German taxpayer, pledging one's savings as collateral to rescue Spain's banks must be looking like an increasingly risky investment.

Spain is not as corrupt as Greece, but it is a young democracy yet to form the habit of transparency. Thousands of small earners got bilked out of their savings this spring by investing in Bankia, a consortium of Spanish savings banks. Aspects of the latest bailout package were not debated in parliament at all. The opposition newspaper *El País* got documents relating to the deal from the governments of Germany, the Netherlands, and Finland. Finland assented to it only after Spain pledged \$937 billion in collateral.

When the thrifty countries of northern Europe are asked to vouch for Spain's debts, they are likely to have a couple of main worries. One is that the combined rescue measures of the EU, the European Central Bank, and the International Monetary Fund have now reportedly come to \$2.7 trillion. Who is good for that kind of dough? Where will it stop?

A newer worry is that the funds Germans use to provide an equity cushion for Spanish banks could be "rededicated" to other purposes once the Bundestag has passed them. When Finance Minister Wolfgang Schäuble spoke before the Bundestag recently about the aid package, he reassured listeners that any debts would be guaranteed by the Spanish state and not

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by its banking system, intertwined though the two may be. It was reminiscent of arguments that aid agencies had used during the Somali famine 20 years ago about whether food shipments were passing through the hands of trustworthy warlords or crooked ones. The question of whether banks or countries will ultimately be responsible for the money now moving south is very much up in the air. Klaus Regling, the director of the permanent \$610 billion bailout fund called the European Stability Mechanism (ESM), says his fund can give directly to banks, “and then there is no more liability for the country.”

Maybe. For now, the very means by which the money is to be delivered is in doubt. The ESM was supposed to be up and running this month. But in June Germany’s Left party asked the constitutional court to rule on its constitutionality. The court has taken the suit with the utmost seriousness. Germany has always found it hard to say “No” outright to the mendicant nations of the European south. Even seven decades after World War II, its first priority is always to prove itself a good neighbor. But for the very same reason, it insists on doing so only in strict accordance with constitutional forms. The ESM is a semi-accountable authority dreamed up by two dozen panicked foreigners at 3 o’clock one morning last winter. To give it billions in taxpayers’ money raises questions of due process and taxation without representation. The constitutional court decided the Left party’s question was a worthy one. It will rule September 12 on whether the ESM can be used at all. Until then, Spain’s bailouts will be carried out under the EFSF, an older bailout mechanism.

Finance Minister Schäuble wanted the court to move faster than that. He warned that too slow a vote could make investors nervous and cause “significant disturbances” in the markets. Such pronouncements leave one with an uneasy feeling. Under pressure of the financial crisis, the eurozone has become a place where countries’ laws follow investors’ whims, and not vice versa. ♦

The Great Unmentionable

The role of high salaries and wages in health care inflation. BY ELI LEHRER

In discussions of America’s high health care costs, surprisingly little attention is paid to salaries and wages. Yet the fact that medical jobs simply pay more than those in other sectors is beyond dispute. A physician practicing in a primary care setting, according to the Bureau of Labor Statistics, earned an average of just over \$200,000 in 2010, while specialists averaged over \$355,000 (the highest of any professional category tracked). By comparison, lawyers average just over \$110,000, airline pilots about \$92,000, and chartered actuaries (who calculate risk for insurance companies and must pass complex exams longer and arguably more difficult than the medical boards) about \$150,000.

The wage disparities, however, don’t stop with physicians, who do, after all, need to complete an academic curriculum that’s beyond most people’s abilities. Registered nurses and dental hygienists, who need only associate’s degrees, earn about \$70,000 a year. This is about as much as degreed computer programmers. And it’s significantly more than high school teachers and forensic scientists, who need master’s degrees but earn a little less than \$60,000 on average. And wage disparities exist at all levels of the health care industry: Even nonmedical professionals like janitors tend to earn more in health care settings than those working elsewhere. An extensive report from the Brookings Institution sums up the evidence: “Health care pays higher than average wages regardless of workers’ skills and demographic characteristics.” Indeed, the report goes on, “expanding health care is likely to raise

wages throughout a metropolitan area by putting upward pressure on wages throughout the metropolitan labor market,” even for jobs requiring no post-high school training at all.

There’s no way around it: Wages drive high medical costs much more than any other factor. Between 2005 and 2011, as overall average wages barely kept pace with inflation (with rising health costs making real take-home pay flat for many workers), average medical wages grew a healthy 18 percent, rising from just over \$62,000 to almost \$73,000. The American Hospital Association estimates that two-thirds of all medical costs are attributable to wages and benefits.

Not only are the wages high but medical jobs have the kind of security few other professions can match. Total employment in the medical/education “super-sector” has *never* declined in the more than 40 years that the Bureau of Labor Statistics has tracked it, using current methodologies. Between 2008 and 2010, as the country sustained the deepest job losses since the Great Depression, the number of health care practitioners and support personnel increased by almost 400,000, even as the economy overall shed more than 7 million jobs. Doctors’ unemployment rate has never exceeded 2 percent.

Unfortunately, all this expense is not producing significantly better health care outcomes. While the United States undoubtedly leads the world in medical innovations and cutting edge care for uncommon conditions, gross measures of health care outcomes like life expectancy and infant mortality (which, it’s true, are heavily influenced by lifestyle, demographic, cultural, and genetic factors independent of

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the medical system) are below average for wealthy countries. By some measures, American health care practitioners work less hard than their peers in other countries. While other wealthy countries average just a little over three hospital staff per hospital bed, American hospitals have more than five people for each bed. The U.S. health care system may not be *worse* than those elsewhere—it does draw people from all over the world—but there’s no evidence the enormous labor costs are producing world-beating outcomes.

While American hospitals do generally have higher capital expenses than those elsewhere in the world in terms of high-tech diagnostics and creature comforts like private rooms for patients, many costs paid by all hospitals everywhere—rents, taxes, energy, food service—are more affordable in the United States than in other rich nations.

And nothing about the training costs of the people who provide medical care explains their high wages, either. Because medical school takes four years of full-time study—as compared with three years for law school and two for business school (tuition is comparable)—doctors do, indeed, graduate with more debt than people pursuing other professional training. But the wages they earn afterward more than make up for this: An average year in medical school costs about \$25,000 at most public schools, while doctors make, on average, \$80,000 more than lawyers but spend only one year more in school. And while many students capable of doing the work can’t find an accredited medical school willing to admit them, that’s not true for all medical professions. Anyone with a high school degree can train to become a nurse, lab tech, or other health care worker.

Malpractice insurance can also be very expensive, but this isn’t so everywhere—internists in states that cap malpractice awards can get it for only a few thousand dollars a year—and, in any case, the overwhelming majority of health care professionals don’t need malpractice insurance. Even in states like Florida where insurance costs

over \$50,000, doctors still take home very comfortable six-figure incomes in almost all cases.

If this happy confluence of factors for medical professionals—high wages, excellent job security, below-world-average workloads, and extremely high returns on educational efforts—resulted from a free market, it could rightly be considered a triumph of capitalism. But it does not. Government provides a little less than half of the total medical spending in the United States (about 46 percent by most estimates; more if tax expenditures are included), oversees the licensing of almost everyone who comes



Unless medical salaries and wages get under control, entitlement spending will continue to eat up an ever-larger share of the federal budget and necessitate either service cuts elsewhere or tax increases.

near patients, and limits where and when hospitals get built. The system that produces these high wages is shot through with government subsidies and regulations. Absent a reform that simply ends government involvement in health care altogether, it’s hard to envisage lower health care costs without lower compensation for workers in the sector.

But nobody wants to touch the issue. Even if they may occasionally gripe about the high wages paid to

doctors, liberals like the authors of the Brookings study actually celebrate these higher-than-market wages and, just as important, how major medical centers serve as key employment generators in Democratic-leaning major cities. (All of the 10 largest cities and 19 of the top 20 count a hospital system as one of their top 5 employers.) But conservatives do no better: The only real cost containment measure included in President Barack Obama’s disastrously bad health care bill—an “Independent Payment Advisory Board” (IPAB) with the power to slow the growth in payments for Medicare services—has been derided as a “death panel” and as a “socialist dream” by conservative critics, yet the board won’t have any direct say about the more than 70 percent of care *not* paid for by Medicare, it is specifically prohibited from rationing care, and it almost certainly won’t cut nominal dollar payments for anything. The point isn’t that IPAB is a good idea—it’s poorly designed and lets bureaucrats make decisions Congress should make itself. But it’s striking that conservatives who are more than willing to talk about how public school teachers, government regulatory bureaucrats, and government workers in general are overpaid have jumped to the defense of much more costly and consequential high salaries in the medical sector.

Of course, nobody of any party wants to talk about cutting pay for any broad group of workers, particularly in the fastest growing sector of the economy. It seems heartless, at best. But there may be no other choice at a time when Medicare and Medicaid alone consume about a quarter of the federal budget (defense is 20 percent), and health care seems poised to overtake education as the largest budget area in almost every state. There’s simply no other major source of “fat” that could be cut: Medicines, for example, are less than 10 percent of all health care dollars, and cutting that in half immediately, a step that would have catastrophic results, would have roughly the same effect as simply freezing medical wages for two years. Confiscating all insurance company revenues beyond their medical

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expenses and operating costs (which run between 93 and 95 percent) likewise would produce roughly the same cost containment as a one-year medical wage freeze.

Yet unless medical wages get under control, entitlement spending will continue to eat up an ever-larger share of the federal budget and necessitate either service cuts elsewhere or tax increases. Better access to medical care for the poor—a key priority of the left—will also remain out of reach if almost everyone involved in providing it must earn an upper-middle-class income.

Still, there's little reason to think any practicable public policy course could bring medical wages under control quickly. And the list grows even shorter if one discards heavy-handed, big-government approaches such as creating a single-payer system that sets all medical wages by central fiat. Still, two possibilities that rely on market mechanisms and deregulation deserve consideration from small-government advocates who want to get serious about health care costs.

First and most important, private insurers should have a stronger hand with which to negotiate prices. While insurers already have a very limited antitrust exemption to share consumer data, they are currently in a very weak bargaining position with regard to medical professionals. Almost all consumers want to be able to select their own doctors. Both employers and individuals pick insurance plans largely on that basis. (Managed care systems contained medical costs for a few years in the 1990s by strictly limiting the doctors people could see, but proved enormously unpopular when they did this and have largely given it up.) Even the biggest individual insurance plans rarely cover even half of the population of a given area, and no single plan extends its core network beyond a pretty narrow metropolitan region. This has let doctors and hospitals play insurers against one another and stopped them from negotiating prices effectively.

This should change. In countries

like Japan, Germany, and the Netherlands, which also administer many health benefits through private parties, insurers have much broader latitude to cooperate in setting prices. Since doctors typically have the ability to opt out of accepting insurance altogether if these prices are too low to cover costs and retain talent, such a system isn't necessarily unfair to them. But it does level the playing field.

Likewise, the supply of people needed to do medical tasks needs to be increased. The way to do this isn't to lower standards, but rather to let medical professionals other than physicians do more useful work. Current law, correctly, lets all doctors who pass internal medicine boards treat all sorts of conditions. Internists, for example, can prescribe antidepressants and, if they want to, even develop special expertise in treating psychiatric symptoms. While it is permissive with regard to doctors, however, the range of tasks allowed to other medical professionals is very limited.

Hardly anyone doubts the overwhelming majority of veteran registered nurses could—with a little more training—do a fine job setting broken bones, stitching wounds, and even dispensing drugs for common ailments. But laws and regulations limit almost all of these things to physicians and nurse practitioners, who must complete a graduate-level course of study similar to medical school. Among less-skilled medical workers, the current certification requirements border on the absurd. Licensed practical nurses are essentially menial hospital workers who collect vital signs, change bedpans, and bathe patients. To do this, however, they need more than a year of full-time schooling and, even so, generally can't even give hospital patients aspirin a doctor has not already prescribed. Some work of LPNs might be done by people trained mostly on the job and those with LPN training should be able to do more than they do now. And so forth.

These solutions aren't a total fix. Medical wages are high in part because medical care is so important. It's vital

that medical professionals get fair pay. But their pay cannot and should not rise at a rate so much faster than everyone else's. Achieving the health care goals of both the left and the right is eventually going to require doing something about the wages paid to medical professionals. ♦

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Revenge of the Sociologists

The perils of politically incorrect academic research

BY ANDREW FERGUSON

On the phone, Mark Regnerus sounds a little shellshocked. Professional sociologists hardly ever sound shellshocked.

“I knew it would be controversial,” he says. “But this is worse than I ever could have imagined.”

It refers to a scholarly paper Regnerus published last month. *This* is the hell that broke loose as a result.

Regnerus is an associate professor of sociology at the University of Texas. His paper, appearing in the journal *Social Science Research*, carried the title “How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study,” which is not a lapel-grabber. The subject was “gay parenting.” (One of the unpleasant aspects of social science is that you fall into the habit of using “parent” as a verb and silly participles like “parenting” instead of “child-rearing.”) For more than a decade now the unchallenged view among social scientists has been that there is no difference between children brought up—I mean parented—by lesbian and gay couples and those brought up in households where Ma and Pa are married. The “no difference” view has been certified by judges in gay-marriage decisions and repeated as received wisdom in the popular press, where you’re likely to see references to

a relatively small but conclusive body of research . . . looking at children of gay parents and compiled by the American Psychological Association. In study after study, children in same-sex parent families turned out the same, for better or for worse, as children in heterosexual families.

In fact, this passage, from a news story not long ago in the *Pittsburgh Post-Gazette*, is more responsible and hedged than most on the subject. The reporter admitted that the body of research is small, and the “for better or for worse” is a nice touch. And she didn’t bother to mention the most

recent stage in the evolution of the “no difference” view. Some researchers have begun saying there may be differences after all: By some measures, they maintain, children brought up by lesbian couples fare *better* than children from traditional families.

And now here comes Mark Regnerus. As a researcher, he says, “I’ve dabbled around.” He’s written well-received articles and books on religion, sex, and marriage. He has no particular expertise in the study of gay and lesbian relations, but the conventional view about the children of same-sex parents struck him as odd on its face. For starters, it’s widely known that children of divorce are more likely to show negative results on a number of “outcomes” in later life, such as depression, drug use, alcoholism, and so on. It’s also known that a high percentage of children being brought up by lesbians and gays are simultaneously the children of divorce. Logic suggests that some negative outcomes would show up in a study of those children too, placing them at a disadvantage next to children raised by heterosexuals in intact families.

Regnerus went through the literature—that often-cited “relatively small but conclusive body of research.” If a social scientist hopes to produce a statistical finding that applies to the larger population, probability theory requires that he study a relatively large number of people who are chosen at random. Most of the researchers in the literature on same-sex parenting used samples that were too small to produce generalizable results. All but a handful of them drew “convenience samples” from gay activist organizations or by word of mouth. These methods came up with samples of lesbian and gay parents who were whiter, richer, and more likely to be city dwellers than the national population. There were few control groups against which the results could be compared. Regnerus found the same methodological weaknesses in study after study.

Regnerus is a controversialist, though not a crude one—as a bull in the china shop of mainstream sociology, he’s more likely to pirouette than rampage. He decided to test the “no difference” consensus with a study of his own. With the approval of his university, Regnerus received funding

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from the deep-pocketed Witherspoon Foundation, a group dedicated to “scholarly research and teaching that enhance understanding of the crucial function that marriage and family serve in fostering a society capable of democratic self-governance.” Which is a long way of saying it’s conservative. Regnerus himself is a Catholic convert who says he’s never voted for a Republican presidential candidate.

Witherspoon executives say they sought matching funds from liberal groups to guard against charges of ideological trimming, but the foundation ended up paying most of the study’s cost on its own—nearly \$700,000, a kingly sum in the world of social science research. Though several liberal sociologists declined his invitation to participate, including the well-known UCLA demographer Gary Gates, Regnerus was able to recruit a range of scholars to serve as consultants and advisers, paid and unpaid, in the design and execution of the study. He brought a team together to help plan the study over a two-day period in January 2011.

“We wanted to have a spectrum from left and right,” he said, “and we accomplished that.” Witherspoon handed over the check and then backed off. The foundation, Regnerus says, had nothing to do with the study’s design or implementation, or with his interpretation of the findings.

“I told them at the beginning that I would just report the results, whatever they were,” he says. “I really didn’t know what we would find, and I’m surprised by what we did find.”



Mark Regnerus

Regnerus hired the public polling firm Knowledge Networks to interview a random sample of 15,508 Americans. From these another sample of nearly 3,000 was taken of young adults born between 1972 and 1992. Roughly 60 percent of the respondents said they spent their entire childhoods with both their biological mother and father. The rest were identified according to the type of family they grew up in: single-parent, adoptive, “blended” or stepfamily, divorced. Another category comprised those who said that one of their parents had a same-sex relationship before the respondents were 18. The group was very small—175 said their mothers had been involved in a same-sex relationship, 73 said their fathers had. Still, it was large enough, according to Regnerus and his consultants, to yield to statistical manipulation.

Only one large nationally based sample had been used before in gay parenting research. The Stanford sociologist Michael Rosenfield looked at how the children of gay parents compared with their counterparts from straight families on one outcome: whether the kids performed at an

“age-appropriate” level in school. Rosenfield found no difference between the two groups. Regnerus and his colleagues were more ambitious. They checked for 40 different long-term outcomes that would carry over to adulthood. Are you happy in your current romantic relationship? Are you on government assistance, or were you as a child? Any thoughts of suicide in the past 12 months? Respondents were asked to classify their sexual orientation, whether they’d ever been in therapy, whether they’d been convicted of a crime, and to list their income, educational level, and employment history. Several questions explored whether they had been bullied in school or sexually abused as children.

One basic finding immediately leapt out—how few Americans between the ages of 19 and 39 say their father or mother had ever had a same-sex relationship: 1.7 percent. It was also clear that the nature of gay parenting has changed quite a bit from the ’70s, ’80s, and ’90s, when these young adults were children. Typically, Regnerus said, they were born from heterosexual unions that went bust; nowadays the children of homosexual couples are often “planned”—brought into a family through adoption, in vitro fertilization, or surrogate motherhood.

Regnerus found much to contradict the “no difference” view. On 25 of the 40 outcomes, young adults who said their mother had a lesbian relationship (he calls these respondents LMs) differed in a statistically significant way from young adults reared by their parents in intact biological families (IBFs). Among those whose fathers had a gay relationship (GFs), 11 outcomes were different from the IBFs.

And the differences were almost always negative for LMs and GFs. LMs in particular were far more likely to be on public assistance and to have received public assistance as children; to suffer depression; to be cohabiting; and to describe themselves as unhappy in their romantic relationships. Their income on average was lower, and so were their educational attainments. More of them were unemployed. And they were far more likely to report that they’d been abused by an adult as children. The differences between the GFs and the IBFs were smaller and less significant—there was no difference, for example, in reports of childhood sex abuse. And GFs were much more likely to have voted in the last election. In case you were wondering.

Regnerus wrote up his findings and submitted them to the editor of *Social Science Research*, who in turn submitted the paper to a panel of peers for approval. Three other scholars wrote critiques to appear alongside Regnerus’s

paper. He also turned over the findings to the Witherspoon Foundation, which prepared a publicity campaign to unveil the new research: press interviews with Regnerus, op-eds by him and others, and background briefings for reporters and friendly scholars.

Then he sat back waiting for publication, expecting not much more than heck to break loose.

As of mid-July, a month after his paper was published, these are some of the things that have happened to Mark Regnerus. Three of his colleagues in the sociology department at UT joined with a fourth to publish a widely distributed op-ed in the *Huffington Post* accusing him of “besmirching” the university through his “irresponsible and reckless misrepresentation of social science research.” Led by Gary Gates, the UCLA demographer who had declined Regnerus’s offer to help design the study, more than 200 “researchers and scholars” signed a letter to the editor of *Social Science Research*. The letter demanded that the editor “publicly disclose the reasons” why he published the paper and insisted that he hire scholars more sensitive to “LGBT parenting issues” to write a critique for the journal’s next edition. UT’s Director of Research Integrity sent Regnerus a letter informing him that a formal complaint of “scientific misconduct” had been lodged against him. The complaint, made by a gay blogger/activist/“investigative journalist” called Scott Rose, triggered an official inquiry into Regnerus’s research methods and his relationship with the Witherspoon Foundation; he’s now preparing to appear before a panel of faculty investigators. Requests have been filed with the Texas attorney general’s office demanding that Regnerus, as an employee of a state-run institution, make public all email and correspondence related to his study. And he has hired a lawyer.

A large number of his fellow social scientists—members in good standing of the guild of LGBT researchers—would like to destroy his career.

The good news for Regnerus, as far as I can tell, is threefold. For one thing, he has tenure. For another, 18 of his fellow researchers wrote a public letter in his support. And much of the major news media, including the *New York Times*, has written fairly, if not copiously, about his study—perhaps as a result of the careful rollout orchestrated by Witherspoon. (The rollout failed to move the explicitly ideological press, such as the *New Republic*, which said Regnerus “gets everything wrong,” and the *New Yorker*, which called his work “breathtakingly sloppy.”)

Time magazine published a brief and sober description of Regnerus’s methodology. His paper’s great strength was the large and nationally representative sample, so that groups drawn from it could be compared against one another with

statistical confidence. The great weakness was that the group of stable gay couples was minuscule, making a meaningful comparison between stable heterosexual households and stable gay households impossible.

As the study entered the heated debate over gay marriage—which is, after all, the reason Witherspoon paid for it—this sampling weakness was overemphasized by gay activists, who said it discredited the entire study, and underestimated or ignored by their counterparts in the “pro-family” world, who were often too excited to qualify the numbers accurately. But the weakness is real. Out of the original pool of 15,000 respondents, only 2 young adults reported living with their gay parents for their entire childhood.

It isn’t Regnerus’s fault that so few gay and lesbian couples were raising children in the 1970s, ’80s, and ’90s. He tried to boost the numbers by expanding his definitions. He divided respondents into eight family types, including stepfamilies and single-parent families, along with LMs and GFs and IBFs. If a respondent said his mother had a same-sex relationship at some point in his childhood, he was counted as an LM—even if he was also the product of a divorce or raised in a single-parent family. That’s how Regnerus got the number of LMs up to 175 and the GFs up to 73.

To the extent that the dispute over Regnerus’s study is scientifically serious and not brute cultural warfare, it largely turns on whether this way of boosting the sample is legitimate. Many reputable social scientists, including the three commenters recruited by the editor of *Social Science Research*, say it is. His critics say Regnerus was stacking the deck. Social science is unanimous that children raised in unstable families—divorced parents, for example, or stepfamilies—have worse outcomes later in life than children from stable families. By counting these people as LMs or GFs (assuming their parents had a same-sex relationship), Regnerus ensured that those categories would show less favorable outcomes. With so many children of gays also being children of divorced or single parents it could hardly have turned out otherwise.

Again, it’s not Regnerus’s fault that gay and lesbian relationships were so unstable when today’s young adults were children. But the complication should have tempered the overenthusiastic pronouncements of his popularizers. As the conservative Family Research Council put it:

In a historic study of children raised by homosexual parents, sociologist Mark Regnerus of the University of Texas at Austin has overturned the conventional academic wisdom that such children suffer no disadvantages when compared to children raised by their married mother and father.

This is not only breathless but inaccurate. We may concede that Regnerus’s study could rightly be called “historic”—the data set he collected is unique and likely to yield

interesting findings for years to come. But it is not a study of “children raised by homosexual parents.” Regnerus did not ask respondents to give their parents’ sexual orientation; merely whether they knew if their parents had at some point engaged in a homosexual relationship, for however long. The parents may or may not have considered themselves gay, then or now. And many of these children were not raised by a homosexual parent: There were GFs who never lived with their father at all. As a close reading of its title suggests, this is a study of adult children of parents who had same-sex relationships. And the Family Research Council’s use of the present tense is jumping the gun. The study is retrospective—a picture of the nation during the last 40 years, much of it before the gay rights movement and the widespread social acceptance of homosexuality. For all we know, and as Regnerus readily admits, the instability, and hence the bad outcomes, could be largely traced to trauma caused by the antihomosexual prejudice of an earlier time.

Regnerus’s handling of the data led to the further objection that he was comparing apples and oranges: children raised by a biological mother and father in stable families, on the one hand, and on the other, children raised in families that were by definition unstable. If Regnerus had wanted to isolate the effect of sexual orientation on child-rearing, he would have had to compare like with like: stable heterosexual families with stable homosexual families, one-parent heterosexual families with one-parent homosexual families, and so on. That he didn’t do so is taken by his pitiless critics as a sign of either incompetence or bad faith.

“Here’s the way I put it,” said Gary Gates, the demographer. “It’s like he took a group of men who never smoked and compared them with a group of women who smoked three packs a day. Then he checked lung cancer rates. And he concluded that being a woman puts you at greater risk for lung cancer. But of course the cancer rate has nothing to do with being a woman.” In the same way, he says, we can’t tell from Regnerus’s data what role homosexuality—as opposed to divorce, welfare, single parenthood—played in the bad outcomes.

Gates is best known for his finding a few years back that only 3.8 percent of Americans are self-identified homosexuals, as opposed to the 10-plus percent routinely cited by gay activists (and created *ex nihilo* by the creepy zoologist Alfred Kinsey). He was heavily criticized as a traitor to the cause. “The question to me has always been why Gates . . . wants to punish us so,” said the radical activist Larry Kramer. Gates says he turned down Regnerus’s offer to help with the study

because of the same scrupulousness. The design was flawed from the start, he says—and Regnerus, moreover, is not a member of the guild that studies LGBT families.

“He told me what the design was,” Gates says. “I said you’re designing this to get bad outcomes for gay and lesbian parents. I could see it. I asked him, Why are *you* leading this study? On the most basic level, this subject matter is about family structure and the interplay with sexual orientation. And he has no—*no*—background in that.”

The criticisms of Regnerus’s paper would be more impressive if they weren’t anticipated and in many cases acknowledged by the author in the same paper being criticized. Regnerus notes explicitly that the study did not identify the sexual orientation of the parents being reported on, and that some of the “gay

parents” had little or no contact with their children. He admits that the categories into which he divided respondents were hardly exhaustive: “There are far more ways to delineate family structure and experiences—and changes therein—than I have undertaken here.”

He also addresses the charge of an apples-to-oranges comparison. Measuring children from divorced GFs and LMs against

children from intact families, he concedes, is “arguably unfair.” Other sociologists will be free to make comparisons they deem more appropriate. His data set, he says, “enables researchers to compare outcomes across a variety of other types of family-structural history.” And he never speculated on causation—nowhere does he suggest that homosexual parenting or orientation was responsible for the lower outcomes of the children of GFs and LMs.

Whatever its faults, Regnerus’s study has unique strengths, even beyond the size and randomness of its sample, that his critics ignore altogether. His commendable attempt to include a diversity of views among his advisers is rare within the guild, where the leftism is unrelieved. So too were his willingness to immediately publish his research materials online and his pledge to make all his data digitally available this fall. Rather than a study of monochromatic and well-to-do lesbians or gay men, he managed to capture the full ethnic, socioeconomic, and geographic range of gay America. And his study is one of the first to systematically measure outcomes from the children themselves, rather than simply through the reports of their parents.

The criticisms of Regnerus’s paper would be more impressive if they weren’t anticipated and in many cases acknowledged by the author in the same paper being criticized.

The limitations of Regnerus's study compare favorably with the shortcomings found routinely in the same-sex literature. It does no credit to the guild that researchers have choked on Regnerus's paper while happily swallowing dozens of faulty studies over the last 20 years—because, you can't help but think, those studies were taken as confirming the "no difference" dogma. "If the Regnerus study is to be thrown out," wrote the Canadian family economist Douglas Allen in a statement supporting Regnerus, "then practically everything else [in the literature] has to go with it."

The "no difference" thesis was legitimized in a decree issued by the American Psychological Association in 2005. The issue of *Social Science Research* in which Regnerus's paper appears coincidentally contains a study of the 59 studies the APA researcher cited in issuing its decree. Its author, Loren Marks, a sociologist at Louisiana State University, quantifies the weaknesses that Regnerus noticed in his reading of the literature.

"More than three-fourths (77 percent) of the studies," writes Marks, "are based on small, nonrepresentative, convenience samples of fewer than 100 participants." Nearly half did not use a heterosexual comparison group against which the study group could be measured. Many of those that did have a comparison group measured intact, well-to-do lesbian couples against single-parent heterosexual families. Outcomes were in most cases ill-defined and impossible to quantify: "socioemotional development," for example, and "sex-role behavior."

Most of these shortcomings were acknowledged by the researchers themselves in their respective papers, just as Regnerus points out the limitations of his own methods. APA acknowledged the shortcomings too—and then issued its decree anyway, in the most confident terms. But the accumulation of methodological errors calls into question whether any plausible conclusion can be drawn from gay parenting research.

Marks sums it up: "In response . . . to any question regarding the long-term, adult outcomes of lesbian and gay parenting we have almost no empirical basis for responding."

And now, with the publication of Regnerus's study . . . we still don't.

Will we ever? The guild says no study of the kind Regnerus attempted would be acceptable unless it used a random sample of intact homosexual parents, drawn from a national sample, to measure against the intact biological families. No other comparison could be legitimate. But as Regnerus points out, the number of such parents in the general population is infinitesimal right now. A survey would have to take a national sample of hundreds

of thousands of people (and cost millions of dollars) before it could randomly find the 500 or so stable homosexual couples necessary to make an ideal sample of their group.

Of course, with the dawning acceptance of homosexual adoption and homosexual marriage, the number of those couples will presumably increase. Which places policy-makers in a double-bind. If they want to decide whether gay marriage and gay parenting are a good idea on the basis of widely accepted scientific studies, they will need a large population of homosexual parents to study, and that population won't exist until we legalize gay marriage and wait 20 years. Until then, any deficiencies in gay parenting can be blamed on the fact that gays can't marry.

The guild gets you coming and going.

On the phone, Gary Gates sounds much happier than Mark Regnerus. And why wouldn't he? His side's winning. As several of Regnerus's allies point out, the professional intimidation of Mark Regnerus isn't about Mark Regnerus—it's about the next researcher who might attempt a study of gay parenting. The guild has put that poor fellow, crouching under his desk, on notice: Only some findings will be acceptable. ("That's a nice little tenure-track job you got there. We'd hate for something to happen to it . . .")

Needless to say, the intimidation of Regnerus is also about Regnerus, as Regnerus, facing a future of open-ended inquiries into his professional ethics, no doubt agrees.

I mentioned to Gates that Regnerus wasn't the only one who was astonished at the vehemence of the reaction to his study. Gates assured me that no one should have been surprised.

"Let's look at the nature of what was studied," he said. "For LGBT people, this is about whether or not they can have children. Think about that. These are core, *core* things about being a human that are at stake. This goes right to their experience as human beings.

"And then you're surprised that they react when an article appears that says if they have children, those children are more likely to be sexually abused? Of course they're going to react."

But as a researcher, I asked, doesn't it make you uneasy to see a fellow academic hauled up on charges because he produced findings that somebody didn't like?

"Look, I've been eviscerated by lots of people for some of the things I've written," he said. "Larry Kramer called me a 'horse's ass.' They were brutal. It comes with the territory."

But that's not quite what's happening to Regnerus.

"If you're asking did they try to bring me up on ethics charges, no, they didn't go that far," he said, laughing. ♦



Prisoner in custody at Guantánamo, 2006

Interrogating Terror

How tough justice keeps us free. BY REUEL MARC GERECHT

This volume hints at being a memoir of a young Puerto Rico-born spook rising to the top of Langley's white-bread operations directorate. But the personal gives way quickly to a professional *cri de coeur* against those who have aspersed the clandestine service under George W. Bush as torturous and incompetent.

Jose Rodriguez focuses on the aggressive interrogations used against senior members of al Qaeda. This former head of the CIA's Counterterrorism Center and Directorate of Operations, who received a letter of reprimand from Director David Petraeus for destroying interrogation videotapes, is proud of, and unapologetic for, the way in which

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Hard Measures

How Aggressive CIA Actions After 9/11 Saved American Lives

by Jose A. Rodriguez Jr. with Bill Harlow
Threshold Editions, 288 pp., \$27

Langley fought the war against Islamic terrorism after 9/11:

The result was, beyond a doubt, the most effective and carefully managed program I was involved with in my thirty-one years at the CIA. But I also say that without doubt it remains the most maligned, misunderstood, and mischaracterized mission in the Agency's mystery-clouded history.

It's a good guess that Rodriguez's views represent those of most case officers involved directly in counterterrorism. It's also a good guess that the issue of aggressive interrogation will immediately return to the lime-

light if the United States again sustains a high-casualty terrorist attack.

Rodriguez makes no excuses for the unpleasantness of so-called enhanced interrogation techniques: "The EITs were employed by our officers with great reluctance and solemnity," he writes. "No one enjoyed doing it, but we were absolutely convinced that people like [Abu Zubaydah] had information in their heads that would save countless American lives. We were right." Rodriguez is also adamant that Langley's techniques weren't torture. Historically, he has a strong case.

Consider the massive lawyering of enhanced interrogation by the agency and the Justice Department; the assiduous medical attention given to the detainees; the extensive deliberations about whether the CIA should use this technique or that one, on this detainee or that one; the fastidious counting of each small splash of water in the waterboard-

ASSOCIATED PRESS

ing process; the extremely restricted use of waterboarding (only three members of al Qaeda got the treatment); the fact that the Air Force waterboarded thousands of its own in POW training, and that the CIA has for decades dished out to its junior officers sleep deprivation, electronic sound bombardment, freezing, prolonged hooding, chihuahua-size sweat boxes, the denial of food and water, and lots of psychological humiliation—all of this does not suggest, as the *New York Review of Books* would have us believe, that the Bush administration was on the slippery slope to moral collapse and a police state.

The CIA interrogation methods used on al Qaeda jihadists seem to be from a different moral planet than the tactics used by the British and French in their colonial counterinsurgencies, and in a completely different ethical universe from the routine tactics used today by police services throughout the Muslim Middle East. But enhanced interrogation strikes some Americans as wicked—although this obviously does not include the senior Democratic members of Congress who expressed no objection when Rodriguez briefed them in detail, on September 4, 2002, on the techniques used. Such sensitivity, even when delivered with breathless left-wing hypocrisy, reflects the admirable Western evolution toward applying to war, covert action, and espionage ever-higher ethical standards.

Before al Qaeda, the United States had never been confronted by terrorists who sought to slaughter civilians on a mass scale on American soil. As Rodriguez points out, the CIA did not lead with enhanced interrogation against Osama bin Laden's inner circle: It went soft before it went hard. But the Bush administration did not want to depend on interrogations that relied only on the tactics the FBI used in criminal questioning. As Rodriguez emphasizes, the political establishment was convinced, after 9/11, that America didn't have all the time in the world.

What if a captured holy warrior just told them to bugged off? Langley actually encountered this situation with Khalid Sheikh Mohammed, the 9/11 mastermind who is believed to have

personally hacked off Daniel Pearl's head. Referred to as "pure evil" and "the al Qaeda Hannibal Lecter" by the officers who dealt with him, KSM "was very strong-minded and gave every sign of having had considerable training in how to resist interrogation":

Even the most severe technique, waterboarding ... did not produce immediate results. KSM seemed to have figured out that we weren't going to push things too far. While strapped down on a gurney and as water was being applied, he used his fingers to tick off the seconds. What eventually brought KSM to the compliant stage was more sleep deprivation. ... As with the others, once KSM reached the compliant state, the EITs stopped. ... The information that came from KSM, like that from Abu Zubaydah before him, was a treasure trove.

The CIA produced thousands of intelligence reports through EIT interrogations. The FBI, having opted out of the aggressive interrogation of Abu Zubaydah, wanted back in when the flood of intelligence started pouring forth from Zubaydah and Mohammed. The quality and quantity of the intelligence produced (according to Rodriguez) silenced whatever concerns the bureau may have had about methods. Langley decided, however, not to let the FBI return.

Rodriguez, who has the direct, earthy manner typical of case officers who've risen through the Latin America division, isn't kind in describing how the FBI initially handled itself with Zubaydah, the first of the big al Qaeda targets to be captured. He gives examples of FBI interrogation methods, which so many journalists and counterterrorist pundits have decided are superior to the CIA's more aggressive approach. It's worthwhile to hear Rodriguez at length:

Despite the current claims by former FBI agents that they had bonded with AZ and were able to charm information out of him, the facts are quite different. ... AZ told CIA interrogators that he respected all of our team, especially the female chief of base (whom he called "the Emira," Arabic for "princess" or "leader") of the black site. He respected them all, he said, except for a Muslim FBI

agent [Ali Soufan], who had offended him early on. The agent, it turned out, had tried to debate Islamic theory with AZ, who thought the agent had insufficient grounding in the facts. ... At one point the Bureau guys decided to try to "recruit" AZ. ... [T]he Arab-American agent [Soufan] told AZ, "Don't pay attention to those CIA people ... you work with me," and he gave him a candy bar. ... The FBI man tried to use his Arab heritage as an opening to get AZ to talk, but it turned out to be counterproductive. "You are the worst kind of Arab," AZ told [Soufan], "you are a traitor!" "Look," the FBI agent told him, "America knows who its friends and who its enemies are. Work with us and we can make you a wealthy man." AZ responded, "What makes you think I would turn my back on Allah for money?"

As Rodriguez underscores, the FBI and CIA have two fundamentally different missions. The bureau is *always* thinking about criminal prosecutions. (Read Ali Soufan's *The Black Banners: The Inside Story of 9/11 and the War Against al-Qaeda*; the FBI's clear focus on prosecuting jihadists is omnipresent through this agent's solipsistic voyage through American counterterrorism.) But unless the CIA is operationally subordinate to the FBI, Langley couldn't care less; it's after "actionable intelligence." Both organizations obviously want to stop future terrorist attacks, but the approaches are invariably different. Indeed, the British use MI5 in fundamentally different ways than they use Scotland Yard precisely because Parliament has recognized the superiority of intelligence methods against certain targets, including jihadists. And the British public is willing to tolerate MI5's very intrusive methods because they know it has no law enforcement, judicial, or prosecutorial powers.

Different missions attract and build different personalities, which has further complicated the tense, historic relationship between case officers and G Men. Although Rodriguez doesn't dwell on FBI-CIA relations, *Hard Measures* reveals clearly that the two organizations still don't work well together. Read between Rodriguez's lines, where he talks about most FBI and CIA officers working collegially

side by side, and it's a good guess that, since 9/11, greater familiarity has actually bred greater contempt.

As a rule, case officers are not inclined toward sustained reflection, and *Hard Measures* doesn't dilate upon the psychological, philosophical, and historical intersection of pain and interrogation. A more reflective book might have recast the aggressive-interrogation controversy as an extended reflection on the CIA's place in American society. What the CIA philosophically admitted after 9/11, which much of the FBI and most of the liberal intelligentsia still refuse to recognize, is that what is most "American" may not necessarily work. Most opponents of EITs have asserted that such tactics can *never* be effective; Soufan goes so far as to suggest that EITs were the principal reason why it took so long for Americans to kill Osama bin Laden. These critics argue that there is indeed a perfect overlap between their morals, their methods, and excellent results. No *crise de conscience*. Our cherished laws at home will work just fine abroad, even against terrorists who live to slaughter. Ticking-time-bomb scenarios just aren't possible.

Rodriguez and his colleagues had the historical temerity to say "no." The CIA knows that bad guys have effectively used pain to pull the truth, repeatedly, from good men—its foreign agents. It knew that the Air Force had stopped using waterboarding against its own precisely because it was so effective; the "training" was too short. The clandestine service knows, even if it refuses to admit it, that rendition was used, in part, to have foreign intelligence and security services pull information from detainees in ways that were, to put it politely, beneath it.

Pain has always been an elemental part of interrogation, and this is true not just because the human species is depraved and deluded but because pain works—and the fear of pain works better. The fundamentals of interrogation, of how an interrogator verifies the truth, do not differ in a setting that involves no physical duress. But it may involve mental coercion or proffered friendship, and duress that

includes waterboarding, electronic sound bombardment, limited sleep deprivation, or *real* torture.

Interrogators are always after a means to get their subjects talking. Whether they always tell the truth isn't the point: A person may say anything to stop the pain, as he may say something untruthful to a case officer who has become his friend or father-confessor. What's important is that only the truth sticks. Even a brilliantly deceptive jihadist with a stunningly good memory will make lots of mistakes recounting his mundane and operational lives. With the truth, there are fewer gaps since it actually happened. Falsehoods are not so tightly bound since fiction must marry fact. All the colors—the backdrop of our memories and the all-important sequence of events—just aren't there, even with the best liar.

Rodriguez does a good job of

explaining all this to the uninitiated, and of taking firm aim at the critics—especially Soufan, who was probably the anonymous, working-level FBI source for journalists on the counter-terrorist/intelligence beats when CIA black sites and enhanced interrogations dominated the news.

What Rodriguez tried to find, after 9/11, was an acceptable way for a liberal democracy to apply physical pain to mass-murdering holy warriors in order to prevent further slaughter. In 2002, the CIA thought it had reached an understanding within the organization, and with its political overlords in the White House and Congress, on how to proceed. But, as Rodriguez feared at the time, politicians can be fickle. And he probably didn't imagine that the next president would turn on him and his colleagues as if they were Spanish inquisitors reborn. ♦

BCA

Beckett Turns South

*An existential dialogue between two
'weirdly agreeable dudes.'* BY EDITH ALSTON

Padgett Powell is a writer's writer, with a spring-loaded imagination and a sense of rhythm and pace that can make his literary compatriots rock back on their heels in amazement at his mastery of craft. Writers (including Saul Bellow and Powell's contemporary and fellow southerner, Barry Hannah) put him at the top of their personal lists of best American writers of his generation. They watch him carry off the best of the major awards, swallowing their envy, and wait to see what rabbit hole of invention his next work will carry them down. It's been that way ever since *Edisto* (1984), his first novel.

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Even the best of writers, of course, can spend a while wandering in the blooming and prickly desert of their own styles. In 2008, coming out of such a period, Powell created something of

a literary sensation with a taut little work—beautifully designed, with an elegance and conciseness of wit perfectly

matched to its unorthodox form—called *The Interrogative Mood*. Classified as a novel (but with a question mark), it contains neither characters nor plot—"Are your emotions pure?" it begins. "Are your nerves adjustable?" It then opens up a news crawl of random questions—ranging from the cosmic to the deeply internal, playfully silly, and utterly mundane—trundling through 176 pages up to the end ("Does your door-

You & Me
by Padgett Powell
Ecco, 208 pp., \$23.99

bell ever ring? Is there sand in your craw?”). And if there is no named character, there is the questioner gradually revealed: down-home and mostly good-humored, broadly and intensely curious, his thoughts now and then laced with hilarity, reading like a wall-paper of old newsprint peeling off the inside of a soon-to-be-abandoned American mind.

Four years later, Powell's latest work might at first seem not quite so acrobatic a stylistic feat as *The Interrogative Mood*. With its two nameless and indistinguishable characters, and single brief opening stage direction, *You & Me* reads like a play—the book jacket declares it a “Southern send-up” of *Waiting for Godot*. So what can one think of this author, then, except that he is no timid soul, for taking on what many view as *the* literary masterpiece of the 20th century?

And the match turns out to be a good one as, for Powell possibly as much as for Beckett, courage is the ongoing consideration. Not that this is the first thing you're thinking of in the banter of his two “weirdly agreeable dudes,” sitting side by side on a porch somewhere along this country's sunbelt rim, keen-eyed and sharp-witted, old enough both to recollect and have forgotten a lot, mellowed out on a ceaseless infusion of low-grade booze. Think of them as two very bright boys catapulted into Ivy League scholarships by their native intelligence, then drawn back by the pull of their roots to their backwater hometown. (In the movie, Tom Waits would have to play one of them, so perfect is he for the role that this writer can't think beyond him to anyone else.) With a marriage or two behind them, and maybe a military stint, they relate to women in their imaginations, but in reality such relationships don't matter much. When it comes to work, it has been years since either one of them struck a lick at a snake:

What if we called the Salvation Army and had them come over here and clean us out?

Like, strip the joint?

Take everything here except us and what we're sitting on.

What would be the point of this?

I am not sure. Do you have any relatives living?

I must. Somewhere.

Me too.

Are you essentially alone?

Yes. It's you and me. You and I.

God.

It's a moment almost of pure *rigpa*—the Buddhist idea of perfect seeing. But if truth is what these two old codgers are seeking, looking out over their run-down neighborhood—or as one of them calls it, “the broad plain of life”—facts



Padgett Powell

remain relative in their shared contemplation of the Void. While off on a riff about an uncle named Studio Becalmed, who is said to have had an affair with Jayne Mansfield before dying in the Second World War, neither ever notices that the year the war ended was the year the voluptuous Mansfield turned 12.

And if a landscape of ultimate human loneliness is where the characters of Powell and Beckett intersect, the Didi and Gogo of *You & Me* never slip into a Beckettian whine. In an online interview, Powell shines a possible light on this difference, in his account of the origins of *The Interrogative Mood*. According to its author, the interminable list of questions was never planned as a novel, or presented to a publisher as one, but began as a sort of absurdist response

to some of his email, and possibly as a way of writing himself out of depression. When it had reached a substantial length, he sent it off to the *Paris Review*, where he had been previously published, but without any thought of it as a finished work. Sometime later, an editor who had left the *Paris Review* for a larger publishing house presented Powell with plans for the book as a *fait accompli*.

A quintessential storyteller, Powell mentions no further effort in the form of revisions or shaping of the work, maintaining the surprise acceptance as a moment of grace to warm the cockles of any struggling writer's heart. Underlying the success of *The Interrogative Mood*, though, is the point that for all its apparent randomness, the book is no one-trick pony, but a cadence-rich work, resonant with recurring themes right up to a final musing on Jimi Hendrix and what the reaction might be if he were to walk into the room. And then there is that irascible ending:

Are you leaving now? Would you?
Would you mind?

Ruled by the rhythms of the banter filling each of its short scenes, *You & Me* is almost as storyless as *The Interrogative Mood*. But dip anywhere into the earlier book and, however whimsical or ironic or terse its questions become, there is a sense of aloneness as stark as a night spent isolated in a dinghy on a roughly undulating sea, with the sky split by lightning and water sloshing in over the gunnels. *You & Me*—as musical and as existential as either it or *Waiting for Godot* is in its preoccupation with ultimate concerns—is also, in a sense, the author's answer to both. Born into this raw new century, though, Powell's Beckettian offspring wait for no one. And if, in their cosmic landscape, they are no more free of anxiety than their predecessors, the way these dudes choose to face the fraught human condition is through a perfect dialogue.

Argumentative, but cheerfully so, in a low, backwoods-holler vernacular flecked now and then with a touch of high academia, and advancing toward better agreement on point after point, they arrive time and again at the perfect harmony of “we.” ♦

Dignity Defined

What is it, exactly, and do we know it when we see it?

BY EMILY WILKINSON

In the age of Anthony Weiner and Larry Craig, *Girls Gone Wild* and *Jersey Shore*, mass obesity and Big Gulps, Crocs and velour sweatsuits, what have we to do with dignity?

Ours is not, in the aesthetic sense of the word, a particularly dignified age; but it is, as the Harvard philosopher Michael Rosen explains, an age in which another sort of dignity has become the crucial concept in Western thinking about human rights. This sort of dignity is invoked in the Preamble to the Universal Declaration of Human Rights—“Whereas recognition of the inherent *dignity* [emphasis added] and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world . . .”—and plays a foundational role in American and European high court decisions on such weighty matters as abortion, the use of coercion and torture, assisted suicide, and (last, but not least) the very serious business of dwarf tossing.

This is an academic book, but with a sense of fun (e.g., dwarf tossing), and while its last chapter, a new reading of Kant’s ethics and the question of why we are obliged to treat the dead with dignity, is perhaps best left to professional philosophers, the first two chapters are perfectly accessible to lay readers. They are not written in the unwieldy, hyper-abstract, and jargon-laden prose that, these days, dominates academic writing across the humani-

ties. Indeed, Rosen’s prose is delightful in its clarity, concision, fair-mindedness, and occasional playfulness—no negligible feat for a slim volume that takes on a hefty portion of the intel-

lectually gobsmacking Kant. And in its affable, yet rigorous intelligence, the book recollects Harry Frankfurt’s diminutive philosophical bestseller, *On Bullshit*. The first chap-

ter offers a succinct history of Western thinking about dignity—from Cicero to Nietzsche—and the second offers a history of 20th- and 21st-century legal and theological thinking about dignity through deft readings of German, French, and American legal cases and papal encyclicals.

So what is dignity? Rosen begins with the curmudgeonly Arthur Schopenhauer’s “characteristically jaundiced view” of the subject: “That expression, *dignity of man*, once uttered by Kant, afterward became the shibboleth of all the perplexed and empty-headed moralists who concealed behind that imposing expression their lack of any real basis in morals.”

How, Rosen wonders, to reconcile Schopenhauer’s reading of dignity as an empty piety, a mere rhetorical flourish, with its centrality in modern human rights discourse, “the closest that we have to an internationally accepted framework for the normative regulation of political life,” and its prominence in such fundamental documents as the Universal Declaration of Human Rights and Germany’s Basic Law?

And how to reconcile these two senses of dignity with myriad other divergent uses: Mahmoud Ahmadijad’s description of his nuclear

program as a “path to dignity” for the Iranian people; John Paul II’s invocation of the dignity of human life in his arguments against abortion; DignityUSA’s work promoting the full integration of gay, lesbian, bisexual, and transgendered Catholics into the life of the church; David Brooks’s lament for the passing of “the dignity code”—reticence, self-restraint—in American public life?

Rosen looks to history to untangle dignity’s various strands of meaning. Dignity began as a concept denoting high social status and the honors and respect due to rank. But even the earliest Western discourses on dignity offer an inkling of another, more philosophically suggestive dignity.

Cicero’s *On Duties* briefly sets rank aside and notes the superiority of human nature—particularly man’s capacity for study and reflection—when compared with the merely sensual natures of animals. Cicero’s extension of the term “dignity” to express something beyond the honors due to rank, a dignity from which animals are excluded, that inheres in and ennobles humanity and is based in its rational faculties, begins to articulate the concept of a metaphysical dignity of man that Immanuel Kant perfected in the late 18th century, the formulation that now justifies most prominent arguments for universal human rights.

Rosen traces the evolution of metaphysical thinking about dignity as an ennobling human quality through Aquinas, Bacon, Pascal, and Milton; but it is Kant, “that thinker on whose giant shoulders the modern theory of human rights largely rests,” to whom he devotes the most attention. Until Kant, dignity played a negligible role in political theory. In his explanation of Kantian dignity, Rosen begins with Kant’s distinction between two kinds of value: things that can be substituted for (food, clothes, furniture) and those that have an “inner value” and are “raised above all price,” that have “an unconditional, incomparable value.”

Kant explains dignity as “the condition under which something can be an end in itself,” the condition of being in possession of “the unique

Dignity
Its History and Meaning
by Michael Rosen
Harvard, 176 pp., \$21.95

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intrinsically and unconditionally valuable thing” that is morality:

Morality is the condition under which alone a rational being can be an end in itself. . . . Hence morality, and humanity insofar as it is capable of morality, is that which alone has dignity.

The radicalism of Kant’s claim lies in his explicit insistence on dignity as a quality that only human beings possess. Rosen explains that, according to Kant, only morality has dignity and only human beings carry the moral law within themselves—thus, only human beings are capable of dignity. Kant sets human beings apart from the rest of the natural world in a way that distinguishes him sharply from Renaissance thinkers like Aquinas, who held that all creation had dignity.

“Yet,” Rosen continues, “Kant’s conception of dignity is at the same time deeply egalitarian,” since “dignity is something that all human beings have in common.” (No surprise that Kant’s work coincided with the French Revolution and its creed of *égalité*.)

So how does this conception of dignity play out in contemporary law?

Rather confusedly, as it turns out, not least because of dignity’s semantic slipperiness. Courts, European courts especially, tend to confuse Kantian dignity, the basis of human rights, with the more aesthetic notion of dignity (respectability, propriety, dignified behavior). This sort of dignity (dignified behavior), while often an outward sign of Kantian dignity, is not synonymous with it.

Take, for example, the case of M. Wackenheim, a dwarf whose proposed dwarf-tossing competition in a small French town was banned as a “viola-

tion of respect for the dignity of the human person,” even though Wackenheim offered himself willingly for the tossing. The determined dwarf pursued his cause to the highest court in France, and then to the U.N. Human Rights Committee, both of which agreed with the lower court:



'Dignity and Impudence' (1839) by Sir Edwin Landseer

Dwarf tossing is a violation of public order in its “infringing the dignity of the human person.”

Rosen disagrees, seeing the case merely as a question of undignified behavior rather than of the kind of human dignity that is desecrated by torture, rape, or any other violation of the autonomy of the individual. A state’s attempt to curb the sort of voluntary humiliation involved in dwarf tossing, Rosen contends, would be an unwieldy task: “To judge by my experience, if the state takes it upon itself to prevent undignified behavior in clubs

and bars late at night, it will, to say the least, have its work cut out for it!”

Nor would its work end in bars. Will Ferrell and Adam Sandler would become public enemies. More significantly, Rosen contends, attempting to curb undignified behavior is ultimately undemocratic: It is crucial for people in democratic societies to be able to show irreverence for those things they do not believe deserve respect—and state-mandated dignified behavior, as in the case of M. Wackenheim, ultimately compromises this necessary right.

Nor is “the essential kernel of what is valuable about human beings”—Kantian dignity—so easily violated. Acting in movies like *The Hangover* or working as a human cannonball is not quite in the same league as being subjected to genocide or torture. They do not deny human agency and value in the same way—though they do suggest this violation in aesthetic terms.

Perhaps the most winning aspect of *Dignity* is the case it makes in implicitly linking Kant and the philosophical history of dignity to contemporary legal cases, constitutions, and laws. Rosen contends quietly that

philosophy still signifies in real ways in our world: shaping states, laws, and human attitudes.

In an era when the study of the humanities is in decline, this is heartening stuff. More heartening still is Rosen’s interest in reaching an audience beyond philosophy professors. His easy, conversational style and pointed avoidance of jargon invite the educated lay reader into a culturally relevant and interesting conversation. This is the sort of work that humanities professors need to undertake if they want their disciplines to survive. ♦

Public Faces

Incidental portraits of everyday Americans.

BY EVE TUSHNET



Unidentified subject by Harry Callahan, Chicago, 1950

The faces we wear in public are carefully rehearsed: pretty but not too inviting, tough but not too threatening. We know we're being looked at. So it might seem odd to portray taking people's pictures in public as "spying," as the National Gallery of Art has done. These photographers, including Walker Evans and Bruce Davidson, aren't exactly Jimmy Stewart in *Rear Window*.

But the moments captured by their cameras are often unexpectedly off-balance—moments when the personality breaks through the persona. *I Spy* opens with a terrific shot from Evans's series of photos taken in Bridgeport, Connecticut, during one hour of one day in June 1941: A louche, rangy kid in a sweater vest swings toward the camera, his arms held loosely away from

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his sides like a dancer in rehearsal, his expression incredulous and somewhat challenging. Every angle is akimbo, everything a little off.

This boy's wariness is one of the show's themes, especially in the earlier photographs. Evans catches a woman who seems to be tilting her hat over her face to ward him off. Two women seem

to be humoring him, while an older man seems censorious: "What's all this about, young man?" you can almost hear him asking. The subjects don't seem interested in having their pictures taken; they're very pre-reality television. They seem to feel that Evans has somehow invaded their privacy, even though they're out in public. Evans's series of "Subway Portraits" used a concealed camera, and here he captured the way we look away from one another when confined in close quarters with strangers. The averted glance of the city dweller

crosses class borders, as a lady in a ritzy hat and a stolid babushka type stonily gaze past each other, self-possessed.

If this show is to be believed, when we think no one's looking, our faces fall into skeptical, determined expressions. Harry Callahan made a series of concealed-camera portraits in 1950s Chicago, closeups of women "lost in thought." He caught one girl looking like a Renoir, with cupid's-bow lips and softly downcast eyes, and another who just needs bigger earrings to star in a Madonna video circa "Lucky Star." But for each woman whose face seems soft and yearning, there are at least three whose knitted brows and tightened jaws suggest that they're bearing down on their lives, in perfect makeup.

The show is organized chronologically, which at times seems to impose a storyline of increasing awareness of and comfort with the camera. A 1958 Robert Frank photo shows a black man in a classic "cool pose" on the back of a truck, hipshot with his hands in his pockets; this dude was clearly ready for his close-up. Bruce Davidson's terrific shots of the New York City subway in the graffiti-wilderness of the 1980s are made even more impressive by a wall caption revealing that he asked permission before shooting, thus making himself vulnerable to some pretty tough customers. (He seems to have a penchant for facial scars.) Davidson was threatened a few times, but he also got some amazing shots, as when he photographed an undercover cop pulling a gun on a thief.

There are photographs on the classic theme of humans making a home for themselves in our heartless machinery: A young woman weaves her body between the iron railings at the end of the subway car, her hair blowing out to the left and the whole picture washed in shades of blue. These people present themselves to the camera, like the glossily black-skinned woman who tilts her chin up to offer the perfect three-quarters profile, or the man with two scars spiderwebbing past one eye, his head slightly tilted and his gaze steady.

Jean M. Twenge's recent *Generation Me: Why Today's Young Americans Are More Confident, Assertive, Entitled—and More Miserable Than Ever Before* reports:

In the early 1950s, only 12 percent of teens aged 14 to 16 agreed with the statement “I am an important person.” By the late 1980s an incredible 80 percent—almost seven times as many—claimed they were important.

This statistic probably does reflect an increase in American narcissism, but it’s worth remembering that each individual *is* inherently interesting and important; that’s part of what motivates the final displays in this exhibit. Philip-Lorca diCorcia uses flash and timer technology to make ordinary people look cinematically airbrushed, and Beat Streuli makes a film—played on a repeating loop just outside the exhibit—showing a completely normal slice of New York street life.

Is people-watching in a museum different from people-watching at a café? As Streuli’s film plays, the people *do* begin to seem more aesthetically interesting. Their movements are collisions of awkwardness and grace: A guy chewing a mouthful of food turns to his companion with balletic timing, to shepherd her through the crowd. A girl on a cell phone darts her hand out like she’s in a jazz revue. The unique, discordant rhythms of the individuals work with or against the overall rhythm of the crowd.

The most recent works seemed less surprising and satisfying than the earlier ones. Black-and-white film is unusually good at conveying texture, and the color-soaked photos of Bruce Davidson have a gritty, homemade, and flawed feeling, whereas the red-carpet technique used by diCorcia tends to flatten out individuality. This may also be due to the choice of subjects: The girl who is the focus of one of diCorcia’s photos is quite pretty in an interchangeable-starlet way. There are fashions in women’s faces, and it’s easier to see the individuality in a less trendy face. And overall, the people in the more recent photographs seem more contented and less knowing. Presumably, this reflects the photographer’s own interests, since I would guess that 1940s Bridgeport wasn’t a center of hard-bitten realism.

Still, as the exhibit (perhaps) unfairly and unintentionally argues, our pictures are more interesting when we like the camera less. ♦

BCA

Vivaldi on the Lawn

The Garsington Opera adds glory to the English garden. BY PAULA DEITZ

London

During the queen’s Diamond Jubilee weekend, England was awash with spectacular events reflecting the country’s deep historical roots. No one watching the Thames Pageant of a thousand boats and the royal barge could deny its resemblance to Canaletto’s famous 1747 painting *The Thames on Lord Mayor’s Day*. Of equal significance to public celebrations were numerous local gestures: from an 11-year-old girl’s Jubilee tea party in London to a village supper on a farm in Wales, culminating in the illumination of one of the cross-country fiery beacons (harking back to the 16th century, when they were used to warn of the approaching Spanish Armada).

In anticipation of this month’s Summer Olympics, one of the cleverest cultural events of the Jubilee weekend was the world premiere at Garsington Opera of the critical edition of Antonio Vivaldi’s 1734 opera *L’Olimpiade*, which combines romantic intrigues among royalty with the classical Greek Olympics. Like other country-house opera companies in England, Garsington offers the enchanting combination of excellent productions with bucolic garden walks and leisurely *al fresco* (and undercover) dining during first intermission.

Founded in 1989 by Leonard and Rosalind Ingrams at Garsington Manor, their home near Oxford and the former abode of Lady Ottoline Morrell of Bloomsbury fame, Garsington Opera is now in its second season on the nearby 2,500-acre Wormsley estate owned by Mark Getty. With ancient woodlands, sheep meadows, a

deer park, a lake, and cricket grounds, Wormsley also features a two-acre 18th-century walled garden with buttressed yew hedges and perennial borders designed in 1991 by the eminent garden designer Penelope Hobhouse.

Performances are held in a new 30-foot-high, 600-seat pavilion made of steel and transparent vinyl fabric, with covered wooden verandas and a grand steel stairway to the lawn, designed by Robin Snell. The building appears to float above the landscape and nestles into a surrounding flintstone ha-ha wall that wraps conveniently around to form the orchestra pit. Stretched, curved side walls, like windsurfers’ sails, enhance the acoustics, and a double-layered, opaque grey vinyl fabric roof minimizes the sound of rainfall and reflections from stage lights.

Illuminated at night, the opera house has the feel of a conservatory, and the new garden adjacent to it, designed by Hannah Gardner with columnar yews, is reassuringly reminiscent of the old garden at Garsington Manor.

Still, opera is the main event, overseen in recent years by general director Anthony Whitworth-Jones, who “bravely” (he says) introduced Baroque opera into this mixture with a trilogy of Vivaldi operas: *L’incoronazione di Dario* in 2008, *La verità in cimento* in 2011, and, this year, the late opera *L’Olimpiade*. The latter was first performed in Vienna in 1733, with a libretto by Pietro Metastasio and music by Antonio Caldara, to celebrate the birthday of the Empress Elisabeth Christine. Vivaldi’s version was performed in February of the following year at the Teatro Sant’ Angelo in Venice during carnival season.

According to program notes, Metastasio’s libretto was shortened for Venice to limit its classical grandeur in

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favor of a more intimate story, one that became so popular that more than 60 composers have set the libretto to music following Vivaldi.

Loosely based on Herodotus, the story follows King Clistene of Sicyon, who is overseeing the Olympic Games, and is offering his daughter Aristeia in marriage to the winner.

Garsington serves well for imagining the changing outdoor venues of Olympia. And setting the tone for a classical romantic encounter, a mirror image of the lovers from Jean-Honoré Fragonard's *The Fountain of Love* adorns full-height sliding panels at rear stage. As characters seemingly enter from the woodland just beyond the transparent

ners against the countryside in a slow-motion vignette, with canned crowds roaring in the distance, which added a humorous comment on today's televised instant replays.

With many of the arias familiar from concert performances, the Vivaldi music was gloriously brisk and fluid as conducted by Laurence Cummings,



Emily Fons (center) as Megacle in *L'Olimpiade*

Licida, a prince of Crete who is desperate for the prize, enlists his friend Megacle (a better athlete who, himself, secretly loves and is loved by Aristeia) to compete in his name as repayment for saving his life. Megacle wins, but must honorably surrender Aristeia to his friend. At the same time, Licida's former betrothed, Argene, has become a shepherdess in the region, befriend- ing Aristeia as a confidante.

In an Oedipal twist, the denouement reveals Licida as the son Clis- tene believed he sent to his death at birth as protection against the Delphic Oracle's prophecy of patri- cide (which Licida almost commits when condemned for his deception). In the end, Megacle and Aristeia are united and Licida (now Aristeia's twin brother) returns to his old love.

With four colossal statues of Olymp- ic athletes draped in willow fronds and a sacred altar, the open stage at

wings of the stage, one has the impres- sion that kabuki was not far from the architect's mind.

If a period opera works successfully in a contemporary setting, it can prove that the work is timeless—as it did in this production directed by David Freeman. When the singers entered in modern track shorts and running shoes, performing various calisthenics, one was instantly reminded that the Olymp- ic Games, set to explode this week in London, have themselves miraculously survived as an athletic tradition origi- nating in 776 B.C., and possibly still with a good amount of intrigue. There was even a little Hare Krishna mixed in with acolytes of Jupiter in saffron robes. And the competitions—boxing, shot- put, and track—were all played out on the stage to the lively Vivaldi music. As the competitors circled around the stage in the last contest, the vertical panels at the rear slid open to reveal the run-

who also played the harp- sichord. In the trouser role of Megacle, the American mezzo-soprano Emily Fons sang with a direct purity and clarity that were particu- larly affecting in the grief- stricken arias “Misero me! Che veggo?” and “Se cerca, se dice.” And as Aminta, tutor to Licida (here also his trainer), Michael Maniaci, a male soprano, performed his arias with haunting, sustained tones, especially in “Siam navi all'onde argenti,” on the turbulence of love.

As Licida, countertenor Tim Mead expressed belief in attendant victory in his early aria, “Quel destrier che all'albergo è vicino,” only to realize shameful

defeat in his final aria of Act II, “Gemo in un punto e frema.”

Dressed, respectively, in the quasi- classical garb of princess and shepher- dess, mezzo-soprano Rosa Bove as Aristeia and soprano Ruby Hughes as Argene played their scenes together with a harmonious compatibility derived from their shared views on the seeming fragil- ity of their roles as women in this pres- ent society (though, eventually, their strengths win out). Their back-to-back arias in Act I, “È troppo spietato” (Aris- tea) and “Più non si trovano” (Argene), on the constancy and lack of it in love, made an artful blend. Baritone Riccardo Novaro as King Clistene, in business suit, was a stately presence throughout, monitoring the events that led up to the finale at day's end, when his power over the games ceased, thus saving Licida— all of which transpired in accordance with Aristotle's classical unities of action, place, and time. ♦

MIKE HOBAN / GARSINGTON OPERA

Evil Undone

The moral clarity of Christopher Nolan's Batman series. BY JOHN PODHORETZ

Christopher Nolan's astounding third Batman feature, *The Dark Knight Rises*, represents the true maturation of the superhero movie—and provides the key to understanding the bottomless craving moviegoers have for these films, 34 years after the Christopher Reeve *Superman* gave birth to the genre. It's not because the odds of seeing something good go up when you buy a ticket to a superhero picture, because most of these movies are lousy (a point on which even diehard fans agree).

Nor is it about the dazzling special effects, the killer action sequences, or the empowerment fantasy that the stories provide to young kids and teenagers who feel so powerless in their own lives—though all that helps, to be sure. You can have all of these, as *John Carter* did earlier this year, and fail miserably.

What people adore about superhero movies is the signal quality of the Christopher Nolan films—their complete lack of irony when it comes to the portrayal of heroism and the need for heroes to confront evil. When they grab you, and the utterly riveting and entirely gripping *The Dark Knight Rises* grabs you as few movies do, it is because the filmmakers discard the knowing winks and go all-out, turning their stories into moral pageants dedicated to the elevation of self-sacrifice, selflessness, and heroism.

I didn't quite get this when I saw Nolan's second Batman movie, *The Dark Knight*, back in 2008. I found it excessively solemn, and I wrote in these pages that “[i]ts makers seem

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The Dark Knight Rises

Directed by Christopher Nolan



to forget that it's a movie about a man who goes out at night wearing a black rubber hat.” Well, the more fool I, because of course if its makers had made it clear they understood how ludicrous the whole setup was, the movie itself could not have cast a spell over three-quarters of the world.

But where *The Dark Knight* did fail, at least in terms of classic movie-making, was in the fact that the story was thrown off balance by the utterly dominating presence of the late Heath Ledger in his terrifying and wildly original turn. The struggles of its hero were as nothing to the murderous, sociopathic antics of Ledger's Joker.

That doesn't happen here, and *The Dark Knight Rises* has a much more effective and affecting story to tell. Nolan has a powerful villain in Tom Hardy's Bane, whose master plan involves the apocalyptic fulfillment of the deepest anarchic hungers of the Occupy movement. But the focus is on Batman, who begins as a crippled recluse and is brought out of the shadows by the reemergence of evil. He is not up to it, and the movie turns on whether and how he can rise again to save Gotham from its ultimate doom.

What it does *not* do is saddle Batman (who is, of course, billionaire Bruce Wayne in disguise) with a moral conflict of his own, as *The Dark Knight* did, to its detriment, with a confusing subplot about a Big Brother-like surveillance device he invented. The movie considers

instead what he has lost by being a hero—not only his reputation, surrendered so that the city could falsely worship a more acceptable dead hero, but any semblance of a normal life. That is a conflict worthy of the kinds of sacrifices the story calls upon Batman to make.

The Dark Knight Rises finally finds an epic story that fits the superhero's simple moral code—good people do right and bad people do wrong and good people must stop bad people. Because Batman has no special powers, the character is far better suited to fit this code than the supernaturally charged Superman or the genetically mutated Fantastic Four or X-Men or Matter Eater Lad (an actual character name from a 1960s comic book).

The series of pictures built around the Marvel Comics characters who all came together in *The Avengers* earlier this summer struggled to find any kind of consistent tone or approach at all—until that movie's key shot, when all six of its superheroes, lined up along Park Avenue in New York, fought as one to save the Earth. That was the moment that had people cheering in the theaters, and the moment you knew the movie was going to make 10 squillion dollars.

This Manichean worldview goes very well with what one might call the quiet Tory perspective of Christopher Nolan. The theme running through the three Batman movies (the first, *Batman Begins*, was not very good, although Nolan and his co-screenwriter, brother Jonathan, mine it effectively for plot points in the new one) is the battle between order and chaos, with Nolan standing unambiguously on the side of order.

Nolan knows exactly what he's doing when he puts the rhetoric of the Occupy Wall Street movement in the mouth of his villain. *The Dark Knight Rises* is a DC Comics version of Edmund Burke. Which makes its incidental role in the latest monstrous spasm of nihilistic violence, as the movie that was playing during James Holmes's evil massacre at a movie theater in Aurora, Colorado, all the more haunting. ♦

"[T]he mistake of my first term . . . was thinking that this job was just about getting the policy right. And that's important. But the nature of this office is also to tell a story to the American people that gives them a sense of unity and purpose and optimism, especially during tough times."

—Barack Obama, CBS News, July 12, 2012

AUGUST 21, 2012

ONE DOLLAR CHEAP

OBAMA WIDENS LEAD OVER ROMNEY AS STORYTELLING TOUR ROLLS ON

Voters Moved by 'Very Hungry Caterpillar,' 'Goodnight Moon'

By RAMON REFUERZO

YOUNGSTOWN, OHIO — As President Obama takes the stage at the recently abandoned Kiel's Tractor Parts factory here in Youngstown, a murmur of excitement shoots through the room. "I wonder what it'll be today," says Ray Simms, 51, one of the 164 former Kiel's employees who lost their jobs when the company folded six months ago. "I heard he did *Jack and the Beanstalk* in Dayton. You think he'll do *Jack and the Beanstalk*?" asks Randy Coyne, 38, whose wife left him after he lost his job back in January. "We can always hope!" says Mr. Simms, now almost giddy with anticipation.

"My fellow Americans, I have worked tirelessly for the last few years to bring transformational change to America, saving or creating millions of jobs, passing comprehensive health care reform, lots of other awesome stuff," Mr. Obama begins. "But you didn't come to hear me talk about all my impressive policy accomplishments. You've heard enough about all that. You came . . . for stories!" The crowd erupts in jubilation. "Sto-ries! Sto-ries! Sto-ries!" they chant.

The scene has become familiar over the past few weeks in towns all across Ohio, Pennsylvania, Florida, and North Carolina. Crowds of unemployed blue-collar workers whipped into a frenzy



FEMA workers listen in Akron on Friday as President Obama reads *Eloise*. JUDGE CHALK

of hope and optimism as the president recounts some of their favorite stories: *Little Fed Riding Hood*, *Hansel and Gretel*, and, of course, *Jack and the Beanstalk*.

A month ago, Mr. Obama was in a dead heat with Republican presidential nominee Mitt Romney. But since launching the three-month-long, 30-city "Stories for America" tour, the president has opened

up a 15-point lead in most polls. And Mr. Romney, a notoriously weak storyteller, has been helpless to respond.

As Mr. Obama sets the scene for Hansel and Gretel's ill-fated journey, rays of sunlight beam through several holes in the abandoned factory's disintegrating roof

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the weekly

Standard

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Alec Baldwin Attacks Nun Carrying Camera

From ICU, Unworldly Visitor Asks, 'Who Was that Man?'