the weekly Standard

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JANUARY 14, 2013 $4.95

# LOTS OF FIGHTIN' AHEAD...

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WEEKLYSTANDARD.COM

# Contents

January 14, 2013 • Volume 18, Number 17






## Articles



## Features



## Books & Arts



COVER BY GARY LOCKE

# The Sean Penn Piñata

You could tell it was a vacation week because The Scrapbook found itself, one idle afternoon, reading an essay by the actor Sean Penn on *Huffington Post*. These are two activities—perusing *HuffPo*, imbibing the wisdom of Sean Penn—that The Scrapbook customarily avoids.

But like any new experience, it had its rewards and it had its frightening moments as well. Mr. Penn has a reputation as a "thinking" actor—the *New York Times* once hailed him as "the actor of his generation," and we always enjoy listening to worshipful interviews of him on NPR—so we settled down to read his essay in the spirit of friendly inquiry.

We were not disappointed. Bearing the slightly mysterious title "Breached Piñatas," it began with an allusion to the shootings at Sandy Hook Elementary School—a predictable, but certainly defensible, choice of subject—but swiftly veered off in a very different direction. Mr. Penn appeared to be talking about the need for gun control, and he quoted President Obama approvingly on the subject of the Newtown tragedy. But then he warned us about the difference between thinking with one's head and one's heart, and explained it thus:

> We Americans and our leadership, must be diligent to the nature of the human brain. Indeed that thing upon our neck was not created decoratively, and in using our heads with our hearts, must also use our eyes, and set them clearly, not upon one healing mechanism, not upon one prevention, but upon all those connective dots that can allow future generations the possibility of freedom including peace and safety.

Well, thought The Scrapbook to itself, who can argue with that? But it took another seven long paragraphs to get to the point of the piece: namely, that Citizen Penn had succeeded where everyone else (especially the U.S. government) had failed, and persuaded his friend the Bolivian strongman Evo Morales to release Jacob Ostreicher, an American citizen unjustly imprisoned in Bolivia.

Good for you, thought The Scrapbook to itself. But the problem was that Penn's eloquent tribute to himself was surrounded by dozens of lines of incoherent verbiage, soaring solecisms, malapropisms galore, misspellings, invented words, incompetent grammar, and sheer comic pomposity too baroque to describe.

If readers are disinclined to believe us, here are some samples:

> The conflicted principle here, is that which all too often defines and limits our pride as Americans who, in deference to an omnipresent filter of monoculturalism, isolationism and division, are consistently prone toward behaviors and words, as insensitive and disrespectful, while at foremost counterproductive for the generations of young Americans who will follow us.

Note the skillful deployment of cliché ("generations of young Americans who will follow us") in the service of an incomprehensible notion ("at foremost counterproductive"). Or consider this:

> The efforts to gain [Jacob Ostreicher's] release were rigorous and multi-tiered, but where the media often sought to challenge State Department efforts, so did they exaggerate an already steeped dynamic of sovereign pushback.

We could go on. Mr. Penn uses the delightful phrase "cow tow," for example, when The Scrapbook assumes he means the Chinese derived "kowtow"; he has an English-as-a-second-language bias against the use of articles ("human happiness is proving itself reliant on global quality of joy") and a fondness for turning unlikely words into adjectives ("saboteurial," "interventionary"). His apparent lack of formal education is never so sadly apparent as when he seeks to express himself in what we presume is his native tongue.

But all of this raises a larger question. The Scrapbook has known for a very long time that Sean Penn is what the late Malcolm Muggeridge used to call an "inspired idiot," and our expectations of his intellectual powers are correspondingly low. But what about the *Huffington Post*? Obviously, there are writers who contribute to its burgeoning content, but does Arianna Huffington not employ editors? Or, as we suspect, did some poor *HuffPo* underling get an email from the proprietor ("My dear friend Sean wants this in immediately") and follow her instructions—to the unletter, so to speak? ♦

## Al Gorezeera

Last week Al Gore and his partners sold their foundering cable channel, Current TV, to Al Jazeera. Whether that will provide the Arab satellite TV giant with the access to the American cable market it has long sought is still unclear. Al Jazeera America, what the new station is likely to be called, is already losing a large chunk of the 60 million homes that Current TV reached.

Upon news of the sale, Time Warner Cable, the country's second-largest cable operator, said it would drop Current but reserve the right to pick up the new Al Jazeera channel—"if it represents," a Time Warner spokeswoman told The Scrapbook, "a good value to our customers." Time Warner has long had an agreement to carry Al Jazeera but has not done so, largely because, as the spokeswoman explained, it's already live streaming on the Internet. Their decision, she insisted, has nothing to do with politics.

Indeed, the reputation of Al Jazeera has come a long way in the

last decade, since it first imprinted itself on American public awareness as Terrorism TV. For good reason, too, as the station not only cheered on American enemies, from Osama Bin Laden to Saddam Hussein and from the Taliban to Hezbollah, but was found to have provided cover for al Qaeda couriers. One of its most popular shows is hosted by Yussuf al-Qaradawi, a Muslim Brotherhood imam who authored a *fatwa* declaring that it was necessary for Muslims to fight U.S. troops in Iraq and Afghanistan.

But over the last few years, American political figures from both parties have made a habit of praising Al Jazeera. Nancy Pelosi, John McCain, and Donald Rumsfeld lauded the station for its coverage of the Arab Spring uprisings. Hillary Clinton said that, unlike U.S. networks, Al Jazeera had distinguished itself by covering "real news." President Obama described Al Jazeera's owner, the ruler of Qatar, Emir Hamad bin Khalifa Al Thani, as "a big booster, big promoter of democracy all throughout the Middle East. Reform, reform, reform. You're seeing it on Al Jazeera."

The Scrapbook wonders if, now that the post-Arab Spring order has taken shape, some of Al Jazeera's more prominent American supporters would like to modify their praise somewhat. After all, it's now clear that Al Jazeera was agitating against repressive Arab nationalist regimes in Tunisia, Libya, and Egypt, among others, not to promote liberty, but rather to advance the cause of the Muslim Brotherhood. This campaign was entirely in line with Qatari foreign policy.

The Qatari emir is not a democratic-minded reformer, lest he lose his throne. In giving money to, among others, the Hamas leadership in Gaza, and Muslim Brotherhood units among the rebels fighting Syria's Bashar al-Assad, he is promoting his own narrow interests. Some of those dovetail with American interests, but we should be under no illusion about the emir or his satellite TV empire.


Al Jazeera, contrary to the belief of many, is not just another cable channel with a distinct political perspective, like MSNBC or Fox. It is the strategic communications arm of Qatari foreign policy. For those many media experts who make careful distinctions between Al Jazeera Arabic and Al Jazeera English, decrying the excessive rhetoric, frequently anti-American and anti-Semitic, of the former, while praising the reportorial acumen of the latter, the reality is that the English station exists to lend legitimacy to the Arabic channel. The Al Jazeera America brand is a means to consolidate Qatar's baleful worldview and extend it further into the American consciousness.

But here's the rub. There's a conviction, shared by many American elites, that the U.S. public is incapable of grasping complex issues—like the Middle East, for instance, and its many conflicts. From this perspective, the benefit of Al Jazeera America is that it will provide American news viewers with a point of view enriching their parochial beliefs, rather than the usual dumbed-down TV coverage. That is, a station like Al Jazeera shows that there is more gray in the world than black and white. However, American media consumers are more than savvy enough to know that, say, Hamas marching out toddlers in mock suicide vests is not a shade of gray but purest black.

We hope Al Gore enjoys the hundred million pieces of silver he pocketed in the transaction. ♦

# Coin of the Realm

It's come to this: Serious people in Washington are discussing a hypothetical solution to the next debt ceiling crisis—minting trillion-dollar coins. There are legal restrictions on how much paper money the government can circulate, as well as gold, silver, and copper coins. But the law is unclear on platinum, a loophole Obama allegedly could exploit. According to analyst Chris Krueger at Guggenheim Securities' Washington Research Group, who first floated this idea, "The theory goes that the U.S. Mint would create a handful of trillion-dollar (or more) platinum coins. The president would then order the coins deposited at the Fed, [which] would then put the coin[s] in the Treasury . . . and a default is removed from the equation. The effects on the currency market and inflation are unclear, to say the least."

The Scrapbook is betting that currency markets would not warm to the idea. But then again, is it that much more ridiculous than racking up $100 trillion in unfunded entitlement liabilities, or watching a single president increase an already astronomical $10 trillion national debt by 60 percent in his first term? There's even precedent for the trillion-dollar coin—at the height of the Depression, $100,000 bills were minted, though never put into general circulation, specifically for the purpose of depositing them in the Fed. Fittingly, they bore the likeness of one of progressivism's founding fathers, Woodrow Wilson.

In that spirit, The Scrapbook has its own modest proposal. Why stop at minting a handful of trillion-dollar coins? Put Obama's visage on them and fill the Treasury building with these coins. Then the American people could watch their elected representatives dive in and swim around in the newly minted currency like Scrooge McDuck, the perfect end to our current monetary and fiscal debacle. ♦




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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 1-386-597-4378 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.

# Slick Subscriber

I am a sucker for a cheap subscription. For years I subscribed to *Vanity Fair* because I was able to get it for $1 a month. I paged through each thick issue, gazing upon countless pages of advertising for gaudy watches, men's colognes, hideous Italian suits, and other merchandise I should not care to own. I did not so much read as glimpse the magazine, ending, always, on a note of slight disappointment, with the Proust Questionnaire or brief celebrity interview at the back of each issue. When they raised the subscription price to $36, I bailed out.

I ponied up 12 bucks for a one-year subscription to a magazine called *Details*, which, as I recall, also gave me a gym bag along with my subscription—so handy for a man who doesn't go to any gym. I soon enough discovered that male vanity was featured in the pages of *Details*: moisturizers, Prada garb, $900 shoes, and all that. God, the architects say, is in the details, but His presence was nowhere to be found in *Details*. I let my subscription lapse.

I recently subscribed to *GQ*, or *Gentleman's Quarterly*, a magazine that is in fact a monthly and distinctly not for gentlemen. The magazine has lots of small print set out in different colors, and is the reverse of reader-friendly. Intellectuals used to refer to "slick magazines," by which they denoted, contemptuously, the quality of the paper of journals aiming at a mass market. *GQ*, like *Vanity Fair*, is both slick and thick with ads, though without a lot to read. One of its contributors, called the Style Guy, "solves your sartorial conundrums." Only this month he informed a worried reader to button all the buttons on his double-breasted pea coat, except the collar button, though he allowed that while driving he might want to unbutton the lower button. Hope he set that agitated reader's mind at rest. The male editor of *GQ*, whose photograph appears with his "Letter from the Editor" each month, uses ample mousse in his hair. Should a man of my pretensions to seriousness be reading a magazine edited by a man who mousses up his hair?

DAVE CLEGG

I recently resubscribed to *Esquire* for the derisive sum of $5. For this, a mere finsky, I was also allowed to send a free subscription to a friend. How could I say no? The editor of *Esquire* doesn't use mousse in his hair, but some may nonetheless have seeped into his brain. In *Esquire*'s pages advice is offered on what to drink, where and what to eat, how to dress, advice on leading one's sex life. One gets the idea that the *Esquire* reader, like the *GQ* reader, doesn't negotiate the world too well on his own.

A note from the editor in the most recent issue of *Esquire* announces a free app that can be used with your iPhone that will "enable you to see video and animation related to stories in the magazine and to make purchases directly from the magazine," while no doubt also providing you with a nice piece of *gefilte* fish.

Old and out of it is how reading *Esquire* and *GQ* makes one feel. Yet not unhappily old and out of it. I find I am glad not to know the names of rappers mentioned in their pages, content not to read the witless celebrity profiles of the movie stars featured on their covers, delighted not to be entrapped in the shearling-collared 30-pound sweater designed by Ermenegildo Zegna shown in their advertisements.

*GQ* was never a great magazine, but *Esquire* once was. Under its founding editor, Arnold Gingrich, it published Hemingway, Fitzgerald, Irwin Shaw, and many of the best writers of the 1930s, '40s, and '50s. In the 1960s and '70s, under an imaginative editor named Harold T.P. Hayes, it published Tom Wolfe, Gay Talese, Malcolm Muggeridge, Dwight Macdonald, and many other lively writers. No matter what the subject, if an article appeared in *Esquire*, one felt one needed at least to begin reading it; and one usually wound up finishing it and pleased that one had.

Are there no longer writers around to produce such a magazine? Or are there no editors willing to publish things that genuinely interest them instead of what they believe will fascinate and sell products to dopes? The illiteracy of the young, the digital culture, the shortening of the national attention span, these are among the reasons given for magazines' currently being in lean days. Instead of knocking themselves out whoring after the young, might magazines do better to return to the simple formula of providing articles that remind their readers that the world is an endlessly rich, complex, and amusing place? An app must be available that can help editors rediscover this formula.

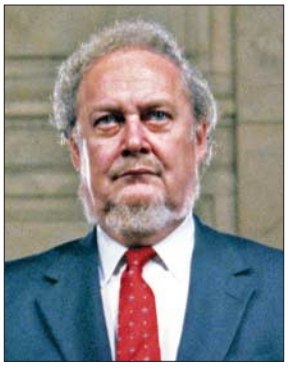
**Joseph Epstein**

the weekly Standard

# The Constitutionalist

Robert H. Bork, we all know, didn't sit on the Supreme Court. His legacy thus cannot lie in votes cast and opinions written. You have to look elsewhere, and you certainly could begin with his earliest work at Yale Law School, which was in antitrust. In a series of law review articles and ultimately a game-changing book, *The Antitrust Paradox*, published in 1978, Bork worked out a powerful critique of the case law. In showing its defects, he influenced the movement toward deregulation.

As important as Bork was to that development, however, his name will forever be associated with the great debates of the past half-century regarding the Supreme Court and its exercise of judicial review. And it is here that his achievement was especially remarkable.



*Robert H. Bork*

By the 1960s the power of federal courts to examine government actions for their constitutionality, known simply as judicial review, had become increasingly controversial, thanks to its frequent exercise in behalf of liberal ends by the Warren Court, which immodestly declared in a 1958 case that its rulings in constitutional cases were synonymous with the Constitution. Judicial review was a topic that law professors naturally turned to—usually to show how they would justify the Court's activist decisions.

Bork, however, took a different path. Instead of assuming the legitimacy of judicial review, he asked whether the power, which is not explicitly stated in the Constitution, is actually constitutional. In answering this question, Bork looked at the foundations of the Constitution in order to identify their basic premises. And from those premises—the central one encompassing majority rule but with protection for the rights of minorities—Bork derived the authority for judicial review.

"We have," as he put it, "placed the function of defining the otherwise irreconcilable principles of majority power and minority freedom in . . . the federal judiciary, and thus, ultimately, in the Supreme Court."

Of course, Bork's argument about judicial review didn't end here. Just because federal courts have the power of judicial review, he said, doesn't mean they can exercise it any way they like. Constitutional cases are cases in which some government action is said to violate a provision of the Constitution. And, Bork argued, the power of judicial review must be confined to enforcing the meaning of the provision at issue.

And what are those meanings? Bork argued for a method of discerning them that he described, correctly, as "once the dominant view of constitutional law"—namely, that "a judge is to apply the Constitution according to the principles intended by those who ratified the document." Bork thus was an "originalist," a term used to denote someone who seeks the meaning of a legal text at a point in time: its origin.

You could see Bork's originalism in arguments he advanced while solicitor general in the 1970s. For example, in *Gregg* v. *Georgia* (1976), with the constitutionality of the death penalty at issue, Bork told the justices that those who framed the Eighth Amendment's prohibition of cruel and unusual punishments did not intend "as an original matter" to outlaw capital punishment because "they prescribed the procedures that must be used in inflicting it" elsewhere in the Constitution (specifically, the Fifth and Fourteenth Amendments).

In 1982 President Reagan appointed Bork to the federal court of appeals in Washington. And in 1987 Reagan nominated Bork to the Supreme Court. Raging by then was a debate over constitutional interpretation in general, and originalism in particular, a debate in which Bork, of course, had been a notable participant. A Democratic Senate sympathetic to noninterpretivist approaches and activist decisions (such as *Roe* v. *Wade* in 1973, which created a woman's right to abortion) refused to confirm him. But the Senate could not end his advocacy of originalist constitutional interpretation. In 1990 Bork published *The Tempting of America*, in which he laid out his critiques of noninterpretive approaches and made the case for originalism, while defending himself against charges senators and interest groups made during his hearings.

Bork never did with constitutional interpretation what he had with antitrust: He didn't write a series of articles developing and refining originalism. He was not a legal historian. Not incidentally, researching the history of constitutional provisions wasn't exactly a preoccupation of law schools when Bork first began thinking about judicial review. There was a reason for that: Since the 1930s the Court had largely moved away from confining constitutional meaning

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to text and history. Bork's importance lay in the fact that he was one of the few scholars in the 1960s who thought constitutional interpretation had gone seriously wrong, and he was willing to say so.

In the past quarter-century, others have come in his wake, as scholars have made extensive inquiries into the original meaning of various parts of the Constitution, among them the Commerce Clause and the Necessary and Proper Clause, the Second Amendment and the Fourteenth Amendment.

Meanwhile, political conservatives aren't the only ones now professing originalism. Some libertarians do, and some liberals also. There are serious disagreements among these groups. But they are looking for constitutional meaning where Bork was among the first to say you should be looking. More judges are doing that, too.

"Today," wrote Akhil Amar shortly after Bork's death last month, "all serious constitutional scholars and most justices are far, far more attentive to originalist arguments than before." Amar, a student of Bork's more than 30 years ago and a leader among liberal originalists, credited Bork's "clarion call for renewed attention to constitutional text, history, and structure." It was, he conceded, "not without effect."

With his bestselling books, Bork also may have reached lay audiences. If so, the effect here may have been to confirm for those protesting the Obama administration's expansions of government (in the Tea Party but also well beyond it) that it's okay to seek guidance in our politics from the Constitution and thus to ask whether ours is still a government limited by its enumerated powers or one that has jumped those rails and may attend to any social need.

"Constitutionalism" is an old-fashioned word meaning the systematic constraint of government power. As explained by Princeton political scientist Keith Whittington: "Constitutionalism asserts that there are limits to what government can justly do and creates institutions to prevent government from overstepping those limits." The most important of those institutions is the Constitution, and it was that law, its proper interpretation and application, and its higher status—as indeed "the supreme law of the land"—that Bork kept reminding people about. He was a "constitutionalist" in addition to being a Marine—two excellent ways to have served your country.

*—Terry Eastland*

# More's Maxims

At the Mass of Christian Burial conducted for Robert Bork on December 21, the program for guests included two quotations from Thomas More, traditional patron saint of lawyers. They were presumably favorites of Bob Bork's, or perhaps the family felt they exemplified the principles of his public service. But they also happen to be useful guides for conservatives and Republicans over the next few years . . . and beyond.

First: "*What you cannot turn to good, you must make as little bad as you can.*"

Welcome to President Obama's second term. It won't be easy for Republicans to check a reelected Obama administration, supported by a Democratic Senate and a larger Democratic minority in the House. The fight over the fiscal cliff presented only the first of what will be many challenges of how to make a bad situation as little bad as possible. These challenges will produce differences of opinion about strategy and tactics, about where to give way and where to fight, about how little bad is good enough to settle for.

But perhaps all Republicans and conservatives can agree on three postulates that follow from More's First Maxim.

(1) Don't have high expectations. The Republican House will be able to mitigate some damage, and perhaps even to force some progress, over the next two years. But at the end of the day the government of the United States, under the stewardship of President Obama, and absent outside shocks that force fundamental changes, will run ridiculous deficits, will spend irresponsible amounts of money on foolish programs, and will overregulate and overtax the private economy.

(2) Don't predict immediate disaster. Poor governance by the Obama administration doesn't mean the economy will necessarily pay a huge price over the next couple of years. The underlying American economy is strong, the recovery so far has been desultory, and we may be due for some decent quarters of growth, however unsustainable the debt is over the medium- and longer-term. Republicans should be wary of prophesying imminent doom and gloom.

(3) Don't attack the motives of your fellow conservatives. There will be differences over what course of action should be followed in dealing with the many unattractive choices that will confront us. "We are all Republicans, we are all conservatives," should be the postulate that governs and tempers the (healthy) debate that will undoubtedly take place at each juncture on the difficult road that will be Obama's second term.

Which leads us to More's Second Maxim, courtesy of Bob Bork: "*You must not abandon the ship in a storm because you cannot control the winds*."

Conservatives and Republicans won't be able to control many of the winds of American public policy, domestic and foreign, over the next few years. But it would be disgraceful and dishonorable to abandon the ship of state. That ship will have to be kept afloat and as upright as possible, and conservatives will have to do as much as can be done to prevent it from being blown further out to sea. Until a new and better captain is at the helm.

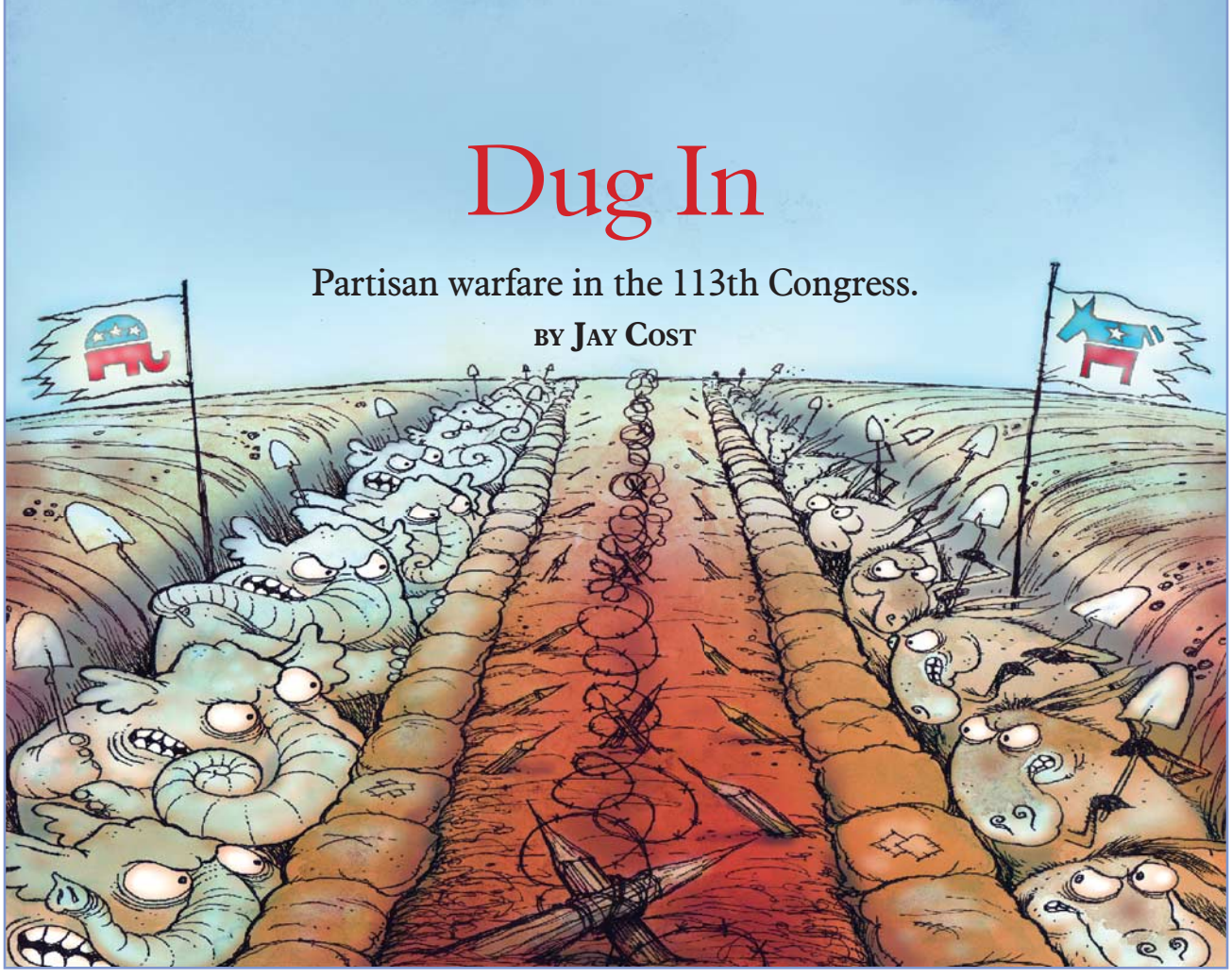
That of course will present its own challenges.

*—William Kristol*

# Dug In

## Partisan warfare in the 113th Congress.

BY JAY COST



DAVID CLARK

Last week the 113th Congress met for the first time, with Republicans in control of the House and Democrats in charge of the Senate. The Obama administration is optimistic that it can work its will over this legislature, driving a hard bargain on sequestration and the debt ceiling and pushing through reforms on immigration and gun control.

This is extremely unlikely. In fact, for a host of reasons, expect the new Congress to resemble the one that just finished—mired in stalemate with the president, lurching from one short-term, ad hoc budget deal to the next, with none of the biggest issues facing the country being addressed.

The most significant impediment to legislative action is ideological division. With 234 House Republicans and 55 Senate Democrats, the 113th Congress will be the most ideologically polarized in recent memory. That offers a poor prospect for governmental action.

Compounding this is the mandate of congressional leadership. Senate majority leader Harry Reid and House speaker John Boehner are both responsible to their majorities. In other words, it is only in rare instances that Reid would allow a bill on the Senate floor that a majority of Democrats opposed, and similarly Boehner with House Republicans (though there are exceptions, like the recent fiscal cliff bill). This means that any major piece of legislation will have to attract the support of most House Republicans and most Senate Democrats—a monumental task in this time of stark ideological divisions.

One might be tempted to think that, because the partisan divisions in Congress today mirror those in the early Reagan years (when the GOP held the Senate and the Democrats controlled the House), bipartisan breakthroughs are still possible. Yet during the Reagan years the Democratic House majority depended entirely on conservative, Southern Democrats, whose districts Reagan had won handily.

That points to another substantial impediment—the political geography of the House of Representatives. Reagan had leverage over House Democrats in the early 1980s because his victory over Jimmy Carter had been geographically broad. Many congressional Democrats, especially from Dixie, knew that Reagan had won at least a plurality in their districts, so they had reason to fear him. Barack Obama's victory in 2012, while slightly larger than Reagan's in 1980 in terms of raw vote percentage nationally, was much narrower in geographic terms. In fact, Obama won reelection having carried fewer than 218 congressional districts, while approximately 215 House Republicans represent districts that Mitt Romney won.

This is a consequence of President Obama's driving minority turnout to unparalleled levels: African-American and Latino voters are often clustered in minority-majority congressional

*Jay Cost is a staff writer at* THE WEEKLY STANDARD.

districts, thanks to the 1982 amendments to the Voting Rights Act. Add these districts to the "gentry liberal" ones in and around major cities, and the result is that Obama overwhelmingly carried a minority of congressional districts, while Mitt Romney narrowly won a majority of districts (at least 225, with 4 still to be determined).

At first blush, this might seem to be a trivial point, but what kind of influence does President Obama have in a district that voted 55-45 percent for Mitt Romney? What sort of political rebuke can he possibly deliver to a recalcitrant Republican from a district such as that, especially in light of the fact that no incumbent party has ever gained a significant number of House seats in a president's second midterm? Put simply, most House Republicans need not fear that defying the president will result in their defeat in 2014.

If political muscle won't be enough to force legislative breakthroughs, then a deft touch might do the trick. Perhaps the president could play coy dealmaker, in the manner of Lyndon Johnson. Here, however, President Obama has proven himself to be quite incompetent, more a Jimmy Carter than an LBJ.

One of the messages of Bob Woodward's *Price of Politics* is that Obama made a grand bargain on the debt ceiling harder to reach, not easier. And in the wake of last week's tax deal, Speaker Boehner reportedly told his caucus that he is done negotiating with the president one-on-one. For a president who, as a candidate in 2008, promised to bring people together, Obama seems to lack the temperament to broker a big deal between the key players in Washington.

As if all this were not enough, there remain the impending battles on the debt ceiling and sequestration that were merely postponed by last week's tax deal. These are going to be hard issues for the two sides to come together on, and will assuredly pose a problem for getting other big things done. History shows that there is such a thing as legislative momentum; it was a key reason why LBJ held off attempting to repeal the right-to-work sections of the Taft-Hartley Act during the Great Society Congress until after Medicare and the Voting Rights Act had been passed. He knew that putting Congress through a process that would divide liberals and conservatives, Northerners and Southerners, was bound to slow progress on other issues.

After taking tough votes on taxes and spending, what appetite will today's members have for votes on gun control or immigration? What's more, dealing with tough issues can generate bad blood between leaders, which further impedes negotiations. Already, we see such divisions developing—between Boehner and Reid, Senate minority leader Mitch McConnell and Reid, Boehner and Obama—and the 113th Congress has only just begun.

For conservatives, all of this should come as a relief. With Mitt Romney's defeat in November, most recognize that any big deals favoring their positions are impossible. Barack Obama is no Bill Clinton, and there is no hope of a grand center-right bargain with him, let alone the Democratic Senate. Obama, Boehner, and Reid are not going to cut a deal on entitlement reform in the way Clinton, Newt Gingrich, and Trent Lott made a deal on welfare reform in 1996. But to say that there will likely be no big breakthroughs means that the left can expect to be stultified as well.

The Beltway punditocracy will, of course, bemoan gridlock. But the blame is misdirected. Our system of government is designed to impede reforms not backed by a broad majority, and the country remains deeply divided. While most Americans agree that the status quo is unacceptable, there is no consensus on what to do about any major issue. Thus, for the next two years, we should expect Washington to accomplish little.

Unfortunately, all of this is a consequence of the last election. Conservatives had hoped to provide the public a clear contrast on the issues of spending, taxes, and economic growth, and that the electorate would come down definitively on one side or the other. The people declined to do that, and the result of their demurral will be at least two more years of stagnation. ◆

# Starve the Beast . . .

## Protect the middle class.

**BY RAMESH PONNURU**

Almost everyone is underestimating what Republicans have just achieved in the fiscal cliff deal, including many Republicans who supported the deal.

Regardless of what politicians have been saying in public, everyone who has looked at the budget projections for the next few decades understands that, absent a sudden reduction in Americans' life expectancy or other shocking development, middle-class benefits are going to have to be cut, middle-class taxes are going to have to be raised, or both. The war between liberals and conservatives over the future of the welfare state is largely a matter of how much of each will be done. Conservatives think that it would be better to cut middle-class benefits than to raise middle-class taxes: that we should not take more out of people's paychecks in order to give them more when they retire. Liberals would rather raise middle-class taxes than cut middle-class benefits, a policy that reduces risks by setting a higher floor in retirement for everyone.

*Don't serve me the check.*

During the fiscal cliff debate, as in previous battles in that war, Republicans pointed out that the government cannot realistically make up much of its long-term financing gap by raising taxes on the rich. A tax-heavy solution to that gap will eventually have to rely on much higher taxes on the middle class. That's how they finance large welfare states in other developed countries. European social democracies don't generally have much higher taxes on corporations or high earners than the United States. The chief difference between their tax policies and ours is that they levy value-added taxes that hit consumption.

The fact that George W. Bush's tax cuts were set to expire at the end of 2012, right after the reelection of President Obama, offered liberalism its best chance in decades for a large tax increase on the middle class. Democrats could not take the opportunity for two reasons. As Keynesians, they worried that the sudden imposition of higher taxes on the middle class in a time of economic weakness would cause another recession. As politicians, they knew that middle-class tax increases are deeply unpopular.

Still, there was a chance that Republicans would let the Democrats have the middle-class tax increases they secretly know they need, while minimizing the latter's political costs: If Republicans had insisted on extending all of the Bush-era tax rates while Democrats insisted on extending only the middle-class rates, the resulting impasse could have sent us over the cliff, leading to higher taxes on everyone. Middle-class tax rates would have risen, and the child credit shrunk, to their pre-Bush levels. The Democrats could have tried to blame the Republicans for this result, saying that the GOP had let middle-class taxes rise as a consequence of its devotion to the interests of the rich. This strategy might not have worked perfectly: Democrats might still have suffered some losses in the 2014 elections as middle-class voters took out their frustrations over higher taxes on the president's party. The higher taxes might, however, have outlasted any political reaction.

The deal averted any such scenario by extending the statutory rates enacted under Bush for almost all voters and striking any expiration date. To be sure, the payroll tax cuts enacted under Obama have expired, raising working people's taxes. But federal revenues are expected to rise by only 2 percent. It will now take an affirmative act of each house of Congress and the president to raise anyone's taxes beyond that level.

Avoiding blame for middle-class tax increases served the short-term political interests of both parties; avoiding higher middle-class taxes themselves served the long-term ideological interests of only the Republicans. And the course of the debate over the fiscal cliff has reinforced the bipartisan taboo on openly raising middle-class taxes, a taboo that has persisted ever since Walter Mondale campaigned on tax increases in 1984 and lost 49 states. The only middle-class tax increase of any note to pass in recent years was Obamacare's individual mandate, which had to be marketed as something other than a tax. Making matters worse for liberals, the political system has adopted a very broad definition of the middle class, one that includes, in the most recent deal, all couples making less than $450,000 a year.

Liberals will continue to want higher taxes and may even try, should the tides of politics shift sufficiently in their favor, to raise them on the middle class. The deal only means that future tax-hikers will have to raise middle-class taxes from a lower level than they would have had we fallen off the cliff to stay, and they will have to fight harder for their gains. Those are not small things.

This argument—that keeping middle-class taxes low serves the cause of limited government—has much in common with what has been called the "starve the beast" theory: the theory, that is, that depriving the government of revenues will restrain spending. That idea was associated



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with the libertarian economist Milton Friedman, who argued that spending amounted to the sum of available revenues and the maximum politically acceptable deficit. That equation made controlling revenue seem to be the key to controlling spending.

The last few decades have not been kind to the theory. Taxes have fallen without much in the way of spending restraint. In 2003, the Bush administration both cut taxes and expanded Medicare to cover prescription drugs. William Niskanen, another libertarian economist, found that falling tax revenues were actually associated with higher spending. It may be that campaigns to cut taxes raised the size of the deficit the country was willing to tolerate and prevented Friedman's mechanism from working. So some conservatives and libertarians have moved toward a different theory: Serve the check. Make the middle class pay more of the price of government and it will demand less of it. On that theory, the fiscal cliff deal was a disaster because it protected the middle class.

The behavior of Republican politicians before Reagan was roughly consistent with the serve-the-check theory, even if they never articulated it. Newt Gingrich, representing the rising Reaganite view of taxes, condemned Bob Dole, an adherent of the old consensus, as a "tax collector for the welfare state." Dole Republicans would raise taxes to cover spending increases and cut taxes only when spending fell—which it never did.

The track record shows that neither starving the beast nor serving the check reliably constrains government spending. But if you believe that at some point, not all that far off, a rebalancing of the federal budget is both necessary and inevitable, and all of the budget deals and fights of any given year are actually attempts to influence the shape of that eventual settlement, then matters are pretty simple: Lower taxes push in the direction of lower spending, and higher spending in the direction of higher taxes. And the lower taxes that matter most for the shape of that settlement are the taxes on the middle class. ♦

R. GOOGIN

# March Madness

## The fiscal cliff was just a warmup.

**BY IRWIN M. STELZER**

It is easy to think of the avoidance of the fiscal cliff as merely a financial deal, aimed at solving our fiscal problems. That would be wrong. The really important fact is that the deal is still another step in President Barack Obama's drive for a place on Mount Rushmore as a "transformative" president. This is a president who has transformed the health care and energy sectors and has reopened

*Gridlock of the older sort*

the era of big government—the end of which was famously proclaimed by Bill Clinton as his own legacy.

Now to the matter of money. If you think that the last-minute deal to avoid going over the fiscal cliff solves anything, think again. The Congressional Budget Office reckons that last week's deal will *increase* the deficit over the next 10 years by some $4 trillion, despite adding $600 billion to our tax bill. To understand why, pore over the 154-page bill and consider its handouts to windmill operators and producers of all sorts of fuels other than those God put in the earth (a continuation of the president's transformation of the energy sector); its extension of unemployment insurance; its tax relief for mortgage-debt forgiveness and other goodies.

Worse still, the table is now set for what Republican senator Lindsey Graham calls Round Two, which he says is "coming, and we're going to have one hell of a contest about the direction and the vision of this country." The White House puts it slightly differently: "We are headed for 60 days of nastiness." Others call it the politicians' version of March Madness, during which three interrelated problems will give Congress another set of opportunities for late-night sessions.

Here is what is in store for the month that traditionally comes in like a lion and goes out like a lamb.

⋆ The Treasury, which hit the debt ceiling on the last day of 2012, runs out of accounting tricks and can't borrow $40 for every $100 it spends. No threat of default, no matter what the president says: The cash flow from ongoing tax receipts covers interest payments on the national debt ten times over. It is spending on many government programs that would be cut if there is an impasse over the debt ceiling. The president alternates between saying he will not enter into negotiations to raise the ceiling, and warning that he will not agree to spending cuts in return for an increase in the ceiling. The solution, once again, is to be tax increases on "millionaires" and on corporations that employ lobbyists. Before dismissing the notion that the president will simply refuse to talk, consider two things. He is a better negotiator than

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conservatives give him credit for. His strategy on the cliff gave him higher taxes and no significant cut in spending. Second, if he refuses to negotiate, the Republicans' only weapon is nuclear—destroying America's credit rating, which rating agencies are already threatening even in the absence of default.

* The cliff deal's two-month postponement of $110 billion in automatic spending cuts over nine years expires. The battle over how to plug that hole in the budget will be a reprise of last week's show. The president is insisting on new taxes on "millionaires" and corporations to make up the needed revenue, while the Republicans are adamant that spending be cut, although not for the military, which is Obama's favored target for reductions. Optimists say the president is bluffing, that he would not dare to raise taxes so soon after his recent success in socking it to high earners. This practitioner of the dismal science thinks it more rather than less likely that Obama will increase the tax burden on high earners. After all, wistful liberals have taken to citing the fact that top marginal income tax rates exceeded 90 percent between 1944 and 1963, and the nation generally prospered. And that the portion of GDP claimed by our government remains more than 10 percentage points below that of steadily prosperous Germany.

* The measure funding government agencies lapses. Unless there is some agreement for ongoing funding, the government will shut down—no guides in the national parks, no staff to issue passports or visas to foreigners, no disease control, no garbage collection on the National Mall. Voters who want smaller government will get their wish after a fashion. Republicans hankering after the political standing of Newt Gingrich, the last Republican to close down the government in a confrontation with then-President Bill Clinton, will feel comfortable shutting down the government. Others, who remember that after the Gingrich shutdown the Republicans' favorability rating fell from 15 points above the Democrats' to 11 points below their opponents', might hesitate.

Economists with the unenviable job of guessing about the economy's path in 2013 and beyond must decide whether the coming battles over the direction of the country will prevent the feeble recovery from accelerating, or perhaps even throw the nation into a recession. So far, so good, if the euphoric reaction of the markets to the cliff deal is any indicator, although to attribute the share-price jump solely to a pullback from the edge of the cliff is to ignore the fact that share prices in years past typically have risen on the first day of trading, and to ignore the analysis of Bill Gross. The highly respected founder of PIMCO, which has $2 trillion in assets under management, says that the rise in stock prices has less to do with the cliff deal than with Japan's decision to reflate and the Fed's policy of continuing to run the presses overtime.

Also on the plus side is a reduction of the uncertainty about tax policy. Believers in the new certainty say we will have tax peace in our time, or at least for the next few years, because Obama would not dare to insist on further increases as part of any future fiscal deal. Indeed, as he seeks to shape his legacy, and the Republicans attempt to avoid disasters in the 2014 and 2016 elections, a "grand bargain" seems to become more plausible.

That bargain would be achieved, optimists say, without massive spending cuts or tax increases that would dampen economic growth—no current pain, lots of future gain. Faced with a need to get the deficit under control, politicians will make the long-term fixes needed to reduce the projected cost of health care, pension, and other entitlements. Higher-income Americans will be required to cover a share of their Medicare costs, increases in pension payments will be based on a slower-rising and more accurate cost of living index, and tax reform will rake in billions by eliminating loopholes in the tax code. These "fixes" will enhance confidence in the nation's future, without making a dent in current activity, and encourage foreigners to continue buying our IOUs. All will be for the best in this best of all possible worlds.

Perhaps. But many of the politically savvy folks here in Washington very much doubt that 2013 will be the year of the grand bargain. For that to happen the president would have to admit to himself, and then force the nation to confront, the consequences of looming entitlement spending, and persuade his party that entitlement reform is not inconsistent with Democrats' historic support for an expansion of the welfare state. On the other side, Republicans would have to accept more wealth redistribution than they like, for that is what means-testing of benefits is, and what "tax reform" really means.

Surely, none of the events leading up to last week's deal suggest such a bargain is in the offing. It took substantial arm-twisting by Vice President Joe Biden to get Senate and House Democrats to agree to move the level at which taxes would go up from $250,000 to $450,000 for families, and they remain sullen if not mutinous. In the course of the negotiations Senate Democrats even refused to change the inflation index for Social Security to a more accurate, slower-rising index, although the president had said such a change makes sense. Or even to consider increasing the age at which certain entitlements will become available, even if that change were to affect only those Americans still far from retirement. In short, the left has yet to be persuaded that there aren't enough "rich" people to pick up the bill for the lavish entitlement buffet that liberal politicians have laid before them.

Republicans are even less likely to make the concessions needed for a grand bargain. Only a minority of House Republicans voted in favor of the cliff deal, and as the 2014 primaries loom, even fewer will sign on to any tax increases the president demands. Speaker John Boehner, who voted for the deal, is also likely to hang tough in the March negotiations. He

knows that his majority leader, Eric Cantor, a man who has a lean and hungry look, voted against the deal as a predicate to a leadership challenge. For the moment Cantor has decided to sheath his blade, but another display of reasonableness by Boehner might make the Ides of March a troublesome day for the speaker.

So there will be substantial political headwinds that the private sector must overcome if growth is to be sufficient to reduce the unemployment rolls and increase the flow of tax revenues to the Treasury. Fortunately, there is reason to believe that 2013 will be a year in which the economy does indeed overcome those headwinds. The recovery of the housing sector will continue and probably accelerate, boosted by some of the details in last week's deal, such as retention of the mortgage deduction. Auto companies expect to move more than 15 million cars and small trucks from dealers to consumers' garages, about 1 million more than in 2012. Growth in the important service sector is accelerating. Regulators will be unable to stifle completely the development of shale gas resources and the attendant growth of manufacturing industries dependent on that low-cost fuel. The dollar will fall and exports rise as the 2013 deficit tops $1 trillion and Ben Bernanke's Federal Reserve Board continues to churn out dollars to keep interest rates at close to zero, despite doubts by an increasing number of Bernanke's colleagues, and the gnashing of teeth of the nation's savers.

There you have it. We enter a new year, one in which there is reason to expect better economic growth, after a deal that included substantial though probably not crippling tax increases, that gave consumers a somewhat firmer notion of what they have to spend after rendering unto Obama what is Obama's, but that also increased the deficit and postponed the day of reckoning until at least March, when the president and Congress will have to figure out how to give the famous can another kick down the road. ♦

MOHAN RAJ

# GOP Chaos on Capitol Hill?

## Not really.

**BY TOD LINDBERG**

Perhaps the least surprising headline in the aftermath of the tax deal last week was the one in *Politico* declaring that congressional Democrats are planning to run against "chaos" in the 2014 midterm elections. It's unsurprising because Democrats have been working, with considerable success, to establish the proposition that Washington is dysfunctional because of the GOP.

*Come, let us reason together.*

Republicans, for their part, have contributed to the storyline through their own internal divisions. But political parties always have internal divisions. This is mainly a media-driven phenomenon, and not just the "mainstream" media. The interests of the liberal media and hard-core conservative media, especially talk radio, converge in propagating the view that the GOP is divided, feckless, and incapable of governing—though of course they disagree over whether Tea Party Republicanism is the source of the problem or the solution.

As an example of the success of the "Chaos in Washington—GOP to Blame" storyline, consider the poll results, widely disseminated beginning in November before negotiations over taxes and spending got underway, that the public would overwhelmingly blame Republicans for failure to avoid going over the fiscal cliff. Democrats lauded the sagacity of the people's reasoned judgment, of course, especially in light of their recent expression of wisdom in reelecting President Obama. But seriously: How do you rationally know whose fault a breakdown of negotiations is when the negotiations haven't even begun, let alone broken down?

More of the same is on the way. Congress will have to take up legislation increasing the debt limit by the end of February. Many and various are Democrats, their tweeters, and their tweeps in the promulgation of the view that Republicans would be glad to see the United States default on its sovereign debt in order to try to force the president's hand on spending cuts. After all, that's what happened last time, isn't it? Well, no, it isn't, but what's that got to do with it?

The debt-limit negotiations will certainly be protracted and difficult, not least because the president has declared that he won't negotiate at all (which on the one hand is ridiculous, but on the other does seem to foster an impression among his liberal base that he is being tough). But you can count on the left-right echo chamber to portray every bump along the way to the eventual agreement as GOP bungling. Just

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to hazard a guess, polls will soon be released showing that people adjudge the GOP responsible for the default. "Chaos" again.

Given the Democrats' evident success in blaming the GOP in advance, anyone with critical faculties really ought to be asking: If the public has already made up its mind who is responsible for failure, which side has the greater incentive to be obstinate in negotiations? But I am not pre-blaming Democrats for our sovereign default (which won't happen) any more than I blame Democrats for taking us over the fiscal cliff (which didn't happen)—or for creating "chaos" along the way. That's because it still makes more sense to see Washington as a city in which politicians act rationally and in accordance with their interests, and not as berserkers engaged in wanton destruction for sport or ideological fanatics willing to bring the country down if they don't get all they want in every situation.

So back to basics: The country is very closely divided on partisan grounds and has been for two decades or more. The pattern in our elections over that time seems to be that any time voters produce one-party control of the presidency and Congress, they repent of it fairly quickly. This makes sense given the tendency both parties have to overreach in such circumstances. The rapidity with which voters "correct" the problem is a product of the closeness of the American political divide: Neither party has much margin for error. In the 32 years since the 1980 election, the White House and the House of Representatives have been under the control of opposing parties for 22, as they will be for the next 2 years.

With government divided and the parties largely sorted on ideological lines, negotiations over highly contested policy matters are inevitably going to be difficult, protracted, and resolved only at the 11th hour. Goofy Starbucks campaigns notwithstanding, there is no incentive to "come together" until one has extracted as much as one can from the other side. Just the opposite, in fact: One's constituents want reassurance that they got as much as they could before they settle for less than they want.

After the 2010 election, with Democrats still in control of a lame-duck Congress but the GOP barbarians at the gates, Obama got in trouble with his base by arranging relatively quickly for a two-year extension of the Bush-era tax rates. He probably had several reasons for doing so, not least of which was neutralizing a GOP issue for 2012. Also, if he figured he could get his increase in the top rate through after he won reelection, he was right. But he paid a price with his core supporters, and there would be no subsequent incentive for quick agreement once the GOP took control of the House.

With divided party control, the only thing that produces an agreement in the end is the preference of both sides for something over nothing. Republicans weren't going to allow the United States to default in 2011, and President Obama wasn't going to refuse the budget-cutting mechanisms the GOP was able to get through Congress as a condition. Republicans weren't going to go over the fiscal cliff in order to stand in principle against increases in the top tax rate, and Democrats weren't going to make them do so by insisting in the Senate on provisions that would kill the deal.

But weren't most House Republicans opposed to the final deal? Didn't that very same House GOP refuse to go along with Speaker John Boehner's "Plan B," which would have kept the Bush rates in effect for all incomes under $1 million, thereby undermining his negotiating position and threatening his speakership within his own conference?

Sure, Republican House members voted 2-1 against the final deal. Why wouldn't they? It wasn't their policy preference, *and they knew it was going to pass anyway.* With Obama's imprimatur on the deal, Boehner was responsible not for delivering his conference, but only for securing enough GOP votes to allow passage with overwhelming Democratic support. As for the failure of "Plan B," it's hard to imagine a scenario in which it did pass and the final outcome was much more favorable to the GOP. The Senate was not going to rubber-stamp a House "Plan B" bill: Having passed a bill with the top-rate increase taking effect at $250,000, the Senate would have insisted on amending the House bill and sending it back with a compromise number. Say, $450,000. The Biden-McConnell talks were actually "Plan C," to the same result.

If anything, the collapse of "Plan B" protected GOP House members by allowing 151 of them to stand on principle by voting against any increase in tax rates *without consequence*. For many of those House members who did support the final deal, timing was no doubt propitious: The vote came after the Bush rates expired on midnight, January 1, so the vote was arguably about keeping taxes from going up on the 99 percent, to coin a term. Boehner's speakership was never in serious jeopardy.

It's clear that Obama wanted a deal and that his only red line was an increase to Clinton-era levels in the top tax rate for high-earners, however delimited. It also seems likely that Obama was worried that Senate majority leader Harry Reid was willing to go over the cliff and blame the GOP. In the end, Obama undercut Reid by empowering Vice President Joe Biden to negotiate the final deal with Senate minority leader Mitch McConnell. Reid cronies have since been anonymously grousing about being left out in the cold. They were. Biden is a figure both sides in the Senate trust more than they do Reid.

The president had the upper hand in the fiscal cliff drama because the Bush tax rates were expiring January 1 anyway. The debt limit negotiations afford him no such advantage. But they do have a deadline of about March 1, which means there will be tough negotiations *ending in an agreement*. That agreement will be whatever the House and Senate say is the price of the increase. Between now and the 11th hour, and ever after, Democrats will portray the negotiations as more GOP-caused chaos, because that's what they want as backdrop to the 2014 election. It's a shame that so many people who ought to know better will take them at face value. ♦

# The Four-Year Honeymoon

## Will the press ever give Obama tough coverage?

**BY FRED BARNES**

President Obama never disappoints. When the monthly unemployment rate fails to drop, forget it. What's important is the number of jobs created. But when the rate actually does drop, forget the growth (or lack of it) in jobs. It's the rate that matters. And don't blame Obama for the persistence of slow economic growth and high joblessness. That's the "new normal." As for the millions of dropouts from the job market, that's no big deal, hardly worth more than a passing mention.

Full credit is due Obama for his role in the overthrow of Libyan dictator Muammar Qaddafi. He was cleverly "leading from behind." But the killing of the American ambassador to Libya and three others in Benghazi—the president bears no responsibility for that. Perish the thought.

Meanwhile, in the months before his reelection in November, Obama doled out government favors to Democratic interest groups like unions, Hispanics, teachers, and single women. This may have looked like shameless exploitation of his high office, but it really was unusually skillful politicking by a master of the game.

My drift here ought to be obvious. I'm referring to the way the media treat Obama. It's not always adoring. It's intermittently fair and even-handed. But overall, what's distinctive about the press coverage of Obama is the absence of fault-finding, criticism, and dogged questioning. And when Obama makes excuses, as he often does, the media tend to echo them.

No president in my lifetime has been covered so favorably and so gingerly. Never has the press corps been so unwilling to pursue stories that might cast the president in an unflattering light. As a group, the media pride themselves on taking an adversarial approach to politicians and government officials. But in Obama's case, the press acts like a helpmate.

Along with that, the media seem fearful of offending Obama. This is a new phenomenon in presidential coverage. To my recollection, Obama is the first president to instill coverage anxiety, conscious or unconscious.

Compare Obama's coverage with that of President George W. Bush. The difference is startling. There was no fear of affronting Bush. He faced relentless scrutiny of his tactics in the war on terror: wiretaps, renditions, Guantánamo, the Patriot Act. The media raised questions about his motives, the constitutionality of his policies, and his brainpower. White House press conferences became tense and hostile events when national security issues were broached.

Obama's adoption of these same policies has drawn minimal attention, much less the kind of media wrath that Bush endured. Last week, for example, Obama signed a bill extending the use of warrentless wiretapping to gather intelligence on America's enemies. Bush was harshly criticized by the media on this very issue. Obama got a pass.

Bush was also hassled for so-called signing statements citing provisions of a bill he might not enforce. Charlie Savage, then of the *Boston Globe*, won a Pulitzer Prize for "his revelations" about Bush's practice. And, not surprisingly, Obama promised not to do signing statements. Yet he has continued the practice, eliciting some coverage, but none of the outrage that was directed at Bush.

In his efforts to combat terrorism, Bush was accused of exceeding presidential authority. But Obama has made recess appointments when the Senate wasn't in recess and rewritten parts of immigration and welfare law by executive order, clearly stretching his authority beyond constitutional limits. The press praised the immigration change and winked at the others.

It doesn't take much imagination to come up with actions that would have aroused the press if committed by Bush, but didn't with Obama. The list is long. Both the Fast and Furious gunrunning scandal and the Benghazi killings would have led to months of stories, investigative reports, and outraged commentary. But the media proved to be largely incurious in Obama's case.

Hurricane Sandy created damage in the billions in New Jersey, New York, and Connecticut. The role of Obama and his administration in handling the emergency was scarcely addressed. It's doubtful Bush would have been let off so easily. He certainly wasn't in 2005 after Katrina ravaged the Gulf Coast.

What if Bush had claimed in speech after speech that Democrats who opposed his policies were putting "party before country"? The media response to an insinuation that Democrats were unpatriotic would have been along the lines of, "How dare the president make such a dastardly claim!" But repeated mentions of "party before country" by Obama have been treated as perfectly acceptable.

And what if Bush had insisted on selective enforcement of federal immigration law and refused to defend in court the Defense of Marriage Act, signed into law by President Clinton? Or if the Bush White House had leaked highly classified national security intelligence to make the president look good? The press would have been in high dudgeon and rightly so. But Obama, guilty on both counts, received media immunity.

Broken promises are the least of Obama's shortcomings. But the press

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corps loves to zing presidents for reneging on campaign vows. Obama, as I recall, promised a press conference a month, an immigration bill his first year in office, regular meetings with leaders of both parties in Congress, and unprecedented transparency throughout his administration. He kept none of them, prompting media near-silence.

Might the treatment of Obama harden in his second term? I'm moderately hopeful. I suspect a few in the media are privately embarrassed by the oh-so-soft coverage and would like to apply some accountability to the Obama presidency. If they do, they'll discover Obama disappoints like other presidents and perhaps more often. ♦

# Dispensing with the Constitution

## Obama's executive caprice.

**BY BRETT TALLEY**

We are in the midst of a crisis of federalism and we don't even know it. In November, the states of Colorado and Washington legalized recreational marijuana use, while 16 other states and Washington, D.C., already permitted the medical use of marijuana. Yet at the same time, the Controlled Substances Act of 1970 prohibits the cultivation, sale, and use of marijuana in all its forms. State and federal law are at odds.

The Constitution is plain: Federal law is the "supreme law of the land" (Article VI, section 2). And yet our national history is replete with conflicts between the laws of the states and those of the federal government. We've seen this scenario play out before, in episodes that have left deep marks on our history, from the Virginia and Kentucky Resolutions opposing the Alien and Sedition Acts to the Nullification Crisis of 1832 to the Massive Resistance of Southern states against federal efforts to end segregation. In the modern era, the ordinary course of affairs would see such conflicts resolved by the courts, usually with federal law prevailing.

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But when it comes to marijuana, we are not witnessing the ordinary course of affairs. The federal government seems to be letting the states go their own way.

In an interview with Barbara Walters, President Obama explained that he has "bigger fish to fry" than enforcing our nation's marijuana laws, noting that countering Colorado's and Washington's defiance is not a "top priority" for his administration. This is a particularly "tough problem," he said, because as the head of the executive branch, he's "supposed to be carrying out the laws."

The president is certainly right about that. Enforcing the law is, together with serving as commander in chief, the heart of his responsibility. Our entire constitutional order is built upon the proposition that the president is not the promulgator of law but its chief enforcer. Up until 1688, English kings retained the authority to disregard the laws, called the "dispensing power." The Glorious Revolution brought such caprice to an end, compelling the king to abide by the will of Parliament. That fundamental limitation on the power of the executive carried over to the 13 colonies. It is one of the hard-won victories in the struggle for liberty conducted by English-speaking people over centuries.

It was Alexander Hamilton, writing in *Federalist* 69, who explained that an American president must "take care that the laws be faithfully executed." The "take care" clause in the Constitution that he was defending is a cornerstone of the Founders' vision of limited and divided government. It was one of the many bulwarks against tyranny that were built into the remarkable structure that has ensured our freedom over the past two-and-a-half centuries. In that structure, a president may only refuse to enforce a law if it is plainly unconstitutional, a power that is as antique as it is rarely employed.

As the nation's chief law enforcement officer, the president may also exercise discretion in declining to prosecute in certain cases. Traditionally, that discretion has been exercised on an individual basis after investigation reveals that prosecution would be a waste of resources. For example, Attorney General Eric Holder was well within his rights when he declined, on more than a dozen occasions, to bring charges against American corporations under the Foreign Corrupt Practices Act despite evidence that the law had been broken.

It is this same prosecutorial discretion that President Obama seems to be relying on with respect to enforcing federal marijuana laws. This is not the first time that President Obama has exercised discretion in this sweeping way. Last June, he announced that he would no longer enforce federal immigration law against 800,000 young people—the so-called Dreamers—brought illegally to this country as children by their parents.

One can sympathize, as I do, with the hapless children who are victims of our broken immigration system, just as one can sympathize, as I also do, with advocates of decriminalizing marijuana. But the substance of these policy choices is beside the point. In fact, general public sympathy for the president's positions on these two controversies obscures a shift in our constitutional order

that is as profound as it is dangerous.

The question raised by President Obama's actions is: Where does the power to dispense with inconvenient or unpopular laws end? If an American president can simply decide not to enforce the laws proscribing the sale or use of marijuana, can he do so for other prohibited substances? Can he ignore the federal laws that define marriage as between a man and a woman? Can he ignore laws that prohibit the use of quotas in employment? The possibilities are endless. And they could also run in another direction entirely.

What is to stop a future pro-gun administration from deciding not to enforce statutes designed to punish felons who possess firearms, as some extreme partisans of the Second Amendment recommend? Could a future Republican president decline to prosecute whole classes of tax dodgers, effectively repealing certain revenue statutes?

The problem can also be flipped around in yet another way. More than a dozen states have passed legislation repudiating Obamacare. Much like Colorado and Washington in the marijuana instance, they have put their state laws into conflict with federal laws. It is obvious that President Obama is not going to allow those states to defy Washington. To do so would gut his signature legislation. This time, it will be convenient for the president to assert his power as our chief law enforcement officer.

It is fascinating to recall that in defending Obamacare before the Supreme Court, the Obama Justice Department likened the federal power to coerce states into observing national health regulations to the federal power to coerce states into observing federal drug laws. Administration lawyers quoted chapter and verse from *Gonzales* v. *Raich*, which in 2005 had kept the state of California from going its own way in defiance of the Bush administration and the federal Controlled Substances Act.

Thus, in defending Obamacare while ignoring the Controlled Substances Act, the Obama administration wants to have it both ways. Upholding federal law, it tramples on the aspirations of states in some instances. Ignoring federal law, it facilitates the aspirations of states in other instances. This is the very definition of arbitrary government.

President Obama is an innovator in this respect, but we have been on the path to such arbitrary government for some time. His actions are the logical extension of a dolorous trend in our politics that has been growing for much of the postwar era. They are anchored in an ends-oriented, rule-by-enlightened-fiat theory that lies at the core of modern liberalism. That theory has already played out to a considerable degree in our judiciary, where jurists have espoused the doctrine of "living constitutionalism" and "substantive statutory interpretation," which starts with favored results and reasons backward, finding

"penumbras" and "emanations" in the Constitution to justify its predetermined conclusions.

President Obama, who studied at the feet of some of the most prominent expositors of this theory at Harvard Law School—Laurence Tribe, Martha Minow, and Charles Ogletree, to name but a few—has simply taken it to the next logical step. Where in the past we had *judicial* disregard of the Constitution and laws duly passed by Congress, now we have *executive* disregard of the same.

Adding insult to injury is the deafening silence from liberals that has greeted President Obama's executive caprice. It was only a short while ago that these same liberals were denouncing George W. Bush for a far less serious constitutional transgression. Thus, when President Bush had the temerity to add signing statements to laws that he found disagreeable, thereby clarifying his understanding of their provisions, he was greeted by howls of protest from liberal jurists. Indeed, it is ironic to recall that an American Bar Association task force in 2006 grimly lectured that the "president's constitutional duty is to enforce laws he has signed into being unless and until they are held unconstitutional by the Supreme Court or a subordinate tribunal."

What a difference a change in political party means when it comes to outrage. Where are the howls of protest now?

The difficult work of campaigning for change, of persuading voters and legislators of the wisdom of one's ideas, has been replaced by executive fiat. The president, when challenged, has defended his use of discretion by declaring—as he did in the case of immigration—that it was "the right thing to do." Whatever the merits and demerits of his policy choices, concentrating so much power in the hands of one man is antithetical to our system of checks and balances and the dispersal of power that it is supposed to ensure. Have we reached another way station on the road to becoming a government not of laws but of men? ♦

# The World of 2030

## It won't be what the intelligence community predicts. BY DAVID ADESNIK

"The world of 2030 will be radically transformed from our world today. By 2030, no country—whether the United States, China, or any large country—will be a hegemonic power." However, the coming transformation will favor emerging powers, "largely reversing the historic rise of the West since 1750."

This warning comprises the opening lines of a 160-page report published by the National Intelligence Council (NIC) just before the holidays, *Global Trends 2030: Alternative Worlds*. The NIC is the U.S. intelligence community's center for long-term strategic analysis. It has published similar reports every four years since 1997.

Not by accident, the NIC publishes its reports in presidential election years, since its ideal audience is the leadership of the incoming administration. The preparation of the report is a major undertaking, with a series of conferences, workshops, and consultations involving experts across the United States and in almost 20 foreign countries.

Lest the message of the report's opening lines be lost on the casual reader, it later pronounces, "the 'unipolar moment' is over and Pax Americana—the era of American ascendancy in international politics that began in 1945—is fast winding down." The NIC's forecast is remarkable for its certainty. Even though the report carries a disclaimer, "we do not seek to predict the future—which would be an impossible feat," there is no hedging in its preemptive obituary for Pax Americana. When an official report of the intelligence community speaks with such confidence, can one afford to ignore its key finding?

Coverage of the report was thoroughly positive, yet confusion prevailed regarding its central message. "Intelligence Community: U.S. Out As Sole Superpower," wrote *Politico*, echoing the NIC. Meanwhile, the *Examiner*'s website ran a contradictory headline: "Global Trends 2030 . . . U.S. to Remain Superpower." Veteran *New York Times* correspondent Thom Shanker seemed to split the difference, reporting that "China will outstrip the United States as the leading economic power before 2030, but that America will remain an indispensable world leader."

The source of this confusion becomes apparent if one delves more deeply into the report. In the same paragraph that announces the end of the Pax Americana, the NIC report indicates that "the United States will most likely remain 'first among equals'" because of "its preeminence across a range of power dimensions," both hard and soft. While the emerging powers will be "ambivalent and even resentful" about U.S. leadership, they will "not espouse any competing vision," will not form any sort of coherent bloc, and will remain primarily interested in consolidating their

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domestic orders. If crises break out on the Korean Peninsula, in the Taiwan Strait, in South Asia, or in the Middle East, there will be a global clamor for sustained U.S. engagement to prevent any escalation of the conflict.

Rather than decline, this would seem to be a description of the status quo. America today has unmatched strength across a wide range of measures, especially military power. There is constant grumbling about American arrogance and double standards, yet the United States continues to have far more allies than it does adversaries. How, then, can one explain the decision of the report's authors to characterize a perpetuation of the status quo as a radical decline of American power?

In his book *The World America Made*, Robert Kagan suggests that "today's impressions about declining American influence are based on a nostalgic fallacy, that there ever was a time when the United States could shape the whole world to suit its desires." Although published 10 months before *Global Trends 2030*, Kagan's work anticipates its analytical flaws. There is no baseline against which to measure a potential decline, since the report provides no definition for either unipolarity or hegemony. Yet in a telling passage, the report does refer to Pax Americana as "the era of American ascendancy in international politics that began in 1945." In point of fact, 1945 marked the beginning of a ferocious 40-year competition between the United States and the Soviet Union, whose outcome was anything but certain.

Given the soft foundation of its headline conclusion, how much confidence should one have in the NIC's other key findings? To its credit, the NIC commissioned an academic study of the four previous *Global Trends* reports in order to assess the validity of their methods and forecasts. For the moment, the full study isn't available, although *Global Trends 2030* conveys the finding that previous editions "correctly foresaw the direction of the vectors" but underestimated their velocity.

However, some of the vectors were arguably wrong as well. Several critics have pointed to the confident prediction in *Global Trends 2010* (circa 1997) that "the next 15 years will witness the transformation of North Korea and resulting elimination of military tensions on the peninsula." Similarly, that 1997 report anticipated a continuing erosion in the authority of Russia's central government, with power shifting to NGOs and provincial governments.

Such specific forecasts became less common in subsequent editions of the report. Yet even the more general assessments remain problematic. According to Dr. Mathew Burrows, the principal author of *Global Trends 2030*,

**America today has unmatched strength across a wide range of measures, especially military power. There is constant grumbling about American arrogance and double standards, yet the United States continues to have far more allies than it does adversaries.**

recent events have vindicated earlier forecasts regarding Europe. "From the *2020* work back in 2004, we've been very clear about our concerns about Europe, the unsustainability of some of the social welfare programs," he says in an interview posted on YouTube. "We've been criticized heavily by the Europeans for doing that, but it did come true after 2008."

Burrows is correct that *Global Trends 2020* did anticipate the challenge presented by Europe's shrinking workforce and expensive social programs. Yet the main finding in 2004 was that "an enlarged Europe will have the ability to increase its weight on the international scene." It even asked, "Could Europe become a superpower?" Unsurprisingly, the current report is much more bearish, outlining one scenario in which the euro collapses along with the EU, triggering a global recession.

Interestingly, *Global Trends 2025*, released four years ago, was more candid than the current report about which of the NIC's long-term forecasts had been overtaken by events. Whereas earlier reports had consistently projected sufficient growth in energy production, the November 2008 report arrived shortly after the country's first brush with $4 gas at the pump. This report foresaw a dearth of countries capable of expanding production, thereby launching "a transition to cleaner fuels" and elevating "energy scarcity as a driving factor in geopolitics."

Needless to say, there is no similar preoccupation with energy scarcity in the latest report, which describes the North American oil and gas boom as a "tectonic shift" that will result in "energy independence" for the United States within 10 to 20 years. Regrettably, there is also no acknowledgment that this forecast constitutes another 180-degree reversal.

Shortly before the release of *Global Trends 2030*, two prominent political scientists, Michael C. Horowitz and Philip E. Tetlock, offered their own assessment of its predecessors' utility. They wrote, "The reports almost inevitably fall into the trap of treating the conventional wisdom of the present as the blueprint for the future 15 to 20 years down the road." The contents of the *2030* report vindicate this expectation.

A final question to ask is whether *Global Trends 2030* will influence its most important audience, the president of the United States. It may be a hard sell. As the president said in his 2012 State of the Union address, "anyone who tells you that America is in decline or that our influence has waned doesn't know what they're talking about."

There is untapped potential, however, in the process of deliberation that provides input to the *Global Trends* series of publications. Few government bodies have established this kind of open and substantive dialogue with a global body of experts. Perhaps if the NIC made a more determined effort to identify lessons learned from past exercises, and struck a less omniscient pose, future reports would exert greater influence on the White House and across the government. ♦

# Small Ball

*Why our fiscal debates amount to nothing*

**By Yuval Levin**

For fiscal hawks of all political stripes, the last two years have been awfully frustrating. Budget politics has been front and center almost constantly, yet we have made almost no progress toward reducing our deficits and debt.

Ever since Republicans won control of the House of Representatives in the 2010 elections, they have sought to resist and reverse the flood of spending that had characterized President Obama's first two years in office and to lay out an ambitious long-term path toward solvency. And because entitlement spending is at the heart of the trouble, they have even defied decades of conventional political wisdom by embracing structural reforms of Medicare and Medicaid. Democrats, meanwhile, have been arguing for higher taxes, at least for the wealthy, to help narrow the budget gap.

The divided Congress, and especially the willfully negligent Senate (which has not passed a budget since 2009), has meant that the resulting fiscal debate has not occurred through the normal legislative process but rather through a series of dramatic showdowns forced by a variety of predetermined deadlines. The failure to enact regular budgets has created the need for temporary continuing resolutions, forcing some spending conversations under the threat of a government shutdown. The near-breaching of the statutory debt ceiling in 2011 required congressional action to enable further borrowing, which Republicans turned into an occasion for budget negotiations. The congressional "supercommittee" created in those negotiations to reduce the deficit kept the fiscal debate alive through 2011 but then failed to reach agreement and raised the specter of automatic cuts in domestic and defense spending. And that specter, combined with the simultaneous expiration of the Bush tax rates, then made for the most dramatic showdown yet—the "fiscal cliff" that threatened to raise everyone's taxes, and which Congress averted with a New Year's deal to raise income tax rates only on the wealthy (and payroll tax rates on all workers) and to put off the automatic spending cuts until March, when they would coincide with yet another debt-ceiling debate.

Each of these showdowns has involved frenzied last-minute negotiations to avert some supposed catastrophe, each has seemed to be on the verge of failure until just before the deadline, and each has then concluded with an agreement to somehow reduce the deficit. But each of those agreements has been disappointing in roughly the same way: After beginning with talk of a "grand bargain" to simultaneously and substantially reduce spending and increase revenue in ways that would significantly improve the long-term budget picture, it has ended with some very small agreement to move the needle very slightly in the short term.

According to the Congressional Budget Office, the debt-ceiling agreement in 2011 reduced total projected federal spending over the subsequent decade from $43.6 trillion to $42.6 trillion (or 2.3 percent) and the fiscal cliff agreement this month increased total projected federal revenue over the decade from $36.5 trillion to $37.1 trillion (or 1.6 percent). Every little bit counts, to be sure, but this is a very little bit. CBO's longer-term projections, which see deficits and debt exploding over the coming few decades, have basically not been changed by these agreements, above all because our entitlement system has been left nearly untouched by two years of budget politics.

This dearth of meaningful progress frustrates the champions of a grand bargain because the outlines of such a bargain seem so obvious. The Democrats want to raise revenue and the Republicans want to reform entitlements. Those goals would seem to be easily reconciled—so why not strike a deal that does a lot of both at once? There is nothing about higher taxes that should stand in the way of entitlement reforms, and vice versa. Why can't each party get what it wants in return for the other getting the same? Isn't that what deal-making is all about?

The failure to strike this perfectly evident bargain has left many commentators and budget wonks despairing of our political system. Surely nothing but sheer irrationality—whether it is to be found in the design of our constitutional mechanisms or in the individuals elected to populate them—could explain the self-destructive unwillingness to meet in the middle and avert a disastrous debt crisis.

But this disparaging view is unfair to both parties. In fact, there is a deeper disagreement at the heart of

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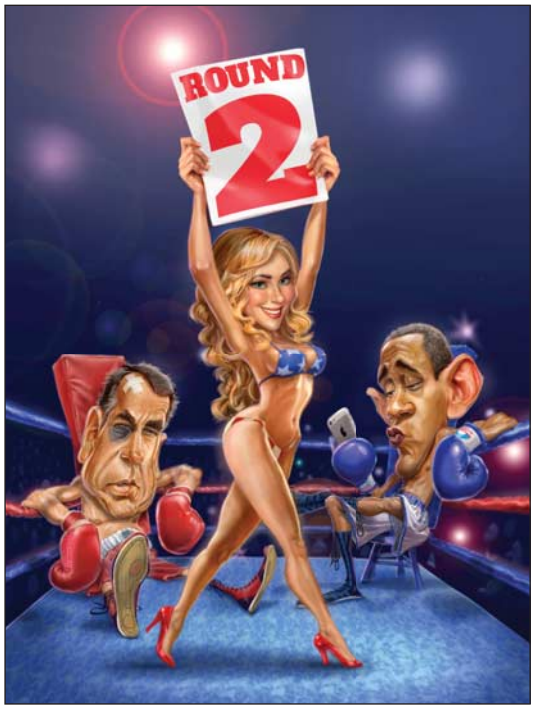
our fiscal debate. It is true that Republicans want lower spending (especially on entitlements) while Democrats want higher taxes (especially on wealthy people). But why is this what each party wants? In each case, the reason has to do with a vision of government, and of American life. The partisans standing in the way of a grand bargain are, at least implicitly, better attuned to the implications of the coming fiscal crunch than the centrist critics who just want to split the difference.

Our fiscal dilemma is, to oversimplify a little, an entitlement-spending problem. The network of programs and benefits created by the Great Society, but above all (by far) the Medicare and Medicaid programs, are growing much more quickly than the economy and federal revenue, and so are becoming unsustainable. They have already sent our debt up to levels seen only in the immediate wake of World War II, and in the coming years will send it far higher than it has ever reached in our history—limiting the potential prosperity of the next generation and running the risk of a sudden and disastrous crisis.




Staying on this course is not an option, and two sorts of approaches away from it have emerged in our politics. One would preserve the structure of our entitlement programs more or less as it is and continually expand the government's scope and revenue base to sustain them, and the other would preserve the government's role and size more or less as it is (relative to the economy) but reform our entitlement programs to conform to those dimensions.

It is crucial to see that both of these approaches are basically defensive in nature: The left is trying to avoid a fundamental transformation of the structure of our entitlement programs, since liberals believe the structure of those programs is key to their legitimacy and purpose, and so key to sustaining a just society. The right is trying to avoid a fundamental transformation of the relationship of government and society in American life, since conservatives believe the structure of that relationship is essential to American freedom and prosperity. The left would rather see American life altered (with a significantly larger government, a smaller and less active civil society, and a more consolidated but less dynamic economy) than see our welfare-state institutions reformed. The right would rather see our entitlement system altered (with lumbering universal entitlement programs turned into means-tested and market-based safety-net systems for the elderly and the poor) than see the character of our society transformed.

Of course, neither side simply dismisses the other's concerns. Conservatives think their reformed government would raise more revenue than today's because it would enable the economy to grow more robustly. Liberals think their reinforced welfare state would cost less than today's projections suggest because it would be better consolidated and so more effectively managed. But in these ways, too, their basic aims and their basic ideas about American society, government, and economics are at odds.

Thus, Democrats want more revenue so that the entitlement system doesn't have to be reformed, while Republicans want to reform the entitlement system so that the government doesn't have to take up more of the economy. This means that doing a good deal of each at the same time would not give both parties what they want—it would give both parties what they are trying to avoid.

A grand bargain with far higher taxes in return for a thoroughly transformed entitlement system would give each party the means it is after but at the cost of the end it is after. That would be a foolish bargain for both of them. They would rather do nothing, and so in fact they have done nearly nothing—reaching agreements to put off deadlines and avert self-inflicted pain but otherwise not changing the basic fiscal circumstances much. These tiny steps are worth taking, but they do not address the underlying problem. Since our deficits and debt grow larger in the meantime, there will always need to be another deadline set, and another crisis scheduled, but it is hard to see why those should turn out much differently, at least as long as either party has the electoral power to stop the other.

At some point, in other words, the fiscal question dividing the parties will be decided by voters. It will likely not happen in some dramatic fashion with one decisive election fought over the future of America, but in the normal and gradual course of our politics. It may even

GARY LOCKE

happen by accident—after an election fought mostly on other issues that gives one party or another enough control of the elected branches to advance its fiscal reforms. Until then, both parties will likely continue their defensive efforts, and seek whatever modest incremental steps are possible in an era of divided government.

For Republicans, the challenge in the next four years (at least) will be to distinguish such constructive steps toward entitlement reform from blunt and counterproductive cuts that only weaken their hand in the long run. The right has actually been remarkably forthright about its policy goals—laying out, in the budget resolutions passed by the House of Representatives in 2011 and 2012, a set of ambitious reforms that point to a vision of government beyond the liberal welfare state. Although liberals have sought to depict it as radical, that vision entails a federal government of roughly its postwar size and functions, an economy growing at roughly its postwar pace, and an energetic and flourishing civil society. That is the America we have known, but keeping it will require bold reforms of government programs that capitalize on the efficiency of the market economy.

That vision, however, has taken the form of a post-Obama agenda for congressional Republicans. Many of them took the results of the 2010 congressional elections to suggest that the public had recoiled from the president's ambitions, and so that his time in office was nearing an end. They spent the last two years getting ready for what would follow. But the president was reelected, and essentially none of the ambitious proposals of the Ryan budget can be adopted as they stand while Obama is in office. This has left Republicans in recent months in the peculiar position of being unable to list their demands in budget talks. Even as they are attacked for threatening entitlement benefits, they cannot name the incremental entitlement reforms they would like.

Their task now is to use the broader vision laid out in the Ryan budget as a standard by which to distinguish good from bad incremental steps, and so to propose discrete, politically plausible reforms that not only reduce spending but lay the groundwork for the sorts of larger reforms they believe are needed in the long run. Many potential spending cuts—including many entitlement cuts, like the provider cuts in Medicare favored by some Democrats—would not meet this test, and should not be pursued. Those that do meet it would need to involve changes in the character of the entitlement system—making it more means-tested, more consumer-oriented, and more market-based. Some would do so modestly enough to be acceptable to some Democrats, and so to play a role in the coming fiscal struggles. Republicans have not yet developed their menu of such steps. This needs to be done swiftly, and its results must be presented to the public in the context of preserving the key functions of the entitlement programs while preserving American prosperity and freedom.

The Democrats' challenge is more serious, and has been made more stark in the wake of the fiscal cliff deal. They are truly in a reactionary mode, defending the existing entitlement system in essentially every detail and seeking ways to fund it. But the trajectory of our fiscal troubles suggests this may simply not be achievable. Over the last 40 years, federal spending (excluding interest payments) has averaged roughly 18.8 percent of GDP. The CBO projects that, on our current path, it will average roughly 24.2 percent over the next 40 years. The enormous increase in revenue required to support such an expansion is orders of magnitude greater than anything the Democrats have ever suggested to the public. Having just obtained, with great effort and controversy, the tax increase on the wealthy that has been nearly the entirety of their fiscal agenda for years, can they really go back and tell voters that they actually need to increase revenue by about 15 times as much merely to close the coming decade's deficit and that keeping our debt in check after that will require taxes to grow more and more every year?

Unable even to hint to voters what their vision of American government would require, the Democrats are unlikely to achieve it. And they cannot view incremental steps as building toward an opportunity to enact major future reforms, since their tax agenda likely cannot be made palatable in anything but tiny portions. They can never offer their fiscal vision in a liberal equivalent of a Ryan budget proposal. All they can expect are little increments that add up to little, which will make it difficult not only to add onto the edifice of the liberal welfare state but even to sustain it.

The left has not even begun to contend with this problem intellectually, let alone politically. And the right has barely launched the effort to translate its agenda into bite-sized pieces suitable for budget talks in the Obama years. Both have much work to do, but neither is likely to see a genuinely grand bargain as a plausible way to advance its priorities at this point.

That is not a failure of nerve, or a mark of the dysfunction of our political system. It is yet another odious consequence of the ill-conceived structure of the liberal welfare state, and of the fiscal calamity with which it now presents us—and it is a fact of our politics that will shape the remainder of President Obama's years in office. Those years may well see legislative achievements on an assortment of issues, from immigration to patent law to education. But on the critical fiscal problems confronting the country, they are likely to see mostly dramatic, deadline-driven showdowns that result in much consternation but very little progress. ♦

# Compassionate Conservatism

## *Properly understood*

**By Gertrude Himmelfarb**

Defeat, like death, concentrates the mind wonderfully. It also liberates the mind. People venture to think the unthinkable, or at least, the impermissible. A new generation of conservatives may be moved to reconsider some ideas that have fallen into disuse or even disrepute. Compassion is one such idea.

Shortly after the election, Paul Ryan, addressing the Kemp Foundation, took the measure of the situation in which conservatives now find themselves. In the course of his remarks, he uttered the word "compassion" or "compassionate" five times, by my count—in a favorable sense. This is all the more striking because American conservatives have not always been comfortable with that word, regarding it as a vapid sentimentalism that has no place in politics, let alone economics. President Bush's adoption, in his first term, of a policy of "compassionate conservatism" confirmed them in that suspicion, for that policy soon degenerated into what conservatives themselves derided as a "politics of compassion," which consisted of yet another round of programs conceived and financed by the government and farmed out to "faith-based" (a euphemism for "religious") institutions. This was all too reminiscent of the "great society" (again, "society" a euphemism for "state") inaugurated by President Johnson, which set in motion the vast expansion of the welfare state. (That term too has fallen into disuse, the present entitlements going well beyond the "welfare" designed for the relief of the poor.)

*A Salvation Army shelter for the homeless in London, circa 1900*

HULTON ARCHIVE / GETTY IMAGES

Ryan did not mention the term "compassionate conservatism," for good reason. Anticipating the objection that might be made to the idea of compassion, he reminds us that we should measure compassion not by how much we spend but by how many people we help, and certainly not by how much government spends or how many programs it creates. Moreover, his own endorsement of it is reassuring. It is precisely because of his impeccable conservative credentials that we may dare revive the word, and with it a new conservatism, a remoralized conservatism, one might say. Conservatives have always maintained that conservative ideas—of government, the economy, society, the family—are based on sound moral principles. But the case has been made almost as an afterthought. Ryan proposes to bring it to the forefront. "We have a compassionate vision based on ideas that work," Ryan tells us. "But sometimes we don't do a good job of laying out that vision." Compassion—the word and the idea—may help give shape and substance to that vision.

It may also be helpful to put that word and idea in historical perspective, to recall its lineage and something of its history—most pertinently in modern times. "To compassionate, i.e., to join with in passion," the Earl of Shaftesbury wrote early in the 18th century, ". . . to commiserate, i.e., to

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join with in misery. . . . This in one order of life is right and good; nothing more harmonious; and to be without this, or not to feel this, is unnatural, horrid, immane [inhuman].” Half a century later Adam Smith, in *The Theory of Moral Sentiments*, distinguished between sympathy and compassion, sympathy being the “fellow-feeling” of all men for each other, compassion the “fellow-feeling” for the “sorrow” of others. “Sympathy” and “compassion,” “moral sense” and “moral sentiments,” “social affections” and “social virtues”—these are the terms that dominated social and philosophical discourse and gave a unique character to the British Enlightenment.

This is also the moral philosophy that distinguishes Smith’s political economy from the prevailing mercantilist doctrine. *The Wealth of Nations* moralizes the economy even as it liberalizes and liberates it from the government and the state. So, too, the people are moralized. The working classes, including the very poor, are said to share a common human nature with their employers and social superiors. They are driven by the same instinct, “the propensity to truck, barter, and exchange”; they have the same motive, to “better themselves”; and they enjoy the same benefits of a thriving economy, a “universal opulence which extends itself to the lowest ranks of the people.” Indeed, the difference between “a philosopher and a common street porter,” Smith declares, comes “not so much from nature, as from habit, custom, and education.”

The rhetoric of *The Wealth of Nations* is even more overtly moral. Smith was a professor of moral philosophy before he became a political economist, so that the rhetoric of morality came naturally to him. Conservatives of a libertarian bent are discomfited by his frequent denunciations —not in *The Theory of Moral Sentiments*, where one might expect them, but in *The Wealth of Nations*—of merchants and manufacturers who espouse “the vile maxim, ‘all for themselves, and nothing for other people,’” and who are prone to “impertinent jealousy,” “mean rapacity,” “malignant expedients,” “sneaking arts,” “interesting sophistry,” and “interested falsehood.”

The compassion that Smith found in human nature exhibited itself not only in individual acts of charity but in a proliferation of “societies” (Tocqueville was to call them “associations”) to alleviate every kind of affliction and misfortune. Contemplating those societies —for abandoned infants, abused children, fallen women, maimed seamen, the deaf, dumb, blind, crippled, and insane —the reformer Hannah More characterized her period (not

entirely in praise) as the "Age of Benevolence." The early Victorians, inspired by the Evangelicals, added the slave trade and child labor to that list. Later still, Josephine Butler, championing the cause of prostitutes, described "the awful abundance of compassion which makes me fierce." Beatrice Webb summed up the "time-spirit" of these late-Victorians as the "Religion of Humanity"—a term coined by the Positivists, for whom humanitarianism (or "fellow-feeling," as Smith would have said) was a surrogate for religion itself. This new religion, she explained, for Positivists and reformers like herself, had a double aspect, uniting religion and science in the service of humanity.

It was in this spirit that yet another society, the Charity Organisation Society, was formed in 1869. Its purpose was to rationalize ("scientize," so to speak) the "abundance of compassion" exhibited in the philanthropic societies—700 in London alone. In three years there were three dozen district committees, and by the end of the decade the COS was the premier charitable organization in London and a model for others in England and America. Charles Loch, its longtime secretary, commented on the apparent paradox in the title, "charity" being "free, fervent, impulsive," and "organization" implying "order, method, . . . self-restraint." The COS sought to make charity more effective by eliminating duplication and encouraging new methods for the identification and supervision of the recipients of charity. Like the other societies, it was a private enterprise, founded, funded, directed, and staffed without any government contribution or involvement (without even the tax-code incentive that modern philanthropies enjoy). And like them, it was intended to help individuals and families to help themselves. "Charity," Loch declared, "is a social regenerator. We have to use Charity to create the power of self-help."

*A Salvation Army procession in the East End of London, circa 1895*

HULTON ARCHIVE / GETTY IMAGES

The "self" in "self-help" applied as much to the family as to the individual. It was for the sake of the family that other philanthropists addressed themselves to the problem of housing. Bad housing, they claimed, was even more detrimental to the poor than unemployment, because the home was the heart and hearth of the family, and the family was crucial to the development of character. Earlier in the century another Lord Shaftesbury founded the Society for Improving the Condition of the Labouring Classes, which had as one of its main functions the building and renovating of houses for the poor. Other societies followed suit, constructing "model dwellings" where tenants were required to pay a modest rent. Octavia Hill, one of the founding members of the COS, took this as her main cause, buying houses which she renovated and managed, with a staff of "rent-collectors" cum social workers. Like a latter-day psychoanalyst justifying the hourly fee as a token of the patient's earnestness, she regarded the prompt payment of rent as an earnest of the tenant's good faith and good conduct. Notably hardheaded in this respect, she was also sensitive to the spiritual and aesthetic needs of her tenants. Criticizing the municipally built model dwellings for not being sufficiently "model," she paid as much attention to the landscaping as to the interiors of her houses. "The poor of London," she reminded reformers, "need joy and beauty in their lives."

Another notable institution, the Salvation Army, founded by the Methodist "Christian Mission," was an amalgam not of religion and science, but of the equally improbable combination of religion and the military. It declared itself an "army" complete with "corps" (local societies), "forts" (shelters), "soldiers" (members), and "officers" (missionaries). On the theory that spiritual salvation required a prior moral reformation, and that in turn a material reformation, it provided the poor not only with such uplifting activities as revivalist meetings, singings, and entertainment, but also material comforts—shelters for the homeless, homes for "fallen women," prison-gate "brigades" to help released convicts, and food depots for the needy. By the end of the century, it took on a still more ambitious project, the founding of "colonies"—city, farm, and overseas colonies—each to be a "self-helping and self-sustaining" community.

Toynbee Hall catered to a different constituency, not the very poor or indigent but the working classes as a whole. It is perhaps not coincidental that Toynbee Hall, the first settlement house in London, was established at the same time as the passage of the Reform Act of 1884, enfranchising most of the working classes. Toynbee Hall (named in honor of Arnold Toynbee, the economic historian and uncle

of the more famous historian) was meant to bridge the gap between the "two nations" by uniting them in a common "citizenship"—a moral as well as political citizenship. The rich would fulfill their civic responsibilities by instructing and catering to the poor, and the poor by acquiring that education and culture which enabled them to be active and worthy citizens. The settlement houses, in working-class neighborhoods, were residences not for the poor but for those who ministered to them, university graduates mainly from Oxford who paid for their lodging and food, and lived there for several months or even years. Neighboring workers would meet there for classes, lectures, discussions, concerts, exhibits, or whatever else might be edifying and elevating, in an atmosphere that was itself edifying and elevating. (Toynbee Hall was deliberately constructed to resemble an Oxford college.) By the end of the century there were 30 such houses, over half in London.

These were only the more conspicuous manifestations of the "abundance of compassion" testified to by Josephine Butler and the scores of philanthropists who dedicated their entire lives to charitable enterprises of one sort or another. These were not people of great fortune. Octavia Hill had to borrow money from her good friend John Ruskin for the purchase of her first three houses, and the college graduates in Toynbee Hall paid for the privilege of serving the community. In this respect late-Victorian England was the very model of a civil society. The societies and institutions were privately organized and funded, focused on specific causes, and supervised to make sure that the efforts produced the desired results. They all relied, for their moral as well as financial support, upon the other resources of civil society —individuals, families, friends, and religious missions of all denominations. And they all shared a common ethos. As help was given voluntarily, as a charity, not a tax, so it was received voluntarily, as a gift, not an entitlement.

That ethos, and the civil society that sustained it, began to be challenged early in the following century by the enactment of two critical pieces of legislation, old age and unemployment insurance. It is ironic to find Beatrice Webb, now better known as a founder of English socialism, opposing those acts because they gave people money allowances unconditionally, without any return in the form of better conduct or attempt to seek or retain work. It is even more ironic to find Winston Churchill, then a Liberal, defending them on the grounds that social policy should not be grounded in moral criteria. "I do not like," he explained, "mixing up moralities with mathematics." Three decades later, the Beveridge Report of 1942 heralded the welfare state as the next "British revolution." That revolution was carried out after the war with a series of acts, including the National Health Service, which transferred many of the duties and responsibilities of civil society to the welfare state.

Half a century later, when the welfare state had itself been transformed into something like an entitlement state, the Conservative David Cameron, seeking election, adopted President Bush's motto of "compassionate conservatism." Reaffirming that principle, he recently declared: "It's not enough to know our ideas are right. We've got to explain why they are compassionate too." Unfortunately, the British version of compassionate conservatism, intended to strengthen civil society by making it the instrument for the public expression of compassion, has the opposite effect. The programs that go under that label are more often initiated ("encouraged," as is said), supervised, and even partly subsidized by the government.

In this country, a new generation of conservatives, confronting similar problems, may well look to some old sages for inspiration—to Adam Smith, most notably, not only for his economic principles but also for the moral vision that informed them. One might even quote Smith against Churchill, reminding him that social policies (and economic policies as well) are necessarily, for good or bad, grounded in moral criteria. (On the other hand, a conservative might well agree with Churchill that those early measures of social legislation, and some later ones as well, were both warranted and effective.) One can also look to American history for the assurance that civil society is not an abstract or ideal concept but very much a reality, a vehicle for reform as well as for the preservation of tradition (the "status quo," as is said invidiously).

Above all, what conservatives can do, and what Ryan and others are now trying to do, is to recapture compassion from the liberals, de-sentimentalizing while reaffirming it. Properly understood (as Tocqueville would say), compassion is a preeminently conservative virtue. It dignifies the individual (the donor of charity as well as the recipient); it thrives in a free and sound economy where the individual can "better himself"; it nurtures a spirit of independence rather than fostering the dependency that is too often the result of misguided entitlements; and it finds expression and fulfillment in civil society more often than in government. This is not to deny the validity or utility of safety nets and entitlements in principle, only to define and limit them in practice. Nor is it to deny any role to government, only, again, to define that role more precisely and to limit it more severely.

Leo Strauss once wrote, in quite another context: "A conservative, I take it, is a man who despises vulgarity; but the argument which is concerned exclusively with calculations of success, and is based on blindness to the nobility of the effort is vulgar." If only on that ground—"the nobility of the effort"—compassion should endear itself to the conservative. ♦

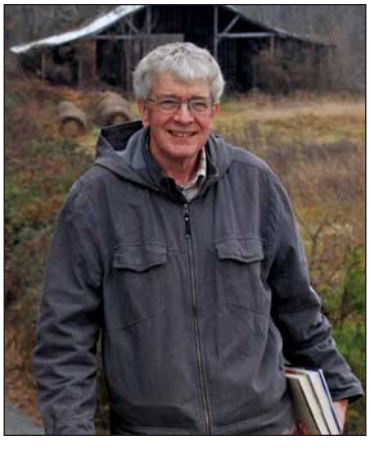
# Pop Goes the Culture

*One man's quest to preserve and defend the good, the true, and the beautiful*

**By Andrew Ferguson**

Ken Myers grew up in a conservative Christian household in Beltsville, Maryland, during the 1960s. When he was in tenth grade, two important things happened to him.

His high school music teacher introduced him to the music of Bach, taking eight months to teach Myers and the rest of the boys' choir how to sing the motet *Jesu, meine Freunde*. And he fell upon a copy of the *Saturday Review*.



*Ken Myers*

*Saturday Review* is pretty much forgotten today. (A number of people still remember Bach.) The magazine began in the 1920s and flourished in the postwar years. Its writers ranged widely over the arts, from music and literature to painting and drama, cultivating a readership of strivers—professional and college educated, if not brainy by nature—who were eager for self-improvement and a kind of intellectual diversion that was sophisticated and accessible. The magazine was edited by a windy polymath named Norman Cousins, a model of the kind of well-meaning and high-minded public intellectual they don't seem to make anymore.

"Everyone else in high school was discovering recreational drugs," Myers told me not long ago. "I was discovering Norman Cousins."

He has no regrets, apparently. Those two early revelations—Bach and Norman Cousins—go a long way toward explaining Myers's life work: the *Mars Hill Audio Journal*, which he writes, edits, and records at his home and studio in rural Virginia. The *Journal* celebrates its twentieth birthday this year. It's become indispensable to an audience of the kind that Cousins sought and encouraged and that often goes ignored nowadays. The *Journal* isn't identical to *Saturday Review*, of course. It arrives every two months, not every week, and it arrives not on paper but on a pair of handsomely packaged CDs—nearly two hours of essays and interviews to be listened to at leisure. (MP3 downloads are available too.) Another difference is that Myers is an orthodox Christian, and it shows.

The *Journal* demonstrates how closely the interests and worries of a conservative Christian intellectual overlap those of any curious traditionalist or cultural conservative, believing or non-. Myers's own curiosity is inexhaustible. On the website's topic index—choosing a letter at random—you'll find under "M" segments on Mondrian (Piet) and Moore (Michael), memory and money, Mendelssohn and Marsalis, masculinity and materialism. I popped in Issue 102 the other day and heard Myers's pleasant tenor saying, by way of preface: "Is creation meaningful, and if it is, is its meaning perceptible?" This rousing intro opened a series of ruminations and interviews with a variety of scholars and writers. A brief explanation of the split between nominalism and realism in the Middle Ages led to a discussion of Jacques Maritain's relationship with avant garde painters and musicians in 1920s Paris, then moved through the Fibonacci sequence and the mathematical value of Bach fugues as examples of inherent order, topped off with a tribute to the paintings of Makoto Fujimura by the philosopher Thomas Hibbs. The pace is unhurried, the discussions pretty easily comprehensible. Imagine NPR if NPR were as intelligent as NPR programmers think it is.

Or better: Imagine NPR as it once was, from its founding in the early seventies into the early eighties, when the fateful decision was made to transform an eclectic and discursive ragbag of cultural programming into the fabulously wealthy, grimly professional all-news-almost-all-the-time media colossus we know today. Myers worked at NPR off and on for nearly a decade, spending several years as arts editor for *Morning Edition* before layoffs from the new regime gutted arts coverage in 1983.

In its original conception, Myers reminded me, "NPR really was an institution devoted to preserving cultural

MALCOLM HUGHES

*Andrew Ferguson is a senior editor at* The Weekly Standard.

treasures. By the time I left, that vision had vanished, a victim of multiculturalism, postculturalism, autoculturalism, and other fancies." Myers fondly recalls bygone NPR series like "A Sense of Place: Sound Portraits of Twentieth Century Humanists"—a dozen documentaries on longhairs like James Joyce, Igor Stravinsky, and W.E.B. Du Bois.

"'A Sense of Place' would be unimaginable at NPR today," Myers says. Today at NPR, as elsewhere, *culture* means pop culture. With occasional gestures toward jazz, NPR music is the rock music of aging children; the visual arts begin and end with movies and TV, though stage plays will sometimes rouse attention if their themes are sufficiently progressive. This falling off isn't the fault of the programmers alone, needless to say. In its decline NPR has tumbled in tandem with the tastes of its target audience—affluent white people with meaningless college degrees who weren't educated into an appreciation for richer music and art and who, accordingly, find the whole cultural-patrimony thing intimidating, hence vaguely off-putting, and finally a snooze.

**One of Myers's recurring themes is the ways in which the dumbing down of the general culture has infected American Christianity and conservatism.**

One of Myers's recurring themes is the ways in which the dumbing down of the general culture has infected American Christianity and conservatism. These are two spheres where we might expect the work of "preserving cultural treasures" to be taken up. Yet wander into a Mass or worship service in any suburban Catholic or Protestant church and you'll hear "praise songs" that might have been lifted from *Sesame Street* or, if the service is High Church, the soundtrack of *Phantom of the Opera*. It's hard to believe this is the same religion that inspired Bach and Palestrina, whose choral works are no more familiar to the average pastor or parishioner than the chants at a Kikuyu circumcision ceremony. The liturgy, what's left of it, is either pedestrian or absurd. (The Shepherd who used to maketh you to lie down in green pastures will now, if you're a Catholic, "in verdant pastures give you repose.") Among clergy no less than the laity, a desire for beauty and reflection is deemed prissy and dull.

"I've always thought that beautiful art was a great apologetic resource," Myers says. Beauty is the chief attribute of God, said Jonathan (not Bob) Edwards. "Beauty points to a Creator." Yet the church, Myers says, "capitulates more and more to the culture of entertainment."

"It's a way of keeping market share. But they're digging their own grave. There's a short-term benefit, but in the long term the kinds of cultural resources they need to be faithful to the Gospel won't be there."

Things haven't been much better in the conservative movement, to the extent that it still exists. The idea that conservatives should have a special interest in high culture—the best that has been thought and said, sung and played, carved and drawn—has been selectively applied. In speeches and in the *Journal* Myers has often raised the question of why political conservatives, who defended the literary canon, the Great Books, with such energy in the eighties and nineties, went limp when it came to defending other traditional forms of cultural expression.

A watershed may have been reached when Rush Limbaugh, who would replace William Buckley as conservatism's chief publicist in the early '90s, chose as his show's theme music a Top 40 track by the Pretenders—a self-conscious contrast, Limbaugh has said, to the baroque trumpet concerto that opened Buckley's TV show *Firing Line*. Buckley's fanfare had signaled that he aspired to something lively but elevated, slightly at an angle to the surrounding popular culture. The Pretenders' guitar riff was meant to signal that Limbaugh's conservatism would have none of that stuffy stuff: He was fully at home with what had become of American culture and wasn't terribly curious about what had come before.

The indifference among conservatives toward beauty and order—toward artistic aspiration itself—shows how deeply they have imbibed the relativism and subjectivism of the culture in which they live and move and have their being. Myers likes to use the term "emotivism," taken from the philosopher Alasdair MacIntyre. *Emotivism* is a handy tag for the secular dogma that all judgments of value are merely expressions of private emotion and taste, telling us nothing about the world as it is and not defensible on objective grounds. Along with everyone else, conservatives and Christians are uncomfortable with a hierarchy of aesthetic judgments. They have come to believe that beauty really is in the eye of the beholder; it's not a quality inherent in things themselves but a matter of opinion. Bach . . . Chrissie Hynde . . . who's to say who's lovelier?

The intellectual genealogy of this view and the implications it holds for the truths that right-wingers are said to prize are a special obsession of Myers and the *Journal*. It took him awhile to find the proper vehicle with which to press his case.

His first ambition, after he left NPR, was to start a magazine. Myers loves magazines. I put the point mildly. When he walked me through his large office-studio not long ago, I saw that every spare foot of wall space in nearly every room was lined with back issues of the *New York Review of*

*Books*, the *New Republic*, the *American Spectator*, the *Atlantic*, *Harper's*, and *Commentary* and the London *Spectator* and even—I shyly lowered my gaze—The Weekly Standard, dating back to this magazine's founding. Every issue of every magazine is neatly labeled and catalogued. When he refers in conversation to an article he read, say, 20 years ago in the *Wilson Quarterly*—this happens often—he is likely to duck into the next room and produce the thing itself.

Steeped in journalism of this sort, Myers didn't see why an orthodox religious believer couldn't edit an intellectually wide-ranging magazine and attract a similarly minded readership.

"I had Christian friends on Capitol Hill," he says, "and when they came home from work in the evening, they'd watch *MacNeil/Lehrer*," the earlier incarnation of today's hyphenless *NewsHour*. "It would never occur to them to get their news from *The 700 Club*. They would read the *Atlantic*, never one of the Christian magazines. I thought, why does the secular culture have *Harper's* and the *Wilson Quarterly* and *MacNeil/Lehrer*, and all that Christians have are these kinds of pop-entertainment, jokey, show-biz cultural outlets?"

*A recent edition of the* Mars Hill Audio Journal

In the mid-eighties he was offered the editorship of an evangelical magazine with the hard-to-live-up-to title *Eternity*. He brought out issues dedicated to primitivism in American art, Tocqueville's understanding of religious freedom, androgyny in popular culture . . . and was fired by the board of directors within a year.

"It's not that they thought what we were doing was evil," he says. "Just frivolous. There wasn't any preaching in it. What use was it?

"Here is where the religious right and the secular left are in complete agreement: They both think God doesn't care about culture." The secularists believe this because God doesn't exist; the religious conservatives believe it because God is beyond such questions. Which is why religious culture nowadays bears such a close resemblance to the larger culture, where most talk of religion is considered in bad taste.

"Richard Weaver had this phrase, 'our metaphysical dreams of the world.' He meant the way we understand reality and our place in it. I think most practicing Christians have a metaphysical dream of the world that has more in common with their secular neighbors than it has with Augustine or Aquinas or Calvin or Edwards."

After *Eternity* (so to speak) and a few years of freelancing, Myers hit on the idea of an audio magazine—partly for economic reasons (it costs less to record an article than to print one) and partly because sound is what he knows, from his training at the old NPR.

He has two full-time staff and a modest budget supplied by a grateful base of listeners, who respond with donations to his own direct-mail version of a pledge drive, though unlike public broadcasting he never uses aging and adipose doo-wop groups as donor bait. How he puts together an intellectual product of such variety and sophistication on such a schedule seems slightly mysterious to his loyal subscribers, including me; how he's made a living at it is an even greater puzzle.

"We've never really had a strategic marketing plan for circulation," he says. "It's mostly word of mouth." From what he can tell, most of his audience work in the professions. A typical subscriber, he says, "is somebody who says, 'I wish I'd taken more arts and humanities in college.' So a lot of what we do is remedial for them."

He has big plans for the next few years, with a particular attention to music. He's planning a series of podcasts on the standard classical repertoire—one piece per podcast—and another on sacred choral music, which he's pursuing with a special ardor.

"I hear interviews with the singers and conductors who perform these works, and so many of them say they don't really believe what they're singing," he says. "And meanwhile, the people who do believe it don't know anything about it!" He has a wounded look. "It's just a horrible, horrible thing."

Journalism, and spoken-word journalism especially, may be a wobbly vehicle for Myers's work of cultural restoration. And while it's been enriched in the last few years by *Touchstone* and *Books and Culture* and a few other publications, the field is still wide open. Most of the middle-brow secular magazines that Myers consumed in mass quantities as a young reader have gone the way of public broadcasting, letting the obsession with pop culture crowd out any cultural expressions that are more demanding and rewarding than *Bruuuuuce* and the thumping oeuvre of Easy Mo Bee.

It's strangely inspiring—and heartening American—that some of the task of "preserving cultural treasures" has fallen on a former NPR programmer in rural Virginia who fills his leisure time pondering old issues of the *Wilson Quarterly.* But then Ken Myers isn't the only one who works in mysterious ways. ♦

The 'grand design' spiral galaxy, M81

# Starting from Scratch

## *An infinite number of theories of existence.* BY LAWRENCE KLEPP

In Evelyn Waugh's *Decline and Fall*, there's a wistful character named Prendergast, who had been a contented rural curate until he was suddenly beset by "Doubts"—not about God's existence, but: "I couldn't understand why God had made the world at all." His bishop tries to reassure him, saying that "he didn't think the point really arose as far as my practical duties as a parish priest were concerned." But Prendergast resigns his living and ends up teaching at a dismal school in Wales.

Jim Holt, a writer who hangs out at the intersection of science and philosophy, is vexed by similar doubts.

*Lawrence Klepp is a writer in New York.*

**Why Does the World Exist?**
*An Existential Detective Story*
by Jim Holt
Liveright, 320 pp., $27.95

Why is there Something rather than Nothing, which would have been so much simpler? What is the universe doing here? Who invited it? Exactly how did it get here, and why, in this somewhat disheveled condition? But Holt, instead of resigning his living, just writes a book, and it's far from dismal, despite circling warily around that perennial existentialist fixation, Nothingness, *das Nichts*, *le néant*. For Angst and Dread, he substitutes curiosity and a light touch.

Martin Amis, when asked in an interview how he thought the universe might have come about, said that "we're at least five Einsteins away from answering that question." It occurs to Holt that tracking down and interrogating a few contemporary quasi-Einsteins on the question might at least be "an excellent quest." And so it is—even if the journey ultimately goes, by a circuitous route featuring many breathtaking views of the abyss, nowhere. The point of quests, after all, is not to find the eternally elusive thing you're looking for, but to have interesting adventures along the way.

So this book consists of interesting, intellectually adventurous conversations with eminent scientists and philosophers (and one novelist, the late

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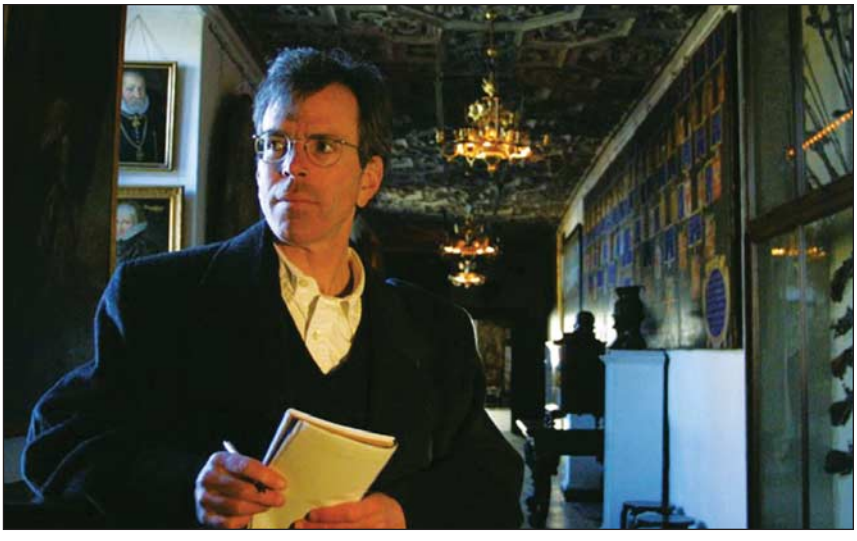
John Updike), touching on the Big Bang theory, quantum fluctuations, infinity, entropy, the ontological status of scientific laws and mathematical entities, the nature of time, the possibility of a multiverse (a vast array of discrete, mutually inaccessible universes) or an infinite cycle of expanding and collapsing universes, and so on. He includes frequent allusions to the views of other philosophers he wasn't able to interview, such as Plato, Leibniz, Wittgenstein, Heidegger, Gödel, Sartre, and Woody Allen (who gets the last word, just after Schopenhauer, in a survey of pessimistic refutations of cosmic optimism).

The discussions can be densely technical and hairsplitting, but Holt is an unpretentious and urbane writer, and he regularly brings the reader back down to earth to describe what, between conversational exertions, he had to eat and drink at an Oxford pub or a London club or at Sartre's old hangout, the Café de Flore in Paris. In fact, drink is a kind of grace that descends from time to time on the author, putting him in a contented-with-Being mood, and he wonders at one point, as he's served tea yet again by one of his interlocutors, "Why . . . did everyone but me seem to find caffeinated beverages more conducive than alcohol to pondering the mystery of existence?" After all, as he says in what seems to me a deeply reassuring passage, quantum theory "decrees that nature, at the most fundamental level, is irredeemably fuzzy." A couple of beers decree the same thing.

Fundamental fuzziness leaves a lot of room for extravagant speculation. What's striking about this book is not so much any specific answer to the question posed by its title, but simply the revelation that there's so much metaphysics going on now, so soon after Logical Positivism and analytical philosophy ordered it (around the mid-20th century) to cease and desist. And some of it is as weird as the most nebulous vapors of German philosophical idealism or American science fiction.

We encounter the Russian-born Stanford physicist Andrei Linde, founder of "chaotic inflation" theory, who thinks Big Bangs must be fairly routine occurrences, coming not out of nowhere but out of a primordial chaos or possibly some guy's lab in another universe, and the "principle of fecundity" of the late Harvard philosopher Robert Nozick, which suggests that every conceivable universe actually exists somewhere, including one with nothing in it, one (as Holt says) "containing the Greek gods," or "made of cream cheese," and one, presumably, where Nozick's theory sounds pretty good.



*Jim Holt*

He meets contemporary Platonists, like the English-born Canadian cosmologist John Leslie, who thinks that the universe consists of an infinite number of infinite minds who call an infinite ensemble of perfect and imperfect universes into existence as pure thoughts, because, well, there's some sort of transcendent ethical imperative to do so. And there is Sir Roger Penrose, who believes that the realm of mathematics is an independent reality, and the physical world is a kind of paint-by-numbers rendering of it mediated through human consciousness, or something like that.

There are champions of a "participatory universe" or "panpsychism," who argue that consciousness isn't, as we've been led to think, the accidental, belated byproduct of evolution but an essential, collaborative aspect of the universe. Holt himself at one point takes a page from Schopenhauer: "Maybe the part of reality we know indirectly through science, the physical part, has the same inner nature as the part we know directly through introspection, the conscious part"—every rock and puff of cosmic dust, in other words, may have some psychic energy lurking within it. But all this doesn't answer his question of why there's something—mind, matter, the *tertium quid* of William James's neutral monism, Platonic Forms, whatever—when there might have been nothing.

Holt, a lapsed Catholic, isn't inclined to wheel in God as the answer to that question. Still, he listens attentively to the arguments of Richard Swinburne, an Oxford philosopher of Eastern Orthodox faith, and he ponders Alvin Plantinga's refurbished ontological proof for the existence of God, and he savors the theological tangents of Updike, who would like to think, as Thomas Aquinas did, that God created the world in a playful spirit—intricacy for its own sake, like "a piece of light verse."

But most of the scientists, at least, shrug their shoulders at Holt's question. Adolf Grünbaum, a diminutive but formidable German-born octogenarian and philosopher of science at the University of Pittsburgh, thinks it's just the ghost of the Christian theological dogma that God created the world *ex nihilo*. For him, like the ancient

Greeks (and, for that matter, like me), nothing could be more natural than the existence of something, and nothing more unnatural and farfetched than pure nothing. He points out that there was no nothing before the Big Bang because there was no "before." Time and the universe come in the same self-enclosed package. Nothingness, it seems, might just be an abstraction from some aspects (voids, vacuums, absences, negations) of our experience of somethingness, no more scientifically verifiable or plausible than other such abstractions, like heaven and hell.

The Israeli-born physicist David Deutsch tells Holt, in his cluttered home near Oxford (as his very pretty girlfriend eats macaroni and cheese on the couch), that the laws of physics imply a multiverse, but they can't tell us how it came into existence because "laws don't do that kind of work." And the Nobel laureate Steven Weinberg observes that those laws, including Einstein's general theory of relativity, break down as we get close to the Big Bang, so no scientific explanation can ever elucidate the origins, if any, of the universe: "I think we're permanently doomed to that sense of mystery. It's part of the human tragedy."

As William James put it, "From nothing to being there is no logical bridge." Let alone an empirical one. That leaves leaps of faith, or of wild surmise—and this book offers the reader plenty of them to try out, including one of Holt's own devising. But most of us will, after exercising our conjectural muscles a bit, settle (as Holt often does himself) for that sense of mystery . . . and a bottle of good wine.

If Holt never gets across the bridge, logical or illogical, from "nothing to being," he at least crosses the Pont des Arts one chilly night in Paris, pausing in the middle to light a cigarette and ponder the Seine, like a good existentialist. The book ends there—and its real message seems to be that the small pleasures and attachments of life are what sustain us amid large uncertainties and insoluble riddles. One of those pleasures, not so small, would be books like this one. ♦

B&A

# Armed and Prosperous

*The CEOs who mobilized American war production.*

BY DAVID AIKMAN

*Henry J. Kaiser at the wheel*

**Freedom's Forge**
*How American Business Produced Victory in World War II*
by Arthur Herman
Random House, 432 pp., $28

It is universally recognized that the Allied victory over Japan and Germany in World War II could not have happened without America's becoming, in Franklin Roosevelt's words, "the arsenal of democracy." The basic figures of American war production are simply gargantuan. The United States manufactured almost two-thirds of all Allied military equipment used in the war: a total of 86,000 tanks, 2 million trucks, and 297,000 planes. And that doesn't include the atomic bomb or the huge B-29 bombers that carried it to Japan.

The figures are impressive enough in their totality. What is not so obvious is how a nation with a military that ranked 17th in size in the world (behind Romania) when the war broke out in Europe in 1939, and a people and political class who wanted to be as far away from Europe's messes as possible, transformed their industrial base so totally that even Stalin was impressed. He raised a glass at the Tehran Conference in 1943 with the toast, "To American production, without which this war would have been lost."

The unstated assumption among many Americans who have thought about the matter is that the government somehow took over industry, or at least jawboned it into compliance before issuing instructions for the numbers of tanks and bombers it needed. Nothing could be further from the truth. In Arthur Herman's well-researched and engrossing account, the top corporate officers

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TIME & LIFE PICTURES / GETTY IMAGES

and engineers of major corporations did exceptionally well in wartime what they would have done in civilian industry in peacetime: They mobilized engineers, designers, and factory managers into an intricately linked network of manufacturing processes in which corporate officers could excel in their particular skills.

It is true that, with Albert Speer overseeing Germany's wartime armaments industry and the Nazi corporatist state mobilizing them, the Germans were able to expand aircraft production—particularly in fighters—to a degree that caught the Allies by surprise. But the Americans produced their successes employing the traditional skills and strengths of free enterprise.

Two remarkable men were prominent in, and even essential to, this mobilization of American war production: William Knudsen, president of General Motors, and Henry Kaiser, the construction magnate who had overseen the building of the Boulder (later renamed Hoover) Dam before the war. The two worked to boost war production with an effectiveness that not even the Germans, at their most productive period of the war, were able to match.

Knudsen, a tall and retiring Danish immigrant who had gotten his start in the auto industry as an early aide to Henry Ford before irritating Ford by defecting to General Motors, was both a talented auto engineer and a man with exceptional leadership skills. When FDR invited him to the White House in May 1940 to join the Council of National Defense, the United States, of course, was not yet at war. But Great Britain had only just rescued its troops from Dunkirk and was desperately in need of any military equipment that it could obtain in America. Later, as head of the Office of War Production, Knudsen pulled in his own auto contacts in Detroit and soon had Packard transforming factories for the production of Britain's Merlin engine. The Merlin was the engine that powered the Spitfire and, eventually, the most effective Allied fighter of the war, the P-51 Mustang.

The Office of Production Management (OPM), to which Knudsen was sent as chief, struggled during the uncertain times of the fall of France and the Battle of Britain, before the Lend-Lease Treaty made possible the transfer of essential military equipment to Britain. Even before the United States actually entered the war at the end of 1941, the defense buildup was constantly being criticized in Washington—not only by journalists and members of Congress, but sometimes even by Eleanor Roosevelt. There were wildcat strikes in important war industries.

In the general New Deal atmosphere of antipathy to business, Knudsen scorned the pleas of friends and associates to defend his job performance in public. The result of this contempt for bureaucratic infighting was his dismissal by Roosevelt and the dissolution of the OPM 10 months after it had begun its work. But admirers within the administration, dismayed by Roosevelt's treatment of Knudsen, contrived to keep him on, working for the OPM's successor, the National Defense Advisory Commission, as a three-star general. Here, Knudsen's leadership skills were stretched to the limit by, among other things, helping coordinate the manufacture of the hugely complicated, and at first seriously flawed, B-29. He was also instrumental in signing up the auto industry to make weapons of war.

Henry Kaiser, the great war industrialist, earned his reputation by turning around the steel industry and carving out new shipyards on the West Coast to build the Liberty cargo vessels that braved the U-boat-infested North Atlantic to resupply Great Britain (and America's own armed forces in Europe). Kaiser succeeded in prefabricating production and helping coordinate different stages of construction so smoothly that the ships were sometimes constructed in 10 days or fewer. But Kaiser had his weaknesses: He was, for example, a vociferous advocate for Howard Hughes's gigantic flying boat, the *Spruce Goose*, long after Congress had declined to fund it.

The mobilization of industry to equip the Allies resulted in major changes in American life. By 1945 some 15 million civilians were living in a different part of America from where they had been at the time of Pearl Harbor. Perhaps more important, a defense construction industry that had been almost entirely male at the beginning of the war by 1944 had a workforce that was 36 percent women. At the Kaiser shipyards in Richmond, California, women were 70 percent of the workforce—including "Rosie the Riveter," who actually worked at the Lockheed aircraft factory and became an image of female emancipation and power that would survive long after the end of the war.

Herman makes a useful point in all this about American capitalism. "No other wartime economy," he writes, "depended more on the free enterprise system than America's, and that one produced more of everything in quality and quantity both in military and civilian goods." ♦

# Christmas Quiz Answers

(The questions appeared on page 36 of the December 31 / January 7 issue.)

I. 1B, 2D, 3E, 4A, 5C
II. They all wrote memoirs entitled *In the Arena*.
III. 1E, 2D, 3A, 4F, 5C, 6B
IV. F. Scott Fitzgerald died of a heart attack in Hollywood, California, on December 21, 1940. Nathanael West was killed in an automobile accident in El Centro, California, on December 22, 1940.
V. 1D, 2J, 3I, 4B, 5H, 6C, 7F, 8A, 9E, 10G

Our congratulations to the winner, Claudia Nelson of College Station, Texas—and to all our erudite readers who participated. Many thanks.

B&A

# Money for Nothing

*Who caused the financial collapse? Just about everyone.* **BY LEWIS E. LEHRMAN**

**The Financial Crisis and the Free Market Cure**
*Why Pure Capitalism Is the World Economy's Only Hope*
by John A. Allison
McGraw-Hill, 320 pp., $28

To appreciate this landmark work it is necessary to know a bit about the author's background.

John Allison is not only a banker-entrepreneur; he is also a recognized intellectual leader of American business. Moreover, Allison's financial expertise is a product of his personal biography: In a mere two decades, he built BB&T (Branch Banking & Trust Co.), a comparatively small Southern bank of $4.5 billion in assets, into a $152-billion financial enterprise, making it one of America's largest and most profitable banks. But unlike many overpaid, underperforming CEOs, Allison focused his leader-manager skills—at modest compensation—on behalf of his employees, customers, and shareholders.

Briefly stated, Allison's core principles begin with an unapologetic dedication to customer-oriented banking and carefully managed risk-taking as sound and effective means to long-term profitability and high returns on capital. BB&T deploys an uncommon means to sustain the bank's dedicated corporate culture: continuous, serious, systemic employee education aimed at the formation of leaders, executives, and well-trained employees at every level. A core goal of every employee must be to focus on making every client profitable and successful on a risk-adjusted financial basis—that is, through conservative banking. False financial products were neither fabricated nor widely distributed during the bubble years (such products having been an important cause of the financial crisis). Monthly employee readings in philosophy and economics are mobilized to reinforce the core principles.

*John Allison*

At the center of this banking philosophy is the development of the full potential of each employee, and each client, of the bank: This strategy, Allison argues, is the optimum path to shareholder, customer, and employee enrichment. Many firms pretend to such a strategy; Allison earned a national reputation because he actually carried it out, and successfully, in a banking system engaged during the bubble years in a "race to the bottom."

In a free-market society, it is hard to exaggerate the importance of such a corporate culture. And in business, the individual conscience, dedicated to long-term rational self-interest, is the indispensable condition of a minimally regulated free market. It is striking that Allison's strategy was vindicated by good returns on capital; it is equally striking that BB&T's corporate culture was proven right in the financial crisis and Great Recession, as BB&T experienced not a single quarterly loss during the financial earthquake of 2007-2009.

It is necessary to know all this in order to understand the importance of *The Financial Crisis and the Free Market Cure*. As the head of a major American bank, Allison was witness to the decisions of government, Federal Reserve leaders, and banking CEOs that led to a huge speculative bubble and the collapse of the financial system, including Fannie Mae, Freddie Mac, virtually the entire cartel of big banks and brokers, and major companies. Allison guides us, with a gimlet eye, through taxpayer-subsidized bailouts of these wards of the state, focusing on a reckless, insolvent, privileged financial oligarchy—subsidized by a feckless Fed, a dilatory Treasury, and a politicized FDIC. The coercive power of the federal government, and the moral hazard of excessive regulation, is dissected and debunked.

Allison pulls no punches when identifying causes and culprits. He names names. He also tells us that "the vast majority of the explanations for the crises . . . presented in the popular press are not true." This is because journalists and historians rely on anecdotes and indirect reports from participants, whereas Allison was a key insider, observing the ongoing maelstrom, day-to-day, for two decades. Here we see a financial malignancy metastasize in the hands of hapless surgeons in Congress, in the White House, and in the Treasury and the Federal Reserve.

> The only way there could have been a bubble in the residential real estate market was if the Federal Reserve created too much money. It would have been mathematically impossible for a misinvestment of this

PR NEWSWIRE / AP

*Lewis E. Lehrman is chairman of the Lehrman Institute.*

> scale to have happened without the monetary policies of the Fed.

Of course, the press ignored Allison's interpretation of the crisis since the Fed is a totem of the economic, journalistic, and intellectual elite. "Unfortunately, in [Alan] Greenspan's case, power not only corrupted him, but also destroyed his integrity." In the lead-up to the collapse, Greenspan "created a structure of negative real interest rates," forcing rates down to 1 percent, encouraging and providing incentives to banks and borrowers to buy and sell poisoned products—and to take on vast amounts of shaky debt and leverage which could not be sustained if higher real interest rates returned.

Enter Ben Bernanke, former Princeton economist and Fed vice chairman under Greenspan: "After he became chairman [in 2006] Bernanke rapidly raised interest rates and created an inverted yield curve" (higher short-term rates than the high long-term rates). But homeowners, businesses, and banks, lured by the Fed into leverage and cheap loans, could not finance the Greenspan interest-rate increases, followed by Bernanke's abrupt move to raise the federal funds rate (the interest rate the Fed charges banks) to 5.25 percent.

The impact of such an interest rate move (from 1 percent to 5.25 percent) must be thought of as a price increase of 500 percent plus—similar to an increase in the price of a loaf of bread from $2.50 to $15. Remember that Americans (and consumers worldwide) had borrowed and leveraged themselves during the period in which Alan Greenspan forced the federal funds rate down to 1 percent, giving rise to subprime homebuyers who were publicly encouraged by Greenspan to take on low-rate, "interest-only" mortgages. Global financial institutions subsidized by the Federal Reserve aggressively fabricated shaky loans, repackaged them, and sold them worldwide to individual and institutional client investors who trusted the lenders.

Then Bernanke "held the inverted yield curve for more than a year (from July 2006 to January 2008), one of the longest yield-curve inversions ever." And inverted yield curves historically lead to recessions. In a word, according to Allison, the Federal Reserve was both the fundamental cause of the real estate bubble and the agent of its collapse. But Bernanke "was adamant that there would not be a recession."

*In a free-market society, it is hard to exaggerate the importance of a corporate culture. And in business, the individual conscience, dedicated to long-term rational self-interest, is the indispensable condition of a minimally regulated free market.*

Allison's conclusion?

> In my career, the Fed has a 100 percent error rate in predicting and reacting to important economic turns . . . [because it] is trying to arbitrarily set the single most important price in the economy—the price of money.

And yet, as we know, setting wage and price controls, from the time of Diocletian to Richard Nixon, has proven in every case a disaster for economies and the people entrapped by them. Only totalitarian regimes have compelled and sustained comprehensive price and wage controls—until national collapse. In peacetime, free individuals will not long sacrifice themselves and their families to the arbitrary, gratuitous coercion of the state.

So does Allison have a solution for the distortions, subsidies, and money-printing exercises of the Fed? He is an advocate of the policies of the late Austrian economist Ludwig von Mises, and a persuasive, principled advocate of a purer free market, through which we can reform our overregulated economy.

For monetary order, Allison's explicit proposal is a "private banking system" free of Fed manipulation and incompetent regulation (the Fed being the ultimate monetary cause of booms and busts). Allison's free monetary order "operates on a market-selected monetary standard, which would probably be gold," and that monetary standard, he argues, like any honest system of weights and measures, must be a reliable and trusted standard of measurement. Allison's analysis is that the standard, namely the dollar, should be expressed as a defined weight-unit of gold and institutionally associated with a private banking system. In the absence of FDIC subsidies, sound banks would be based on earned trust, disciplined by competitive solvency requirements. These free-market institutional arrangements would be reinforced by effective bankruptcy laws, and by laws, strictly enforced, against force and fraud.

Of course, any one of Allison's 25 chapters can be cited for his candid and authoritative analysis of the problems of the American economy. There are shrewd inquiries into the labor market and unemployment, into FDIC incompetence and political influence, the SEC and TARP. Only in a truly free market, he writes, shorn of crony capitalism, may the individual choose the purpose-driven life of a dedicated calling, the sole road by which he can gain authentic self-esteem.

For the American problem, in Allison's view, goes beyond economics:

> The causes are far deeper, longer-term in nature and far more destructive. Our educational system, especially our "elite" universities, played a far more significant role in the destruction of wealth than greed on Wall Street did. The ideas that these elite universities are currently teaching our future leaders pose a fundamental threat to our long-term prosperity. ♦

B&A

# Riddle of the Sands

*A view through the two-way mirror of Saudi Arabia.*

BY STEPHEN SCHWARTZ

*The governor of Mecca and members of the Saudi royal family at the Kaaba, 2008*

If I were of a cynical nature, I might suspect that this volume possesses an agenda beyond explaining the world's most important and least predictable Muslim country to Westerners. But an awkward combination of a pretentious title and a lightweight style employed by its author should not distract Saudi-watchers and other interested readers from the importance of this work.

Karen Elliott House acknowledges candidly the long roster of criticisms of the Saudi kingdom that have accumulated since the shock of September 11, 2001—including the fact that 15 of the 19 terrorists attacking the United States that day were Saudis. In 2006, the author retired as publisher of the *Wall Street Journal*, while her husband and boss, Peter R. Kann, left his position as chief executive officer of Dow Jones & Co., and House allows that, when writing this account, the then-Saudi ambassador granted her a five-year multiple-entry visa. This leaves the impression that *On Saudi Arabia* is intended to assist the Saudis in disowning al Qaeda, disavowing other excesses, and promoting a clean slate and new accounts for the land and its absolute rulers.

**On Saudi Arabia**
*Its People, Past, Religion, Fault Lines—and Future*
by Karen Elliott House
Knopf, 320 pp., $28.95

To emphasize, House has admitted the truth of nearly every complaint about Saudi Arabia advanced since 2001. As she makes clear, Wahhabism is—notwithstanding the denials of radical clerics, Saudophile academics, and other superficial media commentators—the official interpretation of Islam in Saudi Arabia, and House refers insistently to the sect by that name rather than by the less contentious term "Salafism." (As she puts it, "Salafis [is] a more politically correct term for Wahhabis.") While "Salafi" denotes an emulator of Muhammad and his companions and successors in early Islam, "Wahhabi" refers to an extremist sect that emerged in Arabia only 250 years ago. The first is an abstract ideal; the second is an ideology with a bloody and oppressive history.

House traces the latter-day rise of terrorist incitement and recruitment inside the desert monarchy to the Saudi trauma of November 20, 1979. It was then that a band of Wahhabi fanatics took over the Grand Mosque in Mecca. After an ineffectual siege by authorities, the structure was retaken with the help of French commandos.

The raid on the Grand Mosque had been led by a Wahhabi preacher, Juhayman Al-Uteybi, who was captured and beheaded along with his followers. But, in House's words, while the royal house of "Al Saud killed Juhayman and his cohorts," they "adopted [Juhayman's] agenda of intolerance, spawning yet more radical Islamists and eventually their deadly attacks on the United States on September 11." Toward the end of her account, House additionally stipulates: "After the 1979 triumph of Ayatollah Khomeini and the establishment of his theocracy in Iran . . . the late King Fahd shoveled money into spreading radical Wahhabi Islam around the world."

The author confirms the reforming tendencies of King Abdullah Bin Abdul Aziz, who took power after the death of Fahd in 2005. She describes Abdullah's patronage of modern universities, and recalls that the United States, after 2001, demanded "controls on Saudi largesse to Islamic groups

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*Stephen Schwartz is author of* The Two Faces of Islam *and* The Other Islam.

that funded terrorism." Such financing, she intimates, was cut back at King Abdullah's order. She emphasizes that most jihadist foot soldiers are products of the Saudi middle class but are not necessarily intense in their religiosity, and that many are motivated by a desire to escape a repressive home life, or are mere adventurers.

Much of House's survey of Saudi society focuses on well-known flashpoints of internal contradiction: the execrable status of women, the unsuitability of religion-centered education for Saudi youth seeking employment, and the large share of the populace comprising foreign workers ("Pakistanis, Indians, Bangladeshis, Filipinos, and others") who have no rights. The latter totals one-third of the country's population, according to a 2010 interview House conducted with the Saudi minister of labor. Her account of how women adjust to Wahhabi demands that they cover their entire bodies, hair, and faces, as well as their subordination to men, is disappointing in that she concentrates on female interlocutors who are left anonymous, or given cover names, and who seem often to accommodate Wahhabi limits on their personal lives.

One especially dismaying lapse is House's acceptance, on the basis of a telephone interview with the deputy education minister, that Saudi authorities "rewrote" religion textbooks to "curtail teaching of intolerance against Christians, Jews, and Shia Muslims." According to House and the minister, the new textbooks will be introduced this year. But critics of the Saudi educational system, including international bodies such as Freedom House, have been denied opportunities to examine the new textbooks, and the authentic extent of their reformulation is a matter of unresolved debate. Here, House has failed as a reporter.

Indeed, nearly all the points in *On Saudi Arabia* have been made before, but now have an apparent Saudi seal of approval. Yet the book suffers ultimately from two problems. First, it was in production just as the late crown prince Nayef, a Wahhabi hardliner, died (in June) and King Abdullah used the opportunity to strengthen reform elements in his cabinet. This leaves some of the book already out of date. In addition, House's attempts to link the Saudi situation with the recent series of Arab upheavals, as well as her predictions for the future, are vague and insubstantial.

House is further questionable in her insistence on equating the Saudi kingdom with the former Soviet Union, and predicting that the kingdom will fall if it does not embrace *glasnost* (publicity/dialogue) and *perestroika* (reconstruction). While the Soviet empire and the Saudi kingdom exemplify gerontocracy, there are essential differences between them. Communism was exhausted as an ideology when the Muscovite system collapsed. As this book shows in its better chapters, Wahhabism remains a vigorous and volatile ideology, even as King Abdullah seeks to reduce its power. A Soviet-style crash is unlikely, and more encouragement is needed before the king would remove the Wahhabi clerical class from its present state of religious monopoly over the country. That is the key to Saudi normalization, as the author effectively concedes. ♦

B&A

# Rebels with Cause

*Power tends to corrupt, and lack of power inspires rebellion.* **BY ELI LEHRER**

NBC's *Revolution* (Mondays, 10 P.M. ET/PT) features swordfights, gunfights, and crossbow fights, chases on horseback, chases on trains, and chases on foot. It is gripping, loud, and entertaining. Who cares that its high-concept premise (all electricity in the world suddenly and mysteriously stops working, resulting in the collapse of civilization) is taken directly from S.M. Stirling's pulpy sci-fi *Emberverse* series of novels? Or that the show's politics can plausibly be interpreted as Hollywood's stereotype of a Tea Party worldview?

At its heart, *Revolution* is a road show. In each of the 10 episodes that have aired to date (more will run early this year), the central band of misfits—led by Miles Matheson (Billy Burke) and his niece, Charlie (Tracy Spiridakos)—tangles with the forces of the sinister Sebastian Monroe (David Lyons) and his creepy henchman, Tom Neville (Giancarlo Esposito). The heroes, joined by onetime multimillionaire computer nerd Aaron Pittman (Zak Orth) and explosives expert rebel Nora Calyton (Daniella Alonso), have thus far engaged in a long-running chase to rescue Charlie's mother, Rachel Matheson (Elizabeth Mitchell), and brother Danny (Graham Rogers). Monroe wants Rachel in his clutches because she's a scientist who knows why the lights went out; he wants Danny as a way of gaining leverage over her.

The show manages a degree of sophistication without ever becoming obscure. On one hand, it's clear that Monroe and Neville are baddies, that Miles is an honorable rogue in the mode of Han Solo, and that the crossbow-wielding Charlie is a retread of the *Hunger Games*'s Katniss Everdeen. On the other hand, flashbacks to before and just after the blackout show the plausible, even sympathetic, motivations of both bad guys, while also showing that the good guys (especially Miles, Monroe's former number two) aren't as pure as the driven snow.

*Eli Lehrer is president of R Street.*

The other building blocks of the show are a mixed bag. Esposito is clearly the show's best actor, albeit a bit of a scenery-chewer at times. Spiridakos's Charlie, dubbed "Bratniss" on Internet message boards, seems whiny at best. The writing is uneven. But the production design may be the best on TV: There's a budget big enough for lots of location shooting and movie-quality (though sparingly used) special effects.

*Tracy Spiridakos, Billy Burke, Daniella Alonso, Paras Patel*

On top of all this, the show does appear to have something of a political message, although not the one some might expect, given that producer J.J. Abrams maxed out his donations to the Obama campaign. It's clear from the first episode that the militia maintains its tyranny in large part because it has disarmed the population and controls nearly all guns. Rebels say that they're fighting to restore the United States, and they use American flags as their standard. The militia's tyranny is expressed through its tax collection, and Esposito's pleasant speaking style more than slightly resembles that of the incumbent president. Writing soon after its premiere, Kregg Jenke observed that *Revolution* appears to provide conservatives with "something out of Hollywood that doesn't mock them, but resembles them."

As the plot has evolved, however, the "conservative" messages have become less clearcut than before. The basic facts of *Revolution*'s backstory—civilization collapses once technology disappears—reflect a distinct lack of faith in the ability of individuals and communities to solve problems absent central control. And despite some pro-gun statements from the heroes, the mere fact that the militias did somehow manage to control (almost) all guns surely indicates a lack of confidence that broad firearms ownership can guard against tyranny. Neither of these is exactly a core liberal message—the show isn't preaching for single-payer health insurance or same-sex marriage—but they do reflect a technocratic, managerial, government-knows-best attitude that's anathema to the show's ostensible libertarian/Tea Party appeal.

And yet, however much one may quibble with its politics and talent, *Revolution* does bridge both "old" (three network) and "new" (Internet, DVRs, several hundred cable networks) styles of television drama more successfully than any major broadcast show of recent vintage. Before 2000 or thereabouts, the great bulk all TV dramas (a few soapy shows like *Dallas* and *L.A. Law* excepted) consisted almost entirely of self-contained episodes. This required tight writing and mandated that every episode present a satisfying five-act story with a clear beginning, middle, and end. But it didn't allow for significant character development, it tended to prohibit major cast changes except in the first or last episodes of seasons, and it placed huge limits on plot sophistication.

Producers sometimes broke the rules, but stories were generally awfully simple. As the networks' dominance dimmed, and cheap-to-produce reality programming combined with digital video recorders made reruns far less lucrative, plots grew more finessed across the board. This made police and medical procedurals, which still predominate, better by any standard—i.e., characters can actually grow in ways they couldn't before—but has proven even more dramatically fulfilling when it comes to high-concept science-fiction and political shows with central mysteries and sprawling plot arcs.

While Abrams's *Lost* and Fox Network's *24* were commercial and critical successes, dozens of well-acted, decently reviewed, big-budget shows—*V*, *FlashForward*, and this past year's *Last Resort*, to name three—ended up with plot twists that cost them viewers and, eventually, a place on the air. *Revolution*, however, seems to have hit on the right formula: Every episode has a clear beginning, middle, and end, but also reveals some carefully selected piece of the show's mythology, and manages to answer a few big questions. This gives extra value in syndication while still offering the storytelling viewers demand. This sounds obvious, but it's hard to pull off in practice, and *Revolution* does it better than anyone else has to date.

So far it seems to be working. *Revolution* isn't a perfect program, but it's doing well among the key audiences advertisers like; it's different, fresh, and, yes, a bit revolutionary. ♦

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B&A

# Sing You Sinners

*There are bumps along the way, but Les Misérables is worth the trip.* **BY JOHN PODHORETZ**

*Les Misérables* grabs you by the lapels from the first moment and never lets you go. In this respect it is little different from the stage musical from which it derives—and not so different from the Victor Hugo novel from which the stage musical derives. How you respond to its unabashed histrionics will surely determine how you feel about *Les Misérables* the movie, as it has determined how readers have felt about Hugo's endless, garrulous, powerful, unbelievably tiresome novel since its publication in 1862, and how theatrical audiences have felt about the extremely vulgar but undeniably well-directed show since its debut in London in 1985.

**Les Misérables**
Directed by Tom Hooper

The epic story of the moral salvation of the ex-convict Jean Valjean and his efforts to do good works even as he is being relentlessly pursued by the just but unmerciful Inspector Javert, *Les Misérables* is strangely irresistible in all its forms. The novel is like being told a juicy story by your most insanely longwinded but lovable relative, while the stage show is distinguished primarily by its famous turntable set that spins so frequently it hypnotizes you into ignoring the fact that the musical score by Claude-Michel Schönberg is pretty lousy.

That's not the case with the movie, which puts the musical score front and center. Indeed, director Tom Hooper is so dedicated to the score and the performers who sing it that he jams you into their faces and practically takes you down their throats so you can see their uvulae. This works far better than I would have expected, given that there are exactly three good songs in *Les Misérables*—and it's two-and-a-half hours of nonstop singing.

The thing is, the story is so compelling you can't fail to become engrossed in it, even if you are already familiar with it. And Hooper's bombast is entirely organic, because there is no more bombastic novel in all of literature than *Les Misérables*. The movie is also astonishingly beautiful to look at—the art direction, costuming, and photography are beyond criticism—and so when you get a little overwhelmed by being yelled at, you can pass the time by looking at the sets.

Hooper would have been up the creek if he had not cast the film well, but he has—with three standouts. Pity poor Hugh Jackman, who plays Valjean; in any other year he would win an Oscar but has no chance against Daniel Day-Lewis's Abe Lincoln. Jackman, best known for his snarling turn as a wolf-like mutant in the *X-Men* movies, first hit it big on the London stage in a revival of *Oklahoma!* and he will surely stun audiences with the power of his voice and the careworn quality he displays as his noble character ages.

Anne Hathaway is likely to win an Oscar for her brief and unforgettable turn as Fantine, the most miserable of the miserables, to whom almost everything remotely awful that can happen to a person happens. She has the best song—"I Dreamed a Dream"—and if she were on stage singing it, she'd get a standing ovation. The surprise of the cast is the unknown Samantha Barks, who came third in a British singing competition a few years ago and scored the part of the sad and brave Éponine, who has the second-best song, "On My Own." Sacha Baron Cohen provides a few moments of blessed comic relief as the greedy innkeeper Thénardier, the subject of the theoretically rollicking but not all that amusing in actuality "Master of the House."

British actor Eddie Redmayne shows an impressive set of pipes and a disturbing number of freckles as Marius, the rich boy turned revolutionary. His performance displays the weakness of Hooper's in-your-face style and decision to record the performers as they're singing rather than having them lip-sync to a prerecorded track, which is what is usually done with musicals. Redmayne is one of those chin-trembles-as-he-sings guys, and since he's singing live, the chin is always moving, and you can't take your eyes off it, and it's very annoying.

Then there are the not-so-good performances. Amanda Seyfried, who was charming as the ingénue in the film version of *Mamma Mia!*, is screechily awful as Valjean's foundling daughter Cosette. Russell Crowe—who has never before given anything less than a stellar performance—should have been perfect casting as Javert, especially since he is known for fronting his own rock band. But I guess there's a reason we've never heard that band, because Crowe cannot sing and he sounds more like a shofar than a human being.

So where does this leave us? The first 80 minutes are dazzling. Then we get to the part where Marius and his buddies try to stage a new revolution. This section is boring at best, dreadful at worst, and goes on for about three-quarters of an hour. Then comes the big tearjerking finale, about 15 minutes, and, trust me, you'll cry.

So that's close to two solid hours of entertainment, with 45 lousy minutes in between. Unless, that is, you are the kind of person who finds violations of your personal space especially disturbing, in which case the movie will make you want to shout, "Hey, Tom Hooper, let go of my lapels!" ♦

*John Podhoretz, editor of* Commentary, *is* The Weekly Standard*'s movie critic.*

***"Chinese Hackers Suspected in Cyber Attack on Council on Foreign Relations"* —Washington Free Beacon, *December 27, 2012***

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# Chinese hackers infiltrate Georgetown cocktail party

## SOCIAL CALENDAR MAY BE AT RISK

*Dim sum dumplings gone in minutes*

BY ALLISON KLEIN

Just days after it was revealed the Council on Foreign Relations website's security had been breached, several men believed to be members of a Chinese computer hacking squad were forcibly removed from a party in the 3400 block of Volta Place in Northwest. The incident has prompted major concern about the security of sensitive information shared by the think tank's many high-profile members. "The entire social calendar may be compromised," FBI Special Agent Frank Horton explained to the visibly shaken partygoers. "We know there are many dinners and parties to attend, particularly with the inauguration coming up. We're not saying don't go out, but be careful. If you see something unusual—a Chinese adolescent with a neck tattoo and a mohawk, for example—say something."

Many of the attendees were shocked by the brazen nature of the attack. "My first thought was, who let them in here," said *Nation* editor Katrina vanden Heuvel. "I mean, of course I'm all for the elimination of social distinctions and all that, but, as I said to Judy [Woodruff], at least do it with some style. One of them had a safety pin in his nose."

FOREGROUND: NFWS/COM

Lobbyist Heather Podesta, left, and former congressman Thomas Perriello, right, discuss the risk of uninvited hackers with a guest.

But others were less surprised. "Well, if you read my book, *Advantage*, you would see that we are currently at a tactical disadvantage vis a vis Chinese cyberwarfare capabilities," explained Adam Segal, a CFR scholar. "So this event really should come as no surprise, though I would contend that going forward the United States, as a country, does in fact possess a strategic advantage, which I've written about extensively, most recently in an op-ed that Maddy—Madeleine Albright—sent me a nice note about—"

"Yes, that's all well and good," interrupted another CFR scholar, Joshua Kurlantzick. "And while you are largely correct, having recapitulated an argument I made three years ago in *Foreign Policy*, if you had read my most recent piece in the *New Republic*, you would realize—"

"Aw, shut it, Jeff," interrupted Senator John McCain, spilling a large amount of his Scotch on Kurlantzick's sleeve. "You know, I've got a word for these Chinese hacker people. Starts with 'g,' ends with 'k,' and—

EPITHET CONTINUED ON A6

the weekly Standard
JANUARY 14, 2013