the weekly Standard

DATELINE PYONGYANG
ETHAN EPSTEIN

Margaret Thatcher
1925-2013

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COVER (IN CHELSEA, 1976): JOHN MINIHAN / EVENING STANDARD / GETTY IMAGES

Remembering Robert Bork

The Scrapbook had the melancholy pleasure last week of attending a memorial service, at the Mayflower Hotel in Washington, for Robert Bork, who died a few days before Christmas. Judge Bork was properly eulogized at the time, but his death has rekindled a new interest in and appreciation of his wide-ranging influence on legal philosophy and public policy. As was said of Learned Hand earlier in the last century, Robert Bork was undoubtedly the most influential lawyer of his time not to have served on the Supreme Court.

This memorial service, however, was of another order. Certainly the highlights of Bork's career were recalled, as well as the crucible of his nomination to the Court. But perhaps because the service was organized by his family, and attended by a gathering of friends and admirers, it was Bork the man, not Bork the legal scholar or public figure, who was fondly remembered. The speakers included former colleagues, ex-students-turned-professors, even an editor; and the talk was interrupted for a dozen minutes or so as a pianist played two eloquent preludes by Rachmaninoff.

The Scrapbook, for its part, was struck by two thoughts: first, that Robert Bork, although a "controversial" figure and controversialist in the public sphere, seems all his days to have kept politics and the business of life in sharp perspective. A passionate student and exponent of the law, he understood its relative importance in the scheme of things: There is more to life than public policy, and the first duty of a public figure is to be a good human being. Which leads to the second thought: For all his rigorous intellect, and formidable exterior, Robert Bork was a man of great good humor and personal charm, blessed with a healthy dose of humility, and dry wit.

Since the service took place in Washington, there was some emphasis on Judge Bork's pivotal role in historic episodes, including Watergate; and at a later reception, no less than Chief Justice John Roberts lamented the loss to the country, and the disgrace of the U.S. Senate, when Bork's Supreme Court nomination was defeated. Yet the underlying message of the service was sanguine, not mournful: A great and good man has passed from the scene, and the loss is profound. But Robert Bork's life was a triumph in retrospect; even in Washington, greatness and goodness will attract a grateful multitude to fill a hotel ballroom to overflowing. ♦

What They Were Thinking

JOCHEN LUBKE / PICTURE-ALLIANCE / DPA / AP

A topless demonstrator approaches Russian president Vladimir Putin and German chancellor Angela Merkel at the Hannover Fair in Germany, on April 8, 2013.

See No Evil . . .

Over the past few weeks a jury heard testimony in the murder trial of Philadelphia abortion doctor Kermit Gosnell. He stands accused of murdering a 41-year-old refugee from Nepal and severing the spines of seven newborns who had survived late-term abortion procedures—though the number of babies killed in this fashion is likely much, much higher. Hardly anyone else heard the testimony, however, thanks to an informal blackout of the trial by virtually all national media. One of Gosnell's former employees estimates he personally saw at least 100 babies killed and testified, "It would rain fetuses. Fetuses and blood all over the place." Another clinic worker testified that one of the babies Gosnell murdered was actually screaming as he killed it. "It didn't have eyes or a mouth but it was like screeching, making this noise. It was weird. It sounded like a little alien."

Gosnell's crimes are difficult to reconcile with the media's preferred "right to choose" rhetoric for discussing abortion, and so *omertà* has been observed in America's newsrooms.

While Philadelphia media have been all over the story, coverage from wire services has been limited and terrible—the AP had one story on the Gosnell trial last week, headlined, "Staffer describes chaos at Pa. abortion clinic." That's an understated headline for the trial of a man who may have murdered 100 infants. The three major networks haven't even mentioned the story. Those same three networks managed 41 minutes of coverage on the Rutgers basketball coach caught on video pushing his players and using offensive slurs. Fox News's Kirsten Powers notes that the only mention on the major networks came when Peggy Noonan derailed an unrelated *Meet the Press* segment to complain about the lack of coverage.

There's no conceivable professional justification for the Gosnell blackout. In the last year, ABC, CBS, and NBC provided wall-to-wall coverage of Sandra Fluke being called names for arguing a Catholic university should be forced to provide birth control, Todd Akin's idiotic statements about rape and abortion, and the Susan G. Komen foundation's failed attempt to deny Planned Parenthood $700,000 in grants. We understand that the media aren't eager to cover stories that might undermine the left-leaning political consensus used to frame nearly all stories involving abortion rights. For instance, as Jon A. Shields wrote for this magazine's website last week, one thing the trial highlighted is that Pennsylvania health authorities ignored complaints after

> Governor Tom Ridge's pro-choice administration came to power [in 1993]. According to the grand jury report, state officials in the Ridge administration "concluded that inspections would be 'putting up a barrier to women' seeking abortions."

However, you don't have to be a pro-life crusader to be appalled by the collective and near-total abdication of professional responsibility in the Gosnell trial. Anyone with a rudimentary sense of right and wrong should be taken aback.

While we wait for Gosnell to meet justice, at the very least we expect the court of public opinion to convict the media of dereliction of duty. ♦

Decline of Debate

In recent weeks, Emporia State University became the first team ever to win both the Cross Examination Debate Association national tournament and the National Debate Tournament—the two biggest prizes in collegiate debate. But it turns out that Emporia won the National Debate Tournament in a rather unorthodox fashion. It employed the "project" style of debate pioneered by the University of Louisville in 2000.

Not being terribly up to date with the world of collegiate debate, this revelation sent The Scrapbook scrambling to Wikipedia, which explains: "Louisville eschewed traditional forms of debating like speed reading, debating the resolution, and presenting traditional forms of evidence. Louisville instead uses hip hop music, personal experiences, and other media to present their arguments. They argue that many elements of policy debate are exclusionary and ask the judge to cast their ballot to sign onto their project to increase diversity in debate." In other words, win the game by attacking the rules of the game.

At this year's National Debate Tournament final, the topic was "Resolved: The United States Federal

Government should substantially reduce restrictions on and/or substantially increase financial incentives for energy production in the United States . . . " Emporia's winning "affirmative" statement on the resolution amounted to 1,500 words of rambling about Diana Ross in *The Wiz*, loosely taking up the theme "There's no place like home":

> If home is necessary for members of aggrieved communities to find the power to resist, debate precludes the possibility of becoming a site of resistance for those who need it now. . . . Our current model of debate is disconnected from the lived realities of those affected by structural violence. That makes this activity useless to those who need it, and turns oppression into a game for those who are already here. . . . In fact, this is the true purpose of energy. When the Dorothys of this world think of energy, they don't think of thorium reactors, but the energy required to get out of bed and navigate the struggle. . . . Thus, the Role of the Ballot is for the judge to endorse the team that best methodologically and performatively brings debate home. Unlike Dorothy, those excluded voices can't click their silver slippers and fly away. We have to make proactive efforts to be the agents of change that ensure this space and the knowledge produced here is accessible to all that need it.

And so on. We thought this was sophomoric to say the least, but then we read the 11-page decision by Scott Harris, one of the judges who handed Emporia their 3-2 victory. It begins, "This ballot will make me no friends. This ballot is not intended to make friends. This ballot is about my experience judging a debate." It goes on like that for 9,615 words—801 of which are first-person personal pronouns; the word "energy" isn't mentioned once.

We can confidently describe it as one of the most solipsistic documents we've ever encountered, despite following national politics for decades. We were particularly intrigued by the rationalization: "This ballot recognizes that reality is socially constructed." Despite what collegiate debate judges desperate for attention may say, we're pretty sure that, say, thorium reactors are constructed with due deference to the laws of physics.

The Scrapbook knows collegiate debate is an insular and arcane world, but from the outside looking in, we'd say the apt cultural reference is not *The Wiz*—it's *Billy Madison*, in which the principal rebukes Adam Sandler's title character: "What you've just said is one of the most insanely idiotic things I have ever heard. At no point in your rambling, incoherent response were you even close to anything that could be considered a rational thought. Everyone in this room is now dumber for having listened to it. I award you no points, and may God have mercy on your soul." ♦

Dictatorships and Double Standards

There are plenty of ways that the *New York Times* could have chosen to refer to South Korea's new president, Park Geun-hye, whom Ethan Epstein profiled in these pages a few months back ("Democracy, Gangnam-Style," December 17, 2012). In fact, The Scrapbook would probably have chosen just that: "South Korea's new president." Still, it was at least moderately defensible when the Grey Lady called President Park the "daughter of a famed South Korean dictator from the cold war" in a news story on Korean relations published last week. Even if the reference was a bit of a non sequitur, it's true that President Park's father, Park Chung-hee, was the autocratic leader of South Korea from 1961 to 1979.

Here's what's not defensible. Several paragraphs earlier in that very same article, the *Times* referred to North Korean dictator Kim Jong-un—who also happens to be the son of Kim Jong-il and grandson of Kim Il-sung, two notoriously cruel and Stalinist despots—as "the North's new leader." But what can we expect from the newspaper that still calls Saddam "Mr. Hussein"? ♦

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Margaret Thatcher, 1925-2013

I cannot claim to have been an intimate of Margaret Thatcher's. But I can claim to have known her on several levels—as a prime minister from whom I learned to put the "political" back into "political economy," as a woman who fancied both her whisky and her sweet desserts, and as one who made it possible for me and others to withstand the thuggishness of the pickets attempting to block the introduction of new technology into Britain's newspaper industry.

First things first—her lessons in political economy. When Prime Minister Thatcher was planning the privatization of one of the industries she moved from the woefully inefficient, overmanned public sector into private ownership, she priced the shares so that small investors would be assured of a profit in the aftermath of the offering. I complained that by underpricing the shares, she was in effect cheating the taxpayers by selling off one of their assets at bargain-basement prices. The prime minister claimed to believe in markets, yet she was ignoring the pricing signal the markets were sending—so spake this economist. To which the PM replied that I was missing the point. Privatization was not about immediate profit-maximization for taxpayers. It was about proving to British citizens that investing in private companies, becoming shareholders, is a good idea. For them there would be gains; for Thatcher, the nation would be on the road to having more shareholders than union members. This was not about money, it was about creating a citizenry with a financial interest in backing the government in its battles with the trade unions that were making Britain ungovernable.

At the time, striking coal miners were bringing manufacturing to a halt for lack of energy supplies, the print unions were driving newspapers to the brink of insolvency, and bodies were piling up as the gravediggers stopped digging. Employers appreciated her support, and I, a columnist for the *Times* and *Sunday Times*, appreciated the extent to which she was willing to use the police to get me—and more important, the editors—past howling rent-a-mobs threatening mayhem if we tried to produce a newspaper. But to her, these were not primarily employer-union battles. The issue was the rule of law—proving the state willing and able to impose the rule of law on union goons. That formulation kept the public on her side.

ROLLS PRESS / POPPERFOTO / GETTY IMAGES

Visiting a concrete factory, 1978

Then there was her whisky. To say that the grand old house in which we spent an evening between two days of seminars in the north of England was chilly would be to understate our discomfort by quite a lot. I remember the prime minister, ensconced on a couch, more than once asking me to fetch body-warming Famous Grouse, the malt whisky she favored. And I remember that when a particularly boring woman sitting next to Thatcher abandoned her seat, temporarily she thought, the prime minister physically hauled my wife, Cita, down into that seat and asked her—told her would be more accurate—under no circumstances to surrender it to its original occupant.

Then there was Thatcher's relentless search for information. She greeted me at the door when I traveled from New York to attend a small luncheon party not with "How was your trip?" but with "Do you use M2 or M3 to measure the money supply?" Rude? Certainly not—setting the tone lest I imagine I had been invited to a mere social event. For Margaret Thatcher did not do small talk well. On one occasion she cornered me at the British embassy in Washington to ask what I was working on. "A paper on Europe," was my vague reply, one that would have sufficed with almost any other person. The firm squeeze on my arm that I had come to know meant more than mere affection, and I was unsurprised to hear, "There is no Europe, Irwin, there are only nation-states." A reminder of her "No, no, no" in the House of Commons responding to proposals to transfer sovereignty from Westminster to Brussels.

Long after she had been forced out of office in an intraparty palace coup engineered by MPs unhappy with her failure to retain them in the cabinet or appoint them in the first place, and others who believed her prescient refusal to adopt the euro was not in Britain's interests, some half-dozen of us dined with Lady Thatcher at one of the better Italian restaurants that dot London. She was in good form, commenting acidly on her successors, reiterating her position on Europe—and keeping us well past our bedtime by ordering and lingering over after-dinner drinks. It was to be the last time we saw her.

Irwin M. Stelzer

the weekly Standard

Leader of the Opposition

In his book *Manliness*, Harvey Mansfield remarks that "The mightiest woman of our time, Margaret Thatcher, is no model for feminists, partly because of her conservative opinions, of course, but also because her renowned insensitivity makes them uneasy." No surprise there. But does her "renowned insensitivity"—which is Mansfield's ironic way of saying she was clear-eyed, hardheaded, and direct—also make today's conservative politicians uneasy? Apparently so. Why else do so few take her as a model?

It's one heck of a model. A former junior cabinet minister, and one not favored by the party establishment, Thatcher challenged the former prime minister Edward Heath for the leadership of the Conservative party in 1975 and defeated him. As leader of the opposition, she reshaped the party, went to the electorate in 1979 with the boldest conservative reform agenda since World War II, and handily defeated Labour prime minister James Callaghan. She served over a decade as prime minister, stopping socialism in its tracks, making inroads against the nanny state, turning the British economy around, and—side by side with Ronald Reagan and Pope John Paul II—helping win the Cold War.

GETTY IMAGES

Thatcher's tumultuous and consequential years in office have been much commented upon since her death last week. But equally instructive is her role as leader of the opposition. The British Conservative party of 1975 wasn't unlike the Republican party today. It was electorally competitive, though losing a little more often than not. It had no real agenda other than the prudent management of British decline. Its party establishment had lost touch with its base—which, lacking spirited and forward-looking leadership, was in danger of falling prey to populist *ressentiment*. Meanwhile, the Labour party then, like the Democratic party today, was politically adept but intellectually bankrupt, able to hold power only by appealing to the fears and catering to the wishes of clients of an increasingly dysfunctional welfare state.

Margaret Thatcher took on Labour and the British welfare state. She took on British decline. But first she had to take on the establishment of her own party. Her victory over Heath in 1975—and her subsequent follow-through over the next four years in remaking the party—was what allowed Thatcher to become Thatcher. The leader of the opposition prefigured, and made possible, the prime minister. The governing successes of the 1980s had their roots in Thatcher's leadership in opposition in the late 1970s.

"I can't bear Britain in decline, I just can't," she said shortly before her general election victory in 1979—and she knew the complacent and decadent conservatism that had held sway in her own party for a couple of decades had been complicit in that decline. "Unless we change our ways and our direction, our greatness as a nation will soon be a footnote in the history books, a distant memory of an offshore island, lost in the mists of time like Camelot, remembered kindly for its noble past," she warned. But she knew her own party had gone along with those ways and that direction.

On January 19, 1976, less than a year after becoming leader of the opposition, with Britain focused on its domestic troubles, Thatcher gave a speech at Kensington Town Hall, "Britain Awake." She began by charging the Labour government with "dismantling our defences at a moment when the strategic threat to Britain and her allies from an expansionist power is graver than at any moment since the end of the last war." She outlined the Soviet military buildup in some detail, and explained what lay behind the recent aggressive moves by the Soviets abroad. She noted that "The men in the Soviet politburo don't have to worry about the ebb and flow of public opinion. They put guns before butter, while we put just about everything before guns." She cited Aleksandr Solzhenitsyn's warnings to the West and praised the "reasoned and vigorous defence of the Western concept of rights and liberties . . . that America's ambassador to the U.N., Mr. Moynihan, has recently provided in his powerfully argued speeches." She called for an increase in defense spending despite Britain's economic troubles,

which, she noted, were themselves "part of the disastrous economic legacy of socialism," and she pledged to reverse Britain's economic decline when the Conservatives were returned to government. "In the meantime, the Conservative party has the vital task of shaking the British public out of a long sleep. Sedatives have been prescribed by people, in and out of government, telling us that there is no external threat to Britain, that all is sweetness and light in Moscow, and that a squadron of fighter planes or a company of marine commandos is less important than some new subsidy. The Conservative party must now sound the warning."

It was this speech that led the Soviet Army newspaper a few days later to denounce Thatcher as "The Iron Lady." So it's worth nothing that Thatcher was the Iron Lady in opposition before she became the Iron Lady in power. She was the Iron Lady in power because she had been the Iron Lady in opposition.

If only the Iron Lady were a model for our plastic men.

—William Kristol

'I Can't Do It'

After several minutes of badgering from Sen. John McCain at a Senate Armed Services Committee hearing on April 9, Admiral Samuel Locklear admitted that the combination of regularly scheduled defense budget cuts and the "sequestration" provision of the current budget law meant that "in the near term . . . we're not going to be able to provide the force levels" needed in the Pacific, where Locklear is the top U.S. commander. "The answer to your question," he admitted to McCain, "is that I can't do it."

This is not just a question of ships. The Air Force has announced that it soon will begin grounding about a third of its combat aircraft. "We must implement a tiered readiness concept where only the units preparing to deploy in support of major combat operations like Afghanistan are fully mission capable," explained Gen. Mike Hostage, head of Air Combat Command. Hostage is only telling a part of the story: The number of planes allocated to Afghanistan is a tiny portion of the fleet. In sum, a third of his planes will be parked (and, no doubt, stripped of parts to keep other aircraft flying), only a handful ready to fight, and the bulk of the fleet—thousands of aircraft—in various stages of disrepair.

The damage to the Army and Marine Corps is also mostly out of sight. Both services will meet their most critical needs, like sustaining operations in Afghanistan, by shortchanging units and equipment left behind. Again, that's the bulk of their forces. And because personnel budgets are not included in the sequester, the result will be a lot of soldiers and Marines painting rocks or trying to stay fit instead of actually training for their missions. By the end of the summer—that is, as the end of government's fiscal year approaches—the effects will be substantial.

The cumulative effect will be that the U.S. military will not be well prepared for any unforeseen contingency, or in fact for a foreseeable contingency, such as North Korea and Iran present on a daily basis, that would require a substantial response force. In the event of a crisis, the Pentagon would have two unpleasant choices: wait until larger forces could be properly manned, equipped, and trained before deploying them, or send unready troops into harm's way. Such was the unhappy story of Task Force Smith in Korea in 1950.

The disconnect between geopolitical realities and domestic political realities is stunning and, in this season of budget rollouts, apparently growing. None of the actors in the Washington drama—not House Republicans, Senate Democrats, or the Obama administration—has made a proposal that puts national security before partisan interest. All pretend that sequestration won't happen again, yet all seem equally enthusiastic, looking forward to the 2014 elections, about repeating the game of political chicken that gave us sequestration this year.

Too many Republicans, distrustful of sequester horror stories, are quick to dismiss statements like Locklear's as bureaucratic posturing. In fact, today's brass are driven by a combination of a can-do ethos and a desperate desire to avoid being characterized as insubordinate, a neuralgia that the Obama White House is happy to exploit. It took all of McCain's stubbornness and dog-fighting skills to get Locklear in his sights.

On the other hand, the president, the commander in chief, is being willfully negligent. Obama is proposing to avoid sequestration primarily by raising about $700 billion in new taxes. But he also proposes $100 billion in defense spending cuts—about a quarter of what sequestration would take—in the years after he leaves office. In other words, the president wants further reductions in U.S. military power regardless of the outcome of any budget negotiations or sequestration. At the same time, by ignoring the "caps" in current law, he can present a budget for 2014 that appears to increase defense spending by 10 percent. It would be clever if it weren't mendacious.

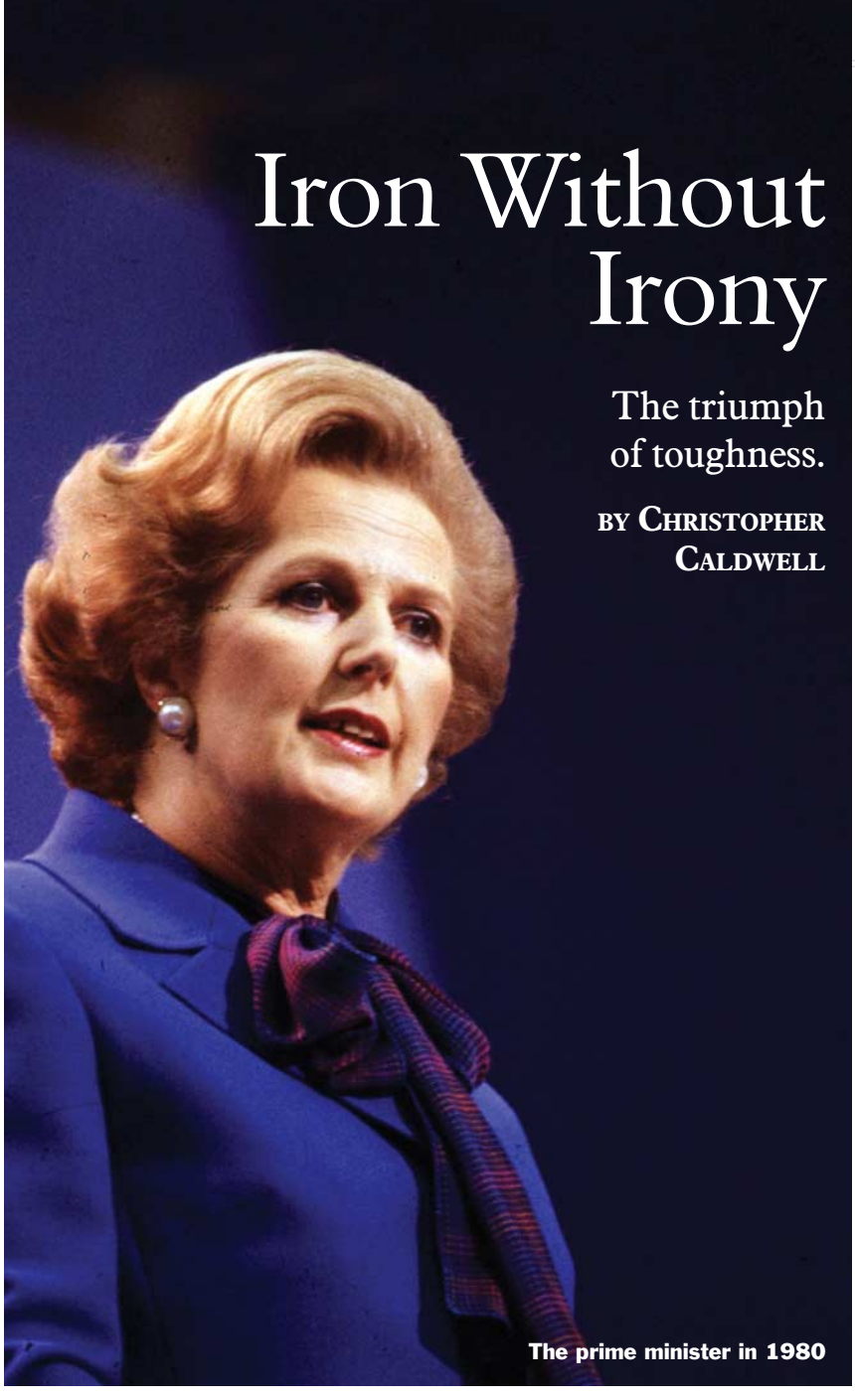
Whether the rest of the world will sit still while America sorts itself out is an open question. A world where the United States "can't do it" will be a very different world, one less peaceful, less prosperous, and less free than it is now.

—Thomas Donnelly

Iron Without Irony

The triumph of toughness.

BY CHRISTOPHER CALDWELL



The prime minister in 1980

KEYSTONE / GETTY IMAGES

If it is true that people's political assumptions reflect the battles that were being waged when they were 18, then my assumptions are probably unreasonable. The first political leader to whom I paid serious attention wound up the most successful Western leader since the Second World War. I spent the summer of 1982 in Scotland and lived in England in 1984 and 1986. Musically, it was the time of transition from the Clash to the Smiths. Historically, it was the time of Britain's victory in the Falklands war, its violent, yearlong miners' strike and the so-called Big Bang that revolutionized its finance industry. But in anybody's terms, it was the time of Margaret Thatcher, who died last week, aged 87.

Thatcher took power in 1979. Back then, as often happens in failing societies, there was a presumption in favor of certain destructive arguments. These were in particularly sharp relief in Britain, which was said to be haunted by the loss of empire. If Britain's problems could be chalked up to its empire—that is, to its aspirations to be big and grand—well, then, wisdom must consist in making things small and crappy. A few years ago, Roy Hattersley, who was deputy leader of the opposition Labour party for much of Thatcher's time, recalled this mindset with a refreshing candor. On the eve of the 1983 election, Mrs. Thatcher, needing an operation, chose a private doctor instead of the National Health Service. Asked why she'd done so, she said simply that she wanted to be treated at a time and place of her choosing. Mrs. Thatcher had just won a war and revived a dying economy, but Hattersley and his colleagues thought she'd handed them the election. They thought that Britons would go to the barricades for the principle of lousier health care and less choice.

Mrs. Thatcher was not ironic enough to understand why anyone would want to do that. She had taken over the party leadership from Edward Heath, moderate and lax in all things except guarding power, on which he was obsessive and obdurate. It required a coup, and a good deal of luck, to unseat him. Mrs. Thatcher was not the only person who wanted the job, but she was the only one with the requisite toughness.

The late, great left-leaning journalist Hugo Young recalled being impressed by "how little she cared if people liked her." In 1981, 364 economists wrote a letter to the *Times* to place themselves on the record as having diagnosed the stupidity and predicted the calamity of her economic policies. By 1986, she had brought inflation, running over 20 percent at the start of her premiership, down to 2.4 percent. Elvis Costello wrote a song in the late 1980s relishing the prospect of Mrs. Thatcher's death, saying that he would "stand on your grave and tramp the dirt down." A civilized person would not say that of Stalin. (Neither would Costello, of course.) Last week, the Labour MP and former actress Glenda Jackson

Christopher Caldwell is a senior editor at The Weekly Standard.

disputed in Parliament whether Mrs. Thatcher had even been a woman. In fact, nobody liked Mrs. Thatcher except most British people.

Mrs. Thatcher's toughness was more than just a thick skin or hardened political ambition. The Irish Republican Army and its various imitators set a high priority on killing her. They killed Airey Neave, who had run her campaign against Heath. They killed five of her colleagues and injured dozens more when they placed a massive bomb at her 1984 party conference in Brighton. It was a publication in the Soviet Union, not some PR man, that first called her The Iron Lady.

Her triumphs were of character, not wisdom. Mrs. Thatcher was not the first politician to realize that union leaders were holding the country to ransom. The Labour white paper "In Place of Strife" dated from Harold Wilson's premiership in the 1960s, and Heath had run for reelection in 1974 on the question of "Who governs Britain?" (He got his answer.) Her recapture of the Falklands after an Argentine invasion might have been an easy matter when Britannia ruled the waves a century before, but by 1982, Britannia most certainly did not. Thatcher commandeered cruise liners, including the *Queen Elizabeth 2*, as troop ships. Nor could she count on help from the United States, at least not at first, because the same Argentine generals who were threatening Britain's overseas possessions were training the Nicaraguan contras. The Argentine war was tragic, but the tragedy lay in the generals' unhinged decision to start it, not in Mrs. Thatcher's decision to defend the islands' sovereignty.

Her idea of sovereignty was an old-fashioned one. Champions of the European Union were inclined to paint it as reactionary. Thatcher "inherited a settled state of British Europeanness," Hugo Young wrote, and Thatcher tightened relations further. But at the same time, oddly, she sought to "persuade the British into an attitude of hostility to the group with which she spent 11 years deepening their connection." The judgment is just, but incomplete. When Heath brought Britons into the common market in 1973, Western European society felt "finished." Its system was settled, the big decisions long since taken. Virtually all the countries in the European community had a foreign policy subordinated to NATO and were following the same economic model of big welfare states, official union roles, and industrial policies. There simply wasn't that much to use sovereignty *for*. But the world changed a lot in the decade and a half thereafter. At Bruges in 1988, Mrs. Thatcher said the new European system of government could not replace the one Britain had been running since 1215. She fought the advisers who tried doggedly to drag her into endorsing a common European currency. She

relented in her last days in office, but her instinct proved right: Britain was chased out of the common currency by George Soros and other speculators in 1992—luckily, in light of what has happened to the members of the euro since.

Britain was not so lucky in all the matters Thatcher touched. London is Europe's banking capital. It is not the capital of much else. These two facts may be related. There are now more people employed in Indian restaurants in Britain than in its coal, steel, and shipbuilding industries combined, according to David Goodhart's newly published *The British Dream*. And this transformation happened on Mrs. Thatcher's watch. A comparison with Ronald Reagan is apt. Mrs. Thatcher was more conservative than Reagan, in the sense that she had a better-developed sense of right and wrong. The dialectic that shaped Reagan's worldview was that of freedom vs. unfreedom. The dialectic that shaped Thatcher's worldview was virtue vs. laziness. Like Reagan, she generally receives credit for rescuing her country's economy at the expense of introducing dog-eat-dog rules into its society.

The capitalism she ushered in changed Britain in unconservative ways. Just as Bill Gates's America is more comfortable but probably less tough and less honest than Walter Reuther's, the Britain of One Direction is more spoiled than the Britain of the Beatles. This may be evidence of shortsightedness on Thatcher's part, but it is far more likely the latest in several millennia-worth of lessons about work, luxury, and decadence. As the historian Dominic Sandbrook wrote, "If anyone thinks that, had Thatcher fallen under a bus in 1974, Britain today would have booming coal mines, a roaring steel industry and car factories the envy of the world, then they have been reading the wrong history books." It was not Thatcher who, 35 years ago, caused the world economy to change. But it was she who allowed her country to hold its own when change came. ♦

NEWSCOM

The Victorian Lady

Margaret Thatcher's virtues.

BY GERTRUDE HIMMELFARB

The soon-to-be Conservative party leader in her Chelsea kitchen in 1975

It was at a reception at the British embassy here in Washington in the early 1990s, I believe, when I was introduced to Margaret Thatcher by John O'Sullivan, her friend and former "Special Adviser." Gertrude Himmelfarb, he told her, had recently delivered the Margaret Thatcher Lecture in Tel Aviv on a subject dear to her, Victorian values. "But of course, I know Gertrude," she replied, "we've met before. And what a great subject, Victorian values. Let me tell you about Victorian values." Which she did, eloquently, perceptively, and at some length, while John vainly tried to move her on to more worthy guests who were waiting to greet her.

We had, in fact, met a few years earlier in London at a conference on Victorian values chaired by her—this a few weeks before the election of 1987 that ushered in her last term in office. Victorian values were a prominent and much disputed theme in her campaign. Replying to a television interviewer who observed, rather derisively, that she seemed to be approving of Victorian values, she enthusiastically agreed. "Oh, exactly. Very much so. Those were the values when our country became great." In another interview, again responding to

Gertrude Himmelfarb is the author of The Moral Imagination *and, most recently,* The People of the Book: Philosemitism in England from Cromwell to Churchill.

a critic, she said that she was pleased to have been brought up by a Victorian grandmother who taught her those values. She went on to enumerate them: hard work, self-reliance, self-respect, living within one's income, cleanliness next to godliness, helping one's neighbor, and pride in one's country. "All of these things are Victorian values," she assured him. "They are also perennial values."

Her friend and biographer Shirley Letwin aptly memorialized these as the "vigorous virtues." In her autobiography, Thatcher makes a point of the fact that she had originally used the expression "Victorian virtues," lapsing into the more modish "values" when that became the more familiar term. On other occasions she gave those "perennial values" a more venerable, and varied, lineage: Christian, Judaic-Christian, Puritan, Methodist. In one speech during her last campaign, she recommended John Wesley's famous precept as the guiding ethos of conservatism: "Gain all you can. . . . Save all you can. . . . Give all you can."

The Tel Aviv lecture O'Sullivan alluded to when he reintroduced me to Margaret Thatcher could not have been more inauspicious: first in its naming—Margaret Thatcher was hardly a revered or even respected figure in Tel Aviv University, the most liberal of Israeli universities (I don't know whether that endowed series survived beyond that first lecture); and even more, because of the provocative subject I chose for that occasion. The title I gave it was "Victorian Values/Jewish Values," citing Thatcher on Victorian values and extending it, by way of the "Judaic-Christian" ethic, to Jewish values. I might also have mentioned the frequent references to the large number of Jews in her constituency and, more conspicuously, in her cabinet. As Harold Macmillan's quip had it: "There are more old Estonians than old Etonians in this government." One biographer explained: "As a moral code for upward mobility of the kind the MP for Finchley [her constituency] never ceased to preach, Judaism embodied many useful precepts and could produce many shining exemplars." A reviewer of that biography put it more coarsely: "Mrs. Thatcher instinctively warms to the Jewish *nouveaux riches* of North London and seems to see Judaism as an exemplary religion of capitalism."

It is curious that the champion of Victorian values—better yet, Victorian virtues—should be accused, by some social conservatives as well as liberals, of elevating the "self," the autonomous individual, above "society"; indeed, denigrating society in the interest of the self. Margaret Thatcher addressed this objection in her autobiography, insisting that she, like the Victorians, consistently saw the individual in the context of community, family, the other agents of society, and, not least, the nation. It was in that context, she said, that she promoted entrepreneurship, privatization, social mobility, a dynamic economy, and a limited government. She praised "the American theologian and social scientist" Michael Novak for stressing the fact "that what he called 'democratic capitalism' was a moral and social, not just an economic system, that it encouraged a range of virtues, and that it depended upon co-operation not just 'going it alone.'"

"Not So Much a Programme, More a Way of Life"—that is the title of her chapter on the thorny subject of self and society. The Victorians could not have said it better. Nor can conservatives today, seeking to restore a "way of life" rooted in family, religion, and civil society to counteract the overweening, managerial, programmatic state.

The name, or epithet, Iron Lady has an ambiguous tone, suggesting a strength of character unhappily wanting in humanity. That Margaret Thatcher welcomed it is evidence of her faith in those virtues that are both invigorating and humanizing, which enabled her to resist the currents of the time, domestic and foreign, that were disabling the people and the country. And so we may remember her, an Iron Lady in the most honorable sense of that term. ♦

The Decline of Obama

How to lose friends and influence.

BY FRED BARNES

With President Obama, there's always a catch. In the 2014 budget he announced last week, Obama proposed a more accurate way of calculating the inflation rate for annual cost-of-living increases in Social Security. It's a technical change in pursuit of honesty and good government. And if adopted, it would cause benefits to grow more slowly, though almost imperceptibly so. Republican leaders in Congress ought to be delighted since they had "championed"—Obama's word—the idea in the first place.

Then came the catch. The president's price for adopting this gentle reform was hundreds of billions in new tax increases. It was a price Republicans were certain to reject, as Obama surely knew. Rather than grounds for a bipartisan bargain, his "compromise" was a political contrivance to put Republicans at a disadvantage.

It may work. Now Obama will accuse Republicans of not being serious about deficit reduction. Now he will blame them for obstructing a deal on spending and taxes. Now he will claim their motive was solely to shield the wealthy. We've heard all

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this before—and it's worked before.

But there's something else involved as well. Under Obama, the presidency has been in decline. His use of the budget as a ploy against Republicans is an example of this. The biggest domestic issue is the looming fiscal crisis, but Obama has addressed it only rhetorically. Instead he's used the budget largely as a political tool that cheapened the presidency.

Other presidents have done this, but far less crassly or brazenly. At least they presented their budgets on time, as required by law. Obama was two months late. He erased one of Washington's oldest adages: The president proposes, Congress disposes. By last week, both the Senate and House had already passed budget resolutions.

Obama's tardiness touches on another aspect of presidential decline: the loss of influence. By long tradition, any release of the budget produced by the White House was a major event. True, the impact of the president's budget has waned in recent years. Obama has made it an afterthought.

On Capitol Hill today, Obama has scarcely any clout at all. One reason: He acts as if spending time with members of Congress, even Democrats, is an unpleasant chore. Another reason: Having deferred to Democrats in his first term, he finds it difficult to pull rank on them in his second. And having ignored or alienated Republicans, he isn't likely to achieve much by courting them over dinner in recent weeks.

Immigration and gun control are the dominant issues in Congress at the moment, and Obama is a major player on neither of them. The "gang of eight"—four Democrats, four Republicans—is the driving force on immigration in the Senate. Obama is no force at all.

Their bill, which was being finalized last week, would require near-total border security to be certified before immigrants here illegally are granted legal status and the right to seek citizenship. Obama's version has never been released publicly, but was leaked in mid-February. It would give illegals an immediate path to citizenship. The gang of eight rejected that idea.

After the Newtown massacre in December, Obama proposed a ban on many "assault" weapons and other restrictions. That got no traction in Congress. Now the expansion of background checks on gun purchasers is the last hope of gun control advocates.

Obama promised to play a huge role in the gun control debate, but the issue has left him behind. He gave speeches in Denver and Hartford, Connecticut, to stir support. He flew parents of Newtown victims to Washington last week to lobby for gun control legislation. The result: no discernible impact.

The bully pulpit has served Obama poorly, as it has every president since Reagan. Obama, however, was expected to be more eloquent than his predecessors, thus able to generate enthusiasm for his initiatives. If anything, he's generating indifference. His speeches on health care failed to stop Obamacare from losing popularity. His speeches on gun control failed similarly.

It drew minimal attention in March when Senate majority whip Dick Durbin of Illinois characterized the gang of eight as a model for progress on issues besides immigration. "We're trying to establish a new standard in the Senate, a bipartisan dialogue that may result in a solution," he said.

"I think that people who have given up on Congress would be encouraged to know that there's a real positive dialogue—a bipartisan dialogue—and perhaps—just perhaps—we can set the stage for a more positive dialogue when it comes to the budget," Durbin told Bob Schieffer on CBS's *Face the Nation*.

This doesn't leave much room for Obama's involvement, at least in the Senate. On gun control, a gang of two senators—Democrat Joe Manchin of West Virginia and Republican Pat Toomey of Pennsylvania—has put together the measure to expand background checks.

The decline of the presidency isn't Obama's fault alone. The media once treated Washington as a White House-centric town. They did so during the entirety of Obama's first term. Obama was an obsession. Congress was unexciting and got far less coverage.

But the press can be fickle, and its interest in Obama has dwindled. Now the media buzz in Washington is about who's going to run for president in 2016 and who's going to win.

After Republicans captured Congress in 1994, President Clinton was asked if he was still relevant. He was. Presidents can always play defense, thanks to the veto, and focus on foreign policy, where they have considerable discretion. Obama is relevant. He's just not the president he once was. ♦

GARY LOCKE

Location, Location

The secret to the Republicans' House majority.

BY JAY COST

The 2012 national election continues to be a puzzle. Barack Obama won reelection with a solid 51 percent of the vote, and Democrats picked up 2 Senate seats, expanding their majority to 55-45. Yet the House of Representatives remained in Republican control, 234-201, yielding the divided government we have today.

Liberal analysts tend to blame the Democrats' minority status in the House on Republican gerrymandering, which is ironic considering how expertly their own politicians have rigged districts when given the chance. Indeed, the Democrats' redistricting of Texas in the 1990s remains a wonderment. As late as 2000, Republicans could carry 51 percent of the two-party House vote in the Lone Star State and win only 13 of 30 House seats.

Still, liberals have a point. After the 2010 census, the GOP did control redistricting in more states than it has for generations, and the final House results in 2012 were striking: Democrats carried a small plurality of the vote nationwide but won only 201 seats. Yet Republican gerrymanders were not the only element at play.

To begin with, the House favors incumbent parties. The GOP advantage in 2012 was noteworthy because the party lost the popular vote while retaining a majority of seats, but its advantage was no larger than previous majority parties have enjoyed. The Democrats defended a House majority in every election from 1954 through 1994, during which time they won an average of 54 percent of the two-party House vote but 60 percent of the seats. In 2012, the GOP won 48 percent of the vote but 54 percent of the seats.

A more salient point is that the House seems to have developed a structural Republican tilt that has grown in recent cycles. It springs from the way the lower chamber is elected: in geographically based, single-member, winner-take-all districts, favoring coalitions whose votes are broadly distributed and disfavoring constituencies that are concentrated.

Concentrated voters are urban voters, and the shift of Democratic strength from the countryside towards the cities is nothing new. The great political revolution brought about by Franklin Roosevelt and the New Deal in 1932 linked the Northern urban centers to the historically Democratic (and rural) South and Mountain West, but the latter have been drifting away from Democrats, even as the former have become more firmly Democratic. Indeed, the trend is discernible as early as 1952 in the presidential vote, and as early as 1937 in the vote for Congress.

This shift has continued over the last quarter-century, as Democrats have done better in the cities, held their own in the suburbs, and fared worse in the small towns and rural places. In 1996, Bill Clinton won 62 percent of the vote in the 20 largest Northern cities, as he was taking 50 percent nationwide. Last year, Barack Obama won 71 percent of the vote in the largest Northern cities, and 51 percent nationwide. Yet Obama did substantially worse than Clinton outside the cities. Clinton carried a swath of states around the Ohio and Mississippi Rivers that are dominated by small towns and rural areas—Arkansas, Kentucky, Louisiana, Missouri, Tennessee, and West Virginia—with an average of 50 percent of the vote. In these states, Obama took an average of just 39 percent.

Even in the last four years, Democratic weakness in rural areas has grown. In 2008 Obama carried 63 percent of the vote in cities with populations over 50,000 and 45 percent in small towns and rural areas. Four years later, his vote was almost unchanged in the cities, at 62 percent, but it plummeted in the small towns and rural places, to just 39 percent. What this means is that Obama became more polarizing: Strongly Democratic areas stayed with him for a second term, while moderately Republican areas went more heavily against him.

How does all this translate into a structural advantage for Republicans in the House? Simply, Democrats have been winning the cities by large margins for generations, so gains in urban centers yield few new congressional seats. The party's decline outside the cities, by contrast, has had an enormous effect, all the more since nonurban districts, especially in the South and border states, used to be fairly reliably Democratic. Factor in the decline of ticket-splitting, and downballot Democrats in the party's historic heartland find themselves in trouble.

What's more, this effect has been amplified by the 1982 amendments to the Voting Rights Act. As originally passed in 1965, the Voting Rights Act prohibited the rigging of election rules with the intent to discriminate against minority voters. But with the 1982 amendments, spearheaded by the left and signed into law by Ronald Reagan, "intent" was changed to "effect," and so was born the federal mandate that, whenever possible, redistricters must pack nonwhite voters into minority-majority districts so as to elect nonwhites to Congress.

Here's how this plays out. Suppose you are a white Democratic congressman from the South in the 1980s. A majority of your constituents are voting Republican on the presidential level, but you still pull in maybe 40 percent of the white vote based on ancestral ties to your party, your history of district service, a moderate voting record, and so on. You also win 90 percent of the black vote. The two combined put you over the top. Once the amended Voting Rights Act comes into play after the 1990 census, however, redistricting increasingly concentrates black voters

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in the South (and Latinos in Florida and Texas) in minority-majority districts; and more and more whites are voting Republican down-ballot. So, as a white Democrat, you probably retire or lose in Republican waves like 1994 and 2010. And when your district finally goes Republican, it doesn't go back.

This has been the most prominent development in House elections over the last generation. As late as 1990, Democrats won 56 percent of the Southern vote for the House and 66 percent of the seats. In 2012, the Democrats won 42 percent of the Southern House vote and a paltry 29 percent of the seats. And all but six of the Southern seats won by Democrats were either minority-majority or "minority-influence" districts (where no single ethnic or racial group is a majority, but non-Hispanic whites are a minority).

Compounding the problem for Democrats is the drift of population away from areas where Democrats dominate—like New England—to the South, where Republicans get to draw district lines. Thus, in 2012, Democrats won 54 percent of the seats from outside the states of the Old Confederacy, which is about the same as in the 1970s or '80s. But now, winning the North is worth fewer seats than before.

So gerrymandering after 2010 did indeed help the Republicans hold the House last year, but it only amplified existing patterns and trends. The Democratic brand has been improving in places where there are few if any seats to gain, while declining where the party has stood to lose dozens of seats.

This is not to say that House Republicans have a permanent majority—far from it. But it is to say that the party's minimum number of seats has substantially risen over the past generation, and maybe even since 2010. In 2008, a terrible year for Republicans, the party held 178 House seats, roughly equal to the 182 seats the GOP won in the Reagan landslide of 1984. Similarly, the 234 seats the Republicans won last year (despite losing the popular vote) are more than the party won in 1994 or any other year since 1928, with the exception of 2010.

All this must be kept in mind when liberals trumpet the new Democratic majority they believe emerged in 2006. Even if they are right, it appears to be a presidential-level electoral majority, but not a governing majority. After all, in our system of government, it matters not only how many votes you win, but where those votes are located. And for now, Republican votes appear to be better situated than Democratic ones. ♦

Start a Family . . .

And before you know it, you'll be voting for the GOP.

BY JONATHAN V. LAST

In 2005, Steve Sailer wrote a cover story for the *American Conservative* theorizing that the divide between red and blue states was driven in large part by the cost of family formation. Sailer dubbed this the "Dirt Gap" (referring to the price of homes with yards), and his general thesis was that affordable family formation—and the attendant bourgeois life which it enabled—was the source of our political divisions.

In February, George Hawley, a political science professor at the University of Houston, decided to test Sailer's theory. In a paper published in the peer-reviewed journal *Party Politics*, Hawley built a model which ought to be studied by every Republican political operative in the country. Because it shows not only that Sailer was correct—lower median home values are closely linked to Republican voting—but that one of the key factors linking home values and Republican voting is marriage.

Hawley's model has an elegant simplicity. He focused on the 2000 presidential election because (1) it was very close and, more important, (2) it coincided with a census. The two data sets, voting and demography, were captured almost simultaneously, lending more certainty to the findings.

Hawley didn't just plop the election results on top of the census data and look for patterns. He instituted a number of controls in order to isolate the effects of different variables. For instance, home prices are driven to a large degree by a locality's median income—so Hawley created a control for that. He also controlled for a county's median age and for the percentage of African Americans and Hispanics. He controlled for rural living and college education and poverty. His goal in all of this was to isolate the effect of two factors: median home price and marriage rate.

That second variable, however, presented a problem. The census reports the median age at first marriage for states, but doesn't break it down by county. So Hawley created a nifty little proxy. He took the "ever-married rate"—that is, the percentage who have ever been married, even if they are now separated, widowed, or divorced—for just one cohort: women aged 25 to 30. The higher the ever-married numbers for women in this group, the lower the average age of first marriage will be. And vice versa. It was an inspired bit of analysis.

And so, with his model complete, Hawley set his computer to crunching the numbers.

It turns out that, as Sailer proposed, the cost of housing does influence vote-choice. Hawley found that every $10,000 increase in median home value in a county resulted in a 0.3 percentage point decline of the vote for George W. Bush. Peering into the data, he noticed something else interesting: Even though median income and median

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home value are highly correlated, those two variables have *opposite* effects on voting. Higher house prices made people less likely to vote for Bush, but higher incomes made them more likely to vote for him.

The really eye-popping results, however, came when Hawley ran the model looking at ever-married 25- to 30-year-old women. It turned out that the marriage rate for these women was a greater influence on vote choice *than any other variable Hawley measured.* For every 1 percentage point rise in the ever-married rate, Bush gained 0.2 percentage points of the vote. In counties where the ever-married rate was far above the average (two standard deviations, for any stat-nerds keeping score at home), Bush's share of the vote shot up a whopping 5.5 percentage points.

The average age at first marriage (which is what Hawley was indirectly measuring) was such a powerful driver of voting that it overwhelmed all sorts of other characteristics. For instance, it has long been assumed that the further people go up the education scale, the more likely they are to vote for Democrats. But in Hawley's model the marriage rate almost completely eliminated this "education effect." Which suggests that it is less the "education" that drives vote preference than the effect of higher education in pushing up the age of marriage for young adults. Once Hawley took marriage into account, education ceased to have any statistical significance in predicting votes.

Marriage even dramatically lessened the very robust effect of median home prices. But it didn't eliminate it altogether, which suggests that housing price has an effect on voting independent of marriage rates.

In Hawley's final pass through the model, he looked at how median home price and the marriage rate interact with one another. And here he found another powerful relationship: Every $10,000 *increase* in median home value causes a 0.3 percent *decrease* in the marriage rate of the 25- to 30-year-old cohort. Which suggests that, all else being equal, increasing home prices delays marriage.

Hawley's research might seem esoteric, but it carries with it an extraordinary amount of practical political guidance for Republicans.

For instance, the GOP is rightly committed to increasing economic prosperity. But Hawley notes that rising incomes don't actually produce any political benefit for Republicans if they require increasing educational attainment and are accompanied by rising land costs. So Republican economic policy should probably be somewhat more populist-minded.

And about those land costs. Whether or not Democrats have intuited that higher housing prices help them, liberal urban planning shibboleths—fealty to mass transit combined with a dogmatic commitment to increasing population density—have the effect of making homes more expensive. Republicans ought to be just as interested in measures which contain housing costs, such as building highways and removing land-use restrictions. In other words, Republicans ought to be every bit as committed to the suburban project as Democrats are to urbanization.

Geography has long proved resistant to policy initiatives, and land costs are malleable only to a point. Sociology, however, is more promising. The Republican party can't lower the cost of real estate in Manhattan but it could plausibly encourage more Americans to get married. In the same way no politician ever misses an opportunity to extol the virtues of college, Republicans should insistently be making the case for marriage.

This isn't a heavy lift. There's an enormous amount of research demonstrating that marriage makes people happier, healthier, and wealthier. The most recent addition to the literature came just a few weeks ago in the form of a report titled *Knot Yet*, by Kay Hymowitz, Brad Wilcox, Jason Carroll, and Kelleen Kaye, which examined the same delayed-marriage phenomenon that Hawley was studying in his model.

The *Knot Yet* authors have put together a list of policy ideas that could help Americans get to marriage earlier. For starters, Republicans could champion nontraditional degrees and vocational training instead of robotically pushing the universal four-year degree, which these days too often comes with a crushing load of debt. When Republicans talk about reforming the tax code they ought to advocate measures that will make family formation more affordable—like increased child tax credits—and be wary of plans—like removing the mortgage-interest deduction—which could make it more difficult.

Other ideas abound. Lately some Republicans have become obsessed with trying to outbid Democrats on issues, such as immigration and same-sex marriage, which do not offer any obvious political advantages. If they're going to get into bidding wars, why not do it over a suite of issues that could actually bear electoral fruit? For instance, today Democrats are the only ones promoting family-friendly workplace policies. Hawley's research suggests that Republicans ought to be competing in this space, too, helping to mitigate the professional costs young men and women incur by entering marriage and family life, and thus encouraging more of them to take the plunge.

As the party of commerce and free markets, Republicans are constitutionally disposed toward prizing economic growth, job creation, and lower taxes, which is fine, so far as these things go. But regaining the White House and becoming a majority party again will require more than that. Instead of flitting from one political fad to the next, the GOP ought to be fixating on the foundational questions that most influence voting behavior: encouraging young men and women to get hitched and lowering the financial barriers for those ready to tie the knot.

Sociologists have long acknowledged the good societal outcomes of such behavior. George Hawley has demonstrated in no uncertain terms the good political outcomes. If the Republican strategists don't take note, they'll deserve to keep losing elections. ♦

A Media Smear

Noxious gender politics go mainstream.

BY CATHY YOUNG

A sexual assault case involving several teenagers in Steubenville, Ohio, last fall turned into a national story—and, for many on the left, a vehicle to indict America as a misogynist "rape culture." While the two defendants were convicted in March, there remain unanswered questions about the case (currently the subject of a state investigation). But one thing that emerged clearly in the media coverage is the disturbing influence of radical gender politics.

In the Steubenville case, the radical feminist narrative got a boost from the facts. The 16-year-old victim, who became severely intoxicated at a party and was at times unconscious and at others barely conscious, was stripped and subjected to sexual abuse that included penetration with fingers (classified as rape under Ohio law). Overnight, nude photos of the girl and a video capturing some of these acts showed up in the social media (though the video was soon deleted); one of the perpetrators bragged about his exploits to friends in crude text messages.

Trent Mays and Ma'lik Richmond were arrested on August 22, eleven days after the incident. But from the start, some charged a cover-up to shield other culprits. The rumors were fueled by the fact that the defendants were stars of the Steubenville High football team, and many other current and former players attended the party. The football program, "Big Red," is the pride of the town of 18,000. Head coach Reno Sacoccia appeared as a character witness for Mays and Richmond at a preliminary hearing.

At the end of the year, as the story went national with a front-page article in the *New York Times*, a group that dubbed itself "KnightSec" and "Occupy Steubenville"—an offshoot of Anonymous, a group of hackers with a far-left agenda—went on the warpath. The "hacktivists" posted the names, addresses, dates of birth, voter IDs, and other personal details of 50,000 Ohio residents and threatened to do worse if more rumored perpetrators were not jailed. In January, a KnightSec-affiliated website, LocalLeaks, released a mass of lurid allegations from the Steubenville rumor mill—all unsupported, and sometimes directly rebutted, by evidence at the trial three months later.

KnightSec's online calling-card

In the LocalLeaks version, the victim was deliberately set up for rape, drugged, kidnapped, repeatedly raped and sodomized by at least four attackers, urinated on, and finally dumped unconscious outside her parents' home. (In fact, she willingly left the party with the boys and spent the night on a couch in the house of a friend of theirs.) The site further claimed that the attack was part of a larger conspiracy: A self-styled "rape crew" of football players supposedly assaulted women with the complicity of an adult male mentor, the owner of a private fan site for the team. As "proof," the online vigilantes touted a photo from one of the man's hacked emails, supposedly resembling the victim in a sexual assault case involving two lacrosse players some 300 miles away. The son of Jefferson County prosecutor Jane Hanlin—who had recused herself from the case because of her son's football team membership—was also named as part of the "rape crew."

Despite KnightSec's criminal actions and uncorroborated smears, the group was given a platform by some mainstream media outlets including a blog on the website of the *Atlantic* magazine, the *Atlantic Wire*, and Anderson Cooper's CNN show *360°*; HLN talk show host Nancy Grace also showcased onetime TV star and KnightSec ally Roseanne Barr, who amplified the baseless claims.

The actual facts were enough to convict the two defendants; three other boys received immunity for testifying. There was no evidence that anyone else witnessed the sexual assaults, which happened in a car and at the house where the girl spent the night.

There was plenty of evidence of reprehensible conduct—including an infamous video in which a young man mocks "the dead girl" and makes a string of rape and necrophilia jokes (to raucous laughs from a couple of boys and disgusted protests from two or three others). While the video was not, as some reports implied, a commentary on the rape in progress—the boys were not at the scene, and the sick jokes were based on rumors they may not have taken seriously—it was unquestionably repulsive. Both the clip and the other postings in the case paint a depressing picture of youth culture, whether one blames misogyny or a more general failure of values (as the victim's mother and attorney have done). And far too many adults seemed more concerned with the football program than with the athletes' wrongdoing.

Nevertheless, this hardly adds up to a case against a sweeping, all-American "rape culture." Indeed, the boys' own words rebut the feminist-propagated claim that most American males don't see sex with an unconscious woman as rape: The word "rape" was used repeatedly in the video and in the text messages between Mays and his friends (one of whom called Mays "a felon"). The boys also seemed well aware of the

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likelihood of legal trouble if the girl and her parents went to the police.

Yet the "rape culture" narrative was given plenty of space. In *Time* magazine, novelist Peter Smith chided his fellow men for failing to break ranks with their sex and "say something" against rape (never mind the male judge who "said something" by sending the boys to prison). *New York Times* columnist Nicholas Kristof preposterously invoked the Steubenville case as proof that America has as bad a problem with the mistreatment of women as do Third World nations where rape is rarely punished. For Kristof and some other pundits, Steubenville became the American counterpart to New Delhi, India, where a young woman's death from injuries sustained in a brutal gang rape had recently shocked the world. Yet, if anything, the successful prosecution in Steubenville showed that the American justice system punishes perpetrators of sexual coercion even in circumstances that, in many countries, would have condemned the *victim* to dishonor, prison, or even sometimes death.

In an ironic twist, CNN—which had given largely uncritical attention to the "rape culture" crusaders—became their final target at the trial's close. Reporting on the sentencing, CNN correspondent Poppy Harlow observed that it was "incredibly difficult" to watch the 16- and 17-year-old defendants sob as their lives fell apart, and host Candy Crowley commented on their youth. Sympathy for juvenile offenders, even in murder cases, is hardly rare. Yet the report was denounced, with the usual falsehoods and distortions, as a prime example of a rape-supportive culture: Left-wing blogs and an online petition asserted that the CNN segment never once mentioned the victim, when in fact Harlow and Crowley had spent some time discussing her and noted that "her life will never be the same." The CNN journalists, reportedly dismayed at being branded apologists for rape, were getting a small taste of the smears directed so recklessly at Steubenville residents—including women like Hanlin—in the name of championing women. ♦

The Tea Partier's Progress

From the House to the Senate.

BY MICHAEL WARREN

When Republican senator Tim Scott addresses an audience, he paces back and forth on the stage. He doesn't use notes or look at a teleprompter. He punctuates with his hands, pointing his index finger outward or turning his palms upward. He looks and sounds like a revivalist preacher or a motivational speaker. When he asks his audience a question, he expects to hear an answer.

"You want to listen to a quick story?" he asked the crowd at the Conservative Political Action Conference last month. They did, so he told one.

In the summer of 1982, Scott was a 16-year-old rising high school senior living in North Charleston with his single mother and his brother (his father left home when Scott was 7). A popular kid, Scott was student government president and, more important, a football star. "In my own mind," he joked with the CPAC crowd. In an interview a few weeks after the conference, he was more critical of his teenaged self. "I was pretty intoxicated with myself," he told me.

One morning that summer, Scott nodded off at the wheel of his mother's brown Toyota Corolla hatchback. When he came to, he was speeding down the busy highway. Panicking, he slammed on the brakes and jerked the steering wheel. The car rolled several times, finally landing in a ditch. Lying inside the car with broken glass in his back and rear end, Scott could hear people talking as they ran toward the wreckage.

"I think he's dead!" yelled one woman. "I think he's dead!"

Scott yelled back, "I'm dead! I'm dead!"

He remembers a highway patrolman bending down to comfort him as the emergency medical team came to pull him out. "Son, your momma's going to be happy you're alive," the officer said.

"Sir, you don't know my momma," Scott replied. "She's going to kill me."

He missed most of the football season, which meant any college scholarship opportunities for him dried up. "Not playing football for six or seven weeks was like not breathing for six or seven weeks. It was my life," Scott says. "I think the good Lord used that in a powerful way to teach me . . . that I was so self-absorbed with trying to find me and being popular and being successful that I missed the real value of being significant and not just successful."

His personal transformation was already in progress. A couple of years before his accident, Scott had befriended a local businessman, John Moniz, who was one of the most successful Chick-fil-A operators in the country. Throughout high school, Moniz served as a mentor to Scott, teaching him that football stardom wasn't the only, or even the best, path to success in life. "He taught me you could actually think your way out of poverty," he says. But it wasn't until Moniz died young while Scott was in college that he says the full meaning of his mentor's lessons about personal responsibility came into focus. Scott says his car wreck and Moniz's death were important events in his life. Two decades later, he'd have another.

In 2010, Scott was one of two black

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Republicans elected to the House, along with Florida's Allen West. While redistricting and a confrontational style made West a one-term phenomenon, voters in the 70-percent white district that stretches from Hilton Head to Charleston reelected Scott with nearly two-thirds of their votes in 2012. The 47-year-old Republican was on his way to a successful career in the lower house of Congress.

But soon after Election Day, Jim DeMint, South Carolina's conservative senator, abruptly announced he was resigning his seat two years into his second term to take over as president of the Heritage Foundation. Governor Nikki Haley appointed Scott to replace DeMint in the Senate, making him the first black senator from the Deep South since Reconstruction. He'll have to run in 2014 for the last two years of DeMint's term, but there are no signs of serious opposition.

It's been a relatively rapid rise for Scott, who served 13 years on the Charleston County council and one term in the statehouse before his first election to Congress. In some respects, he still yearns for the life of the local politician. "When you went to the Walmarts and the Piggly Wigglys, you ran into your boss on the floor, in the aisles," he told me. "And that teaches you a lot about public service." The sorts of issues a county councilor deals with—law enforcement, land use, conservation—translate to the national stage, he added.

Scott draws more from his Charleston past than just his political experience. Growing up poor gives him a perspective, he says, on what struggling families are facing. In his view, conservative economic policy ought to be about providing opportunity for the "least among these."

"When I think about tax policy, I don't think [about] it simply through the prism of spending too much as a country. I think about it as having too little to spend as a family," he says. "My mom was raising two kids on four or five dollars an hour, so every penny that she didn't have was an incredibly valuable penny. So to me, tax reform that simplifies and empowers the individual is good for the community. . . . It's good for the state. It's good for the nation. It's most importantly good for the person, because they get to keep more of their resources so they can be autonomous to the largest extent possible."

His rhetoric has a Tea Party flavor, and that's no surprise. Scott was one of South Carolina's "Four Horsemen" of the Tea Party, a group that includes congressmen Mick Mulvaney, Trey Gowdy, and Jeff Duncan. Gowdy, Scott says, remains his "best friend," and he still shares a house on Capitol Hill with Duncan. ("He thinks he's a better basketball player than he is," laughs Duncan.)

Tim Scott with South Carolina high school students on the Capitol steps

In the House, Scott had a consistently conservative record on the fiscal issues that gave rise to the Tea Party, supporting tax cuts, opposing increased government spending, and voting for a balanced budget amendment. Among that conservative freshman class of 2010, Scott rarely voted against the GOP conference and was a favorite of the leadership. He says he still speaks regularly to House majority leader Eric Cantor and majority whip Kevin McCarthy.

In the Senate, Scott has kept a relatively low profile, voting with his party more than 90 percent of the time. He spoke for two minutes during Rand Paul's 13-hour filibuster in March but has yet to give his first major floor speech. Wyoming's John Barrasso, the Senate Republican policy committee chairman, says Scott is an active participant who "speaks his mind" in conference meetings.

"He'll tell you what he thinks and he'll ask questions," says Barrasso, who speaks highly of Scott's optimism. Barrasso asked Scott, whom he calls a "man of faith," to give the invocation at a recent policy meeting. Scott, who isn't married, is an active member and lay leader at the nondenominational Seacoast church in suburban Charleston.

Scott is unlikely to take on his predecessor Jim DeMint's role as conservative standard-bearer. Nor does he seem eager to be pigeonholed as a bridge between his party and the black community, though he says he'd be happy to play a role if asked. South Carolina's deep red politics means that, like DeMint with conservative causes and Lindsey Graham with national security, Scott has the freedom to stake out an identity all his own during his Senate tenure.

A former insurance agent and financial adviser, he talks a lot about fiscal discipline and sanity, but there's more than money to his mission. Scott says he wants to spread the message of individual opportunity to those who haven't heard it, just as John Moniz did for a wayward teenager more than 20 years ago.

"I set my life's mission to positively infect the lives of a billion people with the message of hope," Scott says. "I've been trying to find the ways to impact people and now policy with the notion of the power of thought and the power of the individual." ♦

NEWSCOM

Waiting for Obama

Don't expect White House leadership on corporate tax reform. BY IKE BRANNON

The Obama administration recently signaled to the business community that it could countenance some version of a territorial tax system for income earned abroad by U.S. businesses. Tax reform enthusiasts have seized on this perhaps a little too desperately, as evidence that reform will occur this year. It's a thin reed, however: If any tax reform does pass Congress it will happen in spite of, and not because of, this administration.

The administration's position on a seemingly arcane tax issue is important because it's ground zero for the tax battle between unions and corporations. How we tax the profits U.S. corporations earn in other countries has profound consequences for the U.S. economy.

We could tax those profits so that the effective tax rate that GM and other multinationals face is the same abroad as it is here. This is called a worldwide tax regime. Another option would be not to tax those profits at all (meaning companies only pay taxes to the country in which they do business) so that U.S. businesses pay the same tax rate as their competitors in that country. We call this a territorial tax regime.

The right tax policy depends on why we think U.S. companies have overseas operations. If we fear that U.S companies push operations overseas mainly to take advantage of lower taxes and labor costs, then we want to increase their taxes abroad to deter them from operating abroad. If we think that they do so in order to service foreign markets, and that U.S. businesses that are successful in doing so thereby create jobs in the United States, then we want to keep their taxes on overseas income low.

Most countries (including every member of the G-7 save the United States) have a territorial tax system of some sort. The United States has a hybrid approach: Companies must pay taxes on their overseas profits at U.S. rates (minus a credit for foreign taxes paid), but they can defer the tax until the money returns here. As a result most companies with significant overseas operations have substantial money invested abroad, a total of well over $1 trillion.

The president's position on how to tax foreign profits has changed repeatedly. When he first ran for the White House in 2008 Obama promised that he would not only stick with our current worldwide system for taxing foreign income but also get rid of deferral, a position that Tim Geithner, his Treasury secretary, reiterated early in the new administration. However, during the 2011 negotiations over the debt limit the president signaled that he could live with territoriality, and the business community got enthused about the prospect.

As the presidential campaign ramped up and unions needed to get engaged, the administration reversed course and attacked Republicans for supporting the idea of a territorial tax system, pretending that the president's dalliance with territoriality had never occurred. The recent shift back to territoriality makes three shifts in four years for those of you keeping score at home.

President Obama is not unique in changing his position after a campaign, although few have gone back and forth so many times on the same issue as he has. He probably had little choice but to flip back in 2012, given how much unions hate the idea of U.S. corporations paying a lower tax rate on overseas profits than on their domestic earnings. No matter how eloquently it's explained to them that a business doing well abroad creates domestic jobs as well, unions perceive that most of these domestic jobs created aren't union jobs.

In some respects the administration has no choice but to say it could live with territoriality: Senate Finance Committee chair Max Baucus is largely supportive of a move towards territoriality, as is ranking Republican Finance Committee member Orrin Hatch, along with House Ways and Means chairman Dave Camp. If the administration were to announce that under no circumstances would it sign any tax reform that included territoriality, tax reform would be dead. And without corporate tax reform, the odds that a reform of the personal tax code would transpire are nonexistent.

There is little evidence, though, that the administration wants tax reform—that is, unless all of the money raised by the elimination or diminution of the plethora of tax deductions, credits, and exemptions goes into Treasury's coffers or is spent on new "stimulus," rather than to lower tax rates. If the rates on middle- and upper-income households and small businesses aren't coming down, then the impact of reforming the personal tax code will be minor, so the remaining motivation for reform would be the additional growth from lowering corporate tax rates and ending our current convoluted tax system for international income.

And that's the rub: This administration has yet to evince any particular enthusiasm for economic growth. Oh sure, it wants to use Keynesian-style spending to get us back to full employment, since it's fun and politically fruitful to divvy up money for highways or transit. But when it comes to thinking about how we might boost private investment and improve worker productivity—which is what economists think of when they talk about growth—the Obama administration is out to lunch. I suspect it's because they doubt that their constituents benefit much from growth or that taxes affect investment or effort in the slightest.

Can tax reform happen if the administration's leading from behind? We'll soon enough find out. ♦

Ike Brannon is research director of the R Street Institute.

Dateline Pyongyang

The AP's problematic North Korea bureau

By Ethan Epstein

In February, North Korea conducted its third nuclear weapons test since 2006. The test, performed in defiance of scores of United Nations sanctions, outraged the international community. Within weeks, the U.N. had leveled more sanctions on the rogue regime, beefing up inspections of North Korean cargo, banning luxury exports to the impoverished nation's appallingly self-indulgent ruling coterie, requiring countries to freeze all financial transactions that might somehow aid the North Korean nuclear program, and barring the transport of bulk cash into the country.

Kim Jong-un's government, predictably, was enraged, threatening to launch a nuclear attack on the United States and to turn nearby Seoul into a sea of fire. But it wasn't only the North Korean regime that warned against the sanctions. On March 8, the day after the U.N. penalties were levied, one venerable news agency ran a strange story under the headline, "UN Sanctions May Play Into North Korean Propaganda."

Datelined Seoul, with reporting contributed from Pyongyang, the North Korean capital, and Beijing, the story informed its readers that sanctions "may have . . . bolstered the Kim family by giving their propaganda maestros ammunition to whip up anti-U.S. sentiment and direct attention away from government failures." Quoting liberally from several prominent advocates of "engagement" with Pyongyang (or various apologists for the North Korean government, depending on whom you ask), the piece sought to build a case that, as the headline suggested, sanctions serve to strengthen Kim's regime by providing it with fodder for propaganda. "[The new sanctions] may . . . play into Kim Jong Un's hands," the article concluded.

Of course, that thesis is nonsense: The North Korean propaganda apparatus is utterly untethered from the real world, and it's going to serve up bellicose, hypernationalistic, and anti-U.S. rhetoric irrespective of whether a few new sanctions are imposed. The turgid article wouldn't have been notable if it had been produced by some misinformed blogger; shoddy analysis of North Korea is a staple of English-language opinion journalism. But this story was published by none other than the Associated Press, one of the world's most respected news organizations, which supplies news to thousands of newspapers and radio stations worldwide, and reported in its patented voice-of-God, "just the facts, ma'am" style.

The Associated Press is one of the most storied names in news. Based in New York, it's a nonprofit cooperative co-owned by some 1,400 U.S. newspapers. It employs roughly 3,700 people in 300 locations across the globe, who file frequent, fact-based stories and occasional analysis. Founded in 1846, the AP claims that half of the world's population sees one of its stories on any given day. The winner of 50 Pulitzers (one as recently as 2012), the AP states that it's "deeply committed to fair, objective and independent journalism."

The news agency has an interesting relationship with North Korea. In January 2012, it opened a bureau in Pyongyang, becoming the first "full-time international news organization with a full-time presence [in North Korea]," as the AP itself reported. The North Korean desk is supervised by Korea bureau chief Jean H. Lee and chief Asia photographer David Guttenfelder.

The AP's Pyongyang operations are unlike those at any of its other bureaus—unsurprising, given that North Korea ranks 178th out of 179 countries for press freedom, according to Reporters Without Borders (Eritrea is 179th, if you were wondering). For one, neither Lee nor Guttenfelder, the titular heads of the office, lives in North Korea. Instead, they only travel there when the regime permits it. What's more, the bureau's full-time staff comprises two North Korean "journalists," one of whom reportedly got his start working at KCNA, the infamous North Korean propaganda service and official voice of the North Korean government and the Korean Workers' party. (Sample KCNA lede from a story dated March 28, 2013: "Pyongyang, March 28 (KCNA)—The army and people of the DPRK are trembling with towering anger at the U.S. and the south Korean military hooligans who dare insult the dignity of the supreme leadership of the DPRK and go desperate in their moves for confrontation and war.") Andrei Lankov, a well-known North Korea expert (and author of the forthcoming *The Real North Korea*), pegs the odds at 99 percent

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that "they come from the secret police or intelligence services," according to an article in *Foreign Policy*.

Pyongyang bureau chief Jean Lee ignored multiple requests for comment on this article, but she has revealed elsewhere a bit about how she works in North Korea. It turns out that when she's actually in North Korea, she's about as free to move around as you would expect, given that she's operating under the world's most repressive regime. In an interview with the *Columbia Journalism Review*, for example, Lee conceded, "There are very strict rules for foreign visitors in North Korea, which includes journalists. . . . You can't even leave your hotel to go for a walk. There is no interacting with locals unless you're in the presence of a North Korean." She also reportedly revealed at a panel at Seoul's Yonsei University that any time she wishes to leave the office to work on a story, she's accompanied by a North Korean minder. (She's likely accompanied by two, as are most foreigners in North Korea: one to mind the foreigner, one to mind the minder.) And she's admitted elsewhere that her electronic communications are probably monitored as well, though she laughs that off, saying, "I basically have to lead a life where even if they were to access any of my private information, it wouldn't be super shocking, which means I lead a very boring life." AP vice president John Daniszewski has also acknowledged the bureau's constraints, publicly allowing that "when we want to cover a story, we have to request interviews, request permissions to go to places either to government offices involved or KCNA, which arrange things."

Jean H. Lee

AP / LEE JIN-MAN

Nonetheless, Lee defends her ability to conduct quality journalism while in North Korea. She has said repeatedly that the North Korean authorities do not censor her reports—she doesn't seem willing to admit that the limits placed on her movement and ability to talk to people are a form of censorship in themselves. In another display of either shocking disingenuousness or credulousness, she once explained that on one reporting trip, she was "accompanied by North Korean journalists, not government minders."

Leaving aside the fact that "North Korean journalist" is an oxymoron, it's important to note just how embroiled the AP is with the propaganda maestros at KCNA. The AP signed a memorandum of understanding with KCNA prior to opening its bureau—which has never been released to the public. (Odd that, given that the AP's official Standards & Practices sheet states, "Transparency is critical to our credibility with the public and our subscribers.") The AP actually shares its Pyongyang office with KCNA. What's worse, the relationship between the AP and KCNA extends beyond mere shared real estate.

In March and April 2012, for example, the two organizations cohosted a photo exhibition in New York, dubbed "Window on North Korea." The exhibit was held in commemoration of the 100th birthday of the late Kim Il-sung (Kim Jong-il's father, Kim Jong-un's grandfather, and the founder of the North Korean state, who ruled the country with untrammelled brutality for 46 years). Allegedly showing "what life is like in the Democratic People's Republic of Korea" (it's good policy always to be suspicious of anyone who refers to North Korea by its official name), the exhibition featured 79 photos. According to the blogger Joshua Stanton, writing in the *Wall Street Journal Asia*, "all of the photographs portrayed the North Korean people as happy, well-fed and devoted subjects." KCNA's senior vice president even traveled to New York for the opening, saying, "It is our hope that this exhibition would give exhibition-goers visual understanding of the people, customs, culture and history of the DPRK, thereby helping to deepen mutual understanding and improve the bilateral relations." As Stanton asked at the time, "Why would any international news service that values its reputation partner with the world's least credible news agency to shill for the world's most repressive regime?" (Funnily enough, the AP's relationship with KCNA had gotten it into trouble even before it had established the Pyongyang bureau: In the summer of 2011, the AP distributed a KCNA-provided photograph, which it quickly retracted once it realized KCNA had doctored the image.)

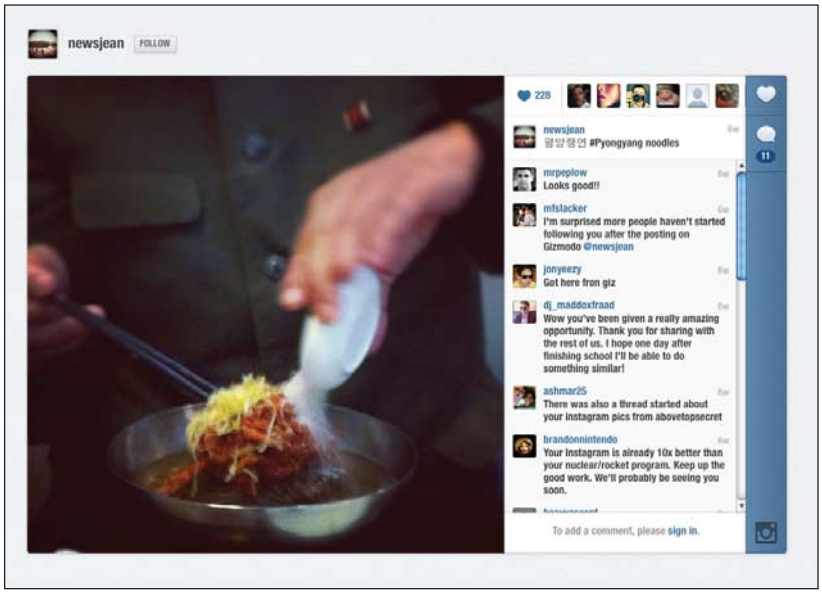
But the AP-KCNA photo exhibit—egregious as it was—had only limited impact. How many people actually dragged themselves to such a ludicrous exhibition? Given its influence and extraordinary reach, what really matters is the news that's coming out of the Pyongyang bureau.

One can hear the AP's defenders already: *Yes*, they operate under repressive conditions, *yes*, they are partnered with an out-and-out propaganda shop, *yes*, the North Korean regime is one of the world's worst human rights abusers, *but it's all worth it because the AP gains access to important news about North Korea that it otherwise wouldn't.* Making a deal with the devil, in this telling, is worth it for the news benefits.

But are the defenders right?

Take the strange and instructive case of Pak Jong-suk. Last June, the AP reported, "In a rare news conference by a repatriated North Korean defector, a woman claimed she

was tricked into defecting six years ago by South Korean agents but was welcomed by the North when she returned in May. Pak Jong Suk made the account to local and foreign reporters Thursday," before adding the disclaimer, "The 66-year-old's story could not be independently confirmed." The article, which carried a Pyongyang dateline but no byline, then took a turn for the worse, simply repeating Pak's statements from the obviously stage-managed "news conference" ("I am an ingrate who had betrayed my motherland to seek better living while others devoted themselves to building a thriving nation, tightening their belts"), before declaring that "it was not possible to immediately verify whether Pak spoke on government orders or of her own volition, but her comments are in line with how North Korea has tried to rebut recent claims by rights activists and the U.S. that it abuses repatriated defectors." What the piece is obliquely alluding to is the extremely well-documented North Korean practice—referred to here as mere "claims"—of sending repatriated defectors to brutal labor camps. (Oh, and of course Pak spoke on government orders.) The story proceeded to treat North Korea's well-known human rights abuses as a trifling matter of he-said, she-said, continuing, "The U.S. State Department said in its annual human rights report last month that the relatives of defectors face 'collective punishment' if a family member defects, and that defectors face harsh punishment if repatriated to North Korea. Pyongyang denies allegations of human rights abuses."



A shot from Lee's photojournal at Instagram.com

That was bad enough. Then the AP's coverage of the issue began to look even more problematic when, several months later, Chico Harlan of the *Washington Post* reported that Pak not only had, in fact, escaped to the South in 2006 completely of her own volition, but also had only returned to North Korea when she learned that the authorities there had forcibly removed her son and his family from their home and placed them under surveillance as punishment for her defection. South Korean government officials even revealed that the North Korean government had blackmailed Pak into returning by threatening her son's safety. Apparently recognizing the potential for a major propaganda coup, the North Korean authorities then arranged Pak's "news conference," which the AP dutifully reported as straight news. Indeed, the AP was snookered precisely because it reported the story from inside North Korea; this was a clear case where being in North Korea actually hampered getting the full story.

That's just one particularly telling example, but there are several recurring problems with the Pyongyang bureau's news coverage. One hilarious—or least tragicomic—practice is the bureau's habit of duly recounting "man in the street" interviews with ostensibly ordinary North Koreans. The idea is laughable in itself; in no country on earth are citizens more fearful of speaking freely. (Traditionally, not only have North Koreans accused of thought crimes been sent to the gulag, but three generations of their families have been, too.) So the quotations are of minimal truth-value to begin with. What's more, as noted earlier, the AP's Pyongyang reporters are accompanied by minders, further negating the chance of any candid thoughts being expressed. And, lest there be any doubt, the AP always names the "ordinary" people it interviews, meaning that even if they got away from the minders, citizens would put themselves in mortal danger by speaking freely.

Despite all this, the AP repeatedly relates these so-called conversations at face value. One article, for example, introduces us to a Pyongyang resident who—*quelle surprise*—tells the AP how grief-stricken he has been since Kim Jong-il's death. Of the late tyrant, he says, "My eyes sting with tears whenever I think about how he provided us with such a comfortable home and always worried so much about us year after year." Another article reports, "North Korean citizens are both defiant and dismissive about sanctions," before quoting a worker at the Pyongyang Shoe Factory saying, "History has shown that Korea has never even thrown a stone at America, but the U.S. still continues to have a hostile policy toward my country."

Just last week, as Kim Jong-un was again threatening

war, the AP reported from Pyongyang: "'I'm not at all worried. We have confidence in our young marshal' Kim Jong Un, a cleaning lady at the Koryo Hotel said as she made up a guest's bed. 'The rest of the world can just squawk all they want but we have confidence in his leadership.'"

Other dispatches read like *New York Times* travel features, à la "36 Hours in Pyongyang." "Lively NKorean capital celebrates Lunar New Year," said an AP piece from January 2012, which reported that "hundreds of children scampered and shouted as they flew kites and played traditional Korean games in freezing temperatures." In another dispatch, Lee wrote, "A little boy skips along grasping a classmate's hand, his cheeks flushed and a badge of the Great Leader's smiling face pinned to his Winnie the Pooh sweatshirt. Men in military green share a joke over beers at a German-style pub next door to the Juche tower. Schoolgirls wearing the red scarves of the Young Pioneers sway in unison as they sing a classic Korean tune."

This points to another problem with the Pyongyang bureau's coverage: its focus on the trivial, mundane, unimportant, and just plain wrong at the expense of genuine news—a direct consequence of the bureau's coverage being directed by the North Korean regime. So for example, last summer, in the same week that the *Washington Post* was reporting how the North Korean authorities had been ramping up border security and making it even harder for the population to escape, Lee filed a story breathlessly reporting:

> From Mickey Mouse and a mysterious female companion, to the whiff of economic reform and the surprising ouster of his military mentor, evidence is mounting that North Korea's Kim Jong Un will lead very differently than his secretive father.
>
> Seven months after inheriting the country from Kim Jong Il, the 20-something leader suddenly began appearing in public with a beautiful young woman. Dressed in a chic suit with a modern cut, her hair stylishly cropped, she carried herself with the poise of a first lady as she sat by his side for an unforgettable performance: Mickey Mouse grooving with women in little black dresses jamming on electric violins.

And so instead of providing hard-hitting coverage of the world's cruelest regime, the AP has seemingly morphed into *TMZ: Pyongyang*.

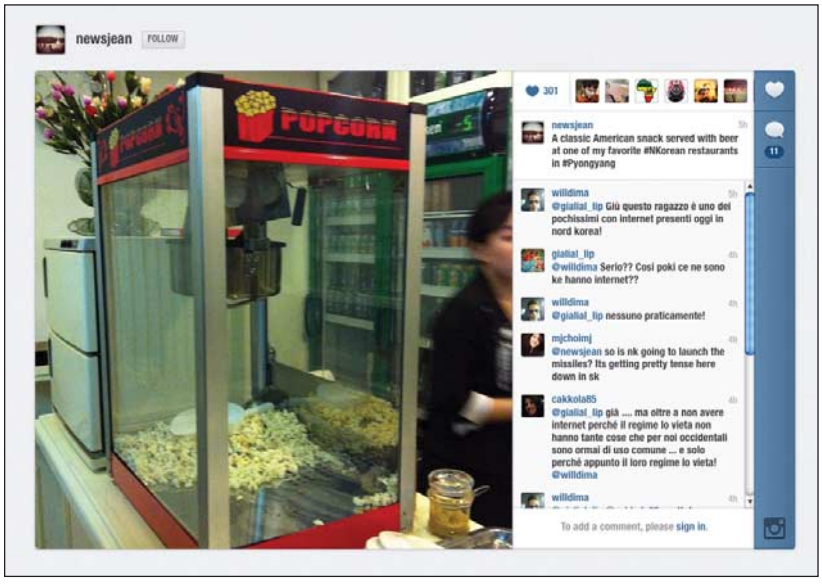
It's plain to see why this is happening; the AP has put itself in a tough spot. For reasons passing understanding, it really wants to operate in North Korea. But in order to do so, it has to make sure not to offend its hosts, lest it get summarily kicked out of the country. (Malcolm Muggeridge once described a similar phenomenon among Western reporters in the Soviet Union.) Jean Lee at least appears to recognize this, sort of; while she denies that any hard censorship is occurring, she has conceded that the authorities "certainly see [her stories] after they move on the wire." The AP, thus, is in a serious bind: If it reports real news, it will certainly get thrown out of the country. But if it softens the news, it will make its reporters look like fools. Lamentably, the AP seems to have chosen the latter course. That also explains why, ironically, some of the AP's reporting on North Korea is still good—so long as it's conducted from outside the country.

There are structural issues at play as well. The AP bureau, after all, is in Pyongyang, and so Lee is surrounded by the North Korean elite class (such as it is) and working alongside the relatively privileged. What's more, all of her contact with North Koreans is closely monitored. Even if she keeps those facts in mind, they have undoubtedly affected her view of the people whom she refers to reductively as "the North Koreans." Thus, when she speaks about "the North Koreans," it's frequently from the perspective of the regime and its apparatchiks. That's a major flaw in the reporting and analysis she provides.

For example, in a panel discussion at South by Southwest in Austin this spring, Lee said that "the North Koreans are . . . very proud of the life they lead, to a certain degree . . . their system and their mentality and their society is structured around being different from the rest of the world, so they accept to a certain degree that they have access to certain things, and that's how it is." (Though seconds earlier she did allow that "they would never speak publicly about any kind of frustrations they may feel.") One doubts that "the North Koreans" who are imprisoned in the brutal gulag or who are starving in the hinterlands or who risk their lives and the lives of their families to escape to China are "very proud of the [lives] they lead." In the same panel, she admitted, "Some of these parts outside the capital are very, very poor," before drifting into noxious relativism, averring that "*like any other society*, you've got the very poor, and a lot of very poor people, all the way up to the very rich." Taking advantage of the regime's recent decision to allow foreigners (and only foreigners) to access the Internet through a 3G mobile network, Lee also runs a much-ballyhooed Instagram account. It's filled with self-shot photographs of things like heaping bowls of noodles—a curious choice (and a clear indication of the circle she's traveling in), given that she's reporting in a country beleaguered by chronic food deprivation.

The AP's balancing act may have affected its putative news "analysis" as well. Take this lede from a February 12, 2013, piece, published just after the third nuclear weapons test: "The way North Korea sees it, only bigger weapons and more threatening provocations will force Washington to come to the table to discuss what Pyongyang says it really wants: peace." Or this analysis from a March 29,

2013, article, just after Kim Jong-un's regime threatened, yet again, to attack the United States: "But by seemingly bringing the region to the very brink of conflict with threats and provocations, Pyongyang is aiming to draw attention to the tenuousness of the armistice designed to maintain peace on the Korean Peninsula, a truce North Korea recently announced it would no longer honor as it warned that war could break out at any time." So, get that: North Korea is attempting to "draw attention" to the end of an armistice which it, itself, just ended. (That article also included this gem: "However, what North Korea really wants is legitimacy in the eyes of the U.S.—and a peace treaty.") Is the AP peddling this putrid "analysis" because it's all too aware that the North Korean regime monitors its work? It's hard to say, because some of the AP's work on North Korea is still quite good—if it is produced from outside the country. For now, let's just say that the claim "cannot be independently confirmed."



More hard-hitting reporting from Lee's photojournal

Other legal and ethical issues abound. For one, the AP concedes that it pays "rent" for its offices and "salaries" to its North Korean workers in Pyongyang, though it won't reveal the amount. But paying "rent" and "salaries" in North Korea is tantamount to paying off the regime, given that all property is owned by the government and all workers are in the employ of the state. Questions have also been raised regarding whether the AP pays its "landlord" and workers in cash, which would be in direct violation of United Nations Resolution 2094, which bars bulk cash payments to North Koreans. (North Korean officials have often used cash to evade monitored wire transfers.) The AP refuses to comment on how it makes its payments. A spokesman for the Treasury Department, which enforces trade sanctions, says he won't comment on specific cases for "privacy and trade secret reasons." Either way, there's no getting around the fact that the rogue regime is benefiting financially from the AP's presence there.

One thing that *is* certain is that the AP reacts unpleasantly to criticism of its Pyongyang bureau—or even questions regarding its operations there. When The Weekly Standard asked Paul Colford, the AP's director of media relations, how much the organization pays in rent and salaries for its Pyongyang bureau, Mr. Colford responded via email, "HOW MUCH DOES THE WEEKLY STANDARD PAY ITS STAFFERS AND PAY IN RENT?" Another question, pertaining to the method by which the AP pays North Korea, was met with the response "AP DOES NOT DISCUSS ITS BUSINESS DEALINGS IN THE U.S. OR ABROAD."

Donald Kirk, a veteran reporter with the *Christian Science Monitor* and other respected news organizations, has also met with the AP's fury. In a piece that Kirk wrote last year in the *Monitor*, he made reference to "AP coverage from North Korea that scrupulously avoids such issues as the North's human rights record or abuse of political prisoners." Colford erupted, and demanded the claim be retracted—even though Kirk effectively demonstrated that he was, in fact, correct. AP coverage from North Korea *does* avoid the human rights issues; only AP reporting sourced from elsewhere mentions it. As Kirk later wrote, "The AP went to great lengths to show that some of its reporting from Pyongyang addressed the issue, but in every instance those allusions were from material picked up in Seoul or Washington, not Pyongyang." He noted, "The episode says a great deal not only about the AP's misleading reporting from Pyongyang, but also the extent to which the AP will go in bullying an organization that relies on the AP for material, sometimes at extremely low rates."

There's a reason why so many newspapers use AP content; it's often reliable and usually quite good. In a lot of ways, its influence is richly deserved, a testament to its dogged reporting and vast reach. Even its coverage of North Korea—so long as that coverage originates from outside the country—can sometimes impress. But the AP's experience in Pyongyang has revealed that reporting on North Korea is a bit like viewing an Impressionist painting: Paradoxically, the closer you get, the more obscured your view becomes. ♦

Advise and Dissent

The recess appointment power: a slow-motion train wreck

By Jeff Bergner

On January 25, the D.C. Circuit Court of Appeals ruled that President Obama did not have the constitutional authority to make recess appointments for three new members of the National Labor Relations Board (NLRB). It concluded unanimously that the president had no authority to make recess appointments during intra-session breaks of the Senate, and further that recess appointments can be made only for positions which come open during that same recess. The court vacated the many decisions that the NLRB made during the year between those appointments (January 4, 2012) and the date of its ruling.

The Obama administration has decided to appeal this sweeping decision to the Supreme Court, and its petition for certiorari is due by April 25. Because appeals courts have ruled differently from one another on this issue, because 30 additional cases are pending in all but three of the federal circuits, and because the executive branch is seeking a decision, there is a high likelihood the Court will accept this case.

The recess appointment power has strained relations between the Senate and the executive branch off and on for years. These strains have been papered over on many occasions. What has caused this now to become a case in which the Supreme Court might intervene to resolve a longstanding issue between the legislative and executive branches? It is the story of a slow-motion train wreck.

THE FOX NOMINATION

The story begins with the nomination of Sam Fox to serve as U.S. ambassador to Belgium in 2007. Sam Fox was a successful and well-regarded St. Louis businessman, civic leader, and philanthropist who made a fortune estimated at a billion dollars from scratch. He was a demonstrably capable man, and the post for which he was nominated has often gone to wealthy donors of the president's party. To put it politely, few nettlesome issues have marred the U.S.-Belgium relationship in recent years, and Fox was as qualified as any past political nominee to serve in this post.

What went wrong was that among Fox's many contributions to Republican causes was a $50,000 donation to Swift Boat Veterans for Truth. The Swift Boat Veterans had run campaign spots against John Kerry in the 2004 presidential campaign, ads whose impact was hard to measure but which clearly were not helpful to Kerry's electoral prospects.

Sam Fox in Belgium, 2008

Unfortunately for Fox, John Kerry was still sitting as a senior member of the Senate Foreign Relations Committee, which had jurisdiction over his nomination. At Fox's hearing on February 27, 2007, Kerry grilled him about his contribution to the Swift Boat Veterans. Fox was unapologetic; he said that persons in his position often make numerous contributions and this was but one that he had been asked to make.

In the weeks between the hearing and a committee vote, Senator Kerry reached out to his Democratic colleagues on the Foreign Relations Committee asking for their support in opposing the Fox nomination. Because Democrats held an 11-10 advantage at that time, their unified opposition to Fox would kill his nomination. Kerry's argument was that in donating to the Swift Boat Veterans, Fox had displayed "poor judgment," which disqualified him from serving as ambassador. All Democrats on the committee lined up in solidarity with their colleague to oppose the Fox nomination.

A committee vote was scheduled for the morning of March 28. The afternoon before, my staff and I conducted a conference call with several members of the White House legislative staff. What were our options? Could we turn any Democratic votes? No, they were solidly behind Kerry. Would all members show up for the vote?

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Jeff Bergner is adjunct professor at Christopher Newport University. He served as staff director of the Senate Foreign Relations Committee and from 2005-2008 as assistant secretary of state for legislative affairs. *He is grateful for the assistance of Bruce Brown, who served as deputy assistant secretary of state in 2007 and who coordinated State Department nominations at the time.*

Kerry held the proxy votes of all the senators who couldn't attend. In short, there was no way to win. It was the consensus of everyone on the call to ask the president to withdraw the Fox nomination, to avoid an embarrassing loss for himself and the nominee.

I waited the following morning for a letter from the White House withdrawing the Fox nomination. It arrived shortly after 10 A.M., and armed with the letter we jumped in a car and headed to S-116, one of the committee's rooms in the Capitol, for the scheduled 11 A.M. committee meeting. When Chairman Joe Biden and ranking Republican Dick Lugar arrived a few minutes before 11, I asked if I might speak to them about the Fox nomination. Biden volunteered that the committee intended to hold a separate vote on the Fox nomination, and that the other noncontroversial nominations would be approved *en bloc*. I handed the president's letter to Biden and explained that the president had withdrawn the Fox nomination. Not only was there no need for a vote on Fox, technically the committee could not vote on the nomination because it was no longer before the Senate.

After a moment's reflection, both Biden and Lugar seemed satisfied with this news. It would, after all, spare the committee an unpleasant and contentious straight party-line vote. Biden then approached Kerry and explained the situation to him. Kerry also seemed content with the news, thinking that he had successfully blocked the appointment. When Biden convened the meeting, he announced that Sam Fox's nomination had been withdrawn by the president and that his name would be removed from the agenda. The committee then voted to confirm the remaining nominees and passed several uncontroversial resolutions. The meeting was over in 15 minutes.

What Kerry apparently did not understand at the time was that this was only the first act of a two-act drama. It did not take long for the curtain to rise on the second act. The Senate took its spring break the following week, and during its recess President Bush appointed Sam Fox ambassador to Belgium on April 4. Democratic senators went into high dudgeon. "Unfortunately, when this White House can't win the game, they just change the rules, and America loses," said Kerry. Senator Barack Obama, already on the presidential campaign trail, said, "It's disappointing that President Bush would defy the will of Congress by appointing Sam Fox ambassador to Belgium." Senator Chris Dodd announced that he would seek a legal opinion. Dodd, Kerry, and Senator Robert Casey sent such a letter to the Government Accountability Office (GAO) on April 5. In its response two months later, the GAO agreed that Sam Fox was not entitled to a salary in his new post but declined to wade into the deeper constitutional issue, saying that an interpretation that prevented Fox from serving in a recess appointment "would raise serious constitutional questions." A news article that appeared on April 9 noted that Majority Leader Harry Reid was considering various avenues to try to block President Bush's ability to make recess appointments. One notion—of more than dubious constitutional standing—was to require the resubmission of the nominations of all recess appointments, thus making a Senate vote on Sam Fox once again in order.

In the end, none of these alternatives offered hope of success, and cooler heads prevailed—at least for the moment. As the next long break in August approached, President Bush and Majority Leader Reid came to an understanding: The Senate would confirm a number of nominees prior to the August recess in exchange for a promise from the president that he would make no recess appointments during the August break. That is just what happened.

PRO FORMA SESSIONS

As the next lengthy Senate recess approached, no such deal was reached. Harry Reid announced that during the November 2007 break, he would bring the Senate in for *pro forma* sessions every three days. These sessions, which lasted less than a minute, would be gaveled to order by a senator who happened to be in Washington and then just as quickly gaveled to adjournment. Reid was not coy about the rationale. The Senate, he said, was "coming in for *pro forma* sessions . . . to prevent recess appointments."

Why every three days? Couldn't the president make recess appointments during these three-day breaks? After all, the Constitution is silent—except by inference— about what is a "recess." In 1993 a (Clinton) Department of Justice brief had suggested that the president could make recess appointments whenever the Senate was in recess for more than three days (*Mackie* v. *Clinton*, July 23, 1993). In practice, however, no president had made recess appointments during a Senate break of less than 10 days during the previous two decades. This was the standard adhered to by President Bush as well. It so happened that the April break during which Sam Fox was appointed was a 10-day interlude.

Were *pro forma* sessions a partisan tactic or a defense of the Senate's constitutional prerogatives? As we shall see, Harry Reid provided one answer in 2009 and a more definitive answer in 2012. It is sometimes said that Republicans had earlier used *pro forma* sessions to head off recess appointments and that Reid was simply following suit. This is not true; the assistant Senate historian notes that while Republicans once threatened such a move, they did not employ it. Harry Reid is the only majority leader in the history of the Senate to call the Senate into *pro forma* sessions for the purpose of blocking recess appointments.

The Bush administration did not challenge the notion

that the Senate was in session while in *pro forma* session and made no further recess appointments that were not agreed to by the majority leader. When President Obama took office in 2009, Reid suspended the use of *pro forma* sessions. President Obama made no recess appointments until March 2010 when—again during the spring break—he appointed 15 nominees. These included the controversial Craig Becker to serve on the NLRB. Becker's nomination had failed to secure the 60 Senate votes necessary to overcome a filibuster and was stuck in the Senate. All 41 Republican senators sent a letter to the president urging him not to make a recess appointment of Becker. The president proceeded anyway.

In the fall of 2010, as the Senate was preparing to leave for the lengthy campaign season, Republican leader Mitch McConnell threatened to employ a little-used Senate rule to send all unconfirmed nominees back to the president. In order to avert this, Majority Leader Reid agreed to reinstate *pro forma* sessions in order to prevent the president from making recess appointments. This situation continued during subsequent Senate recesses.

Richard Cordray meets the press after his recess appointment, January 2012.

All of this changed when President Obama announced on January 4, 2012, that he was recess-appointing three nominees to the NLRB as well as Richard Cordray to be the head of the new Consumer Financial Protection Bureau. The president's urgency about NLRB appointees was motivated by the expiration of Craig Becker's 2010 recess appointment on January 3, 2012. That would leave the NLRB without a three-member quorum to do business. For its part, the Cordray nomination was hopelessly deadlocked in the Senate.

President Obama suggested that *pro forma* sessions were a legislative gimmick during which the Senate did no real work. Interestingly, although the Senate order establishing the December 2011-January 2012 *pro forma* sessions stated that "no business [would be] conducted," the Senate by unanimous consent passed a temporary payroll tax extension during the *pro forma* session on December 23. Also, the January 3 *pro forma* session fulfilled the constitutional obligation of the Twentieth Amendment to convene the second session of the 112th Congress. The White House Office of Legal Counsel argued that *pro forma* sessions, "through form, render a constitutional power of the executive obsolete." Armed with this legal advice, President Obama ignored the *pro forma* sessions of the Senate and recess-appointed the three NLRB members and Cordray.

At this point Harry Reid, the architect of *pro forma* sessions, provided a definitive answer to the question of whether these sessions were a partisan ploy or a defense of Senate prerogatives. In a breathtaking 180-degree reversal, Reid revealed himself as purely partisan, saying simply and without further rationale (indeed, what rationale could there be?), "I support President Obama's decision."

GOING FORWARD

It is quite possible that if the Supreme Court takes this case, it will rule on grounds other than how many days the Senate must be on break to count as a recess. The Court might choose to follow the D.C. Circuit Court's reasoning and put an end to intra-session recess appointments altogether, thus depriving the modern presidency of a tool it has used regularly for decades. It might rule that even during recesses between Senate sessions, only nominees who are filling positions that become vacant during those recesses can be recess-appointed. This would further restrict the president's appointment power. It is quite possible, in other words, that the respective overreaching of Harry Reid and Barack Obama has set up a situation in which not George Bush retroactively but all presidents going forward are the real losers.

Whatever else, it would be fair to conclude that the current situation is the worst of all possible outcomes. This is true for several reasons. First, President Obama has arrogated to himself the power to judge when the Senate is in session and when it is not. It would be a surprising constitutional outcome if the executive were to be the one to decide when the Article I branch of government is doing "enough" to qualify as being in session. As the D.C. Circuit decision says, this would demolish a set of checks and balances and give "the President free rein to appoint his desired nominees at any time he pleases, whether this time be a weekend, lunch, or even when the Senate is in

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session and he is merely displeased with its inaction. This cannot be the law."

Second, with the establishment of *pro forma* sessions Harry Reid's legislative cleverness has made a mockery of Senate procedures. There is no doubt that *pro forma* sessions *are* a gimmick designed to prevent recess appointments. Worse yet, in wanting to eat his cake and have it too, Reid has established two sets of rules, one for a president of his own party and one for a president of the opposing party. This is as clear a case of the rule of men, and not of laws, as one can imagine.

The outlines of an accommodation that would have prevented this case from going forward are clear enough. The majority leader and the president might have agreed to return to the status quo ante, and allowed a 10-day or greater break to count as a recess. Or they might have adopted a broader set of understandings to force cooperation between the branches. But now it is perhaps too late to put the genie back in the bottle. As the D.C. Circuit decision makes clear, it is very difficult to find a nonarbitrary, constitutionally mandated number of days which count as a valid time in which to make recess appointments. Despite much creative scholarship, there are no compelling constitutional grounds for choosing any particular length of time. The Court itself might privately believe that this decision would have been better left to the normal compromises of the legislative and executive branches.

We may be on the cusp of another decision like *INS* v. *Chadha*, which struck down the legislative veto. There, too, an argument was made that too much was at stake to invalidate recent practice; the legislative veto, nonexistent in the early years of the republic, had become an important tool of governance in the twentieth century. So it is now said that recess appointments, nonexistent in the first eight decades or more of the republic, have become an important tool of the presidency at a time of numerous appointees, frequent Senate recesses, and bitter Senate partisanship. But the Court said in *Chadha* that "the fact that a given law or procedure is efficient, convenient, and useful in facilitating functions of government, standing alone, will not save it if it is contrary to the Constitution." If the Court feels compelled to act, not only the powers of the presidency but also the numerous decisions of the NLRB over the past 15 months will likely be casualties.

One would have to ask whether personal pique over a nominee to serve as ambassador to Belgium, and the ensuing display of self-serving partisanship, is worth all that. ♦

Poet of Loss

Dead at 25, Keats is forever the passionate voice.

BY MICHAEL DIRDA

John Keats
A New Life
by Nicholas Roe
Yale, 446 pp., $32.50

Portrait of John Keats by William Hilton

NATIONAL PORTRAIT GALLERY, LONDON

Oh, for ten years, that I may overwhelm / Myself in poesy. So wrote the author of "Sleep and Poetry," composed in late 1816. Alas, John Keats was allowed only half that time, dying at the age of 25 in 1821.

Is there any more affecting story than his in the annals of English literature? Orphaned at a young age, barely five feet tall (and sensitive about it), and raggedly educated, Keats was nonetheless naturally gregarious and fond of "women, wine, and snuff." A Londoner through and through, he loved the theater, enjoyed watching boxing matches, and once spent an evening cutting cards for half guineas. This sometimes overidealized poet—so sensitive! so ethereal!—even seems to have been treated for a venereal disease, possibly syphilis. He fell in love at least twice before he met Fanny Brawne, to whom he became engaged. When they were apart or quarrelling, he suffered horribly from jealousy.

For a couple of years, the young Keats was also absorbed with medical studies and nearly became what we might call a physician's assistant. Admirably dedicated to his siblings, he wrote regularly to his sister Fanny and his brother George (who emigrated to the United States and was cheated out of his savings by John James Audubon, no less). When his other brother, Tom, fell mortally ill of consumption, i.e., tuberculosis, the poet devotedly nursed him—to the detriment of his own health. When, shortly after Tom's death, Keats himself spat up a bit of deep red, he recognized it as arterial blood, and knew that he, too, was doomed. He traveled to Italy, hoping for a reprieve, but ultimately died, after great suffering, in Rome. On his tombstone, he requested that these words be inscribed: "Here lies One Whose Name was writ in Water."

The dying Keats was, however, quite wrong about being forgotten. Percy Bysshe Shelley almost immediately composed one of his greatest works, "Adonaïs," as a memorial to him. Charles Armitage Brown brought out a brief biography, in

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which he accused the literary critics who had scathingly attacked Keats and "the Cockney School of Poetry" of having hastened his beloved friend's death. Substantial lives and studies gradually appeared, including a two-volume biography by Amy Lowell early in the 20th century and, in the 1960s, substantial volumes by Walter Jackson Bate, Aileen Kelly, and Robert Gittings. Nearly all of these books are first-rate in their differing ways, for Keats seems to bring out the best in his admirers. In 2008, for instance, Stanley Plumly's "personal biography," *Posthumous Keats*, garnered tremendous reviews and well-deserved praise. To scholar and fellow poet David Baker, it was nothing less than "the greatest book ever written about the greatest lyric poet of our language."

Even with such competition, *John Keats: A New Life* has much to recommend it. Nicholas Roe, professor of English at the University of St Andrews, comes to his mighty task with superb credentials: two previous scholarly studies of the poet, a biography of the fiery controversialist Leigh Hunt (whom the young Keats revered), and the chairmanship of the Keats Foundation. Roe writes, moreover, with reportorial crispness (though he does overuse phrases like "as we shall see") and, at times, tracks his subject's brief life almost by the hour.

"Like Wordsworth in 'Tintern Abbey' and *The Prelude*," underscores Roe, "as a poet Keats depended on memories laid down in very early childhood." Roe stresses, in particular, the emotional turmoil resulting from the death, while riding, of Keats's 31-year-old father, Thomas, when John was just 8 years old. This was followed by the sudden remarriage of Keats's mother, Frances, two months later to a man "aged twenty, with no income of his own." Roe even raises the possibility that Frances, known to be lively and "passionately fond of amusement," may have been carrying on a clandestine affair before her first husband's death. When she died at just 35 from tuberculosis, her children—John, George, Tom, and Fanny—found themselves thrust upon various relatives, or sent away to school. Financial wrangling within the extended family dragged on for years.

Roe sees aspects of these family tragedies, and possible suspicions about his mother, reemerging throughout Keats's poetry—as well as being a possible cause of his self-confessed "morbidity" and Hamlet-like melancholy. Death haunted the poet's early life, and part of his childhood was spent literally next door to Bethlem Royal Hospital, aka Bedlam, the asylum for the insane.

Something of a scrapper and hardly a model student, young Keats nonetheless fell in love with that key to all mythology, Lemprière's *Classical Dictionary*. Using it as a source book, the teenage boy began work on a (now lost) prose translation of the *Aeneid*, possibly as a distraction from grief at his mother's death. About the same time, he discovered Spenser's *Faerie Queene* and went through it, in his own words, "as a young horse would through a spring meadow—ramping!" A similar passion for Shakespeare and Milton soon followed.

In his middle teens, Keats enrolled as a surgeon's pupil at Guy's Hospital, taking classes in chemistry in the mornings and dissecting corpses in the afternoons. In May 1816, his first poem, "To Solitude," appeared in Leigh Hunt's magazine, the *Examiner*. Through Hunt—who sometimes called the poet "Junkets"—Keats gradually came to know the history painter Benjamin Robert Haydon, the essayists William Hazlitt and Charles Lamb, the poet Shelley (and his two wives, the second being Mary Shelley, author of *Frankenstein*), and, most memorably, the god of the day, William Wordsworth.

On Saturday, May 26, 1816—not long before his 21st birthday—Keats set down the lines of his first great poem, "On First Looking into Chapman's Homer": *Much have I travelled in the realms of gold, / And many goodly states and kingdoms seen . . .*

One evening about this same time, Hunt playfully proposed to "Junkets" that they each compose a sonnet in 15 minutes. Nobody remembers Hunt's; Keats's strikingly begins: *The poetry of earth is never dead*. In March 1817, *Poems* appeared, the first of three volumes that Keats would publish in his lifetime. Not long after, in the wake of complaints and negative reviews, the book's publisher sent a truly nasty letter to Keats in which they expressed regret for having issued a work that was "no better than a take in."

Keats shrugged it off, in part because he was caught up in writing *Endymion*. This diffuse "poetic romance"—about the love between a shepherd and the moon goddess Cynthia—was begun during a trip to the Isle of Wight; its third book was composed in Oxford while visiting a friend, and the fourth was written in Hampstead. I remember first reading its famous opening lines, in Oscar Williams's *Immortal Poems of the English Language*, when I was only a few years younger than their author:

> *A thing of beauty is a joy forever:*
> *Its loveliness increases; it will never*
> *Pass into nothingness, but still will keep*
> *A bower quiet for us, and a sleep*
> *Full of sweet dreams, and health, and*
> *quiet breathing.*

Endymion appeared as a book in 1818, about the same time that Keats started taking mercury for his likely venereal disease. (As he writes in a contemporary poem: *There's a blush for won't and a blush for shan't— / And a blush for having done it*.) Roe speculates that this treatment may have weakened his immune system and thus made him more susceptible to the chest infections, sore throats, and tuberculosis that ultimately killed him. Whatever the case, that same year he produced the great sonnet, full of foreboding, which opens: *When I have fears that I may cease to be / Before my pen has gleaned my teeming brain . . .*

Later in 1818, he and Charles Armitage Brown were able to embark on a walking tour of the Lake District in northern England, and the Scotland of Robert Burns. Together the pair hiked "over 640 miles, averaging around fifteen miles for each of the forty-three days they were on foot." Eventually, having come down with a sore throat and fever, Keats took ship

back to London, where he discovered that his brother Tom had entered the final stages of his long illness. At the same time, Keats found his poetry viciously attacked as "driveling idiocy" in *Blackwood's Magazine*.

While caring for Tom—*when youth grows pale, and spectre-thin, and dies*—Keats did, however, meet 18-year-old Fanny Brawne (whom he would soon yearningly imagine "moistened and bedewed with Pleasures"), and shortly thereafter started work on his sexiest and most gorgeous poem, *The Eve of St. Agnes*. Roe speculates that it, too, bears the impress of Keats's parents: "The themes of secret passion, a bold lover, a maiden whose dreams prove far from chaste, their love-making and elopement fit the outlines of what little we know about the personalities and relationship of Thomas and Frances."

Perhaps. Roe does seem to ride that familial hobbyhorse pretty hard. More persuasive is his observation that the poem's allusion to *jellies smoother than the creamy curd / And lucent syrops, tinct with cinnamon* points to Keats's need to soothe his ravaged throat.

Quite possibly it was during his brother's illness, and certainly during his own, that Keats began to take laudanum, the only reliable painkiller at the time. Thus, in the "Ode on Indolence," he speaks of poetry as being *sweet as drowsy noons / And evenings steep'd in honied indolence*, while his "Ode to a Nightingale" opens by evoking a *drowsy numbness . . . as though of hemlock I had drunk / Or emptied some dull opiate to the drains*.

And yet Keats was no drug-addled slacker. Consider the series of masterpieces produced during what has been called "the living year"—September 1818 to September 1819: At an age when many college students would be just graduating, Keats composed not only the "Ode to a Nightingale," but also the Miltonic mini-epic *Hyperion*, *The Eve of St. Agnes*, "La Belle Dame Sans Merci" (*Her hair was long, her foot was light / And her eyes were wild*), the "Ode on a Grecian Urn" (*For ever wilt thou love and she be fair!*), the "Ode to Melancholy," *Lamia* (*Do not all charms fly / At the mere touch of cold philosophy?*), and "To Autumn." This last, sometimes called the finest lyric poem in the English language, opens by invoking the *Season of mists and mellow fruitfulness*, and gradually builds to its great apostrophe: *Where are the songs of spring? Ay, where are they?* The poet then quickly answers: *Think not of them, thou hast thy music too*.

Even while juggling illness, poetry, letter-writing, and a growing love for

Protestant cemetery, Rome

Fanny Brawne, Keats was continually plagued by money troubles and, at one time, thought of joining Simón Bolívar's insurgents in South America. Eventually, he decided that the way to a fast buck was to write for the theater, and so he produced, with the help of his friend Charles Brown, *Otho the Great*. As with *Lamia* or "La Belle Dame Sans Merci," its story turns on that favorite Keatsian theme of *a lover ensnared and betrayed by a woman*. But it was too late.

By the end of 1819, there could be no doubt that Keats himself was succumbing to tuberculosis. In the remaining year and a half of his life, he would alternate between hopefulness—during periods of remission—and anguished growing despair, as his once-sharp mind came to feel "like a pack of scattered cards." Seeking a more salubrious climate, he and the painter Joseph Severn traveled to Rome, where, coughing blood and half-starved by a foolish medical regimen, Keats gradually wasted away. Death came on Friday, February 23, 1821, just before midnight.

Before his end, though, Keats wrote to Charles Armitage Brown, speaking of his love for Fanny and "the sense of darkness coming over me." He asks, "Is there another Life? Shall I awake and find all this is a dream?" before adding, "we cannot be created for this sort of suffering." In his last, pain-wracked communication with Brown, Keats asks him to bid farewell to all his friends and family, then closes, for the last time, with heartbreaking pathos: "I can scarcely bid you good-bye even in a letter. I always made an awkward bow."

Only a few newspapers and periodicals noted Keats's passing. The best instance appeared in the Liverpool *Mercury*: "At Rome, aged 25, Mr. John Keats, author of a volume of beautiful poetry." Understatement indeed.

And yet, if Keats had lived, would he have continued to write poetry? Roe wonders if he might not have eventually gravitated toward prose, might even have become a novelist. His letters certainly reveal Dickens-like powers of observation and expression. He can be slyly funny: "It seems that the only end to be gained in acquiring French is the immense accomplishment of speaking it." Or as cynical as Chamfort: "A man should have the fine point of his soul taken off to become fit for this world." To Fanny Brawne he confesses, "I wish you could invent some means to make me at all happy without you. Every hour I am more and more concentrated in you; every thing tastes like chaff in my mouth." And he can even be amusingly irreligious: "In the name of Shakespeare, Raphael, and all our saints, I commend you to the care of heaven!"

Of course, those same letters are packed with stunning observations about art, the imagination, and creativity: "Poetry should surprise by a

fine excess, and not by singularity—it should strike the reader as a wording of his own highest thoughts, and appear almost a remembrance"; "I am certain of nothing but of the holiness of the Heart's affections and the truth of imagination"; "The excellence of every Art is its intensity"; "If a Sparrow come before my Window, I take part in its existence and pick about the Gravel"; "Scenery is fine, but human nature is finer."

And on and on.

To read anything by Keats—or simply to read about Keats—is always a chastening experience. When Isaac Babel was taken away by the Soviet secret police, he was heard to cry out, "I was not given time to finish." John Keats was hardly given time to start. ♦

B&A

Here's the Beef

Prime cuts, from the Chisholm Trail to Walter Mondale. BY TERRY EASTLAND

This is the latest in the "edible series" of books put out by Reaktion Books, each of which explores the history and cultural associations of a particular food or drink. Written by Lorna Piatti-Farnell of the Auckland University of Technology in New Zealand, *Beef* is number 33 in the series, its predecessors including *Apple*, *Caviar*, *Chocolate*, *Lobster*, and *Rum*.

Beef comes from bovines, especially cattle, and, as Piatti-Farnell points out, it "seems virtually impossible to discuss the global history of beef without first talking about cows." The earliest ancestors of today's cow, she writes, were "aurochs," a type of wild and ferocious cattle. In Western Europe, prehistoric cave paintings of hunting scenes testify to the importance of aurochs as a source of meat. Domestication of cattle began around 8000 B.C., with cows used for meat consumption as well as dairy production.

"Today," writes Piatti-Farnell, "cattle are present virtually in every country, on every continent in the world, and the consumption of beef forms the basis of many diets for hundreds of cultures," with cattle breeds—such as the Aberdeen Angus in Scotland—"developed over the centuries specifically with beef consumption in mind."

Beef
A Global History
by Lorna Piatti-Farnell
Chicago, 144 pp., $18

'Good beef for hungry people.'

Indeed, Western Europe is the scene of key episodes in the history of beef. The Romans were not big eaters of the meat, and only after the fall of the empire did beef gain "an incremental favour among many European populations," especially those in the British Isles. By the Late Middle Ages, the meat had taken a "convoluted etymological journey" involving the Latin *bubula* and the French *boef*, eventually finding "its own seating within the English language" as, yes, beef. Even so, it trailed fish, chicken, and pork in popularity, if we are to credit historical records.

In 1540, conquistadors brought the first domesticated cows to the shores of the New World; more than a century and a half later, cattle began to be systematically raised for their meat by North American colonists of Spanish, French, and British origin. "As the new American country grew," writes Piatti-Farnell, "so did its infrastructure, allowing early American examples of the cattle industry to blossom, develop and fortify." That infrastructure included stockyards and slaughterhouses, built in Kansas and Missouri, and new refrigeration methods that facilitated swift transportation to all parts of the country.

Oddly, the author leaves out of her account of the American cattle industry the Chisholm Trail, which was used in the years after the Civil War to drive cattle overland from ranches in Texas (then, as now, home to more cattle than any other state) to stockyards in the Middle West. The trail involved no "infrastructure" as such, but it was the place of stories about the drivers of those cattle—cowboys who faced bad weather and deep rivers and rugged terrain, as well as threats to their lives from rustlers and Indians.

The trail lives today in cinema, most spectacularly in *Red River* (1948), about the first cattle drive to use the Chisholm Trail. One critic described *Red River* as "a surprisingly great 134-minute tribute to beef." It starred John Wayne, whose character famously says:

> I'll have that brand on enough beef to feed the whole country. Good beef for hungry people. Beef to make them strong, to make them grow.

Red River's unabashed tribute to beef reflected its rise to the top of the meat preference rankings in the United States, ahead of chicken and pork. By 1952, Americans, on average, consumed

EVERETT COLLECTION

Terry Eastland is publisher of THE WEEKLY STANDARD.

62 pounds of beef a year. That number has climbed since then, with small declines in recent years. Meanwhile, the United States continues to be the world leader in beef production.

Piatti-Farnell identifies other countries with notable cattle industries. They include Argentina, which has "a reputation for producing very high-quality beef"; Japan, which is the originator of Kobe beef; Australia, which is one of the largest and most successful exporters of beef in the world; and New Zealand, where the cattle "are primarily grass-fed and not fattened on grain"—on account of which, the author's home has become "an ambassador [abroad] for [its] farming excellence."

To be sure, *Beef* would not be complete without accounts dealing with beef itself, as opposed to the animals from which it comes. Piatti-Farnell describes the "ageing" process used to tenderize freshly slaughtered cattle, the "primal" (meaning very large) cuts separated from the carcass during the first stages of butchering, and the various cuts taken from them (chuck, rib, shank, and plate). She does not neglect raw beef, which "more than any other types of meat, can be enjoyed." Nor does she omit cured beef, the best-known type being corned beef. Finally, in her chapter on cooking, she explains dry-heat and moist-heat methods, the meanings of "rare," "medium," and "well done," and the techniques of roasting, grilling, broiling, and stewing.

A rather marbled topic, no?

About grilling, Piatti-Farnell rightly observes that "it finds its most common and well-known incarnation in the barbecue." She captures an important cultural nuance in pointing out that, while many types of meat can be barbecued, "the propensity of Texans to prefer beef" is so strong that barbecue served in Texas is always assumed to be of the beef variety. Not surprisingly, a few weeks ago, *Texas Monthly* created and filled a new position of "barbecue editor"—which, it is not yet clear, may come with its own grill.

Beef has long had a variety of cultural associations, and Piatti-Farnell treats some of the more notable ones, including Rembrandt's *Carcass of Beef* and Hogarth's *Gate of Calais*, while also recording literary references in Shakespeare, Dickens, and Byron, among others. Piatti-Farnell is alert to more recent examples as well—including Lady Gaga's "meat dress"—and she notes the longstanding advertising campaign of Chick-fil-A, in which three cows hold signs imploring humans to "Eat Mor Chikin."

Then there is Wendy's 1984 advertising campaign featuring the question "Where's the Beef?"—which has probably been asked in thousands of contexts since it is a splendid way of questioning "the substance or quality of a product or idea." Yet Piatti-Farnell misses its remarkable political resonance in the 1984 Democratic presidential primary. With Gary Hart rising in the polls, Walter Mondale told him in a debate that "when I hear your new ideas, I'm reminded of that ad, 'Where's the beef?'" Mondale's line is generally credited with casting doubt on Hart's "new ideas" and helping the ex-vice president earn his party's nomination.

In the concluding chapter, "Beef Controversies," Piatti-Farnell offers an even-handed treatment of issues involving the slaughter of cows, Mad Cow disease, the "rendering" of cow organs into cattle feed (now banned in the United States), and the use of artificial beef hormones. She also reports, skeptically, on environmental concerns about the beef industry.

As for recent health concerns about eating beef—which arise from consuming hamburgers, mostly sold at fast-food places—she implies that those worries would diminish if better-quality beef, and less-fattening cooking methods, were used by such eateries in making their burgers. (*Hamburger*, not incidentally, is one of the books in the edible series, which explains why the greatest of sandwiches makes only occasional appearances in *Beef*.)

Should you eat the meat? Piatti-Farnell's answer is that lean beef consumed in small quantities is a "great health benefit," providing "minerals and protein that are essential for a healthy diet." ◆

B&A

Apocryphal Now

The psychology, and mythology, of the Vietnam war.

BY GARY KULIK

Nick Turse wants us to know that the killing of civilians during the war in Vietnam was "widespread, routine, and directly attributable to U.S. command policies," that "gang rapes were a . . . common occurrence," that the running-over of civilians by American vehicle drivers was "commonplace," and that the American military visited upon South Vietnam an "endless slaughter . . . day after day, month after month . . . [that] was neither accidental nor unforeseeable." It was "A Litany of Atrocities," as one of his chapter headings has it—a litany recited by Turse with the fevered prosecutorial zeal of an ideologue.

Kill Anything That Moves
The Real American War in Vietnam
by Nick Turse
Metropolitan, 384 pp., $30

The core of his evidence comes from a cache of records from the Vietnam War Crimes Working Group, now housed in the National Archives.

Gary Kulik, who served in Vietnam as a medic, is the author of War Stories: False Atrocity Tales, Swift Boaters, and Winter Soldiers.

The group was established in the wake of the My Lai massacre. Readers who would like to know what these records actually contain will get no help from Nick Turse.

They can turn, instead, to Turse's former collaborator, Deborah Nelson. Nelson and Turse coauthored a series of *Los Angeles Times* articles in 2006, and Nelson went on to publish *The War Behind Me: Vietnam Veterans Confront the Truth About U.S. War Crimes* in 2008, using the same records and including a detailed accounting of them in an appendix. Turse, according to Nelson (in an email exchange on a Vietnam war listserv to which I subscribe), opposed her decision to publish the appendix, fearing that it might be used to minimize Army war crimes. Nelson, a journalist, sought scholarly transparency; Turse, a Columbia Ph.D., sought to prevent independent analysis of the evidence.

What Nelson's appendix tells us is this: There were around 300 allegations of war crimes brought by Army prosecutors in 77 cases. Each case typically contained multiple allegations. The Army convened Article 32 hearings, roughly the equivalent of civilian grand jury hearings, for each case, a measure of the seriousness with which the Army took the allegations. (You won't learn that from either Nelson or Turse, though, who have no interest in the process of military justice.) Thirty-six of those hearings led to courts-martial: 16 for the killing of civilians, 6 for the abuse of enemy corpses, 5 for the abuse of prisoners, 4 for the killing of prisoners, 4 for rape, 1 for the abuse of a civilian. The 16 killing cases include the massacre at My Lai as well as the extended "Tiger Force" killings documented by reporters for the *Toledo Blade* in 2003.

Turse writes that "every major army unit in Vietnam" committed war crimes. But Nelson's appendix lists no units smaller than divisions and brigades. Army divisions contained roughly 15,000 soldiers and brigades about 5,000—numbers never discussed by Turse or Nelson. There was only one war crime case for the 1st Infantry Division, one for the 5th Infantry Division, two for the 25th Infantry Division, and two for the 82nd Airborne Division—all of which served for several years in Vietnam. So much for the ubiquity of Army war crimes.

Turse claims that he went far beyond the War Crimes file, interviewing over 100 veterans while locating additional records. He writes of a Marine "massacre" in Quang Tri in 1967, an incident he could have learned about only through my own published work. It took me more than a year—connecting with Marines on a 1st Battalion, 1st Marines website—to learn the name of the young Marine court-martialed by the Navy. I needed the name of that obscure lance-corporal in order to gain access to the official records. There is no way that Turse could have found that name on his own, and his failure to cite me as the source is, at the minimum, a breach of scholarly courtesy.

War veterans have long exaggerated, embellished, and sometimes lied about their wartime experience. The war in Vietnam offered a new and disturbing twist: Men returned to lie about atrocities that never happened.

Moreover, there was no "massacre." A squad of Marines, patrolling at night amidst a series of bunkers—immediately after a booby trap had claimed the life of a fellow Marine—heard movement in the bunkers and responded as they had been trained. What happened that night was ugly and tragic—women and children died in those bunkers—but the Marines who did the killing had no way of knowing who was there. A second patrol, however, resulted in the murder of a single woman, shot in the back in front of children, likely hers. Two Marines, including a company commander, went to trial for it.

I wrote about that case to refute the claims of a deserter named Terry Whitmore, who asserted in an interview with Mark Lane that *an entire village* had been wiped out, 300 to 400 killed, children rounded up separately and murdered—a preposterous story later published by Doubleday in 1971 and reprinted, to lavish praise, by the University Press of Mississippi in 1997.

War veterans have long exaggerated, embellished, and sometimes lied about their wartime experience. The war in Vietnam offered a new and disturbing twist: Men returned to lie about atrocities that never happened. The psychological phenomenon is well-known: False confessions are the bane of urban police officers. When I returned from Vietnam, no one wanted to hear stories of heroism. The awful massacre at My Lai hung over all of us. But some on the left—Mark Lane, Bertrand Russell, and organizers of the Winter Soldier Investigation—solicited American atrocity stories, and some troubled young veterans responded with exaggeration, embellishment, and even lies.

Nick Turse has no ear for this. One soldier tells him that we didn't take prisoners: "It was easier to dispose of them. . . . It happened all the time." He accepts at face value the testimony of Kenneth Barton Osborn, a veteran whose accounts of torture, murder, and prisoners being thrown from helicopters—first reported by Mark Moyar in *Phoenix and the Birds of Prey* (1997)—were thoroughly discredited by Army investigators. Turse quotes a hideous sexual atrocity story from the Winter Soldier Investigation, but the teller is the notoriously unreliable Scott Camil, whose claims of war crimes have never been corroborated and were denied by Marines with whom he served and whom I interviewed.

Make no mistake: Americans committed war crimes in Vietnam, and officers covered them up. General William Westmoreland's search-and-destroy policies and the profligate use of air and artillery fire put Vietnamese peasants at

risk, and far too many died—though not all at our hands. We still await a history of war crimes committed by the Viet Cong and the North Vietnamese Army—the "revolutionary forces," according to Turse. And now, more than 40 years after the war, we still have no way of knowing the relative prevalence of war crimes in Vietnam as compared with other wars. Though, thanks to Rick Atkinson's work, we now know far more about American war crimes in World War II: Berber tribesmen shot for sport, the egregious killing of German prisoners, the atrocious behavior of French colonial troops raping their way up the Italian peninsula while under Allied command.

War brings out the best and the worst in us. Former Marine commandant Peter Pace told a Citadel audience in 2006 that, as a young platoon leader in Vietnam, he called in an artillery strike on a village from which a sniper had killed a young Marine—the first man he lost. Pace's platoon sergeant "didn't say a word, he just looked at me." The look was sufficient. Pace called off the strike and ordered a sweep through the village, finding only women and children. Pace's story, as the literature of Vietnam memoirs makes clear, could be told many times over. Any fair and balanced account of American war crimes demands attention to those stories, too.

Nick Turse, however, has no interest in such stories. His unmeasured effort at exposé—relentless, indiscriminate, and cocksure in its judgment that American military policy made the killing of innocents inevitable—exacts a high moral price.

If it was all policy, the war as an "atrocity-producing situation," as Robert Jay Lifton famously put it, then we lose the ability to make moral distinctions, to recognize both evil and honor. If we're all guilty, then no one is guilty. If every atrocity story is to be believed, then it is all noise—and we lose the ability to mourn for that woman in Quang Tri, shot in the back by a young Marine who did not know the difference between a legal and an illegal order. ♦

B&A

A Hidden Monument

Roosevelt Island commemorates its namesake.

BY JAMES GARDNER

Bust of FDR at Four Freedoms Park

PHOTOS: POLARIS / NEWSCOM

New York

Nearly 40 years after his death, the legendary architect Louis Kahn (1901-1974) has finally completed his first project in New York City. A monument to Franklin Delano Roosevelt known as Four Freedoms Park, it stands at the southern tip of Roosevelt Island, a skinny strip of land in the East River that stretches for two miles between Manhattan and Queens.

Roosevelt Island is a curious place. Most New Yorkers have never been there, even though it lies no further than a single city block from either of the boroughs that flank it, with a tramway linking it to one, a bridge to the other, and a subway to both. Yet it could just as well occupy a different space-time continuum for all that the rest of the city seems to know or care about it. Indeed, there is something weirdly appropriate about the fact that Kahn's monument should be completed so many decades after it was conceived: For it really does seem—culturally speaking—as though everything happens there 30 or 40 years after it reaches the rest of the world. But now, with the completion of the memorial, and with preparations for a new technological campus belonging to Cornell University, the locals dare to hope that finally they may receive the respect—and the tourist traffic—that has long eluded them.

Once famous for its psychiatric wards, Roosevelt Island was known as Welfare Island until 1973, when it received its present name and began to be transformed according to a master plan designed by Philip Johnson. Although it has seen development over the past decade, Roosevelt Island feels like a theme park for every superannuated architectural and urbanistic idea of the 1970s—hardly an auspicious

James Gardner recently translated Vida's Christiad *(I Tatti Renaissance Library).*

era for New York City, or for architecture in general. The dominant stylistic idiom of the day was Brutalism, whose muscular manifestos in bare, reinforced concrete once seemed like the last word in architectural probity and civic virtue. And while Brutalism's presence on Manhattan was always relatively modest and tactical, Roosevelt Island represents its purest and most committed expression on the East Coast of North America: The street that runs up its northern half is arrayed on either side with a seemingly interminable sequence of pallid concrete mediocrities by the likes of José Luis Sert and Philip Johnson himself.

At a purely tactile and textural level, Brutalism's exposed concrete appears (to this viewer) to be singularly ill-suited to human sensibilities. And although no architect ever used it more inventively or evocatively than Louis Kahn, even he was not entirely successful in making the medium sing. The Yale Art Gallery and the Yale Center for British Art, his first and last projects respectively, surely represent the best case that can be made for Brutalism's experiential viability. Yet even they are challenging to inhabit, and age, which enhances traditional architecture, has only diminished them.

The new Roosevelt Monument, however, is a different story. Perhaps because it partakes equally of architecture, landscaping, and sculpture, and uses stone rather than concrete, it manages to free itself from that sense of drab utilitarianism that so often vitiates the Brutalist style.

On account of its location at the southernmost tip of an island which—infrastructure notwithstanding—remains fairly difficult to access, you don't happen upon it fortuitously, as you might happen upon the monuments on, say, the Washington Mall. Rather, one is required to undertake a special, dedicated journey in order to see it at all. And to see the monument at all is to inhabit it: It can be descried from the shores of Manhattan and Queens, but makes little visual impression from either perspective. Even once you reach the premises, it coyly conceals itself as long as possible, for its dominant aesthetic principle is deferred revelation.

As you approach from the north, your field of vision is overwhelmed by an expanse of 24 steps that afford

no hint of what, if anything, lies beyond. Only after you have arduously mounted those steps do you discover a triangular patch of manicured lawn flanked by rows of linden trees. Through a trick of perspective, the trees appear to extend to a vanishing point far in the distance, and only after you have arrived at that vanishing point do you find yourself standing before the large, disembodied head of FDR, based on the 1933 sculpture by Jo Davidson. Beyond the head is a sequence of pharaonic stone blocks that are 6 feet tall, 6 feet wide, 12 feet deep, and 36 tons apiece. On these are inscribed passages from the famous Four Freedoms speech that gives the park its name.

The park was conceived during the glory days of Minimalism, with its solemn rejection of ornament, its preference for pure and elementary shapes, and its phenomenological inquiry into scale and perception. The postmodern FDR monument in Washington, with its life-sized simulacrum of the president in a wheelchair, together with "my little dog Fala," is full of sly whimsy that would be unimaginable amid the late-Modernist sobriety of Four Freedoms Park. Neither the Minimalists nor the Brutalists had any sense of humor, or any aspirations to human warmth, and the high seriousness of Four Freedoms Park is more expressive, one suspects, of the seriousness with which Kahn took his own work than of a love for Franklin Roosevelt.

In this context, FDR's disembodied head comes as something of a surprise, even though it surely exists harmoniously within its context. The original was sculpted by Davidson early in Roosevelt's first term, when the president was 51 years old, and its aesthetics differ markedly from those of the rest of the park. If the monument itself was designed 40 years ago, the original head was sculpted 40 years before *that*. Perhaps for this reason, even if Kahn's quest for sublimity is not always free of dullness or inadvertent comical effect, Davidson's image of FDR is surprisingly moving. As colossal as the famous head of Constantine in Rome's Palazzo dei Conservatori, it presents our 32nd president in such a way as to suggest his humanity and his exhaustion, his cunning and, ultimately, his decency.

Yet it is not quite apparent how many visitors will come to see this head, with its slightly drooping eyelids and the deep folds under its eyes. Rather, I suspect that many, if not most, will come to admire what is perhaps more essentially a monument to Louis Kahn—one that Roosevelt himself would probably not have greatly appreciated or understood. And for that reason, the Four Freedoms Park, notwithstanding some flashes of formal brilliance, cannot be counted a complete success. ♦

B&A

Northern Highlights

When Canadians watch ice hockey, this is what they see. **BY MICHAEL TAUBE**

When the four-month-long National Hockey League (NHL) lockout was resolved this past winter, a collective sigh of relief could be heard—especially in Canada, where ice hockey is viewed as a national pastime that defines a way of life. Hockey stories, legends, and heroes are passed down in an effort to preserve the history and frozen mystique of "our game."

Canada's great sports obsession can be traced back to the 19th century, with the development of pick-up hockey, or "shinny." Shinny sticks can be made from broken tree branches; rocks, tin cans, or frozen animal excrement suffice as pucks. Montreal, Kingston, and Windsor, Nova Scotia have all laid claim to Canada's hockey origins, but Windsor may have the best argument: Around 1800, Thomas Chandler Haliburton, a student at King's College, wrote of schoolboys playing "hurley on the ice."

The Canadian National Railway radio network started broadcasting Toronto Maple Leafs games on Saturday nights in 1931; in 1933, the Canadian Radio Broadcasting Commission added games from the Montreal Canadiens and Montreal Maroons. In 1936, the Canadian Broadcasting Corporation (CBC) became the permanent home to what radio broadcaster Foster Hewitt famously deemed "Hockey Night in Canada."

Hockey Night in Canada: 60 Seasons (which refers to the program's long-running television incarnation) offers a detailed history of this successful branding tool, for neophytes and historians alike. Michael McKinley, a documentary filmmaker and author of hockey books, has a knack for capturing readers' attention by weaving together intriguing stories, personal viewpoints, and a love of the game. For the millions of North Americans who grew up with hockey, or for those who want to learn more, this volume will hold a cherished position on their bookshelves.

Hockey Night in Canada
60 Seasons
by Michael McKinley
Penguin Global, 352 pp., $37

Don Cherry, 2007

McKinley examines radio's early days and Foster Hewitt's legendary career. For nearly 50 years, Hewitt's "excited nasal tenor" was the voice of Canadian hockey during recaps and live third-period broadcasts, and his opening line—"Hello, Canada and hockey fans in the United States and Newfoundland!"—brings back many fond memories. (It's unclear whether Hewitt came up with the famous quip, "He shoots, he scores!" McKinley says Hewitt "thought he might have . . . [and] that's the way myths begin.") Canadian broadcasters still pay homage to Hewitt's pioneering style and larger-than-life radio presence: "If Foster Hewitt hadn't existed, it would have been necessary to invent him."

On October 11, 1952, the CBC started broadcasting hockey on television. Gerald Renaud, a 24-year-old sports editor for Ottawa's *Le Droit*, produced Canada's first televised game, between the Canadiens and the Detroit Red Wings, a battle "featuring the sport's most fabled Number 9s, Maurice 'Rocket' Richard and Gordie Howe." Renaud's strategy was to "place the cameras so that he—and so the viewer—had an ideal seat from which to watch the game." Three cameras were placed in strategic locations in order to catch wide angle, center ice, and medium shots.

Hockey Night describes all the sights, sounds, and personalities of the hockey world in a lush, conversational style. There is a chapter on Willie O'Ree, who, in 1958, became the first black player in the NHL, "the last of the four major sports leagues to have such a barrier." McKinley also discusses the Hot Stove League—"featuring hockey experts having a chinwag around a hot stove on a winter night"—and the subsequent decision to switch to player interviews. Short explanations of how commercials developed (thanks to Murray Westgate's "flair of a magician" in his Happy Motoring ads for Imperial Oil) and how the instantly recognizable theme music was written by Dolores Claman, "who had never seen a professional hockey game," are the stuff of folklore.

McKinley also writes about such popular on-air personalities as Howie Meeker, Bob Cole, and Harry Neale, and two chapters are devoted to Don Cherry, the NHL coach-turned-broadcaster known for his "paradoxical combination of . . . blunt, Legion Hall-style oratory and his dandyish attire." Cherry, along with broadcaster Ron MacLean, has hosted the popular "Coach's Corner" segment for more than half the existence of *Hockey Night in Canada*.

In short, *Hockey Night* offers a wonderful description of the tradition, north of the border, of watching hockey either live in the arena or in the comfort of home. Season after season of televised hockey games is depicted in all its glory—steeped in history, memory, and legend. May the NHL's next 60 years be as enjoyable as the first 60. ♦

YVONNE BERG / ZUMA PRESS / NEWSCOM

Michael Taube is a writer in Toronto.

B&A

If Memory Serves

Familiar premise (art heist) meets tired device (amnesia). **BY JOHN PODHORETZ**

Trance has to be judged one of the great disappointments in recent cinema, given that it is only the second movie Danny Boyle has made since *Slumdog Millionaire*. That Oscar-winning worldwide smash may have been the best film of the past decade. Not so *Trance*, which is very much like one of those movies you used to see in video stores when video stores still existed—the ones with the well-designed box but with three names above the title you barely knew (in this case, Rosario Dawson, James McAvoy, and Vincent Cassel) and a blurb that read something like "'the best film I've seen this afternoon'—*Moose Jaw Sun-Bugle*."

Trance is about the heist of a painting from a London auction house. The twist is that the heister can't remember where the painting is, because in the midst of the crime he gets a clop on the head from one of his criminal associates and—boom!—becomes an amnesiac.

Boyle is after something Hitchcockian. The problem is that Alfred Hitchcock (like all directors) made bad movies as well as good movies, and whenever Hitchcock got near amnesia—which he did several times—he went very, very bad indeed. Probably Hitchcock's most ludicrous film is 1945's *Spellbound*, in which Gregory Peck can't remember anything and is treated for his condition by the luscious psychoanalyst played by Ingrid Bergman. *Spellbound* is famous because its dream sequences were designed by Salvador Dalí, but it should be equally famous as one of the funniest movies ever made—even though there's not a single joke in it, despite a script by the otherwise hilarious Ben Hecht, who cowrote *The Front Page* as well as the peerless memoir *Child of the Century*.

Trance
Directed by Danny Boyle

James McAvoy

In *Spellbound*, needless to say, the shrink falls for her hunky amnesiac, and after they smooch, he says, "For what it's worth, I can't remember ever having kissed another woman before." The next day he tells her, "Oh, and by the way, my name's John Ballantyne!" Later, a killer points a gun at Ingrid: "You're an excellent analyst, Dr. Petersen, but a rather stupid woman!" He's right about the latter but wrong about the former.

Spellbound is a direct influence on *Trance*, in which our amnesiac (McAvoy) goes to see a hypnotherapist (Dawson) to recover the whereabouts of the painting. Of course, they fall in love. Or do they? She might, instead, be in love with the head crook (Cassel), with whom she colludes because she's bored and needs something new in her life—like the money from a stolen painting.

Is she actually helping the amnesiac, or is she using her hypnotic wiles to plant false memories? Is the crook also falling under her spell—a spell apparently triggered solely by her saying, "I want you to relax"? (Who knew hypnotism was so easy?) Why does she appear to be setting these two men against each other when, for reasons unknown, the crook seems to be rather a decent guy (even though he has his henchmen whittle the amnesiac's fingers to the bone before he accepts the truth of the amnesia)?

Trance raises these and many other existential questions, such as: What's real? What's fantasy? Who's who? Where's the beef? When's dinner? What about Naomi? And perhaps most pressing: Will this be over soon, because I could really use the bathroom?

The amnesiac plotline is so alluring that every single soap opera in world history has featured at least 50 of them. Hypnotism is also a big draw for that kind of overwrought melodrama. It's easy to see why: Amnesia turns a person into a puzzle to be solved, while hypnotism (at least the movie version) forces people to say and do things they would not otherwise say or do. These devices are simply used to turn characters into game pieces that can be moved around, wherever necessary, to advance a plot. But the premise is so incredible that it shatters the plausibility of every story that follows.

In *Trance*, even more surprising is the climax, in which the ultimate perpetrator of the crime simply delivers an endless monologue that brings together all the plot strands. Every single one of those strands is absurd on its own, and beyond belief when rolled together into one ball of twine.

The only explanation for Boyle taking on this ghastly screenplay by Joe Ahearne and John Hodge is that the opening-night pageant he designed and directed for the London Olympics (remember, the one in which Mary Poppins paid tribute to the National Health Service) was so mind-bendingly silly it may have melted down his brain cells for good. ♦

SUSIE ALLNUTT / FOX SEARCHLIGHT

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

PARODY

"'In recognition of the special circumstances of sequester, [Secretary of State John Kerry] does intend to give the equivalent of five percent of his government salary to an appropriate charity that will benefit employees of the State Department,' confirmed State Department spokesperson Victoria Nuland."

—ABCNews, April 4, 2013

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APRIL 19, 2013 washingtonpost.com • $1

Kerry delivers aid package to foreign service officers

$15 MILLION TO ROME STAFF

Truffles, Prosecco Run Dangerously Low

BY EDWARD CODY

ROME — Secretary of State John Kerry arrived in Rome today bearing a $15 million aid package for State Department employees who have been forced to take unpaid leave or seen their salaries reduced due to sequestration. The aid package is just the first of many efforts put together by the Coalition to Revitalize American Peacekeepers, Officers, Liaisons, and Attachés (CRAPOLA), a non-profit that assists American diplomats in need.

Dozens of foreign service officers swarmed the piazza in front of the Hotel Andrea Doria, a three-star residential hotel to which many of them have been forced to move since the cuts took effect. "Do not fear, brave Americans, we stand with you in your time of need, and will do whatever it takes to help you through this," Secretary Kerry said as he and members of CRAPOLA distributed cases of Prosecco, fresh lobster and halibut, and truffles to the grateful crowd. "Oh, what a godsend," said Angela Hart, a 15-year State Department veteran. "I've had to eat shrimp four times this week. If I have to eat another shrimp, I'll just scream—I'll just *scream*."

Diplomatic staff had been reduced to caviar, blinis, and sour cream.

Secretary Kerry was forced to call for order several times to calm the anxious and hungry diplomats, many of whom hadn't eaten since breakfast. "Please be calm, be calm, I know you're hungry," Kerry implored the crowd.

"Famished!" interrupted a crowd member. "Absolutely ravished," he continued as he pried open a case. "Wait—are there only white truffles? No winter blacks? What, pray tell, are we to do with these?"

Secretary Kerry quieted the crowd with the assurance that black truffles would be included in the next shipment, which would arrive by the end of next week at the

FOIE GRAS CONTINUED ON A6