

**OBAMA'S  
FARCICAL  
PERFORMANCE**  
ELLIOTT ABRAMS • FRED BARNES  
JEFF BERGNER • WILLIAM KRISTOL  
TOD LINDBERG • JEREMY RABKIN • LEE SMITH

# the weekly Standard

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## Washington Builds a Bugaboo

**ANDREW FERGUSON**  
on how Senator Ted Cruz  
ticks off liberals

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# Rocky Mountain Surprise

When it was announced earlier this year that gun rights activists were attempting to recall two Colorado state senators for helping pass new gun control laws, the campaign wasn't taken seriously. It was treated as a marginal curiosity by the political press, when it wasn't ignored altogether. But as the recall drew near, the nerves of local Democrats were obviously frayed—for good reason.

Last week, Senator Angela Giron was recalled by a 12-point margin, and senate president John Morse, a former police officer, was recalled by a slimmer 2-point margin. This represents a stunning success for the activists who ran a grassroots campaign and were outspent six to one, with nearly \$3 million flooding in from national gun control groups. (Remember, swamping local elections with campaign cash from out-of-state special interests is only evil when it's not in the service of liberal hobbyhorses.) In fact, \$300,000 was personally donated by New York mayor Michael Bloomberg. Just so we're clear how humiliating this is for Bloomberg, Giron told the *New Republic* last month, "For [Bloomberg's gun control organization] Mayors Against Illegal Guns, if they lose even one of these seats, they might as well fold it up."

Shellshocked Colorado governor John Hickenlooper, a Democrat who not too long ago was being talked up as a dark horse presidential candidate, gave a press conference where he actually tried to backtrack on his

support for the state gun control laws, unconvincingly claiming he was never, ahem, "fired up" about the part of the law limiting magazine and clip capacities.

The media, of course, have been relatively subdued in their coverage of this hugely embarrassing rebuke. Dismissals of the recall's impact in the *Wall Street Journal*, AP, and the *New York Times* ranged from "mostly symbolic" to "purely symbolic." But there's no debating which side of the debate is the political loser. According to the *New Republic*, one gun control group even "got 200 members nationwide to make 10 calls each to the two districts. That's impressive, given how hard it's been to stir grassroots activism on the gun control side." If that's "impressive" progress for gun control advocates, their legislative efforts are dead, dead, dead for the foreseeable future.

But wait, there's more! Along with the hopes and dreams of Bloombergian busybodies, the Colorado recall may have destroyed the reputation of America's most obnoxious political polling outfit. The day after the recall, the Democratic firm Public Policy Polling (PPP) announced that it actually had poll results from the previous week predicting Giron's 12-point margin of defeat. However, the firm had spiked releasing the results because it didn't believe them.

Now, PPP has long been reviled by conservatives for using obnoxious questions in its polling calls designed to make Republicans look bad. And

then there's the well-founded speculation the firm puts its thumb on the scale for partisan ends. Last year, PPP produced a well-timed poll showing suspiciously high levels of support for Missouri GOP Senate candidate Todd Akin in the wake of his scandalous rape comment. PPP's poll may have helped convince him to stay in the race, bolstering the Democratic "war on women" campaign theme.

Despite this, PPP's presidential polling last year was pretty accurate, so few pointed questions had been asked about its dodgy methodology. Attempting to take credit for the Colorado recall poll it suppressed was the straw that broke the camel's back. Polling guru Nate Silver tweeted, "VERY bad and unscientific practice for [PPP] to suppress a polling result they didn't believe/didn't like. . . . I'm especially skeptical when a pollster puts its finger on the scale in a way that matches its partisan views." The next day, Nate Cohn of the *New Republic* released a convincing, data-heavy article arguing "There's Something Wrong With America's Premier Liberal Pollster." Silver and Cohn have made it hard to see PPP as anything other than a partisan and unethical operation. And the two deserve credit for speaking out, given their own liberal leanings.

THE SCRAPBOOK generally advises being gracious in victory. But given the joint comeuppance delivered to Bloomberg and PPP, readers will be forgiven a chortle or two. ♦

## El Kennedy Center

Almost exactly a year ago, THE SCRAPBOOK reported with dismay that the Kennedy Center Honors ("Mau-Mauing the Kennedy Center," Oct. 15, 2012) were under assault from Hispanic pressure groups because the annual selection of five (mostly baby boom pop culture) performers had an insufficient number of recipients with

Latino blood. Now, as we said at the time, "THE SCRAPBOOK resolutely refuses to take the Kennedy Center Honors seriously," and the carefully calibrated list for 2013—Billy Joel, Martina Arroyo, Herbie Hancock, Carlos Santana, Shirley MacLaine—does nothing to change our opinion. But it surely says something about the state of the culture (and we use that word advisedly) that the elite press heralded the

news this year with a focus on ethnic scorekeeping: "Kennedy Center Honors Include Two Latinos" (*Los Angeles Times*), "Kennedy Center Honors List Includes Two Hispanics for 2013" (*Washington Post*), "Latinos Among New Kennedy Center Honorees" (*New York Times*).

It is more than a little discouraging that the Kennedy Center was successfully lobbied to choose its honorees

on the basis of ethnic origin. And the “honor” for Arroyo and Santana is now tainted by the notion that it’s blood, not achievement, that counts—as those headlines confirm. ♦

## Exceptionally Inexperienced

It has long been THE SCRAPBOOK’S contention that one of the great weaknesses of Barack Obama in the White House is both simple and obvious to discern: inexperience. People can argue until they’re blue in the face about his Kenyan father, or his wicked Chicago friends, or whether he’s a socialist or a Marxist or unholy hybrid of both. But the fact is that, in 2008, the American people elected a freshman senator as president of the United States—and on occasion, it shows.

To be sure, presidents have risen above their near-virginal status in politics—Abraham Lincoln is the most famous example, but there are others—and “experience” can also be another name for careerism. But as the current debacle in Syria suggests, President Obama has a tendency to speak before he thinks things through, and his foreign policy has a disturbingly ad hoc quality to it.

On the other hand, it’s not all bad news. In the president’s otherwise embarrassing address to the nation last week—“Let me make something clear: The United States military doesn’t do pinpricks”—there was a revealing passage toward the end. “What kind of world will we live in,” he asked, “if the United States of America sees a dictator brazenly violate international law . . . and we choose to look the other way?”

George W. Bush could not have said it better. But Obama continued: “I believe we should act,” he declared. And why? “That’s what makes America different. That’s what makes us exceptional.”

This invocation of American exceptionalism was not just balm to THE SCRAPBOOK’S ears, but an interesting departure from the last time President Obama discussed the subject.



Shortly after taking office, in 2009, he was asked at a G-20 summit in London if he believed in American exceptionalism. His response was deeply revealing: “I believe in American exceptionalism,” he replied, “just as I suspect that the Brits believe in British exceptionalism and the Greeks believe in Greek exceptionalism.” It wasn’t necessary for the president to add that Solomon Islanders undoubtedly believe in Solomon Island exceptionalism as well: His tone—sarcastic, dismissive—made it clear that he regarded “American exceptionalism” as a silly slogan which had earned Obama’s bemused contempt.

Well, that was then.

THE SCRAPBOOK, like most Americans, is unhappy with the way the Syrian crisis is playing out: A measure of wisdom, a kind of humility, certainly

a deeper knowledge of modern history and broader experience of the world, might have prevented President Obama from painting himself into the box where he now finds himself. But at least we can say that he seems to comprehend what is meant by American exceptionalism, and why Vladimir Putin (in his notorious *New York Times* op-ed piece) is so obviously threatened by it.

That’s progress, we hope—even if on-the-job training in the White House is harrowing for the rest of us. ♦

## Hare Krishna Comes to the iPhone

President Obama’s handling of Syria over the last several months has suggested that we are witnessing Jimmy Carter’s second term. Yet every

so often there are other items in the news which suggest that we might as well be in 1978 all over again. Witness: the Peace App.

The Peace App is pretty much what you might guess: a “powerful platform for connecting and sharing thoughts and intentions. Based on the premise that the thoughts, feelings, actions and prayers of individuals can collectively create a larger social atmosphere and ‘collective consciousness,’ The Peace App features a variety of methods and activities including Yoga, Meditation, Intentional Thought, Prayer and Movement.” All on your iPhone!

The Peace App’s website is even more clichéd, featuring inspiring peace quotes from Martin Luther King, Jimi Hendrix, Albert Einstein, and, of course, JFK, who no doubt learned a thing or two about peace when he was fighting in World War II, facing off against the Russians in Cuba, and inserting America into the Vietnam war.

But these are quibbles. The big selling point of the Peace App is that it combines the ancient power of meditation with the modern power of mobile technology. Thanks to all of the people across the globe who are using it, joining together, as the programmers put it, in “collective, conscious intention for peace, peace will vibrate on a larger scale, rippling from self, community, societies, across our beautiful planet.” The Peace App asks, “If our thoughts create reality, can we collectively create more peace through conscious intentions for peace?”

Did we say “selling point”? But of course. As everyone from Sun Tzu to George W. Bush could tell you, peace comes at a cost. In the case of the Peace App, that would be \$2.99. ♦

## Bring Your Parents to Work Day?

THE SCRAPBOOK discounts a lot of the perennial harrumphing about “kids these days,” but we were nonetheless a bit taken aback by last week’s *Wall Street Journal* report on our latest generation of participation-trophy

winner: “Should You Bring Mom and Dad to the Office? Employers Are Embracing the Involvement of Parents to Attract and Hold On to Talent.” To the extent that question in the headline isn’t entirely rhetorical, the answer is *no*. Of course, making due allowance for the hardiness of your rootstock, it can be prudent to ask your parents for career advice when you’re younger, but the extent of the involvement the *Journal* reports on is appalling:

For example, HR executives have to follow privacy policies that prevent them from sharing information with parents. That can be a problem when a parent calls asking why their offspring didn’t get a job or wants to negotiate salary, Mr. Fall explains.

If you are an adult whose parents are negotiating your salary for you, that’s a pretty obvious sign you’re probably not a go-getter who deserves a fat paycheck. And helicopter parents in the workplace aren’t a rare occurrence these days, either. Last year, NPR reported:

Michigan State University surveyed more than 700 employers seeking to hire recent college graduates. Nearly one-third said parents had submitted résumés on their child’s behalf, some without even informing the child. One-quarter reported hearing from parents urging the employer to hire their son or daughter for a position. Four percent of respondents reported that a parent actually showed up for the candidate’s job interview.

Might this phenomenon of parental over-involvement in the hiring process suggest that, uh, kids these days have work-ethic issues? According to Pew, more Millennials think the word “capitalism” has negative connotations than positive. And Millennials also have a net positive reaction to the word “socialism.” These results are in marked contrast to the reactions of every other age group. As depressing as this is, it may help explain why Millennials voted overwhelmingly for Barack Obama. When their parents aren’t around to hold their hands, they want Big Brother to take care of them. ♦

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## Dog's Breakfast

There is something futile about breakfast meetings. Breakfast ought to be where you dissipate the irrationality of dream-life and find your way back to a clear view of the things you care about in the waking world. Alcoholic memoirs are full of where-the-hell-am-I stories, some funny (“*I seem to have woken up with this tattoo . . .*”) and some terrifying (“*I seem to have woken up with my hands caked in blood . . .*”). They appeal to readers because every waking, even on the best of days, is a where-the-hell-am-I story. It is not a time when you want to be among people who don't love you.

When you're traveling on business, though, you don't have all the time in the world. In a short week, turning breakfasts into meetings is a way to talk to, say, 16 people instead of 12. Last week I scheduled a breakfast with a woman who is one of the most insightful essayists in Germany. I woke up in the bleak Berlin pre-dawn and walked through the mostly empty streets to meet her at the Café Einstein on Unter den Linden.

I asked for a glass of water, taking care not to replicate one of the worst German blunders I ever made, when a waitress mistook my order of *Wasser mit Sprudel* (“sparkling water”) for *Wasser mit Strudel*, the meaning of which you can probably guess (“*I seem to have woken up with strudel all over the table . . .*”). It was not my all-time-worst mistake in German. That honor belongs to the memorable taxi ride when, meaning to ask the driver whether Germans were content with the administration (*die Verwaltung*), I

wound up asking whether they had a high opinion of rape (*die Vergewaltigung*). As Mrs. Malaprop once said, men can be such Bavarians.

I was early to Einstein, because I didn't want to leave my insightful essayist waiting. She had mistaken the week of our meeting and come on Tuesday a week before, emailing me frantically for half an hour while I was



snoring six time zones away. It must have been embarrassing. Einstein is a snug, intimate place where politicians and journalists meet. In front of a bunch of her colleagues, she must have looked confused and discomposed.

But now Insightful herself was late, and it was I who was discomposed. The table she had reserved for us was in the best room and, befitting her importance, a table for four. The restaurant was mobbed, and this back room, the real sanctum, was chock-a-block. There were parties of six jammed shoulder-to-shoulder around other tables, and in the booths people were practically in each other's laps. Meanwhile, there was I, all alone with my newspapers spread out and my measly glass of water while a crowd

of ministers, multinational executives, and millionaire tourists waited at the entrance to the room. And, since Germans consider any room heated to less than 88 degrees “drafty,” there was sweat beading on their brows and dripping onto their clothes.

It occurred to me that possibly Insightful was waiting for me at the front of the restaurant. But how to get there? In an age of terrorism it is hard to keep an eye on two parts of any establishment. If you take your briefcase with you, the waiters will think you're leaving and give away the table.

If you leave it behind, your fellow patrons will think you're trying to blow them up. I chose to leave the briefcase and elbow my way through all the sweaty people to the front. Nothing. It had been a while since I'd been stood up for anything. When I finally gave up on Insightful, gathering my newspapers and books, a party of six descended like looters on my table, rattling furniture as they came.

Later in the day, Insightful asked me to meet her at 5 for an early dinner and treated me to it. She

was pleasant, informative, and apologetic. There used to be a term for what she had done—she had flaked out. Today the word “flake” gets used to describe the absent-minded or the self-consciously eccentric: nose-ring people, sneakers-with-a-business-suit people, two-different-colored-sox people. But, really, a flake is a person who behaves erratically, leaving you uncertain whether to respond with anger (at someone who is taking advantage) or commiseration (at someone who is a bit lost). As we'd say in German, I had been the victim of an *Ausflake*, not an *Aufstand*. Although I think I'll double-check the dictionary before I repeat that to a taxi driver.

CHRISTOPHER CALDWELL

# ‘Hello, I Must Be Going’

Maybe Barack Obama really is a Marxist. His September 10 speech to the nation on Syria seems to have been inspired by Groucho’s great number in *Animal Crackers* (1930):

*Hello, I must be going  
I cannot stay, I came to say I must be going  
I’m glad I came, but just the same, I must be going . . . la-la!*

Less than three weeks after Bashar al-Assad gassed his citizens, Obama let us know he was glad to have come before us to share his outrage, explained that of course he couldn’t stay, and went off to the United Nations with his partner in comedy, Vladimir Putin.

Putin had the follow-up routine, an op-ed in the September 12 *New York Times*. This comic masterpiece surpassed in its dry wit even John Kerry’s performance of a few days before, when Kerry promised a “very limited, very targeted,” indeed “unbelievably small” military strike in reaction to what he had called three days earlier the “indiscriminate, inconceivable horror” of Assad’s “unspeakable crime,” a “crime against conscience,” a “crime against humanity.” Kerry had claimed that “the U.N. cannot galvanize the world to act as it should,” but Putin, siding with Obama, made the case for the U.N. Indeed, taking a sly dig at Kerry, Putin noted that “my working and personal relationship with President Obama is marked by growing trust.” And, putting a nice exclamation point on Obama’s pirouette, Putin graciously allowed, “I appreciate this.”

The other Marx had something useful to say about Obama’s vaudeville routine on the world-historical stage: “Hegel remarks somewhere that all great world-historical facts and personages appear, so to speak, twice. He forgot to add: the first time as tragedy, the second time as farce.” As he played his part in making the case for military action, John Kerry referred to this as our century’s Munich moment. He spoke more truly than he meant, for his boss followed the precedent of Munich rather than learning his lesson. But Obama’s Munich moment turned out to be a

Marxian version, with Obama doing farcical pratfalls as he followed down Neville Chamberlain’s tragic path.

The farcical nature of the last three weeks doesn’t mean there isn’t real tragedy here, for the people of Syria in particular, and that there won’t be tragic consequences. As Kerry said, “If we choose to live in the world where a thug and a murderer like Bashar al-Assad can gas thousands of his own people with impunity, even after the United States and our allies said no, and then the world does nothing about it, there will be no end to the test of our resolve and the dangers that will flow from those others who believe that they can do as they will.”

Perhaps others will step up to avert the damage. Abroad, it seems that it will be up to Benjamin Netanyahu, who knows something about real historical tragedy, to stop even more dangerous regimes than Assad’s from acquiring even more dangerous weapons. At home, members of Congress and other leaders might be able to mitigate the damage that Obama could do over the next three years. In the spirit of Churchill’s great



Groucho Marx: ‘But I am telling you, I must be going.’

October 5, 1938, speech in response to the Munich agreement, those here at home who are unwilling to consign Americans to either tragedy or farce could insist that people “should know the truth. They should know that there has been gross neglect and deficiency in our defences; they should know that we have sustained a defeat without a war, the consequences of which will travel far with us along our road.”

And they could explain, soberly and honestly, what Churchill said in concluding his remarks on the floor of the House of Commons:

And do not suppose that this is the end. This is only the beginning of the reckoning. This is only the first sip, the first foretaste of a bitter cup which will be proffered to us year by year unless by a supreme recovery of moral health and martial vigour, we arise again and take our stand for freedom as in the olden time.

—William Kristol

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# The Damage Done

Forty years ago this fall, the United States shipped more than 20,000 tons of tanks, artillery, weapons, and supplies to Israel to ensure its victory over two of the Soviet Union's Arab clients, Syria and Egypt. Those airlifts showed the Arabs that despite their numerical superiority, they had no hope of defeating the tiny Jewish state. As long as Israel was backed by a United States willing to prove its resolve and determination to stand by its allies, the conclusion was etched in stone—America doesn't lose, and neither do her friends.

The 1973 Yom Kippur war was the beginning of the end for the Soviet Union. With Egypt, the largest and then most influential Arab state, leaving the Soviet camp to become an American ally, Moscow's position in the Middle East was all but ruined, and it was only a matter of time before Soviet brittleness was apparent for all to see.

Now, four decades after Nixon and Kissinger managed one of the great victories in American policy-making, Obama has opened the door for Moscow to reenter the region.

In time, we may look back on last week and see it, like the Yom Kippur war, as a threshold moment, with the difference being that this time it signaled growing American weakness. In the meantime, Obama's Syria blunders—his failure over two and a half years to see the conflict as an opportunity to advance American interests, his carelessly drawn red line over Bashar al-Assad's use of chemical weapons, his belated and half-hearted request for an authorization of military force from Congress, his unwillingness to make the case to the American people for striking Assad, and his turning Russia into the regional powerbroker at the expense of the United States—call for a reckoning. The tally of American losses at Obama's hand, in bases, allies, and influence, raises one key question: Can the damage that he has done and is likely to do in the next 41 months be reversed?

Give Vladimir Putin his due. With his proposal to put Syrian president Bashar al-Assad's chemical weapons under

international control, he proved he was more than a mere thug who expresses his self-regard by posing bare-chested, dating teenage gymnasts, and wrestling wild game. In showing his subtlety and cunning, Putin reminded us that his professional training as an intelligence officer (not to mention his judo hobby) taught him to zero in on human vulnerabilities and exploit them. Obama is vain. Putin saw that the American president always needs to look good.

Thus, after years of denigrating the president and his staff, Putin spared Obama a devastating defeat on Capitol Hill by repackaging humiliation as a diplomatic win for a president whose motto is that he came to end wars, not to start them. It mattered little to Putin that the White House claimed credit for the initiative, that administration spokesmen said Obama officials had broached the subject with Moscow over a year ago, that the Obama team pretended it was the president's threat of force that

had prompted the diplomatic breakthrough. Let Obama boast of another beautiful victory: Putin knew that he had exposed an American president too timid to fire a dozen cruise missiles into the Syrian desert as indecisive, unreliable, and weak. To American allies, a president who makes good on neither his promises nor his threats is a liability.

Astonishingly, Putin won with a weak hand.

Russia is not China, never mind the Soviet Union. Her economy is run like a criminal enterprise and depends on a monopoly in European energy markets; Russian society is in a demographic tailspin; and the only way for Putin to shore up his domestic legitimacy is through a steady diet of anti-Americanism and posturing meant to signal Russian strength. If the Americans can't keep Putin in line, our allies are wondering, who else might start punching above their weight, and at us?

With Putin brokering the proposed deal over Syria's chemical weapons, U.S. allies surely fear that a similar arrangement is in the works over Iran's nuclear weapons program. Now playing the role of Putin's junior partner, Obama is likely to take almost any deal with Tehran, just to have a piece of paper and get the issue behind him. While the Israelis, Saudis, Emiratis, Jordanians, and Turks, among other Middle East partners, contemplate the building chaos in Syria and, more important, the loss of American power and prestige in the Persian Gulf, other allies are starting to count the bodies that the White House has left in the field.



*What will go wrong today? Cabinet meeting, September 12.*

The administration abandoned Iraq after the United States invested thousands of American lives and billions of dollars. Without a status of forces agreement, the White House effectively handed influence on the government in Baghdad over to Iran, which has used it as a transport hub to resupply its forces fighting for Assad in Syria. The Syrian dictator, an Iranian ally, still rules, two years after Obama demanded he step down. Meanwhile, American allies were toppled in Tunisia and Egypt. Whether Obama prefers stability or democracy is still unclear, because two years on, after two violent changes of government in Cairo, he still has no coherent policy for the largest Arab state. The White House wanted to make its footprint smaller in the Middle East, which has so far amounted to making America and its allies more vulnerable. A year after the murder of four Americans in Benghazi, including the U.S. ambassador to Libya, no one has been brought to justice.

For all the talk of the pivot to Asia, American allies like Japan, South Korea, and Taiwan have to wonder if that's just a slogan. When they face China and North Korea, are they reassured by U.S. security commitments that may be empty? In Europe, Obama sold out the Czechs and the Poles in 2009 by canceling a missile defense system so as not to anger the Russians. If he was already willing to sell out some smaller allies then, how much more

of a supplicant to Moscow will he be now that Putin has helped him save face over Syria?

Obama said in his speech last week that he agrees with those who wonder why the United States has to be the world's policeman. But "policeman" was always a caricature of America's actual role in the world. Since the Cold War, our power and influence have been premised on a very simple strategy of ensuring the freedom of trade and open markets that keep the American economy humming from coast to coast, and ensuring peace in Europe, balance in Asia, hegemony in the Persian Gulf, and dominance of our own hemisphere. In other words, the United States does not police the world for the benefit of others; rather, we are a superpower with allies around the world because our chief interest, and a vital interest of our allies, too, is a strong America.

By making us smaller around the world, Obama risks making us smaller at home, too. He wants to focus only on domestic politics, but that is a luxury afforded by an ability to project power abroad in order to keep the peace. Obama has made America less powerful and less respected in the world, and less confident abroad and at home. We now face three, long years of damage control before the next president can begin the unenviable task of repair and restoration.

—Lee Smith

## Waterways Work for America

**By Thomas J. Donohue**

President and CEO  
U.S. Chamber of Commerce

America's marine transportation system—our ports, waterways, locks, levees, and dams—is the hidden backbone of our nation's vast freight network. Modernizing and maintaining that system is vital to our nation's competitiveness and growth.

The system safely and efficiently transports hundreds of commodities such as petroleum, coal, industrial chemicals, building materials, and agricultural products to destinations in the United States. It also is a key conduit for trade, carrying products to deep water ports to be exported around the world. Each year, the system moves more than 553 million tons of freight, valued at \$178 billion.

Maritime transportation is a critical part of our broader freight system. Freight transported by water is equivalent to 51 million truck trips each year. A single barge can move the same amount of freight

as 16 large rail cars or 70 semitrailer trucks. Barge transport is also cost effective. A barge can go more than 600 miles with 1 ton of goods on just 1 gallon of fuel.

But, like much of America's infrastructure, the maritime system can't continue to flow smoothly and efficiently—or add value to our economy and jobs for our workers—if we don't keep up our investments.

Delays, congestion, and service interruptions caused by insufficient funding to modernize, maintain, and operate our system carry a heavy price for our economy. The American Society of Civil Engineers estimates that without smart investments we could forfeit \$700 billion in GDP by 2020. We could lose \$270 billion in exports. Businesses could see their sales drop by \$1.3 trillion. And we could shed 738,000 jobs from the workforce.

Congress has an opportunity to prevent these devastating economic losses by passing the Water Resources Development Act (WRDA), which would drive new

strategic investment in our nation's waterways. The legislation would also help protect land and development from flooding and promote projects that improve hydropower, water supply, ecosystem restoration, and recreational opportunities.

WRDA was initially passed in 1986, and Congress intended the legislation to be reauthorized every two years to keep water development programs running and projects funded. Yet it's been nearly six years since WRDA legislation has been passed. Without congressional action, critical new projects won't get started, workers won't be hired, and our system will fall further into a state of disrepair.

The U.S. Chamber will continue to pressure lawmakers to pass this legislation, which would strengthen America's competitiveness and put a whole lot of people to work in a hurry.



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# Ineptitude at the Top

How not to be a war president.

BY FRED BARNES



When President Obama abruptly called off the bombing strike on Syria and decided to seek the approval of Congress, he surprised no one more than French president François Hollande. France, the only country set to join the United States in the raid, was left in the lurch. Hollande was humiliated and isolated. Now, if an assault on Syria occurs, France is unlikely to participate.

Several days after aborting the raid, Obama traveled to Sweden, then to Russia for the G-20 summit. At both stops, he sought support for serious

action against Syria. He failed. Meanwhile, in Congress, where support for punishing Syria for its use of poisonous gas really mattered, opposition to Obama's plan swelled in his absence, notably among Democrats.

Last week in London, Secretary of State John Kerry carelessly answered a question by saying Syria could avert a bombing attack by turning over all its chemical weapons to "the international community." But Syrian president Bashar al-Assad "isn't about to do it, and it can't be done," Kerry added. That same day, Russia and Syria said Assad would indeed do it, prompting negotiations that could last for weeks and make a raid far less likely to occur.

Notice the thread running through these episodes. In each one, Obama and his administration sought one thing and got another. They produced unintended consequences. In domestic policy, this would merely be unfortunate. In carrying out national security policy, unintended consequences are dangerous at best, catastrophic at worst.

Yet Obama and Kerry seemed oblivious. Their grasp of the Syria crisis was incomplete. The situation appeared to overwhelm them. They acted like greenhorns. "None of the White House staff has any experience in war or understands it," retired Gen. Robert Scales, the former commandant of the U.S. Army War College, wrote in the *Washington Post*. The same is true of the president.

Inexperience and incomprehension of the perils of wartime aren't Obama's only problems. The biggest one: As commander in chief, he is faced with using military force in wars he basically opposes. "I got elected to end wars, not start them," he told PBS's Gwen Ifill last week. "Over the last four and a half years, I have done everything I could to limit our military footprint around the world."

Would Obama have pursued the war in Afghanistan—he even added 30,000 troops in 2009—if he'd been free to withdraw ASAP? I think not. He was trapped. In 2008, Obama adopted the Democratic strategy of dubbing Iraq the bad war and Afghanistan the good war.

"When John McCain said we could just muddle through in Afghanistan, I argued for more resources and more troops to finish the fight against the terrorists who actually attacked us on 9/11," Obama said in his acceptance speech at the 2008 Democratic National Convention (in which he mentioned Afghanistan three times). In his Inaugural Address in January 2009, he said he'd "forge a hard-earned peace in Afghanistan."

Unusually for a president with a war on his hands, Obama doesn't like to talk about Afghanistan. He mentions it infrequently, never making the case for the war. At the Democratic

THOMAS FLUHARTY

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convention last year, he devoted one sentence to it: “We’ve blunted the Taliban’s momentum in Afghanistan, and in 2014 our longest war will be over.” He ignored the war in his second inaugural speech in January.

Obama also trapped himself on Syria. “A red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized,” he said at the White House press conference in August 2012. “That would change my calculus [about dealing with Syria]. That would change my equation.”

The president may have used the term “red line” casually. But to the world—and especially the media—it signified something quite specific. It was aimed at deterrence. However, if Assad crossed the line and used chemical weapons, the United States would take aggressive action. There would be hell to pay.

Thus, after Assad killed 1,400 people with sarin gas in August, Obama was under enormous pressure to respond boldly. He preferred not to take military action. “My central goal throughout this process has not been to embroil ourselves in a civil war in Syria,” he said in a CBS interview last week. That explains, I believe, his twice blinking on raiding Syria, first looking to Congress, then grabbing the dubious Russian proposal to have Assad’s chemical weapons turned over to . . . well, somebody.

The “red line” reference also touches on the president’s inability to talk in the disciplined language of a commander in chief. At the Pentagon, military professionals “are outraged by the fact that what may happen is an act of war and a willingness to risk American lives to make up for a slip of the tongue about ‘red lines,’” according to Gen. Scales.

Surely Obama should know that calling American armed forces “my military,” as if they were his personal Swiss Guard, is bad form. Yet he said it at the White House on August 30 and again at the G-20 meeting a week later. Likewise, he should know that a “shot across the bow” is a warning shot that doesn’t hit anything.

Now Obama harbors the illusion that the gas attack may have turned Tehran against Assad. “Syria’s allies like Iran detest chemical weapons,” he told CNN’s Wolf Blitzer. “There’s a real aversion to chemical weapons inside of Iran,” he said in the PBS interview.

Expecting help from Iran is naïve. It’s possible only if the mullahs regard Obama as a peacemaker who, lacking the will to bomb Syria, wouldn’t dare attack Iran. Chances are, still another unintended consequence is on its way. ♦

## Worse Than It Looks

A close reading of the red line. BY JEREMY RABKIN

It now seems to be the general consensus that President Obama’s Syria policy is a contradictory mess. But that’s only how it appears on the surface. Probe a bit deeper and it’s very seriously deranged.

The most obvious problem is symptomatic of the rest. Why draw a red line against the use of chemical weapons? For over two years, President Obama has kept aloof from the Syrian conflict. More than 100,000 people have died in the ensuing slaughter. But Obama insisted the United States must take action to confront the last 1 percent of those deaths—people killed by chemical weapons. Why draw the line there?

One can say death by chemical weapons is particularly gruesome. But gunfire and artillery don’t usually induce painless oblivion. Anyway, deaths from hacking machetes must be quite as agonizing as those from chemically induced seizures. That did not rouse the United States to intervene in Rwanda, when nearly a million civilians were killed that way. Nor to intervene in ongoing wars in central Africa, which have brought a more staggering death toll over the last 30 years.

Cynics assume the president simply got trapped by his impulsive

comments about red lines a year ago, and that all policy lurches since then have simply aimed at preserving his own credibility. But I don’t think he chose that red line impulsively. Nor was he compelled by longstanding international understandings. Saddam Hussein used these weapons against Iranian soldiers and then Iraqi Kurds (including civilians) as recently as the 1980s. There was no serious international response at the time, no specific deterrent threat from the United States.

But human rights activists did start to mobilize then to suppress chemical weapons, seeing that as an achievable goal for humanitarian effort. And amidst the optimism of the post-Cold War era, they helped secure the 1993 Chemical Weapons Convention, banning even the possession of these weapons. I think the president’s red line is best understood as a commitment to stand by the priorities of international rights activists—such as his U.N. ambassador, Samantha Power.

But that raises the next problem. If you want to be legalistic, Syria is not a signatory of that convention. The president brushed that aside on the grounds that 98 percent of the world’s people live under governments that have repudiated chemical weapons. Well, by that logic, various conventions not actually ratified

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by the United States—including mischievous human rights treaties, like the Convention on the Rights of the Child, and worrisome arms control agreements, like the convention against landmines—should still be binding on us because almost all other governments have endorsed them. Is that an approach to international law that can be embraced by the president of the United States?

We can stipulate that views about chemical weapons have evolved in recent times—say, since the Second World War, when we stockpiled a lot of them so that we might retaliate in kind if they were used against us. We can also stipulate that these weapons are now viewed as so abhorrent that we wouldn't even think to use them in retaliation (as we promised we wouldn't when we ratified the Chemical Weapons Convention in 1998). That doesn't mean we have the right—let alone the obligation—to impose punishing military strikes against any country that does use them, if they are not used on us or on our allies.

The view expressed by the president is a startling innovation in international law, at least as the law has developed since the 17th century, when European states renounced religious wars. Everyone sees the point in domestic affairs. If your neighbor breaks into your house, you can defend yourself with force. If your neighbor violates drug laws in his own house, you call the police. If you hear screams from next door but you know your neighbor is armed and police are far away, you had better be cautious and at least round up other neighbors to help.

The president's view would make the U.S. military the world's policeman—literally. But a policeman acting with no courts to constrain it. The traditional view was that the absence of reliable international controls made it more important for powerful

states to act with restraint. It certainly moved other states to distrust claims by great powers to be acting from disinterested, humanitarian motives.

We don't want to encourage needless suspicion of American actions or demands for more serious international controls on our actions. So you might think the president would want to reassure the world that we respect limits on our right to intervene. But the president has cited no precedent from American history for unilateral military intervention to vindicate abstract international norms, when there was no direct element of threat



*Obama inaction*

to our country, our citizens, or our allies. I doubt such precedents can be found, even from the history of other nations (or, at least, other modern liberal states).

It's not a legalistic point. It's one thing when we stretch accepted rationales for military intervention because we think our vital interests are at stake, as we have done at various times when deposing chaotic governments in our neighborhood—as in the Dominican Republic in 1965, Grenada in 1983, Panama in 1989. Other countries can understand such actions, even if they disagree with our assessments. If we limit our actions to vital interests, we reassure the world that we are not claiming the right to intervene wherever we have the physical capacity to do so.

We would be quite alarmed to see China invoking a general right to enforce international law wherever its leaders think such law needs more

active enforcing—as perhaps in central Africa. That may explain why no country other than France has offered to assist us in attacking Syria or even expressed approval for U.S. attacks.

Even worse, when we position ourselves as disinterested enforcers of public norms, we make it much harder to assess where our own interests actually lie. For the Obama team, that seems to be what makes that approach attractive. We are not acting for ourselves but for an abstract commitment to law. So we don't have to worry about actual consequences on the ground.

That is very nearly the Obama administration's position on Syria. The announced aim was to “punish” Assad without affecting the military balance in the civil war. But if we really mean to punish, we can't help affecting the military balance. Somehow it seems important to Obama to avoid having actual strategic consequences—as if purity of purpose requires that we not take sides or care about actual outcomes.

That sort of high-minded indifference can be hard on people who live there and care quite a bit more about local consequences. But it is also hard on Americans, who bear the risks for a policy which disclaims any concrete American interest, even something as mundane as which side will win.

It's precisely the thinking that underlies the International Criminal Court, which has no troops but also no pardon power. It is designed to hand down judgments of law, without regard to whether it restrains aggressors or pushes them into murderous corners, as it may have done by blocking any peaceful escape for Muammar Qaddafi in Libya, committing him to a drawn-out struggle. The Obama administration has decided to take on the moral authority of the ICC (such as it is) without any of the formalities of legal representation for defendants.

And like the ICC, we insist that

the world must be prepared to police norms in internal conflicts as in international conflicts. The traditional view was that it is better to keep conflicts localized, so outsiders must leave contending sides to fight it out on their own. True, we have not always honored the international norm against intervention in another state's domestic quarrels. We did, for example, give assistance to rebels against established governments in Afghanistan and in Nicaragua in the 1980s.

But even in such cases, we acted indirectly, refraining from direct U.S. military action on the ground. To avoid open defiance of the nonintervention norm, we kept even our indirect involvement somewhat covert—with activities conducted by the CIA rather than the Department of Defense. Still, for all our cautions, we did pick a side.

If you don't want to pick a side, because you don't want to be seen pursuing a strategic interest of your own, you may actually seek publicity for your intervention. You want credit for associating yourself with international norms in the abstract. No glory crowns the secret champion of public norms. So it's logical that the administration, while disclaiming any intervention in the actual conflict, has now put its emphasis on negotiating an international inspections system to "remove the threat of Assad's chemical weapons." We're upholding international norms, after all!

Except, of course, no international disarmament scheme can possibly work in today's Syria. There won't be U.S. boots on the ground, so those chemical weapons stockpiles will, at best, be guarded by hapless peacekeepers—who can't be relied on to risk their lives to protect those stockpiles. And we'll depend on Assad to say where all the stockpiles are, with no reliable way to determine whether he's cheating. If we do, nevertheless, commit to a disarmament scheme brokered by Russia, we'll find it hard to bomb Assad's military on the side or even give much help to rebels. American policy will be committed to an international scheme

that depends on Assad's cooperation.

The consequences won't be limited to Syria, however. If we say a Russian arms control plan is adequate to control Assad's chemical weapons, how will we mobilize support for a confrontation with Iran? Iran is already subject to inspections under the Non-Proliferation Treaty and has, in fact, cooperated with inspections. Not fully, not adequately, and always with dodges and delays and legal wrangling about the findings of international inspectors.

But having settled for unverifiable controls in Syria, Obama will find it much harder to persuade the world—or the American public—that it's worth taking great risks to stop such dodges in Iran. And very much harder to persuade Iran that he's not bluffing if he demands that they prove they have ended their drive to attain nuclear weapons.

As a practical matter, chemical weapons in Syria pose far less risk to the region or the world than nuclear weapons in Iranian hands. The former

can kill hundreds, the latter hundreds of thousands, potentially millions. If Iran does get nuclear weapons, everyone in the region will calculate on the basis of that difference.

Striving to find some direct American stake in punishing Assad's use of chemical weapons, President Obama argued in his televised speech that allowing one dictator to "get away with" using these weapons would encourage others to use them, and eventually they might be used against American troops. So we are staking the protection of American troops on an international norm. Perhaps President Obama hopes that Iran will be deterred from making nuclear threats by another international norm.

For now, at any rate, the administration has staked its chips on upholding international law by registering opposition to Assad's chemical arsenal. Let us hope it proves another bluff. International norms are not much of a defense against the sectarian frenzies and murderous passions of today's Middle East. ♦

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# Maxilateral Man

Obama's essence.

BY TOD LINDBERG

With his Syria policy careening from inaction to the threat of force to a request for congressional approval to a diplomatic bailout from Russia, the long-vexing puzzle of what makes Barack Obama tick has again come to the fore.

About most presidents, it's possible to put together a sentence or two that plausibly describes their view of the world and where they sought to take the country. Reagan wanted to rebuild American strength and unleash economic growth at home. The Cold War over, George H. W. Bush, himself no ideologue, was pragmatically looking to shape a "new world order." Bill Clinton was a "New Democrat" who sought a third way between the old-school liberalism of a Ted Kennedy and the surge of ideological conservatism that nearly engulfed him. George W. Bush found his purpose after 9/11, which was to wage a "global war on terror."

They were, none of them, enigmatic. They openly advertised who they were, and you had the sense that there wasn't much swimming in the depths that would come as a huge surprise to those looking at the surface.

One can't really say this of Barack Obama. He rode his personal charisma to the top office of the land in something like record time. There was no long-established reputation, as there certainly would be with, say, Hillary Clinton or Chris Christie in 2016. He was a historic figure, the first black

man to be president. That was a concise and not entirely unsatisfactory answer to the question "Who is he?"—though of course it offered no guide to his principles or plans.

He was also iconic. That famous poster of him speaks volumes. One does not interrogate an icon. Neither of Obama's opponents in 2008, Hillary Clinton or John McCain, could figure out how to solve the problem of demanding answers from him.



*Foreign policy again?*

The 2008 Obama campaign capitalized on all these elements by having the candidate present himself as a figure transcending partisan politics. This was in one sense preposterous, as the president of the United States is unavoidably head of state, chief of government, and leader of a political party. But in another sense it was a masterstroke, allowing people to see in him what they wanted to see. This united his party, attracted others, and gave his opponents very little to work with. Republicans could assert that he was some kind of secret socialist, but the paucity of evidence made those who asserted it look cranky.

Missing from the Obama persona of 2008, then, was a credo: a concise summary of his beliefs and intentions. Nor did he move to fill that gap in office—or during his reelection campaign. He has given myriad speeches, some of them very thoughtful, yet none fundamentally illuminating in this way.

His second Inaugural Address was illustrative. He presented an account of what "we, the people" of America have long believed and still believe about our country. Characteristically, its

substance was a vague progressivism couched in terms of self-evident commonsense. Yet the net effect was to tell us little about Obama himself. What difference did or would he, Obama, make to this sea of "we"? He didn't really say. George W. Bush's second Inaugural Address had no shortage of the first-person plural: "We are led, by events and commonsense, to one conclusion: The survival of liberty in our land increasingly depends on the success of liberty in other lands." Notwithstanding the "we," this was clearly Bush's own credo, clearly on display in a way that Obama's never is.

While Obama eschews a direct expression of what he believes, he manages to do so without leaving an impression that there's no "there" there. It's not that he is lacking in conviction. It's that he chooses not to voice the convictions he has. The suit isn't empty. There's a man inside it.

Perhaps this should remind us that the purpose of the suit is to cover the man, and to do so in a formal way. Obama wears his presidency. His reticence about what he believes suggests a measure of distance between Obama the president and Obama as observer of his presidency. Obama the president tells us only what he thinks we need to know. And Obama the observer keeps his views to himself. "President Obama" is a role that Obama knows he is playing. But that role gives us insight into the convictions of Barack Obama only indirectly. It's a matter of interpretation.

Perhaps the single most revealing statement of Barack Obama's presidency is his repeated call (most prominently in a speech announcing the withdrawal of troops from Afghanistan) for "nation-building here at home." It seems clear that Obama's personal preference was for a presidency devoted to domestic matters; he believes the country has a way to go to fulfill its founding promises (the theme of his second Inaugural Address). The tenacity with which he pursued health care reform, long past the point at which it was clear that Democrats would pay a heavy political price for its passage, testifies to his view of the

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importance to be attached to fulfilling the promise of the New Deal. So does his public embrace of the term “Obamacare,” which was an invention of his political opponents intended to be derisory. In the long run, as he evidently sees it, having his name permanently attached to the program that finally begins to make good on universal health care is worthy tribute.

Perhaps his most quoted statement, though he certainly didn’t repeat it, was his unfortunately phrased admonition to small-business owners, “You didn’t build that,” on which opponents pounced. On its own terms, it seemed to belittle the hard work required to run a successful business. In context, it’s a little different but more deeply revelatory. Obama’s point was that someone who runs a small business is not an autonomous entity whose fate lies solely in his own hands. Success depends also on the social conditions in which one operates. In Obama’s apparent view, this backdrop is a precondition of individual success. And, of course, government shapes much of that environment.

I think Obama would agree that “You didn’t build that” applies equally well (and equally clumsily) to his own success. “I have a gift,” he once said of his oratorical skills, and though you could construe such a statement as a boast, it’s probably closer to the mark to see Obama as attributing that aspect of his talent to something other than his own endeavor. There can be no autonomous individual outside a political and social context, and he seems to have taken his mission to be the improvement by government of the context in which individuals thrive or fail to thrive. Obama’s view is about 180 degrees from that of Herbert Hoover, who attributed the progress of society to outstanding individuals and their ability to achieve.

It’s noteworthy that even in the phrase “nation-building at home,” Obama gets to the topic of domestic policy only by way of foreign policy. The world is something one simply must, as president, deal with. Its demands come first. It might be an

accident of history, in the sense that Obama came into office with two wars underway. But it is also a reflection of the outsized role of the president of the United States in shaping events all over the world.

And on foreign affairs and the role of the United States in the world, Obama has again failed to provide us a credo. But there have perhaps been enough incidents by now to make a few educated guesses.

Obama brought the Iraq war to a close in a fashion that did about as much as humanly possible to annul its existence in the first place. Uncharacteristically for such a large-scale intervention, the United States has no remaining military presence in Iraq. Supposedly, the reason is that we were unable to conclude a status-of-forces agreement with the Iraqi government. If Obama is the least bit sorry about that, he has given no sign. Hence, the annulment of a war he regarded as wrong and illegitimate.

We don’t have a final answer on Afghanistan, a war Obama has consistently described as necessary in response to 9/11. But what Afghanistan also had, and Iraq lacked, was a great deal of enshrined international legitimacy. Once underway, the war was “legalized” under United Nations Security Council resolutions. It had the support of NATO, our most important alliance, which unanimously decided to view 9/11 in light of Article V of the NATO treaty, which deems an attack on one member as an attack on all. And Congress, as well, authorized military action against those who perpetrated or aided the 9/11 attacks. This authority extended well beyond toppling the Taliban, and the Obama administration relies on it to this day.

Next, consider Libya, an intervention that had similar international backing: two U.N. Security Council resolutions; a request from the relevant regional organization, the Arab League; the support of NATO; an unmistakably noxious regime headed by a man who had avowed mass bloodshed against his own people and who was wanted for crimes against humanity by the International Criminal

Court. In addition, the U.K. and France were the titular leaders of the effort, giving rise to probably the most-quoted observation *about* the Obama administration, that it was “leading from behind.” All that was missing was a vote of Congress authorizing the action, which Obama rightly didn’t believe he needed to go ahead.

And now, at last, Syria has come to a head—sort of. Obama showed deep uncertainty about what to do in response to the Assad regime’s use of chemical weapons—weakness or fecklessness where resolve should be on display. It looked like Obama the president might find himself leading the nation into a war that Obama the observer personally opposed.

In the nick of time came a vague Russian proposal for Assad’s chemical disarmament. In mushy substance, it was exactly of the kind that George H.W. Bush, Brent Scowcroft, and James A. Baker III rejected out of hand from the Soviets in their attempt to head off a ground war in Iraq in 1991. Obama eagerly embraced it, and Vladimir Putin was happy to see his two-plus years of intransigent opposition to any Security Council action against Assad pay off with Russia’s triumphant resurgence as Middle East kingmaker.

But there is something else: Obama had again determined that he did not need congressional authorization to use military force to punish the Assad regime. He nonetheless asked Congress for such authorization. Why?

Maybe he was just stalling. But I think the decision had a substantive basis. In the absence of congressional authorization for a military attack on Syria, the decision to go ahead would be the decision of President Obama alone. He didn’t have the Security Council or any of the rest of the expressions of international assent he had in the case of Libya. With the surprising and humiliating rebuke to Prime Minister David Cameron by the House of Commons, Obama didn’t even have Britain at his side. The United States was, if not completely alone, certainly at risk of jumping unilaterally into war.

I’m pretty confident that Obama the observer of his presidency does

not think an American president or any world leader should take a country to war on his own say-so. Obama also famously said, of his comment that Syria's use of chemical weapons would cross a red line and "change my calculus," then favoring nonintervention, "I didn't set a red line, the world set a red line." Again, critics spluttered about his denial of the obvious, but Obama may well have been sincere. He believed he was expressing something larger than the declaration of even the president of the United States—namely, the widely shared international opposition to the use of chemical weapons.

At home and abroad, what Obama is all about, finally, is others. An individual or state exists only alongside other individuals and states. He situates individual achievement in the political and social context that gives rise to it, and the actions of a powerful nation in the context of an international community that alone can fully legitimize them. True leadership of the United States in this context is the *unwillingness* of the American president to go it alone despite his authority to do so. If legitimacy is unavailable through international institutions, then the legitimizing effect of congressional action looms larger. An American president, in the view of the incumbent, should act as non-unilaterally as possible. The Obama credo is maxilateralism.

And what about Syria? The vague substance of the Russian proposal is less important than its service to restart a multilateral process at the United Nations. The real crisis—the potential need for the United States to act on its own—has been averted. As for the scores of thousands of dead civilians, including some who were gassed, well, the United States has done nothing effectual about that for more than two years now, and seems well-positioned to continue doing nothing.

All that remains is the hypothetical question of what Obama would have done if Congress had voted against an attack on Syria. Perhaps Obama would have concluded he must act anyway.

But I'd bet that Obama the observer would have counseled his presidential self to stay home, thereby furthering the principle that a war of choice to vindicate an international norm is

too consequential a decision for one man to make alone. Even if that man is president of the United States. And especially if it's a man of such refined sensibilities as his own. ♦

# Lessons for Jerusalem

First, don't count on Washington.

BY ELLIOTT ABRAMS

Americans watch our tragedy-of-errors Syria policy from the safety of houses and apartments in suburbs and cities 5,000 miles from the conflict. Israelis are



*You know how I talk about deterring Iran?  
I don't really mean a word of it.*

next door, and two weeks ago—when an American strike and possible Syrian counterstrike at Israel seemed imminent—they were lining up for gas masks.

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There are no such lines in Tel Aviv today. But what can Israelis make of the Syria crisis now, after the Obama speech and with action moving to Geneva and to the United Nations? What are the lessons they may learn?

## RUSSIA

Israel has maintained decent relations with Russia throughout the Putin years, under the Sharon, Olmert, and Netanyahu governments, and the lesson here is that this was a smart move. It turns out that Vladimir Putin and Russia remain important players in the region after all, not just by selling arms to Syria but at the U.N. as well. Issues like Iran and Syria can play out in part in Moscow and in part in Turtle Bay, and being able to communicate directly with Putin and foreign minister Sergey Lavrov—in a relationship separate and independent from that of the United States—helps protect Israel's interests. Watching Obama and Kerry fumble and change positions as Putin and Lavrov seize opportunities and play the game like professionals must teach Israelis that keeping a line open to Russia is smart.

## IRAN

No one in Israel has the slightest faith that President Obama means to bomb the Iranian nuclear sites. His rhetoric on preventing Iran from

## ISRAEL

getting nuclear weapons has been very tough, including during his visit to Israel in 2012. But the handling of Syria shows his aversion to using force and potentially involving the United States in another Middle East war. Democratic party loyalists who have hitherto advised Israel that Obama might act are, it is said, no longer offering such assurances.

The Israeli conclusion will be that if Iran is to be stopped they must do it themselves. The odds of an Israeli attack over the coming year have risen, and the Israeli question about the United States is whether the administration will reconcile itself to Israeli action or even perhaps come to see it as a useful way to stop Iran without U.S. action.

But Israelis will also be more concerned now about a Russian-led diplomatic offensive, some kind of clever offer that does little to disarm Iran but whose wide international acclaim makes an Israeli strike nearly impossible. The lessons here are to work hard (sometimes along with the French) to toughen the American position in negotiations with Iran, and keep honing their own strike plans. Israelis hope for a diplomatic solution as much as the Obama administration does, but will not kid themselves about the chances of a Western collapse that embraces a bad deal.

## UNITED STATES

The most sobering lesson for Israelis has been the unreliability of their own chief ally and closest friend. They watched the administration pressure Prime Minister David Cameron into a quick and risky parliamentary vote and then change course—so that his defeat was entirely unnecessary. They watched us turn President François Hollande from momentary hero into a butt of jokes. They were stunned by the Obama reversals that led him to talk of strikes at Syria, then demand a congressional vote, then postpone it when he saw he would likely lose. And they saw Putin maneuver around these changes to a proposal that could help keep his ally

Assad in power and fend off American strikes indefinitely.

As with the pro-American Arab states (such as Jordan, the UAE, and Saudi Arabia), these developments leave Israelis deeply nervous, but they realize American policy is unlikely to change for the next three years. What to do, then? First, keep humoring the Obama administration, seeking to maximize influence in its counsels. That means verbally supporting Obama on Syria even as his policy gyrates, and continuing negotiations with the Palestinians despite near-universal skepticism about the talks among Israelis. With policy changing by the day, who knows? Maybe those White House guys will occasionally listen to advice; worth trying.

But Israelis should have learned that advising and jollyng up the administration does not mean intervening in America's domestic political disputes. According to press reports, the president prevailed on Netanyahu to seek support in Congress for the Syria resolution—the resolution the president has now said must be postponed and may never come to a vote. So they wasted some credibility and angered some Republicans; just how grateful is Obama? The lesson there is to stay out of our partisan arguments unless they very directly affect Israel's security.

Second, pursue your own relationships with Russia, Europe, and the Arab states. Israel always does that, but with American leadership now discounted, those direct relationships are more important. Perhaps Israel and France can toughen the Western negotiating position on Iran, or Israel and Egypt can work together to weaken Hamas in Gaza, or Israel and the Gulf Arab states can talk together about how to handle conflicts with Iran. Right now it is likely that Israeli-Egyptian, Israeli-Jordanian, and perhaps Israeli-Gulf state conversations are especially candid in reviewing shared challenges—not the least of which is dependence on a power that appears to be choosing to diminish its influence in the region.

There is another, harsher lesson from the developments in Syria. One-hundred-thousand Arabs, mostly Sunni, have been killed there and millions driven from their homes, in a world where the Arab League has 22 member states, the Islamic Conference has 57, and there are in the world perhaps two billion Muslims. No one saved those Sunni, Arab, Muslim Syrians, and no one is doing much now to prevent additional killing; the reactions of their co-religionists and fellow Arabs have ranged from ineffective to uninterested. Christian communities have for years been threatened and attacked in Iraq, Lebanon, and most recently Syria and Egypt with little reaction from the world's two billion Christians. Who would intervene to protect the Jews should they ever be in a similar situation?

Israelis know this; their view of their neighborhood was (controversially, to be sure) summed up by Ehud Barak in 2006 when he called Israel “a villa in the jungle.” Israelis don't believe they survive because they are a democracy or a “startup nation” but because they are strong—and willing to use their strength, as they proved yet again in multiple attacks in Syria in the last two years. Their national experience as Israelis parallels their history as Jews: The strong survive, and the weak may well perish. And when the weak are attacked, there are some excellent speeches made but precious little help is forthcoming.

So the fate of Syria's dead and its millions of refugees is but confirmation that Israel must in the end be able and willing to defend itself, by itself. On September 11, Prime Minister Netanyahu quoted the sage Hillel at an Israeli Navy graduation ceremony: “If I am not for myself, who will be for me?” He then added that this saying “is more relevant than ever these days in guiding me, in my key actions as prime minister” and said the meaning “is that Israel will always be able to protect itself, and will protect itself, with its own forces, against all threats.” ♦

# The View from Across the Pacific

Washington gains a friend in Canberra.

BY ROSS TERRILL

Canberra has joined Tokyo and other U.S. allies in Asia by electing a conservative government vowing less tax on business, robust defense, support for the United States, and guarded cooperation with China. A big victory in Australia's national election on September 7 for Tony Abbott's Liberal-Nationals ends six years of political tumult under Labor.

The last Liberal-National government, under John Howard (1996-2007), in which Abbott held domestic portfolios, was followed by revolving-door rule under Kevin Rudd (capable but erratic) and Julia Gillard (a creature of the unions). The pair fought like cats and governed one after the other by shuffling policies in line with poll numbers. "The circus has got to stop," Abbott snapped in a campaign debate with Rudd. Labor, now with only 50-odd seats in Parliament to Abbott's 90-odd, is on the ropes as seldom before in its distinguished history as Australia's oldest party.

In the face of Labor's death spiral, voters, although grown soft on government largesse, serenely chose a very conservative prime minister. Abbott once told me of Labor's spendthrift years under Gough Whitlam (1972-75), "Fiscally, it was a lunatic's existence." He said launching his campaign: "Government's job

is rarely to tell people what to do. Mostly, it's to make it easier for people to make their own choices." Holding power in Canberra and enjoying Liberal-National rule in all the major states, Abbott will axe an unfortunate carbon emissions tax and a punitive tax on mining. "We will restore an appetite for risk and investment," said incoming finance chief Andrew Robb.



Tony Abbott

Abbott recently told Mary Kissel of the *Wall Street Journal*, "All successful societies are inherently conservative, and Australia is undeniably a successful society." He eschews Black Armband talk (the Aussie term for the self-flagellation of Australian intellectuals for past treatment of Aborigines and other shortcomings). He told Kissel: "The Rudd-Gillard government has been a highly statist government, the Brown government reverted to statism with a vengeance in Britain, and Barack Obama is the most left-of-center [U.S.] government in at least half a century." Only Abbott's generous ears give him a point in common with Obama.

Abbott has a quick tongue, and he rashly said Syria's tragedy is "baddies versus baddies." In 2008 he enraged a left enamored of Obama by saying, "He sounds terrific but I don't know what's really there" (the remark improves with age). When Mandarin-speaking Rudd struck a horrendous patch with Beijing, Abbott said Australia's relationship with China "has not noticeably strengthened despite

the change [from Howard] to a prime minister who can speak to the Chinese in their own language."

Australia sees itself as a bridge to the South Pacific and Southeast Asia, much as Texas sees itself as a bridge to the Latin world. Canberra proved its muscle-power in the first area in 1999 over East Timor and in 2003 over the Solomon Islands; the central country in Southeast Asia is Indonesia, whose current relations with Australia are good (and important to U.S. interests). You would think this area should be Australia's security sphere. But the internationalists in the Australian foreign ministry and most pundits would never be content with such a modest role. Defense planners talk of "Indo-Pacific" as the "system" of which Australia is part.

As in Washington, the two sides exhibit differences in China policy. Labor includes panda lovers but also some who make human rights central in dealings with Beijing. Abbott's broad tent has a majority for business-as-usual, but a minority as wary of Beijing as Labor idealists are. A neat package in China policy is elusive.

Abbott and his articulate foreign minister, Julie Bishop, plan to state Australia's interests, listen to China's, and do business on that basis, following Howard's approach. Under Howard, trade with China grew an astonishing 626 percent in a decade, yet he told an audience at the Communist Party School in Beijing that hectored him about meeting the Dalai Lama: "If it was good enough for Australians to tolerate the continuation of the Communist party as a legal entity, it ought to be good enough for Chinese to tolerate the leader of a friendly country [Australia] allowing the Dalai Lama to visit and to see him."

Howard once told Jiang Zemin, "I don't believe in lecturing others any more than we [Australians] like receiving lectures ourselves." Ric Smith, Australian ambassador in Beijing at the time, said of the Howard years: "The Chinese would have preferred the Australians not keep saying, 'We have different values, different history,'

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MYSTIFY ME CONCERT PHOTOGRAPHY

and just get to the bottom line, ‘We can do business,’ but they accepted it.” Labor and some Liberal business folk are more prone to talk about common values with the Chinese.

Last year Beijing suggested to Labor foreign minister Bob Carr that Australia might have to choose between China and the United States. Some Australians take this seriously, but Abbott doesn’t. Over 11 years, Howard found the U.S. alliance “no impediment” to Australia’s relations with Beijing. “Many Chinese saw it as an asset,” he recalls. “Others respected the fidelity displayed by Australia to our American friends. It was evidence that we were a dependable, reliable people with whom to have an association.” That is likely to be the Abbott-Bishop position also.

Scholars in Melbourne and Sydney fuss that two ill-fitting “structures” mark the Asia Pacific region (unlike the smooth Brussels machine allegedly masterminding Europe): U.S. alliances with Japan, Australia, South Korea, and others, and the grip of the Chinese economy. But the apparent anarchy of this jostling pair may not be so problematic. Australia illustrates why. Asia is not a cultural region, so we may leave culture to one side and consider money and power. Australia’s “problem” is that it’s close to China economically but close to the United States strategically. But the same dualism is so widespread in Asia Pacific that one asks whether it is really a problem.

With the Soviet Union, such a two-sided policy was not possible for many reasons, including the limitations of Moscow’s economy. But today China and the United States are deeply involved economically with each other, just as U.S. allies are with China. Beijing has had to contemplate Australia and the United States as allies since the birth of ANZUS in 1951. This hasn’t stopped it from buying Australian wheat in the 1950s and 1960s, or coal and iron ore today. Australian leftists fret about upsetting China, but they should consult a map. South Korea hosts many times more U.S. troops than Australia, yet enjoys a flourishing

economic tie with nearby China; similarly neighboring Japan. How could fewer than 1,000 Marines (so far) in Darwin prejudice Australia’s trade with China thousands of miles away?

The biggest difference between Abbott and Labor is not on China but on the United States. Outgoing foreign minister Carr said Labor, had it been in power in 2003, would never have supported George W. Bush in Iraq as the Liberal-Nationals did. One Labor leader prior to Rudd, Mark Latham, called President Bush “incompetent and dangerous” and declared, “The alliance with the United States is just another form of neocolonialism.” Gillard in a long speech on national security strategy in January never mentioned ANZUS. To all this Abbott retorts: “America’s habitual critics should more often consider to which other country or body they would rather entrust a solution to the world’s troubles.”

Labor, like Obama, is given to multilateralism as an end in itself and enamored of world disarmament and the United Nations. Abbott promises “more Jakarta, less Geneva,” privileging bilateral ties over international bureaucracies. The Liberal-Nationals are generally in tune with Japan’s Shinzo Abe, who wants U.S. allies in the region to do more together. Abbott believes in an “international community of values” as part of national security, and Abe does too. A resurgent Japan with backbone could well be the next Big Trend in Asia, so a lot rides on Abe’s new economic and foreign policies. The opportunity at Abbott’s feet is to strengthen the joint role of two key spokes on the U.S. security wheel in Asia Pacific.

Hillary Clinton took some good steps on the “pivot” in Southeast Asia, but Obama’s chanting what the pivot is *not* is feeble (like harping that his Syrian move will be “limited” and “tailored”). The pivot is and should be about China. Beijing’s foreign policy centers on the United States, after all. The job of the democracies in East Asia is to strengthen each other, the

better to deal effectively and peacefully with China.

The Chinese leaders know that Western-derived values of free markets and free expression have been an element in China’s post-Mao rise. Abbott and Abe should ask Beijing how these assets relate to China’s idea of a “harmonious international society.” The two prime ministers should also encourage Obama to be direct with Beijing about the pivot.

An observer may feel Australia’s chief enemy is its own passivity, toward the United States, China, Indonesia, and others. Australians think they only must react. But theirs is a large, safe, comfortable country, the twelfth-largest economy in the world, very desirable to Chinese students (120,000 at present), refugees fleeing by boat, and over 5 million foreign tourists a year. Australians lacerate themselves about their ignorance of Asia, yet technology and immigration have eroded the old isolation. Why should Australian-born kids slave away learning Chinese when Chinese-Australian immigrants grab and better perform language-skill jobs for business, teaching, and government?

Australia needs to promote its interests more and also to strengthen its appeal to foreign partners. Julie Bishop grasps the first point: “Our focus will be on economic diplomacy. Our diplomats will be required to understand our commercial interests. . . . I will make trade a centerpiece of my work.” On the second point, Abbott knows Canberra must work to make Australia valuable to Washington in the face of China’s naval challenge in Asia Pacific. When former U.S. defense secretary Robert Gates said the U.S. pivot seeks “a defense posture across Asia Pacific more geographically distributed, operationally resilient, and politically sustainable,” he had Australia in mind. Abbott will certainly speed up facilitation of the role of U.S. Marines and Air Force in Darwin and probably enhance naval cooperation with Washington at the west coast Stirling naval base. Danger and opportunity sometimes stalk together. ♦

# No Escape

The Middle East fails to cooperate with Obama's pivot. BY JEFF BERGNER

As the United States vacillates over what to do in Syria, it might be a good time to check in with the Obama foreign policy “pivot.” A little less than two years ago President Obama’s administration announced that the United States would pivot away from the Middle East and toward Asia.

There is certainly nothing wrong with the idea of greater U.S. engagement with Asia. Asia will be increasingly important in global economic, political, and security affairs as the 21st century unfolds. Greater American political engagement, and especially an expanded U.S. military presence, are fully appropriate and welcome to many nations in the Pacific region.

But apparently the nations of the Middle East did not get the president’s memo. Since the pivot was announced, Iraq has descended further into instability and sectarian violence, jeopardizing hard-won American gains. Libya has no functioning government, and the terrorist factions who murdered our ambassador (an act yet to be punished) continue to export violence throughout North Africa. Egypt—which is critical to American economic, political, and security interests in the region—elected an extremist Muslim government, experienced a military coup, and is deeply divided. Iran moves ever closer to possessing nuclear weapons, slow-rolling Western negotiators at every turn. Syria’s civil war is spreading beyond its borders and endangering the stability of Lebanon

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and Jordan. And in the background lies perhaps the most dangerous wild card of all, the fragile nuclear-armed government of Pakistan.

The Middle East is descending into chaos, U.S. influence is at an all-time low, and those nations that remain allied with America will soon be looking to hedge their bets. Now, we might well engage in an act of war against Syria—but not, the admin-



*How do I get to Asia from here?*

istration promises, an act that could conceivably overthrow the regime that used chemical weapons against its own people.

What if Franklin Roosevelt had announced in 1939 a “pivot” away from England and Europe and toward, say, Latin America? American foreign policy challenges obviously lay in Europe, with Hitler’s aggressive expansionism. Observers—probably including Hitler himself—might have concluded that Roosevelt was delusional. Presidents cannot simply announce that their foreign policy problems lie other than where they do. Presidents are not free to choose their adversaries or the challenges they confront. Lincoln was not, Roosevelt was not, George W. Bush was not, and neither is Barack Obama.

Yet President Obama’s would-be

pivot is not a one-off policy error, but a stark illustration of the underlying reason he has the poorest foreign policy record of any recent president. He invests a mystical power in his words and intentions: He thinks they can change reality.

President Obama came into office persuaded that his words and intentions would result in new and vastly improved relations with the Muslim world, and especially Iran—without ever asking whether anyone in the Iranian government happened to share this hope.

He left the impression that his well-intentioned administration would resolve longstanding Israeli-Palestinian disputes—without ever asking whether anything on the ground had changed to make this possible. Now his secretary of state is embarked on a quixotic mission with no more reason to think it will succeed than that he wants very much that it should.

President Obama’s administration announced an early “reset” of relations with Russia—apparently without asking whether Vladimir Putin had the slightest interest in accommodating this outcome, except on his own terms.

A pivot away from the Middle East will not make the problems there mysteriously disappear. Whether the president wishes to or not, he must deal with them.

These failings of Obama policy are not minor miscalculations that need to be tweaked. They represent a flawed way of looking at the world. There are names for people who believe that incantations or the purity of intentions can change external facts. These policies are less in need of a foreign policy critique than of a medical diagnosis.

No one should wish for anything but greater U.S. engagement with Asia in the coming years. But as American weakness and the absence of American leadership suck us ever deeper into the morass of the Middle East, as they surely will, perhaps at least there is a lesson for the narcissism of the political left: Words, good intentions, and sheer willfulness do not change reality. Never have, never will. ♦

# Washington Builds a Bugaboo

*How does Senator Ted Cruz tick off liberals? Let us count the ways.*

BY ANDREW FERGUSON

Several times a day, especially if he's out travelin' and talkin' to folks, as he always is when the U.S. Senate isn't in session, Ted Cruz will stand before an audience and reflect, seemingly for the first time, about the generational shift taking place in the Republican party.

"I call them the Children of Reagan," he says. He means the rising group of Republican officeholders who came to political consciousness during President Reagan's two terms. He rattles off their names: "young leaders" like Paul Ryan, Rand Paul, Nikki Haley, Mike Lee, Scott Walker . . . and then sometimes he'll pause, letting you wonder if he's leaving out any of the Children's names. Sometimes a helpful fan in the audience will volunteer it, to general appreciation from the crowd.

Among that tiny fraction of Americans who are paying attention to such things, Cruz seems to be the only person who is forgetting Ted Cruz's name.

"Americans who worry about democracy need to keep on this guy," warned a reporter for the *New Republic* back in February. And no wonder! Skim the tweets or scan the blogs or, if you're older than one of Reagan's Children, read the actual newspapers, and you'll soon discover that Ted Cruz is far more than the freshman senator from Texas, only eight months in office. He is also the "scary" "McCarthyite" "Taliban" "bully" and "bomb-thrower" known for his "extremism" and his "arrogant" and "nihilistic" "disregard of facts."

When you follow him around, however—for he is in constant motion, from Iowa to New Hampshire to every corner

of Texas—this nasty fellow you've been reading about, the caricature Cruz, never appears. If "Ted Cruz" didn't exist, professional Democrats and the mainstreamers in the Washington press corps would have to invent him.

And, in a way, he doesn't, and they have: Indeed, the invention of Ted Cruz as Republican bugaboo makes an excellent case study in how partisan journalism and politics commingle these days, as jittery Washington prepares for the post-Obama era.



*Cruz at the 2012 GOP convention*

Already the litany of Cruz's extremism has become an item in the progressive catechism. Most of it involves alleged violations of Senate etiquette, and it's useful to glance over a few of them, to see how the legend grows.

The unnerved *New Republic* reporter mentioned above was alarmed in particular by Cruz's questioning of soon-to-be defense secretary Chuck Hagel during Hagel's confirmation hearings.

Cruz opposed Hagel's nomination. The reasons seemed straightforward—Cruz disagreed with the nominee on questions of national defense and foreign policy, including Hagel's well-attested aversion, or "antagonism," as Cruz put it, toward Israel's behavior in the Middle East. Cruz grilled Hagel (the verb is required when writing about congressional hearings) about his association with a ferociously anti-Israel U.S. diplomat called Chas Freeman. In 2009 Freeman resigned from the president's National Intelligence Council after pro-Israel senators like Charles Schumer said his "statements against Israel were way over the top."

At the hearing, Cruz asked Hagel whether he and Freeman had ever worked or junketed together, as press reports suggested. Hagel said no. Cruz moved on.

"Those old enough to remember, or who are familiar

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with, the history, will recognize Cruz's line of attack as classic McCarthy tactics," wrote *TNR's* reporter. The mention of McCarthy is catnip for a good mainstreamer. "The Reincarnation of Joe McCarthy?" wondered a columnist for *Forbes*. The mere scent jogged the memory of a left-wing reporter for the *New Yorker*, who, Pavlov-style, wrote a story headlined: "Is Senator Ted Cruz Our New McCarthy?" She dug out old notes she had taken at a speech Cruz gave to a group of right-wingers a couple years before.

The *New Yorker's* reporter didn't mention it, but other people who were there say Cruz's informal speech was boisterous and funny, tailored to an audience of like-minded ideologues. Just as a mention of Joe McCarthy thrills people on the left, so the right delights in mockery of Harvard, especially its law school—and especially if the speaker, like Cruz, is a graduate in good standing.

According to the *New Yorker* reporter, Cruz said this two years ago:

"There were fewer declared Republicans in the faculty when we were there than Communists! There was one Republican. But there were 12 who would say they were Marxists who believed in the Communists overthrowing the United States government."

Having been found guilty as a McCarthyite, Cruz is of course granted no license for hyperbole, even among friends (and donors!). When Cruz attended Harvard Law, in the mid-90s, it was still the intellectual locus of a dying movement called Critical Legal Studies that was explicitly inspired by Marx, whose other followers, history shows, seldom reconciled themselves to the U.S. government. Earnestly, with that mock disinterestedness that characterizes the most dutiful of the mainstreamers, the reporter got an "equal-time" comment from a spokesman for the law school. The spokesman confessed to being "puzzled by the senator's assertions." For the record.

There is a professor at Harvard Law famous for, among other things, being a Republican. The *New Yorker* sleuth tracked him down. He told her that in fact, during Cruz's Harvard years, 4 professors had publicly confessed to Republicanism. There were over 200 faculty at the law school at the time, but none, according to the *New Yorker's* investigation, called for the Communists to overthrow the government. The question in the *New Yorker* headline answered itself.

The essence of McCarthyism is bullying, and Cruz is frequently called a bully—not only of men like Chuck Hagel but also of women like Dianne Feinstein, the California senator who redoubled her efforts for gun control after the killings at Sandy Hook elementary school.

For his part, as a private lawyer, solicitor general of Texas, and now as a senator, Cruz expresses a special, not to say obsessive, fondness for the widest possible reading of the Second Amendment.

In a widely replayed exchange, Cruz asked Feinstein to explain why she felt that the Second Amendment allowed the government to restrict the kinds of weapons citizens were allowed to buy, when she would never allow similar restrictions on the First Amendment or the Fourth.

By any objective reading, Cruz's point was weak—no constitutional right is completely unrestricted—and his unblinking insistence on pursuing it was unsettling to watch, but his tone was never harsh or disrespectful or, for that matter, bullying. It was Feinstein's wounded, girlish reply, which quickly caromed around the Internet, that allowed his opponents to portray Cruz as a bully.

"Senator, I'm not a sixth-grader," she said, adding, in a non sequitur, that she had, as a mayor in the 1970s, seen people who were shot. Therefore she didn't need a "lecture" on the Constitution.

Feinstein's reasoning was no more careful than Cruz's. His larger transgression, however, was threatening to filibuster the gun bill with his Senate colleagues Mike Lee of Utah and Rand Paul of Kentucky. In Cruz's telling, the threat led to a delay in the Senate vote on the bill. This bought gun control opponents enough time to turn weak-kneed Republicans against it. The result

was that a major piece of legislation that had looked unstoppable was turned back over a weekend. Gun control, for now, is dead as a federal issue.

In a more respectable cause—blocking an anti-abortion measure, for example, or stopping a cut in food stamp funding—Cruz's defeat of the gun bill would look like what it was: a daring and skillful piece of parliamentary maneuvering. Instead it rendered him guilty of an offense even greater than bullying: effectiveness.

**W**ell, it's been an interesting eight months," he said one afternoon in August, when I met up with him in his Houston office. He is an unlikely bugaboo by the look of him. He's of middling height, round of shoulder and wide of hip. His flat black hair, held in place with a touch of pomade, is starting to thin out as he approaches his mid-forties. His voice is a reedy tenor, and his suits hang from his frame as if they really would prefer to be somewhere else. His most distinctive feature as a public figure is his style of speaking. Even for

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**If 'Ted Cruz' didn't exist, professional Democrats and the mainstreamers in the Washington press corps would have to invent him.**

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full-dress speeches, such as his national debut at the Republican National Convention last year, he forgoes the traditional podium and standing mike. Instead he clips on a lapel mike and roams the stage right to left and back again, gesturing expressively, like one of those macrobiotic pitchmen who take the airwaves during PBS pledge-drives. Occasionally he turns to face the audience square with feet planted wide, hands folded in front, at which point the pitchman looks like he's setting a screen for the power forward on his high school basketball team.

For a "loose cannon," he is remarkably single-minded. My visit came as Cruz was starting on a speaking tour in support of his latest cause, to encourage voters to pressure their representatives to defund Obamacare. The House of Representatives, he said, could pass a continuing resolution by September 30, funding the entire government excluding Obamacare, and send the resolution to the Senate. Majority Leader Harry Reid would of course refuse to consider the bill. The government would shut down from lack of money. At this point, he told me, the Republicans would have to take their case to the public, framing the question like so: "Why is Barack Obama willing to shut down the government to preserve Obamacare?" Under pressure from an outraged public, President Obama would drop his single greatest legacy, reopen the government, and embrace a free-market solution to health care reform.

That's the plan, anyway.

He quoted Margaret Thatcher: "First you win the argument, then you win the vote."

It's not clear that Cruz himself believes his plan could work. "The wheels are coming off Obamacare," he said. "But look, if the traditional rules of Washington apply, this is a fight we can't win. If the forum in which we must win the argument is Washington backrooms filled with smoke, the fight is absolutely unwinnable.

"But I'm convinced we're seeing a new paradigm in American politics. We've seen what happens when America's grassroots rise up and demand their elected officials do the right thing." He mentioned the gun filibuster and the thousands of noisy gun owners who telephoned and emailed their senators to oppose the bill.

"Few things," he said wryly, "focus the mind of politicians more than hearing from large numbers of their constituents."

He paused, lost for a moment in thought. "You know," he said, cocking his head, "I'm convinced that the real divide in American politics isn't between Republican and Democrat—it's between the people and the entrenched politicians in Washington, D.C."

It sounded like an applause line to me. And so, coming from nowhere, did a call to abolish the IRS. He went on in this mode for a while, until, leaning back on a couch in his

office with his press secretary a few feet away tapping her BlackBerry, he began to sound as if he was giving a stump speech, and then I realized: He was giving a stump speech. Line after line I had heard him say on C-SPAN or YouTube. He told me the life story of his father, a Cuban immigrant, in precisely the same words he had used in the convention speech. He launched into a tribute to Ronald Reagan that I had first heard last year in his campaign for the Senate. The Margaret Thatcher quote sounded familiar, too.

And it sounded even more familiar a few hours later when Cruz spoke before a meeting of the Kingwood Tea Party, north of Houston. His press secretary and I didn't applaud in his office when he told us about the real divide in American politics, but they went wild in Kingwood. They nodded knowingly when he talked about what focused the minds of politicians. I paged through my interview notes to find something he might have told me that he wasn't saying to the Tea Partiers right then, in nearly identical language. I failed.

I'm not complaining. Professional public speakers have no choice but to recycle material. And for the hack, hearing a politician say the same thing multiple times makes note-taking vastly easier. "Disciplined" is a term of art in politics, and generally a compliment. It describes a stubborn, admirable, and often necessary insistence on the part of a politician on talking about only what he wants to talk about, in terms of his choosing. I think Cruz senses that his fluency seems slightly artificial, a little too pat, since he takes care to alter his cadence and punctuate it with "you knows" and "let me tell yas" and those thoughtful pauses that allow him to glance reflectively off to the side and bite his lower lip, before rousing himself to deliver a sentence he has delivered several hundred times.

It doesn't stop, though. Later we sat together in the back seat of a car driving to another speech. Cruz spoke in personal ways about going to his alma mater, Princeton, but the word clumps from the speeches, the set pieces that he arranges in one sequence or another and seldom departs from, were always within reach. He spoke of his father again. He mentioned the great divide in America, again, and was quoting Margaret Thatcher when I realized he was giving a speech again, except this time at close quarters, only a few feet away, in the back seat of a car. I made a quick calculation of how many vertebrae I would damage if I slipped the lock, opened the door, and did a tuck and roll onto the passing pavement. The answer was: too many. So I contented myself with looking out the window at the Houston exurbs until the speech wound down and I could ask another question, after which the speech resumed and I watched the endless series of tire stores and taco stands and Jiffy Lubes roll by.

In normal life a human being who was as disciplined as Cruz would seem merely creepy. But of course Cruz doesn't

lead a normal life, and nobody, not his detractors or his fans, would have it any other way.

‘He was always a good talker,’ his mother Eleanor Darragh told me not long ago. Ted was born in Canada to Eleanor, from Delaware, and Rafael Cruz, whose inspiring personal story, as his son relates it, has lately taken on a new coda: a moving account of the senator’s swearing-in ceremony earlier this year, which took place under the proud and tearful gaze of his immigrant father. “For my family,” the senator says quietly, dozens of times a week, “it was a very special moment.”

As a rebellious young high schooler, Rafael lost his two front teeth to a jailer’s boot serving time for protesting the regime of Fidel Castro’s predecessor, Fulgencio Batista. He left Cuba in 1957, at the age of 18. Rafael’s mother had sewn one hundred dollars into his underwear. “I don’t recommend you carry your money in your underwear,” the son jokes, invariably.

Rafael arrived in Austin, Texas, and took a job washing dishes for 50 cents an hour. He learned English and got a scholarship to the University of Texas. After two years, Batista deposed, he returned to Cuba with high hopes, but he was appalled at the changes wrought by the revolution. His family’s property had been confiscated, and his sister would later face torture in one of Castro’s jails. Rafael made it back to Texas. He finished his degree and secured refugee status when his student visa lapsed. He got married, had two daughters, got divorced, remarried, and with Eleanor opened a business processing seismic data for oil and gas companies.

In 1968 they followed the Canadian oil boom to Alberta, where Rafael took Canadian citizenship. His son, Rafael Edward Cruz, known as Ted, was born in Calgary in 1970. Four years later the family business went bust and they returned to Houston. They rebuilt the company, and today, retired from business, Rafael is an itinerant pastor in a suburb of Dallas. It’s a moving story. Only in America. And Canada.

Occasionally estranged throughout Ted’s childhood, his parents finally divorced in the 1990s, but Rafael always remained close to his son, who will tell you, unbidden, “You know, my dad’s been my hero my whole life.”

“When he was 4 . . . I would declare and proclaim the word of God over him,” Rafael told the Christian Broadcasting Network earlier this summer. “I would say, ‘You know,

Ted, you have been gifted above any man that I have known of. And God has destined you for greatness.’”

Though Rafael didn’t become an American citizen until 2005—to NPR recently he blamed “laziness” for the delay—he found it easy to transfer his political passion to the founding U.S.A. of the mid-seventies. He took to conservative politics as the Reagan revolution was gathering force. The passion rubbed off on his son. When a retired natural gas salesman named Rolland Story trolled Houston high schools for students with an interest in conservative politics and economics, he found Ted, whose parents enrolled him in an extracurricular school Story had opened, the Free Enterprise Institute. Story introduced his students to the Federalist and anti-Federalist Papers and the works of Hayek, Bastiat, von Mises, and Friedman (Milton not Thomas), and taught them history out of *The Miracle of America*, an unabashedly patriotic effusion by the far-right folk historian Cleon Skousen, a favorite author of the talk show host Glenn Beck. Students memorized the “Ten Pillars of Economic Wisdom,” the second of which Cruz occasionally drops into his speeches: “Everything that government gives to the people, it must first take from the people.”

Story’s educational efforts were explicitly countercultural, providing a spirited alternative to the wan curriculums of the 1970s as they edged toward full-blown, multiculti political correctness, even in Texas. “We just wanted to send our kids to school and not get them indoctrinated in the things we didn’t believe in,” says Paige Moore, a friend of the Cruz family from that time. “But the kids weren’t really getting educated. The textbooks were so boring. There was nothing in there but trendy stuff. They were just collections of facts that didn’t add up to anything.”

Story, on the other hand, had a gift for making history matter. After regular school hours he held mock constitutional conventions in which students would portray different delegates from 1787. “Then they’d have a debate,” Mrs. Moore says. “And they had to know what they were talking about to do that.”

Story chose four or five of his best students, led by Cruz, to join a traveling troupe called the Constitutional Corroborators. He hired a mnemonic specialist to teach them how to memorize the text of the Constitution up through the Bill of Rights. (Who wants to memorize the Eleventh Amendment?) Armed with an easel and felt pens, with Mrs. Moore or another parent at the wheel, the corroborators drove throughout Texas and occasionally beyond



*Cruz gets a congratulatory hug from his father after his 2012 primary win.*

to breakfasts, lunches, or dinners held by the Rotary Club or Kiwanis or the VFW or any other civic group with an open slot for speakers. While the audience sawed away at the Chicken a la King, the corroborators wrote out various articles of the Constitution word for word. When the meal was over they'd take questions.

"The people just loved them," Mrs. Moore says. "They knew so much, people couldn't believe it! And you had to be a very polished speaker. Ted really worked at it. He'd practice at home in front of the mirror to get everything just right."

Cruz spent his last two high school years at the tiny Second Baptist School in Houston, which calls itself "a Christian College Preparatory School." He applied to Princeton—"I fell in love with the campus"—and was accepted for early admission.

"I don't think I knew anyone who had ever gone to an Ivy League college," he said. "It was a world, frankly, with which I was not familiar. In many ways it was a culture shock. Many of my classmates were blue-blooded and accustomed to the corridors of power. The world from which they came was not a world I had contact with. My first job was at age 8, working as a computer operator for my dad at a dollar an hour."

He reconnoitered behind enemy lines. "Both faculty and students were overwhelmingly liberal politically," he said. "I remember there were students who had on their wall posters of Che Guevara and Karl Marx. They thought it was cute or chic. And if you come from a family with experience of communism—the Castro government confiscated everything my grandparents' family had—you don't think it's cute or chic.

"But I took it as an opportunity to figure out how those who disagree with you think."

His earliest and closest friend at Princeton, and later best man at his wedding, was a Jamaican named David Panton, admitted as a freshman at the age of 16.

"I had a tough time at Princeton," Panton said. "I was very young. I wasn't social. Really I was a geek. Ted, though, was very social, and his mentorship made me a better person.

"That's the message I would like to get out about Ted: his compassion.

"He was never arrogant, he was always kind and patient with me, and with others, no matter how much success he had."

Panton and Cruz became roommates. Cruz worked two jobs to help pay for school, filming promotional videos for Princeton and coaching students taking the law

boards. Beyond a shared devotion to Super Mario Bros., Cruz and Panton spent most of their free time as teammates in the American Parliamentary Debate Association. As seniors they won the national championship and Cruz was named Speaker of the Year. The technique he had acquired under Story paid off.

"It helps that he has a photographic memory," Panton said. "He reads something once and that's enough. Everyone else is taking notes, speaking from notes. Ted almost never took notes. He didn't need to. He would get out from behind the podium and get in front of the audience, just as you see today. It was very unique for those days—and very effective."



*The senator and the mainstream media*

Cruz's background in debate is evident in every aspect of his public life. Anyone who has watched his practiced hand gestures will be able to imagine the high schooler standing in front of his bedroom mirror trying to get every move just right. The paragraphs that roll too easily off his tongue suggest a man who has memorized them too easily as well. Most significant is his

insistence on casting the clash of political interests as an argument—a contest between ideas that, properly engaged, can be won or lost. The notion seems almost quaint.

Certainly it does among the mainstreamers, who see the contest between left and right in national politics not as a clash between ideas but as a clash between fact and opinion—their fact, that is, and their opponents' opinion. In the political class—that creaking combine of progressive political reporters, politicians, staffers, lobbyists, and think tank fellows—this week's favored cliché is an empty saying that wasn't particularly clever even when Daniel Patrick Moynihan was overusing it a quarter century ago. "Everyone," we're told, "is entitled to his own opinion but not his own facts"—as though facts were Lego pieces that can be stacked up and snapped together and self-evidently measured with laser-like precision, revealing an inevitable conclusion. Experienced debaters, who can argue different conclusions from a single set of facts, know reality doesn't quite work like that.

The mainstreamers may know this too, but the conceit of fact versus opinion is too valuable to let go of. Not long ago, a columnist for the *Washington Post*, writing in favor of gun control, devoted an entire paragraph to what he called Cruz's "trademark falsehoods." The columnist offered his own factual rebuttal in parentheses. It went like this:

"Cruz claimed that his [alternative gun] bill was the

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‘result of multiple hearings in the Judiciary Committee.’ (It was never brought before the panel.) He claimed the opposing legislation would extend ‘background checks to private transactions between private individuals.’ (The bill applied only to advertised sales.) Off the floor, he made the patently false claim that the ‘so-called “gun show loophole”’ doesn’t exist.”

Yet the facts here are uncomfortably ambiguous. The columnist is right that Cruz’s bill was never brought before the committee, but it was written after the committee’s two gun-control hearings of several hours’ duration, at least one subcommittee hearing (attended by Cruz), and four different markups. It seems fair to say that the bill could be “the result of” all this gassing off.

The second of Cruz’s “trademark falsehoods” is supported by the bill itself. Contrary to the columnist, the bill (in Section 122, if you have a copy handy) applies to any sale “pursuant to an advertisement” or “at a gun show,” where, as Cruz says, private transactions often take place.

As for the third, the question of whether the gun show “loophole” is truly a loophole is a matter on which men of good faith, assuming any could be found, can disagree.

Federally licensed dealers are required to do background checks of their customers at gun shows. Not everyone who sells a gun at a gun show is a federally licensed dealer, however. In most states, citizens are free to sell a limited number of guns from their homes, from their cars, or from lots of other places, even if the venue can be considered a gun show. If these private transactions constitute a loophole, it’s a very big one. It could only be closed by requiring the federal government to determine which gun sales constitute a “gun show,” and then forcing every citizen who wants to sell a gun to obtain a license. Such a vast regulation of traditionally private activity could fairly be considered much more extensive than merely “filling a loophole.”

A generous reading of Cruz’s remarks would acknowledge the ambiguities. But as a right-winger who’s proved himself highly skilled at rousing the rabble, Cruz can never be awarded the benefit of the doubt. So the legend grows.

**T**he chief means for the marginalization of Ted Cruz has been that newly born journalistic convention, the fact check. No recent politician has been subjected to more fact checks than Cruz, or come off looking worse because of them.

At the risk of getting lost in pedantry—if we’re not there yet—consider one recent “Fact Checker” column from the *Washington Post*. The *Post* fact checker gave Cruz three Pinocchios, meaning the senator had made “significant factual errors.” The three assertions the fact checker checked come from a new TV commercial and form

the backbone of Cruz’s case for defunding Obamacare.

In the ad, Cruz’s first assertion is that Senator Max Baucus, Obamacare’s lead author, recently called Obamacare a “huge train wreck.”

Cruz is making an elision here, as often happens in brief polemical TV ads. But an elision isn’t a factual error. Baucus used the phrase in an exchange with Kathleen Sebelius, HHS secretary and the official most responsible for implementing the law. Baucus complained to Sebelius that her “educational efforts” regarding the law’s employer mandate were inadequate. The mandate’s deadline was, at the time, mere months away. Baucus worried that without reliable information employers would be unable to comply with the law.

“I just see a huge train wreck coming down,” Baucus told Sebelius.

The phrase *train wreck*, the fact checker insists, thus referred to the implementation of Obamacare, rather than to the law itself; Cruz’s elision is that he fails to make this distinction clear. The fact checker considers the elision an unfair sleight-of-hand. And the fact checker has a point.

But so does Cruz. Implementation and enforcement are a big part of any law. If the law can’t take effect without causing a lot of damage, then there’s something wrong with the law: Whatever causes a train wreck can fairly be called a train wreck too. Baucus’s comment was a comment on an aspect of Obamacare itself.

But wait! The fact checker tells us that Baucus recently published an op-ed in a magazine. The op-ed was a classic Washington “walk back,” the implied disavowal that often follows an impolitic statement. In his op-ed Baucus announced that he no longer foresees a huge train wreck. Why? “The administration announced it would delay implementation of the employer mandate until 2015 in order to give businesses more time to get ready for the law.”

That mandate and its delay are funny things, as we’ll see.

The next Cruz assertion the fact checker disputes is: “The president is quietly granting Obamacare waivers to big corporations.”

The fact checker doesn’t like anything about this statement. He doesn’t like the word “waivers” to describe the delay of the mandate. He does note that “some columnists” use the word “waiver” and “delay” interchangeably. And so they do! One such columnist is the *Post*’s own chief economics writer, who has pointed out that a delay is a kind of waiver.

So *waiver*, upon inspection, must be okay. But what about *quietly*? The fact checker doesn’t like *quietly*. Cruz is referring to the manner in which the announcement was made. It was deliberately downplayed. It appeared first in a blog item posted by an assistant secretary of the Treasury late on the afternoon before most Americans began the

Fourth of July holiday. By Washington standards, that's *quietly*. Indeed, six weeks before questioning Cruz's use of the word, the fact checker himself wrote that the Treasury blog post appeared under "a title designed to not give away the news." So Obama's announcement was not only *quiet*, it was also misleading.

We are far into the fact check now and have yet to be shown a factual error.

So what about Cruz's mention of *big corporations*? The mandate and the delay apply only to companies that employ more than 50 workers. Those are pretty big companies. But, says the fact checker, most of these big corporations—"about 96 percent"—already offer health coverage to some of their employees, who therefore won't be affected by the waiver, er, delay.

Then the fact checker makes a concession: Owing to complications, he says, nobody knows how many employees will be affected by the mandate delay. Nobody. Not even fact checkers.

The fact checker still doesn't like it. "Cruz," he insists, "is overstating the case when he suggests this action was aimed only at big corporations."

But Cruz didn't suggest that, did he? I've heard Cruz make this point roughly 20 times, in person and on video, and I've watched the ad till I could almost recite it myself. I never picked up on the suggestion that the fact checker infers. Of course, I'm not a fact checker. Fact checkers are stubborn things.

And so on to the third "factual error": In the ad, Cruz quotes a union president saying that one provision of Obamacare "will destroy the foundation of the 40-hour work week." Helpfully, the fact checker cites the very document in which the union president did indeed say exactly that.

So what's the problem? Well, says the fact checker: "The employer mandate that was supposedly causing this problem has been delayed for one year."

There's that delay again! You probably can't understand what the delay has to do with Cruz's assertion that the union president said what he said. But you aren't a fact checker either.

"Ironically," the fact checker concludes, the delay in the employer mandate will actually solve the problems that Cruz points to. "And then Cruz turns around and . . . uses the delay as another strike against the law. Cruz can't have it both ways."

Sure he can. And so can the fact checker (though he might want to look up "ironically" in the dictionary). So can Baucus, Obama, and anyone else who finds this fact check of Cruz persuasive. On the one hand, the fact checker insists that the employer mandate won't have significant effects because it lands on so few companies: Ninety-six percent of big companies already offer insurance. Yet on

the other hand, he tells us that delaying this trifling mandate by a single year will avert a "huge train wreck" that threatens the entire regime of Obamacare. You go right ahead, Fact Checker—have it both ways.

Very few mainstreamers, of course, will have the patience to look so closely into the fact checker's argument to see its weaknesses, which may or may not be signs of bad faith. All the mainstreamers will see are those three Pinocchios and be reassured in their conviction that Ted Cruz is a liar.

Cruz still points to his encounter with Rolland Story as a turning point in his life—the time when, as Paige Moore said, "he found the reasons to believe the things he already knew were true." But there were other turning points to come.

At Princeton Cruz pursued his interest in the Constitution under Robert George, the well-known political philosopher whose course in constitutional interpretation is considered one of the toughest at Princeton.

"The course attracts a self-selected group of students, a lot of them superstars," George said. "I've taught thousands and thousands of students, and Ted is easily in the top 10. He was so interested in the theory and ideas, I thought he'd go to law school and get a good clerkship somewhere, and then become a professor."

Cruz did go to law school, graduating magna cum laude in 1995 and rising to articles editor of the law review, and he did get a good clerkship, with Michael Luttig, a conservative stalwart on the U.S. Court of Appeals for the Fourth Circuit. Then he got an even better clerkship, with the chief justice of the United States, William Rehnquist. With such a resumé, says one veteran of Washington legal circles, "Cruz could have gone anywhere he wanted." He let himself be recruited by a small, politically well-wired Washington firm specializing in appellate litigation run by two prominent Republican lawyers, Charles Cooper and Michael Carvin. His young-man-in-a-hurry persona came as part of the deal.

"I always tell people Ted was the best law partner I ever had," Carvin says drily. "The only problem is, he was a junior associate at the time. He was always interested in the high-end stuff, the big questions, constitutional issues. When it came to the other stuff, answering interrogatories or taking depositions, he wasn't so interested."

At Cooper Carvin, Cruz argued several high-profile cases, including on behalf of the NRA in briefs challenging gun control laws. Fellow advocates and adversaries were struck by his unflappable calm, the lucidity of his arguments, his ability to construct answers in advance to every conceivable objection—the craft he'd been training for since he was a high schooler teaching the Constitution

to masticating Kiwanis. When Cooper was called before the committee charged with impeaching President Clinton, Cruz drafted arguments to prove that Clinton's various perjuries constituted high crimes and misdemeanors.

"After two years it was clear he could become one of the top appellate advocates in the country," Cooper says. "But he told me it was always in the back of his mind that he might want to pursue a political career. And against my own interest I encouraged him in that notion." When his fellow Texan George W. Bush announced his presidential candidacy, Cruz joined his campaign as a policy aide and managed always, as one colleague puts it, to "put himself in the middle of things."

The Republican operative Ken Mehlman, who worked with Cruz in the 2000 campaign and considers him a friend, says: "He was always very ambitious. He didn't really live by the Reagan saying, 'You'd be surprised at how much you can accomplish if you don't care who gets the credit.' Ted cared very much about who got the credit."

This gift for attention-getting distinguished him from the rest of Bush's corporate, anonymous apparatus, where the rule was, as one loyal staffer said, "you kept your head down or it got bitten off." Attention-getting suggested a deficiency in Bush loyalty. After the election Cruz was passed over for a plum job in the Department of Justice. He took a counsel's position at the Federal Trade Commission for a couple of years before returning to Texas to become solicitor general in the state attorney general's office. The attorney general's nose for controversy and attention matched Cruz's own. They argued cases for abortion restrictions, the public display of the Ten Commandments, states' rights, and of course against the slightest whisper of a hint of legislation restricting the ownership of guns.

These cases, most of them conservative victories, were team efforts, products of the attorney general's office, but as lead public advocate Cruz could plausibly claim credit for them as he reached for the next rung of the ladder. When the attorney general decided to seek reelection in 2010, Cruz raised his sights toward the Senate seat being vacated by Kay Bailey Hutchison. By then Cruz had become a wealthy man. Leaving the solicitor's office he had taken a partnership in the Texas office of a national law firm. His wife Heidi is a regional executive for Goldman Sachs. Even working part-time, running for Senate during 2011 and 2012, Cruz managed to earn nearly \$3 million. As he entered the Senate this January, his income was three times that of the second-wealthiest freshman.

"I'm here to thank you!" Cruz said to the Tea Party crowd in Kingwood. They responded warmly—more than warmly. Implausibly, this fixture of the Texas legal establishment became a creature of the Tea Party in 2012. The attachment was politically invaluable not only for Cruz but for the mainstreamers, for whom the tag "Tea Party favorite" always carries a frisson of nuttiness.

And wandering around the community center where various Tea Partiers were holding raffles, I felt far away from the mainstream indeed. A lucky winner could collect a gift certificate to Applebee's, a bottle of Scotch, framed reproductions of the Declaration of Independence, and a large enough number of guns to send Dianne Feinstein screaming back to California.

Cruz himself had brought a present, a large flag, beloved of Texas Tea Partiers, emblazoned with the silhouette of a cannon and the words COME AND TAKE IT. Once, in the early days of the campaign, after a series of scuppered airline flights, Cruz rented a car at a distant airport and drove all night to make a breakfast meeting with members of the Kingwood Tea Party, and they haven't forgotten. "We knew he'd be our man in Washington," one told me. Before the 2012 race was over he had gathered the endorsements of the Club for Growth, Jim DeMint's Senate Conservatives Fund, FreedomWorks, radio talk show hosts like Sean

Hannity and Mark Levin, and Sarah Palin—the mainstreamer's haunted house of horrors. An underdog at the start, Cruz won the primary handily and the general election too, though he took 100,000 fewer votes in Texas than Mitt Romney.

"It's been an interesting eight months," he tells his audiences now, and they respond with knowing laughter. He ticks off the names he's been called, the insults he's taken, the scorn he's received at the hands of the liberal media.

"And I couldn't have done it without you," he says, "so I mean it: Thanks a lot!"

The mainstreamers need their Ted Cruz to be a monster, the emblem of Republicanism run amok; and his supporters need for the mainstreamers to think of Cruz as a monster, meaning one of theirs, a man the mainstreamers can never corrupt. And Cruz stands happily in the middle, pleasing both sides by advocating measures he knows will never come to pass: defunding Obamacare with a continuing resolution, abolishing the IRS . . .

But first he needs to make the argument.

He pauses and the lower lip vanishes for a second. "You know, Margaret Thatcher once said . . ." ♦

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**After his clerkship with Chief Justice Rehnquist, says one veteran of Washington legal circles, 'Cruz could have gone anywhere he wanted.'**



SWAT team preparing to execute a search warrant, Racine, Wisconsin, 2008

# Forces in Excess

*As always, who will guard the guardians?* BY MIKE RIGGS

**L**ate one night last October, a SWAT team from the police department in Billings, Montana, served a search warrant on what they thought was a home meth lab. Dressed in military gear and toting assault rifles and a battering ram, the officers surrounded the house. As one group staged near the front door, an officer knocked out a bedroom window and dropped a flash-bang grenade inside.

*Mike Riggs is a staff writer at the Atlantic Cities.*

## Rise of the Warrior Cop

*The Militarization of America's Police Forces*  
by Radley Balko  
PublicAffairs, 400 pp., \$27.99

The grenade landed next to a sleeping 12-year-old girl, where it exploded, inflicting second-degree burns on the girl's back, abdomen, and arms.

Seconds later, officers battered in the front door and stormed inside, where they restrained the girl's par-

ents at gunpoint. One thing the officers did *not* find was evidence of a meth operation. The girl's mother, Jackie Fasching, says that she would have told the officers this if they had given her a chance to open the door: "A simple knock on the door, and I would've let them in."

Stories like the Faschings' populate *Rise of the Warrior Cop*. These anecdotes, as well as data and interviews with police veterans, paint a troubling picture of law enforcement's current mode: military guns, military vehicles, and military training; late-

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night, no-knock raids on all kinds of suspects; and every horrible-but-avoidable policing mistake you can think of, ranging from raiding the wrong house to accidentally burning a sleeping little girl to shooting a prostrate little boy in the head.

There are victims, like the Fasching family, who should have never been bothered; but there are also victims like the Whitworth family of Columbia, Missouri: a father, mother, and son who saw their pets—a pit bull and a corgi—shot during a late-night SWAT raid in which police were searching for marijuana. (And found it, a misdemeanor amount and pipe belonging to Mr. Whitworth, or more than enough to retroactively justify a raid meant to capture a trafficker.)

This is a history of sorts, but it is also a *cri de coeur* for policymakers to take up the tough work of reforming America's police. And it's hard to argue that reform isn't needed. In 1980, domestic cops conducted roughly 3,000 paramilitary raids; in 2005, they conducted between 50,000 and 60,000. Eighty percent of towns with between 25,000 and 50,000 residents have SWAT teams; so, too, do the Consumer Product Safety Commission and the Department of Education! SWAT teams have been used to break up charity poker games, shut down (legal) medical marijuana dispensaries operating in the open, even serve warrants on people suspected of committing student loan fraud.

This is not what SWAT was invented for. The late Chief Daryl Gates of the Los Angeles Police Department came up with the idea for a Special Weapons and Tactics team during the 1965 Watts riots, when armed rioters shot at under-armed and under-armored first responders. (He originally wanted to call it the Special Weapons Attack Team but was told he could not use the word "attack.") Gates knew he had to see the idea to fruition after reading reports about the bloodbath Charles Whitman orchestrated from atop the University of Texas clock tower in August 1966.

The SWAT team was first deployed against a heavily fortified Black Panther

hideout, and shortly thereafter against the Symbionese Liberation Army, who had holed up in South Los Angeles after a spree of murdering, bank-robbing, and kidnapping.

But something happened between May 17, 1974, when the LAPD used its SWAT team as a last-resort weapon against a psychopathic SLA, and this past summer, when the Wisconsin Department of Natural Resources used a SWAT team to raid the Society of St. Francis, a no-kill animal shelter that had taken in a baby deer. Apparently, keeping a wild animal without a proper license is illegal, so the SWAT team tranquilized the fawn, and then killed it. When asked by local media why the Department of Natural Resources didn't just call the shelter and ask it to surrender the deer, an agency spokesman replied: "If a sheriff's department is going in to do a search warrant on a drug bust, they don't call them and ask them to voluntarily surrender their marijuana or whatever drug that they have before they show up."

That's actually a germane response, considering that it was the War on Drugs that turned SWAT from a Los Angeles phenomenon to a Your Town thing. President Richard Nixon and his advisers realized that drug crime was the only kind of local crime against which the federal government could wage a demonstrable, if largely theatrical, battle. Never mind that even the biggest federal busts represented only a drop in the supply bucket, or that drug users weren't actually committing the violent crimes of which they were accused: Seized drugs could be stacked for the camera, drug money splayed out like a green, fibrous fan. Figures could be listed in kilos, pounds, thousands, millions.

Americans came to see the drug trade not just as an explanation for what had happened to great cities but also as a bogeyman to be kept out of their own neighborhoods, whatever the price. And so the executive, legislative, and judicial branches hacked away at the Fourth Amendment, watering down evidentiary require-

ments and expanding the circumstances under which police could forcibly enter Americans' homes. Police militarization gained momentum in the 1980s and '90s, as Congress armed domestic police departments with military surplus, increased the funding for antidrug efforts, and empowered police to seize assets not just of convicted drug offenders but from people remotely associated with crimes yet never charged.

After 40 years of funding and encouragement from local, state, and federal politicians, it's understandable that police departments don't want to cede ground on how much force they can use, and when. But police are too vital to modern society to be allowed to determine, without challenge or supervision, the best way to protect our democracy and preserve order. Moreover, the need for reform is all the more pressing considering how little empirical knowledge has been applied to the militarization experiment, a deficit that's reflected in the wide array of situations in which police use extreme force. How likely is it that an independent body of legal experts, psychologists, and police veterans would conclude that a charity poker game and a hostage situation merit the same response?

Radley Balko's suggestions range from the unlikely (decriminalize drugs) to the sensible (stop sending military surplus to nonmilitary bodies). And insofar as this book is tangentially about the conflicts between policing strategies—police as members of the community versus police as "us" and the communities they police as "them"—he also calls for a return to community policing, which requires cops to be members of their community, to know business owners and school principals and community power brokers. The benefit of this model is that police know the lay of the land, and residents can trust them to mediate without violence.

It also means relying less on brute force to keep peace. But then, as Balko argues, SWAT teams often introduce violence where previously there had been none. ♦

# On Their Honor

*The thriving of the medieval cult of chivalry.*

BY CHARLOTTE ALLEN

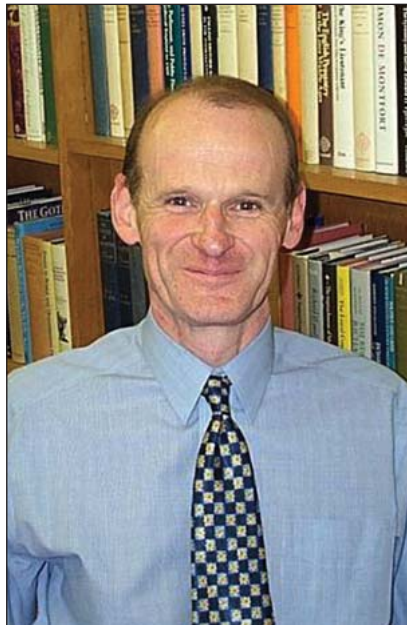
The word “chivalry,” associated with the Middle Ages and its knightly ethos of courtesy and dragon-slaying, has a bad rap nowadays. “Chivalrous” refers to the patsy in shining armor who opens doors for women, picks up the tab on dates, and is willing to be there with sensitive sympathy (along with hopes of future romance) when the cad whom his ladylove really loves dumps her. For his pains, the chivalrous man will be punished with the wrath of feminists (“I can open my own door!”), the faint contempt of the woman he is orbiting (“Let’s just be friends”), and the jeers of his more alpha, and thus more cynical, contemporaries, who will deride him for being a “white knight” who puts women on a “pedestal” they don’t deserve.

It is interesting to know, then, that most professional medieval historians, the academics who make their living studying the later Middle Ages, during which the idea of chivalry arose, have by and large displayed the same dismissiveness about chivalric ideals as, say, the man-o-sphere blogger Roissy. In the view of many medieval historians, chivalry was so much fancy window-dressing in a culture whose main concerns were jostling for land, power, and wealth. Chivalry was said to be a women’s thing; poets entertained the ladies with romances about Sir Lancelot and Queen Guinevere while their hardheaded husbands conducted the nastier real business of enlarging their holdings and prestige, oppressing the serfs, and so forth.

*Charlotte Allen is the author of The Human Christ: The Search for the Historical Jesus.*

## Chivalry in Medieval England

by Nigel Saul  
Harvard, 440 pp., \$35



Nigel Saul

Alternatively, some historians have argued that the entire idea of medieval “chivalry” was an invention of 19th-century Romantics (think Tennyson’s *Idylls of the King*), who had no historical foundation in the Middle Ages.

Nigel Saul, a professor of medieval history at the University of London, tries to put paid to these common assumptions. He argues that chivalry was a thoroughly masculine creation aimed directly at reshaping that most masculine of human activities: warfare. Its focus wasn’t on rescuing damsels in distress, but on fostering an ethos of knighthood that upheld loyalty to one’s comrades and superiors

and respect for one’s enemies, who were also knights, in combat. Furthermore, Saul argues, the warfare-linked idea of chivalry pervaded aristocratic culture (in England, at least) to the point that the fortress-like crenellations of medieval castles became a standard architectural feature of gentry homes during the 13th and 14th centuries.

Chivalry was not a movement or institution cut off from the mainstream of society; on the contrary, it formed part of the wider ethos and value system of society. It was central to the identity of the English medieval elite.

Chivalry arrived in England with the Norman Conquest, which brought mounted horsemen armed with swords and lances to the British Isles as a fighting force for the first time. Before then, in Anglo-Saxon times and among the Vikings who established footholds throughout Great Britain, warriors fought almost entirely on foot, and their weapon of choice was the axe. Horses were prized symbols of status and useful for transport and rapid movement of troops, but Anglo-Saxons dismounted to fight. They also hacked each other to death in battle, and the victors plundered the bodies of the dead for booty. Surviving losers taken prisoner could expect to be killed or mutilated.

The Normans changed all this with the introduction of cavalry warfare, in which the mounted knight—nearly always a member of the aristocracy, because few besides aristocrats could afford the expense of maintaining and armoring horses—was a central figure. Horses were more effective in offensive warfare, and, as the 11th-century Bayeux Tapestry illustrates, the Norman Conquest strategically was a matter of a hard-hitting horseback breakthrough of the defensive shield-wall of Anglo-Saxon foot warriors strung along the cliffs of England’s southern coast.

Partly because Continentals were shocked at the apparent barbarity of all-or-nothing Anglo-Saxon and Viking warmongering, and partly because the Roman Catholic church

had been trying for decades to tame feudal nobles' incessant infighting by advancing the concept of the "just war," the Normans instituted a new battlefield ethos in which captured knights, as the social and moral equals of their captors, were to be held for ransom instead of being killed outright. The new rule, which took hold as the 12th century unfolded, bespoke a respect for the knight's status that transcended his particular feudal or national loyalties. It demanded a reciprocal courtesy that was similarly transcendent.

It was this new standard, Saul argues, that transformed medieval English warfare and culture. The knight became more than a mere warrior; he was "an idealized figure," Saul writes, who "was given a role to perform in a divinely ordered hierarchy, that of protecting the other two orders of society, the clergy and the labouring classes. He was invested with nobility, good fortune and charisma."

A body of literature comprising romances, poetry, and histories focused on knighthood and its virtues quickly arose. It included not just the stories of King Arthur and his Round Table embodying chivalric ideals of courage, humility, and graciousness, but also quasi-legendary chronicles of the new Norman baronial dynasties that had established a more recent foothold in England. The crusader-king Richard the Lion-Hearted, appearing as the living embodiment of knightly heroism in the service of religious faith, became an English folk hero. The new art of heraldry centered on the colorful visual display of the symbols of bravery and honor that every knightly family sought to advertise. The tournaments in which knights regularly jousting on horseback weren't mere pageantry for impressing the ladies; they were the practical means by which the knights

honed and perfected the skills that served them in battle.

By this route chivalry, which had originated as a practical military code, developed into a code of manners defining a civil elite no longer composed of men exclusively of military experience, but embracing lawyers, civil servants and others who sought respectability in the partial embrace of aristocratic culture.

and the mere knights proved to be deleterious to the latter. By the beginning of the 13th century, large numbers of the landed gentry had decided that the time, expense, and training knighthood entailed wasn't worth the relatively small payoff in social prestige. The number of landholders shirking formal knighthood and its duties became so critical that, in 1224, Henry III, concerned about shrinking numbers of cavalry, issued a writ ordering everyone holding property worth a certain amount to take up the knightly rank willy-nilly.

Henry's son, Edward I, aggressively promoted a renewal of English knighthood with a cult of King Arthur that starred Edward himself. He commissioned a massive replica of Arthur's Round Table for Winchester Castle and staged elaborate tournaments and dubbing ceremonies all over England. Most significant, as far as the knights were concerned, Edward began paying them for military service, and, as might be expected, their ranks swelled significantly. They coalesced into a formidable and highly efficient fighting force and created their own powerful dynasties of professional soldiers.

At the same time, Edward and his successors systematically undermined the ethical code by which victorious knights treated their

defeated fellow knights with respect. Edward had ambitions to rule all of Britain, and he devoted much of his reign to successfully bringing Wales to heel and to somewhat less successful campaigns in Scotland. Those who resisted he treated not as honorable enemies but as rebels and traitors; that is, as common criminals deserving of the most gruesome forms of execution. The Scottish warrior and landholder William Wallace was not the only Celt of knightly, even princely, rank to be hanged, drawn, and quartered for standing in the



*'The Black Prince invested as a Knight of the Garter'*  
by Charles West Cope, 1844

In other words, chivalric values became democratized. That process was helped by the fact that knights who held land but possessed no titles of nobility were not entitled to sit in the House of Lords. Such knights were relegated to the House of Commons, where they shared the benches with prosperous and socially ambitious urban bourgeois who aspired to possess their own coats of arms and elite statuses—and thus identified with the knights and their culture.

Over the longer run, however, the social bifurcation of the titled nobility

way of Edward's aims. The tactics of warfare itself devolved from clashes between trained armies to the routine burning and pillaging of towns and the massacre of civilians. Losing combatants were often put to the sword rather than taken prisoner.

The long-term result was that the knightly ethos of honor and brotherly bonds became subsumed into an overriding ethos of loyalty to the crown. Edward's royal offspring—notably Edward III during the 14th century and Edward IV during the 15th—fostered their own chivalric revivals. Edward III established the Order of the Garter in 1348 as a kind of exclusive chivalric club under the patronage of the warrior-saint George, who became the national saint of England. His son, Edward the Black Prince, leader of numerous expeditions into France to further his father's claim to the French throne, became another Richard the Lion-Hearted in the popular imagination, even though the young man specialized in the new, debased war-making that was becoming the medieval norm.

By the latter half of the 15th century, when Edward IV revived the by-then-moribund Order of the Garter, chivalry was largely a matter of court ceremony. Blood lineage and the possession of a coat of arms “were taking precedence over knighthood as ensigns of personal dignity,” Saul writes, and few men were coming forward to perform knightly military service. By the time Henry VII, who owed next to nothing to English knights or nobles, seized the throne in 1485 at the expense of Richard III, the reigning courtly ethos was the consolidation and centralization of brute royal power. Chivalry, long in decline, was finally dead.

Yet even as it slid into decreescence as a military culture, chivalry continued to be honored in literature and art. Such works as Chaucer's “The Knight's Tale” and the haunting alliterative poem *Sir Gawain and the Green Knight* in the 14th century, and Thomas Malory's *Le Morte d'Arthur* in the 15th, explored the combination of physical courage and moral

humility that was the essence of the chivalric ideal. The illustration from the 14th-century Luttrell Psalter that adorns the cover of Saul's book, depicting the Lincolnshire knight Sir Richard Luttrell clad in plate armor and sitting astride his enormous warhorse while being handed his helmet and shield by his wife and daughter-in-law, whose gowns are blazoned with the heraldic symbols of their families, is a veritable snapshot of the meaning that chivalry imparted to every aspect of a medieval knight's outer and inner life.

That meaning is not quite defunct, even now. The humane treatment of prisoners of war, as established by the Geneva Convention, is a legacy of chivalry. And so, Saul asserts, are such

modern phenomena as individual self-fulfillment and the cult of celebrity, both deriving from the knight's quest for brave deeds and society's recognition of his prowess. Still, he concludes, chivalry “involved a celebration of assertive warrior values with which we, today, cherishing our own very different priorities, feel uneasy.”

This thoroughly researched and elegantly written volume suggests that this need not be so. Instead of deriding the chivalrous as wusses, we ought to be looking back at the real-life knights who created and tried to uphold chivalric ideals. They aimed to be men in the best sense of the word, and they offered models of courageous and civilized masculinity that we sorely need today. ♦



# Bandwidth on the Run

*On the entrance ramps to the information superhighway.* BY JAMES BOLOGNA

According to a recent analysis by Sandvine, Netflix, the streaming video service, accounted for one-third of all Internet traffic in North America last year, making it the single largest user of bandwidth on the continent. Apart from being a repository of old *Star Trek* episodes, Netflix has recently ventured into producing successful streaming-only series of its own, such as the Washington drama *House of Cards* and a new season of the cult favorite *Arrested Development*. Netflix now has more subscribers than HBO.

So it should come as no surprise that Internet service and cable TV providers—Comcast, Time Warner, Verizon FiOS, etc.—are keeping a close eye on the little streaming service

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**Captive Audience**  
*The Telecom Industry and Monopoly Power in the New Gilded Age*  
by Susan P. Crawford  
Yale, 368 pp., \$30

that could, the content company that is changing the way we watch television and threatening their video-on-demand services. And we know what that ultimately means for the cable companies' bottom lines.

All this high-definition video-streaming uses a lot of bandwidth, particularly during peak usage hours, prompting the companies that control the “last-mile” tubes of the Internet—that is, the cable companies—to be very much concerned about consumption. One way they propose to deal with network congestion is to cap data usage, an idea that could put a company like Netflix out of business.

Susan P. Crawford, who teaches at Cardozo Law School and was a special assistant for technology policy in the Obama White House, is so concerned about this possibility that she regularly notes that readers of *Captive Audience* might have to substitute “any new online video-distribution company” for the word “Netflix.” (So far, it isn’t necessary.) She argues that, since the cable companies view Netflix as a direct content competitor, it is in their interest to curb usage of that service in favor of their own offerings. One way to do that would be to allow unlimited streaming of certain content but have Netflix streaming, or other Internet traffic, count toward data caps.

Crawford, an ardent supporter of net neutrality—the idea that governments and service providers should treat all Internet traffic equally, no preferential processing or speeds for certain types of data—suggests that such policies would stifle innovation and prevent “the next Netflix (or Google, Facebook, Amazon)” from being born. In fact, Verizon and the FCC are currently battling in court over whether the commission has the authority to enforce its 2010 Net Neutrality rules.

With America’s Internet future in the hands of a few major corporations, Crawford argues, the prospect of continued American supremacy in Internet innovation is bleak. Like the emergence of electricity a century ago, high-speed Internet is today the lifeblood of our economy, not a luxury but a necessity for rural and lower-income Americans to be able to compete in the global economy, bring their products to market, and find new and better jobs.

Crawford laments how far we have fallen behind the rest of the developed world in wired Internet access, comparing us unfavorably with nations such as Japan and South Korea, where more than half of all households have super-fast fiber lines. The percentage of Americans with access to fiber? Seven percent—and at five times the price of the same service in Sweden. Yet it hardly seems fair to compare ourselves with countries such as South Korea, which is roughly the size of Virginia.

As we’re often reminded, usually by the cable companies themselves, it is extremely costly to rewire a country the size of the United States. And maybe that’s where Crawford’s arguments are strongest: We should view high-speed Internet access as a utility, not a luxury reserved only for those in metropolitan areas or with the means to pay sixfold the international standard.

It was a contentious issue in the 1930s, but no one would reasonably argue today that the Tennessee Valley

“Comcast is the communications equivalent of Standard Oil,” writes Crawford. Indeed, in many major metropolitan areas, Comcast is the only option for high-speed wired Internet. But Crawford’s constant refrain that “Comcast=bad” tends to overpower the reader, who might suspect that the author has a personal grudge against that mammoth corporation. (For the record, Comcast ranks annually among the lowest in customer satisfaction for any American corporation.)



*‘Crawford’s constant refrain that “Comcast=bad” tends to overpower the reader.’*

Authority should have been a private company, or that households should have multiple providers of water or natural gas. Yet in terms of high-speed Internet access, much of America is already experiencing it as a privately owned utility, the precise opposite of the head-to-head competition favored by deregulators. Local franchises of cable and Internet companies make agreements with municipalities, effectively creating local monopolies of service, and, in many cases, making it almost impossible for other providers to enter certain cities or towns. Crawford highlights the (perfectly legal) “agreements” between the titans—Comcast gets Boston and Chicago while New York is Time Warner’s playground—which allow the big fish to never be in direct competition, turf agreements that would have made Al Capone proud.

However, apart from a lengthy history of the railroad industry, the breakup of Ma Bell, the Telecommunications Act of 1996, and the intimate details of Comcast’s family history, Crawford succeeds in laying out a vision for the future of Internet connectivity. She sees an America where reliable, affordable, truly high-speed access is available to most citizens. She highlights success stories and places where she sees glimmers of hope—including municipalities (Chattanooga, for example) that are spending city money to build their own public fiber networks, attracting investment from companies based hundreds of miles away, and creating local jobs. The best part is, these municipal Internet services offer residents faster speeds at much lower rates than Time Warner or Comcast. ♦

# The Wright Stuff

*Understanding the radical vision of 'Native Son.'*

BY JAMES SEATON

Richard Wright's *Native Son* (1940) was the first novel by an African American to become a bestseller and the first selected by the Book-of-the-Month Club. And until the rise of Toni Morrison and other black women writers, Wright was widely considered the leading African-American author, while *Native Son* vied with Ralph Ellison's *Invisible Man* (1952) as the preeminent novel of the African-American experience.

Despite its success, the novel was controversial from the first, as Wright had known it would be. His own "mental censor" told him that his portrait of Bigger Thomas as a representative of all African Americans would be misunderstood and exploited by "reactionary whites," condemned by his own "white and black comrades in the Communist party," and rejected by "the Negro middle and professional classes."

*Native Son* remains a controversial novel. In *Poetic Justice* (1997), Martha Nussbaum argues that the novel is still valuable because it "promotes habits of mind that lead toward social equality in that they contribute to the dismantling of the stereotypes that support group hatred." She claims that while the novel "avoids evoking an easy sympathy that would say, despite differences in circumstance, we are all brothers under the skin," it successfully encourages a more meaningful "deep sympathy." Readers are forced to try "to see the world through Bigger's eyes" and, therefore, are led,

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Richard Wright, 1945

even while "recogniz[ing] the inappropriateness of some of [Bigger's] emotions to their object," to feel "a deep sympathy . . . for Bigger's predicament, a principled anger at the structures of racism that have made him as he is."

Nussbaum's interpretation confirms the overall thesis of *Poetic Justice* that reading novels, at least the right kind of novels, "can be a bridge . . . to a vision of justice" remarkably like Nussbaum's own.

Richard Posner responded to her argument in his *Law and Literature* (2009) by claiming that *Native Son* is a "period piece" lacking permanent value, in large part because, as one reads, "the [minor] black characters lose their three-dimensionality" while the protagonist, Bigger Thomas, is presented on some occasions as a morally responsible character and, on others, as a mere victim of circumstances whose actions, even murder, have no moral resonance at all. What Nussbaum calls "the moral teach-

ing of *Native Son*" about the human cost of racism "is not exactly news, and anyway it is not well presented in Wright's novel," says Posner.

In considering the impact of *Native Son*, it is well to remember what effect the author himself was attempting to achieve. In his 1940 essay "How 'Bigger' Was Born," Richard Wright declared that he was determined in *Native Son* to avoid the mistake he believed he had made in writing the stories collected in *Uncle Tom's Children* (1938):

When the reviews of that book began to appear, I realized that I had made an awfully naive mistake. I found that I had written a book which even bankers' daughters could read and weep over and feel good about. I swore to myself that if I ever wrote another book, no one would weep over it; that it would be so hard and deep that they would have to face it without the consolation of tears.

The text of *Native Son* reveals that Wright, indeed, went out of his way to make it difficult for readers of any race to feel much sympathy, deep or otherwise, for the novel's protagonist. Wright ensured that even bankers' daughters would find it difficult to "read and weep over and feel good about" his main character. It is true that when Bigger Thomas smothers Mary Dalton, the Communist-sympathizing daughter of a wealthy liberal slumlord, the reader, taken inside Bigger's mind, knows that the killing was entirely accidental.

After he is hired as a chauffeur by the Dalton family, Bigger's first task is to drive Mary to a meeting with her Communist boyfriend Jan Erlone. Later in the evening, Mary and Jan insist that Bigger eat and drink with them, much to his own embarrassment and humiliation. After dropping off Jan, Bigger drives Mary home, but she is so drunk that she passes out and he is forced to carry her to her bedroom. He puts her to bed but is surprised by the appearance of Mrs. Dalton, who is blind but can smell whiskey on Mary's breath.

Bigger, the reader learns, is "intimidated to the core" by Mrs. Dalton's appearance; he takes it for granted that any white parent, even the seemingly sympathetic Mrs. Dalton, would be

outraged to discover a black man in a daughter's bedroom. Certain that "if Mary spoke [Mrs. Dalton] would come to the side of the bed and discover him," he covers Mary's face with a pillow to prevent her from speaking. All Bigger cares about is that Mary Dalton "not move or make any sound that would betray him."

It is only after Mrs. Dalton leaves that he turns to Mary and discovers that she is dead. Bigger has killed Mary Dalton because of his fear that it would be disastrous for a black man to be found in the bedroom of a white woman, no matter how innocent or plausible his reason for being there.

So far, the reader remains sympathetic to Bigger, well aware that the killing was entirely accidental. After he realizes Mary Dalton is dead, however, the first thing Bigger does is put her body in the furnace and burn it. Unfortunately, the corpse does not fit and he tries to cut off Mary's head with his knife but fails, as Wright takes care to inform the reader: "He whacked harder, but the head would not come off." Finally Bigger finds a way, and again Wright does not spare the reader any details:

He got the hatchet, held the head at a slanting angle with his left hand and, after pausing in an attitude of prayer, sent the blade of the hatchet into the bone of the throat with all the strength of his body. The head rolled off.

Even at this point it might be possible for readers determined to sympathize with a black protagonist to convince themselves that their horror at the mutilation of Mary Dalton's body is merely an instinctive reaction. Wright, however, takes the reader inside Bigger's mind to find him telling himself that it was really Mary's own fault that she was killed: "Hell, she *made* me do it! I couldn't help it! I couldn't help it! She should've known better! She should've left me alone, goddammit!"

Bigger actually takes pride in the killing and refuses to think of it as an accident.

Though he had killed by accident, not once did he feel the need to tell himself that it had been an accident. . . . And in a certain sense

he knew that the girl's death had not been accidental. He had killed many times before, only on those other times there had been no handy victim or circumstances to make visible or dramatic his will to kill.

Bigger is, in fact, elated by the killing: "Now who on earth would think that he, a black timid Negro boy, would murder and burn a rich white girl and would sit and wait for his breakfast like this? Elation filled him." He is only unhappy that all the money he got out of the accidental killing was the cash Mary had in her purse:

But of the whole business there was one angle that bothered him; he should have gotten more money out of it; he should have *planned* it. He had acted too hastily and accidentally. Next time things would be much different; he would plan and arrange so that he would have money enough to keep him a long time.

**B**igger Thomas does, indeed, kill one more time, but his next victim is not a rich white girl but his black girlfriend, Bessie Mears.

On the run, he kills her on purpose and in cold blood, having reflected that it would be easier to escape from the police without her than with her. While the reader knows that Bigger did not rape Mary Dalton (though he will be accused of doing so), Bigger does, in fact, rape Bessie Mears just before he kills her. And while Mary seemingly felt no pain when she was smothered in a drunken stupor, Bessie has no such luck. Bigger strikes her head repeatedly with a brick and then throws her body down an airshaft. The reader later learns that her suffering did not end immediately.

At Bigger's trial, the prosecutor, saying that he represents "the families of Mary Dalton and Bessie Mears," points to medical testimony indicating that Bessie "was not dead when she hit the bottom of that shaft; she froze to death later, trying to climb out!" For Bigger himself, the two killings had seemed morally equivalent: "*He* had done this. *He* had brought all this about. In all of his life these two murders were the most meaningful things that had ever happened to him.

He was living, truly and deeply, no matter what others might think, looking at him with their blind eyes."

It is telling that Martha Nussbaum, in her account of why the reader feels a "deep sympathy" for Bigger, does not even refer to the murder of Bessie Mears, leaving those who have not read *Native Son* with the impression that Bigger's only crime was the accidental killing of Mary Dalton. (Posner, meanwhile, errs in declaring that Bigger "is not even charged with the murder of his girl-friend." Posner calls this "a commentary on white indifference to black life," which seems reasonable; but it is one invented by Richard Posner, not Richard Wright.)

After Bigger is captured and brought to trial, Jan Erlone secures an attorney for him, Communist sympathizer Boris Max. In a long speech in which he seems to speak with the authority of the author, Max does not attempt to diminish Bigger's guilt but to magnify it. He tells the court:

This Negro boy's entire attitude toward life is a *crime!* . . . Every time he comes in contact with us, he kills! It is a physiological and psychological reaction, embedded in his being. Every thought he thinks is a potential murder. . . . *His very existence is a crime against the state!*

Max stresses that Bigger Thomas should not be considered "a victim of injustice," and does not "ask that this Court be sympathetic with him." Instead, he calls on the court—and presumably upon the reader—to "banish from our minds the thought that [Bigger Thomas] is an unfortunate victim of injustice." The relationship between blacks and whites is an instance of the conflict that, according to Max, is the engine of history: "What is happening here today is not injustice but *oppression*, an attempt to throttle or stamp out a new form of life."

Blacks and whites are, in effect, at war with one another. Black people in the United States, according to Max and, presumably, Wright, "are not simply twelve million people; in reality they constitute a separate nation, stunted, stripped, and held captive

within this nation, devoid of political, social, economic, and property rights.”

Bigger Thomas’s killings should not be thought of as violations of law and order but, instead, as incidents in a war in which the moral rules of peaceful society do not apply. The heart of Max’s case is his claim, seemingly seconded by Wright, that Bigger Thomas is representative of all black people in the United States. Max tells the court: “Multiply Bigger Thomas twelve million times, allowing for environmental and temperamental variations, and for those Negroes who are completely under the influence of the church, and you have the psychology of the Negro people.”

If, following Max’s argument, Bigger Thomas is thought of as a symbol rather than as an individual human being, the execution of Bigger Thomas would not be simply the proper legal punishment for specific crimes, but rather a symbolic admission that the only final solution to the conflict between blacks and whites is what would today be called genocide.

Max makes this bold claim quite explicit: “But if we say that we must kill him, then let us have the courage and honesty to say: ‘Let us kill them all. They are not human. There’s no room for them.’ Then let us do it.” Presumably Max—and Wright—make this argument in the belief that most white Americans, even those who might believe that Bigger Thomas deserved the electric chair for his two killings, would lack the ruthlessness—what Max calls “the courage and honesty”—to agree to genocide.

(It is worth remembering that, when the novel was published in 1940, the policy Boris Max offers as one of two alternatives was actually being planned and acted on in Germany by those who felt about an individual Jew what Boris Max says is the case about Bigger Thomas: “*His very existence is a crime against the state!*” Meanwhile, as a loyal Communist, Richard Wright in 1940 was arguing against any conflict with Nazi Germany, a position he maintained from the August 1939

Nazi-Soviet Non-Aggression Pact until Hitler’s invasion of the Soviet Union in June 1941.)

Richard Wright, it appears, did not want his readers, certainly not his white readers, to sympathize or identify with Bigger Thomas. He did not want bankers’ daughters or anybody else to “weep over” his protagonist. He was determined to shock,



Richard Wright as Bigger Thomas

frighten, and disturb. He wanted his readers to fear the possibility that they might someday run into a Bigger Thomas, whose “every thought” is “potential murder.” Wright wanted to scare his audience into considering what they otherwise would not accept, that they could never consider themselves truly safe until the United States underwent a radical transformation, specifically a revolution led by the Communist party.

In retrospect, it seems clear that the Richard Wright who wrote *Native Son* was wrong about many things. In “How ‘Bigger’ Was Born,” he condemned almost all aspects of black culture and achievement as irrelevant to the reality of undeclared war. He rejected the black church as escapist, disparaged those who, like the NAACP, “employed a thousand ruses

and stratagems of struggle to win their rights,” and dismissed black singers and musicians who “projected their hurts and longings into more naïve and mundane forms—blues, jazz, swing—and, without intellectual guidance, tried to build up a compensatory nourishment for themselves.”

Those first readers of *Native Son* who accepted the novel as an accurate portrayal of the black experience would have been unprepared for the legal triumph of the NAACP in *Brown v. Board of Education* (1954) and other such cases, and entirely surprised by the leadership role of the black church in the struggle for civil rights, demonstrated most strikingly, but by no means exclusively, in the career of Martin Luther King Jr. And from the perspective of the 21st century, the folly of Wright’s denigration of the art of composers like Duke Ellington and Billy Strayhorn, musicians like Coleman Hawkins and Louis Armstrong, and singers like Bessie Smith and Billie Holiday as “naïve and mundane” is even more obvious than it was in 1940.

But before one criticizes or, for that matter, praises *Native Son* and its view of the racial situation in the United States, it is important to make the effort to understand the novel as it is written and appreciate the radical quality of Richard Wright’s vision. Nussbaum’s praise and Posner’s criticism both fail to address the main reason *Native Son* remains important: The novel offers the most powerful and imaginative case yet made for the thesis—still vehemently asserted by believers undaunted by the election of a black president—that the underlying relationship between blacks and whites in America is a state of war that cannot be ended by any mere reform, such as the achievement of equality before the law, but only by revolution.

In demonstrating so powerfully the drastically impoverished view of African-American life and achievement required by this thesis, Richard Wright has left us all in his debt—especially, perhaps, if we do not ultimately agree with him. ♦

MARY EVANS / ARGENTINA SONO FILMS S.A.C.I. / RONALD GRANT / EVERETT COLLECTION

# And Bebé Makes Three

*Good marketing=bad movie, plus kicker.*

BY JOHN PODHORETZ

The box-office surprise of 2013 is a cheaply made, unbelievable, unfunny comedy-drama with a Mexican star-writer-director you've never heard of, who isn't the least bit amusing, doesn't act very well, and writes even more poorly. Imagine Adam Sandler's *Big Daddy* crossed with *Three Men and a Baby*, *Kramer vs. Kramer*, and *Life Is Beautiful*—yes, you read that right, it owes a considerable amount to that wretched thing about a father shielding his child from the horrors of a Nazi death camp—and you have *Instructions Not Included*. Sounds like something you'd want to drop everything to see, no?

Maybe you wouldn't, but there are millions of people who are doing just that. During its opening weekend in August, *Instructions Not Included* startled everyone in the motion-picture industry by earning nearly \$7.9 million while showing on a mere 346 screens—meaning it averaged an astounding \$22,000 per screen. The following weekend, it doubled the number of screens on which it showed and earned a comparably staggering \$11,000 per screen. It is on its way to earning \$40-\$50 million in the United States before it goes on to break the bank in Mexico and Latin America, where it will do huge business.

The success of *Instructions Not Included* is yet another indication of the degree to which (sorry to all who use the word “shamnesty” the way an elephant eats peanuts) Spanish-language popular culture is becoming a significant force in American life. In July, Univision was the most-watched

## Instructions Not Included

Directed by Eugenio Derbez



television network in the country with viewers under the age of 50. In New York, San Francisco, and Los Angeles, local Spanish-language newscasts regularly top the weekly ratings.

Some of these numbers are due to the flight of the English-speaking audience, which is getting more of its entertainment from the Internet and cable, from broadcast television. Still, if this is a subculture, it's one of the largest and most potentially profitable subcultures the world has ever seen.

That is why Lionsgate, which produces the *Hunger Games* movies and other blockbusters, created, with the Mexican studio Televisa, a production company called Pantelion to make films and TV shows that might have appeal both in North and Latin America. *Instructions Not Included* is the second Pantelion offering. (The first was a deeply strange pseudo-parody of Mexican soap operas called *Casa de Mi Padre* with Will Ferrell that crashed and burned at the box office in 2012.) The third, a romantic comedy called *Pulling Strings*, about a mariachi band player and an uptight U.S. embassy employee in Mexico City, opens in October.

*Instructions Not Included* begins in Acapulco, where an irresponsible ladies' man named Valentín is living a life of noncommitment until an American hippie chick returns, 18 months after her vacation there, to deposit a baby girl on his doorstep and flee. Panicked at the thought of having to take care of her, he crosses

the border in the back of someone's truck to find the mother in Los Angeles. When he is forced to save the baby from drowning by leaping off a hotel balcony into a pool, he lucks into a job as a stuntman.

As the years pass, he creates a loving fantasy world for his daughter, full of toys, limited schooling, and letters from her vanished mother—claiming she's been to the moon, went to find Nemo, saved Private Ryan, is fighting al Qaeda, and the like. When Maggie is 7 years old, the mother resurfaces and sues him for custody. Now, Valentín has a secret: He's been to the Mayo Clinic, and a doctor tells him there's not much time left.

Watching this amateurish tripe in a remarkably populated theater on a weekday afternoon, I found myself astounded at the movie's success. When you see comedy stars from other countries and cultures, you can usually get a sense of the appeal, even if it doesn't appeal to you; but Eugenio Derbez is really kind of a dud, and is 15 years older than the character he's playing. You'd really have to be starved for culturally sensitive content to run out of the theater and tell your friends to see *Instructions Not Included*, Spanish language or no Spanish language, I thought.

Then came the final 10 minutes, and I understood. Derbez suddenly pulls off a storytelling masterstroke. Valentín flees back to Mexico with the girl, even though he's discovered she isn't even his biological daughter. They are joined there by the mother, who has learned a truth that we, the audience, misconstrued. The three of them finally form a family for a brief period of time, before death pays its inevitable visit.

The ending is ultimately heavy-handed, manipulative, and mildly offensive; but boy, does it pack a wallop. The entire audience was sobbing, including me. It's not just because it's in Spanish, it's not just because the culture has changed, it's not just because (for whatever reason) Derbez is a star. *Instructions Not Included* is really lousy. But fair is fair—it really delivers a bang for the buck. ♦

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

"Assad and his administration [have] launched an account on Instagram, a photo-sharing social media site. . . . [T]he star of the photos is his glamorous wife, Asma al-Assad, smiling and posing and showing off her volunteer work."

—ABC News, September 5, 2013

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September 2013



SEPTEMBER 23, 2013

