the weekly
Standard

OBAMACARE:
THE FIGHT CONTINUES
JAY COST • STEPHEN F. HAYES

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WOMB FOR RENT

CHARLOTTE ALLEN

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Contents

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COVER: WEEKLY STANDARD PHOTO ILLUSTRATION / FIGURE, SHUTTERSTOCK

Kermit Gosnell Revisited

When the cops finally raided the now-convicted killer's house, he wasn't particularly disturbed by the intrusion. In fact, he warned police not to go in the basement. Eventually, one of them put on a Tyvek jumpsuit and descended downstairs. The basement was mostly empty, but the flea infestation was so bad the officer's shoes and pants turned black from the swarm that descended on him. The house was cluttered and full of spoiled food, though it contained several expensive appliances, including an autoclave machine, used to sterilize medical instruments. Finally one officer "parted the cabinet doors, and saw, arrayed in a series of specimen jars, shapes that looked instantly familiar but were so out of context that he couldn't immediately process them. Poking out, tiny and perfect. Their tips rounded like pearls. Toes. Baby feet." While this was going on, the killer was in the other room, seated at his piano playing Chopin.

Reading about this incident as it's described in journalist Steve Volk's new ebook, *Gosnell's Babies: Inside the Mind of America's Most Notorious Abortion Doctor*, it would seem that there's little separating Kermit Gosnell and, say, Hannibal Lecter. Volk's work is based on numerous interviews with the deadly abortionist, who comes across as a criminally insane sociopath.

To this day, Gosnell insists his conscience is clear, despite having spent his career snipping the spinal cords of babies, some of them already born. Even after he was sentenced to life in prison, Gosnell was so convinced he would be exonerated he applied for jobs at the Bill and Melinda Gates Foundation and the Clinton Global Initiative from jail. He insists he was unfairly convicted but also admits he didn't follow laws that "struck me as politically motivated."

Specifically, Gosnell says politics were the reason he disregarded the licensing and staffing laws requiring people who administer drugs and assist in surgical procedures to have medical training, even after a woman at his clinic died as a result of being improperly administered anesthetics. As Gosnell puts it, "I am a big believer in situational ethics." If you're looking for more evidence that Gosnell is a warped monster, Volk has it in abundance.

Where Volk's book becomes really unsettling is on the question of whether Gosnell is an outlier within his chosen profession. Gosnell was an activist from the early days, performing abortions back before *Roe* v. *Wade*, when they were clearly illegal. In 1972, he was chosen by abortion pioneer Harvey Karman, a hero to pro-choicers, to test a new instrument for abortions that involved spring-loaded razors. The device maimed nine women, and Gosnell fled to the Bahamas hoping that his medical license would not be suspended. It wasn't, and he returned to Philadelphia, where he opened a practice and began his descent into madness.

He gave painkiller prescriptions to virtually anyone, including known addicts. His clinic had as many as 25 women a night seeking abortions, and he acquired a reputation up and down the East Coast as being willing to do risky and illegal abortions. According to Volk, at Gosnell's trial, jurors were deeply troubled by one doctor—a witness for the defense—who was unable to explain why Gosnell was criminal for snipping babies' spinal cords, killing them instantly, as opposed to the supposedly humane and legal procedure where babies accidentally born alive in abortions are given "comfort care," i.e., wrapped in a blanket and left to die. Gosnell's sins, heinous as they are, are an indictment of the broader culture of abortion.

Kermit Gosnell may be a uniquely disturbed individual, but his fellow abortionists likely have more in common with him than they care to admit. ♦

Perpetual Adolescence Revisited

Alfred Duff Cooper, the British writer-politician-Lothario, once divided the stages of human life into three-decade increments: youth up to 30, middle age until 60, and old age thereafter. For Cooper, who died at the age of 63 on New Year's Day 1954, this pattern made a certain sense.

But much has happened in the six decades since then, and not just the dramatic improvements in medicine and life expectancy which, as the saying goes, have made 60 the new 40. Since Duff Cooper's lifetime, "youth" has acquired an increasingly grandiose definition, and a youth culture and youth market have emerged—in music, film, literature, dress, mode of living, even vocabulary—which Duff Cooper and his fellow Bright Young Things of the interwar era could scarcely have imagined.

The Scrapbook thought of all this the other day when we read, in the London *Daily Mail*, that psychologists in Great Britain are beginning to redefine the boundaries of adolescence: It "no longer ends [at] 18, according to updated guidelines being given to child psychologists." In the contemporary world, reports the *Mail*, adolescence continues until about 25—and "it is hoped that the initiative will stop children being 'rushed' through their childhood and feeling pressured to achieve key milestones quickly."

This news both gratifies and puzzles The Scrapbook. It gratifies us because, as long ago as 2004, The Weekly Standard ran a perceptive essay by Joseph Epstein entitled "The Perpetual Adolescent," defined as a

creature (probably familiar to most readers) who refuses to grow up, clings to the various accoutrements of youth without embarrassment, puts off adult employment as long as possible, and probably lives with his/her parents. We even see some variant of this—indeed, official recognition—in Obamacare's extension of children's coverage within their families until age 26.

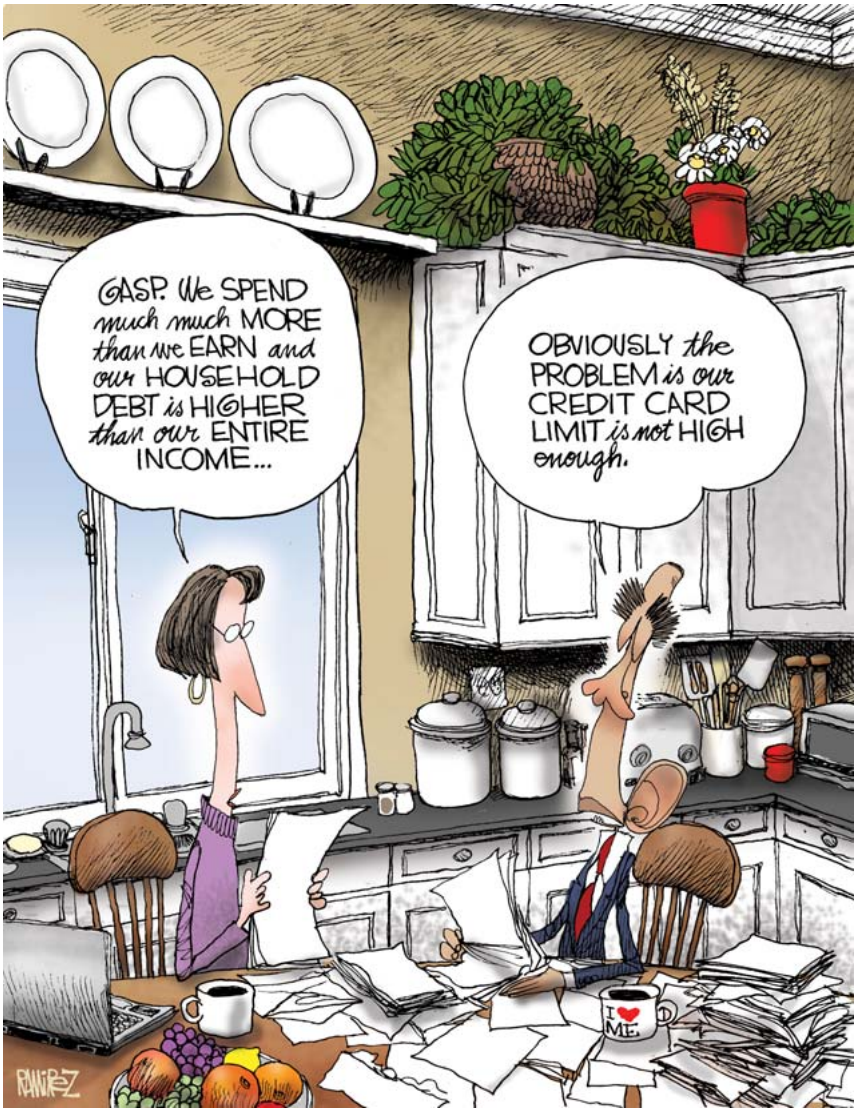
We're puzzled, however, by the notion that ending adolescence at age 18 somehow "rushes" children through childhood, and requires them "to achieve key milestones quickly." The point of the Perpetual Adolescent, of course, is exactly the opposite: Post-adolescents in our culture feel very little pressure to begin behaving like adults, much less achieve "key milestones" in their lives. One need only attend a pop music concert, or consult Facebook, to see that. Perhaps this is an essential difference between Britain and America, the land of Miley Cyrus and prematurely sexualized behavior, where the boundaries of adolescence have been pushed backwards rather than forward.

Indeed, in The Scrapbook's non-professional opinion, a little pressure on post-adolescents to achieve some "key milestones" in life—or decide, at the very least, what those milestones should be—might not be such a bad idea. It's annoying enough that the Baby Boomers are still hanging out at Woodstock, 44 years later. ♦

Neglecting Kim

In his big speech to the U.N. General Assembly last week, President Obama pointedly avoided one particular subject: himself. Just kidding! The famously self-regarding Obama alluded to himself almost 50 times in his remarks. (That's 7 *my*s, and 42 *I*s for those keeping track at home.)

No, the notable omission in Obama's speech was that of North Korea. One of the greatest threats to global stability and the world's most egregious human rights violator didn't merit a mention. Granted, this was perhaps somewhat understandable, given the mess in Syria and the dangers represented by Iran.



But one thing's for sure: North Korea's Stalinist dictator Kim Jong-un can't have been happy at the snub. After all, there's nothing that the megalomaniac dauphin hates more than being ignored. The Scrapbook fears, therefore, that Pyongyang will likely stomp on the proverbial floor sometime soon in a desperate bid to regain the world's attention. A missile launch, for example, could be in the offing, or maybe another nuclear test. Or perhaps the North Korean regime will kidnap another American tourist and sentence him to a term in the gulag, as it does periodically. And there's also the chance Kim will invite another has-been, narcissistic, washed-up athlete, à la Dennis Rodman, for a visit. Hmm . . . has anybody seen Alex Rodriguez lately? ♦

Horsefeathers

Ted Cruz's tribute to Dr. Seuss, Darth Vader, and White Castle hamburgers wasn't the only verbal display last week that exemplified the growing clash between Washington's self-seeking old guard and its ambitious upstarts. Just a few hours earlier, lawyers argued in the U.S. Court of Appeals for the D.C. Circuit whether the most-hated of government agencies had the power to create an entirely new, and burdensome, regulatory scheme without congressional approval.

The D.C. Circuit heard oral argument in *Loving* v. *IRS*, in which independent tax preparers represented by the Institute for Justice are suing over licensing rules that would require them to, among other things, obtain IRS permission to practice. The U.S. District Court for D.C. in January declared the decree—which could put thousands of mom-and-pop preparers out of business—"an invalid regulatory regime," and the IRS appealed.

The agency's main argument involved the "Horse Act of 1884." You read that right: The IRS maintains that a law passed to regulate representatives of war veterans seeking Treasury compensation for lost horses allows it to set licensing requirements for those helping Americans file their mandatory tax returns. "I hate to beat a dead horse, especially one from the Civil War era," Justice Department lawyer Gilbert Rothenberg told the court before doing just that.

One member of the three-judge panel, David Sentelle, asked why the IRS had such power for 130 years but only decided to exercise it two years ago. Rothenberg didn't have much of an answer to that—or any of the other questions the judges asked. The man who has spent his entire career in the DOJ's Tax Division while teaching at American University's law school for a quarter-century stammered in answering such reasonable—and not unexpected—questions. His adversary, IJ attorney Dan Alban, was born three years after Rothenberg graduated from law school but smoothly presented his case that the IRS "turns administrative law on its head by presuming that anything not forbidden by Congress is authorized." Alban incited the biggest laugh of the morning when Judge Sentelle said to him, after an earnest polemic on agency overreach, "We spend our day in sweeping regulations."

The decision isn't expected for a few months. But it seems clear what the judges thought of the seasoned government lawyer's assertion that the IRS's tactics were constitutional because they were not "unambiguously foreclosed by the statute." ♦

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Beltway as Metaphor

Like the Eiffel Tower, the Capital Beltway is an industrial monstrosity that, inadvertently, has come to represent its hometown to the outside world.

I wouldn't presume to compare Washington, D.C., to Paris, but there is (in my opinion) very little about the Eiffel Tower that suggests Paris, other than the fact that it is located there. By contrast, the Beltway, in its comparatively brief existence, has become all too representative of the nation's capital: Wavering between undue haste and numbing gridlock, careening this way and that along a series of dangerous curves, it has become both a cultural symbol (Inside the Beltway vs. Outside the Beltway) and a metaphor for the federal city.

As a native, to be sure, I bring an entirely parochial perspective. I grew up in a suburban town (Outside the Beltway by a mile or so) which was bordered by a tributary of Rock Creek and a pleasant, undulating avenue called Beach Drive, then as now ideal for bicycle riding. At an intersection along Beach Drive, in a verdant area now dominated by the Oz-like Mormon Temple (1974), there was a stone outcropping called Indian Rock. Climbing Indian Rock was an everyday ritual at the time, and bicycle riders—certainly this one—invariably paused to catch their breath within its niches and crannies.

For some reason, for the purposes of highway construction, it was decided that Indian Rock had to be destroyed—and it was, rather abruptly, in the spring of 1964. To this day, I regret that I didn't retrieve a fragment for paperweight purposes. But more to the point, the Beltway itself is considerably distant from the site where Indian Rock once stood—several hundred yards, at least—and it remains a mystery to me, a half-century later, why it had to be blown up. Indian Rock was a minor neighborhood talisman, at best; but it was our talisman.

Nowadays, of course, such civic blundering would be slowed down, perhaps even stymied, by an engaged citizenry. But that was then. I remember a pathetic, eleventh-hour letter of protest to the old *Evening Star* written by some neighborhood girls, but to no avail. As the rock disappeared, the Circumferential Highway (as it was then known) took final shape; and two years short of driving age, in August 1964, I found myself a passenger in an automobile that circumnavigated the Beltway a few days after the ribbon was cut.

Opening day, 1964

WASHINGTON POST / D.C. PUBLIC LIBRARY

Gazing at the behemoth today, with its jammed corridors, giant ramps, bloody mishaps, and ever-widening girth, it is hard to imagine that the Beltway was rather quiet, almost bucolic, in its early years. In high school I drove a 1929 Model A Ford coupe, which could not exceed 55 mph, along the Beltway in perfect safety; now I would be run off the road. As late as the 1970s it was practically deserted after midnight.

To give the Beltway its due, it did fulfill the promise of the Interstate Highway System. In my childhood, to get from my home in Kensington, Maryland (just northwest of Washington), to, say, the quaint colonial port of Alexandria, Virginia (due south of the city), was an extended adventure, threading along narrow streets and clogged boulevards, and through downtown Washington, before crossing the Potomac River for the final leg. There was nothing brief or convenient about the journey.

The Beltway changed all that; and while the modern volume of traffic is such that nothing is brief, the routes from A to B or X to Y are considerably more direct than they were—and in their way convenient. The unintended consequence of all this is that over the decades the growth of Metropolitan Washington has expanded relentlessly outward, and in ways that no one anticipated.

I can illustrate this from personal experience. In the 1960s I commuted every day, on a long, soul-destroying public bus ride to school in Washington, where my fellow students, who lived mostly in nearby Georgetown or Cleveland Park, regarded my domicile (in the memorable words of one classmate) as "Nowheresville." As far as they were concerned, I might well have lived in West Virginia, or perhaps Delaware. Just 30 years later, however, when my late mother sold her house to enter an old folks' home, it was advertised in the *Washington Post* as "close in and convenient."

Which, all things considered, it is. But, I would also argue, at some cost. I do not regard my formative years as a golden age, and thank whatever gods may be that I am alive in the present epoch. But the Capital Beltway has not only made the rapid, relentless growth of my hometown possible, even inevitable, it has come to resemble—in its heedless, almost violent, expansion—the worst about Washington.

Philip Terzian

the weekly Standard

What Cruz Wrought

Ted Cruz has sparked a Republican civil war. He has done the bidding of the GOP fringe, in a self-aggrandizing crusade. And while he has enhanced his own position in the conservative fantasyland he seeks to rule, the practical effect of his quixotic campaign to defund Obamacare has been to elevate the president and jeopardize the 2014 elections for his own party.

That, at least, seems to be the consensus in Washington. We're inclined to a somewhat different view. We say two cheers for Ted Cruz—and for Mike Lee, Rand Paul, Marco Rubio, and their fellow crusaders. They succeeded in one crucial respect: Everyone is talking about Obamacare. And the more it gets talked about, the clearer its flaws are to an already skeptical public.

Ted Cruz, at the end of a 21-hour workday

Shortly after an exhausted Cruz ended his 21-hour non-filibuster filibuster, Tom Harkin took the floor. The chairman of the Committee on Health, Education, Labor, and Pensions, Harkin is an ardent defender of the law, and he spent most of his 30-plus minutes defending the law and listing its many alleged benefits. But he also likened the Affordable Care Act to a "starter home" in need of renovations, an acknowledgment of the fundamental flaws of the president's health care reform efforts.

Over the course of that day and those that followed, one Democrat after another had to defend the unpopular law. Majority Leader Harry Reid slipped and called the levy on medical devices "that stupid tax—I'm sorry, I shouldn't have said that." Alaska senator Mark Begich, a vulnerable Democrat up for reelection next year, touted the benefits of Obamacare but made sure to qualify his praise. Virginia senator Mark Warner did the same in an interview with Neil Cavuto on Fox News. "There's some good stuff in Obamacare, there's some bad stuff in Obamacare," he said. Warner claimed the reforms would mean more competition in rural Virginia but acknowledged: "There could be lots of bumps on this. And one of the things that kind of frustrates me is it's the law of the land. We ought to find out what's good in it, what's bad in it." He expressed concerns about "the disincentive to hire full-time workers," the lack of tort reform in the law, the difficulty of informing consumers about their choices.

This from a defender of Obamacare.

We're confident that if Republicans of all stripes can look beyond personality conflicts and purity tests, they will emerge from the debates this fall in a stronger position politically, and perhaps even with some agreement on policy changes that would further weaken the president's collapsing health care regime.

The context for the current fight matters. In the late spring, Mike Lee quietly began an effort to place Obamacare at the center of the debates this fall on the country's spending and debt crises. He enlisted the support of Rubio, Cruz, and others, and conservatives in the House launched a similar campaign. Lee hadn't settled on a strategy—defund or delay, continuing resolution or debt ceiling. He just wanted Obamacare to be the focus of debate. The same was true for many of his allies in the House.

But their attempts to win approval from Republican leaders were unsuccessful. Although neither John Boehner nor Mitch McConnell had ruled out a push on Obamacare, they were skeptical. Republican leaders preferred an approach that sought the restoration of some sequester cuts—in social spending to win Democrats and defense spending to placate Republicans—and would have included an effort to persuade President Obama to reform existing entitlements. Obamacare was not a priority.

"I'd be leery of linking defunding to the [continuing resolution] or debt ceiling hike," one GOP leadership aide told The Weekly Standard this summer. "No final decision has been made, but shutting the government down or threatening the full faith and credit of the United States to defund the president's health care law

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would very likely be seen as unreasonable overreaching."

Mike Lee told us in mid-July that GOP leaders had offered "nothing" in response to his entreaties and didn't have a strategy of their own. "There is no plan," he said.

The prospect of a unified Republican message was gone. So these conservatives launched their outside-in campaign, using grassroots activist groups and the growing conservative angst about the president's health care law to force it atop the agenda. Cruz eagerly presented himself as the face of the effort.

There's no doubt Cruz made mistakes. On tactics, he and his allies chose the wrong objective (defunding, rather than delaying key parts) and perhaps the wrong vehicle (the continuing resolution rather than the debt ceiling). And more than once, he put House Republicans in an exceedingly difficult spot. Cruz misled his followers at times by creating the impression that stopping Obamacare was a matter of willpower rather than arithmetic (Republicans alone don't have the votes). As John McCormack has noted, Cruz alienated many would-be allies with phony purity tests—claiming that conservatives who disagreed with his tactics were part of a "surrender caucus" and even likening them to appeasers of the Nazis. Many conservatives—both inside the Congress and out—have dedicated the better part of the last four years working first to fend off and then to derail Obamacare. Because they disagree with Cruz on a tactical issue, they're now the surrender caucus? Nonsense.

But Cruz and his allies have succeeded in one crucial respect: The debate is now focused on Obamacare and at precisely the moment when many Americans are beginning to understand just how flawed the law is. Despite the many missteps—sometimes by passive Republican leaders and sometimes by dogmatic defund enthusiasts—Republicans today are in a strong position to capitalize on what Cruz and his allies have done.

Doing so will require a more aggressive approach from Republican leaders and a more realistic one from the defund-or-nothing crowd. The focus should now be on the two provisions of Obamacare that are most difficult for the White House and congressional Democrats to defend—the Obamacare exemption for members of Congress and their staffs and the selective enforcement of the law's mandates.

The politics of the debt ceiling have always been better for Republicans than the continuing resolution. This may be counterintuitive, since the stakes are potentially much higher in a battle over the creditworthiness of the United States than they are in a squabble over a short-term funding measure. But it's precisely *because* the stakes are so much higher that the politics are better.

Barack Obama is the president. More than anyone else, he has a responsibility to avoid a default. And yet even as he and his advisers have warned repeatedly of the potentially catastrophic consequences of a failure to raise the debt ceiling, the president has steadfastly refused to negotiate at all to prevent that from happening. Previous presidents of both parties have negotiated on debt ceiling increases.

A poll out late last week confirms this. Bloomberg found that Americans by 2-to-1 "disagree with President Barack Obama's contention that Congress should raise the U.S. debt limit without conditions."

House Republicans are planning to pass legislation that links a variety of Republican priorities to a hike of the debt ceiling. It will likely include: the Keystone pipeline, tax reform, regulatory reform, entitlement reform, and a one-year delay of Obamacare. We're told that such a comprehensive wish list is needed to get 218 Republican votes to pass the measure.

Much better, in our view, to focus on Obamacare—in particular the individual mandate and a provision in the law that allows those most responsible for it—members of Congress, White House staff, Supreme Court justices, and others—to avoid eating their own cooking. This summer, after the Obama administration announced its intention to suspend the implementation of the employer mandate, the House of Representatives moved quickly to provide the authority such a move would require. Thirty-five Democrats joined their Republican colleagues to suspend the employer mandate. And when Republicans argued that it would be fundamentally unfair to enforce the individual mandate and not the employer mandate, 22 Democrats in the House joined them in voting for a measure that would suspend the individual mandate, too. Late last week, Senator Joe Manchin, a Democrat from West Virginia, announced that he, too, favored a suspension of the individual mandate.

In another unilateral move, the administration announced that members of Congress and other federal employees would receive taxpayer-financed subsidies for their health care, despite the fact that the hastily written law made no such provision. It was, in a sense, a carve-out for Congress, and it's highly unpopular.

Pushing on these two issues, in the context of the debate over whether to raise the debt ceiling, allows Republicans to press Democrats on Obamacare on favorable terrain.

The president who once argued that raising the debt ceiling was a "failure of leadership" will have to defend such a failure. The president who says a default would be catastrophic will have to explain why he's not willing to tinker with a deeply unpopular law to avoid that eventuality. The president who is eager to negotiate on nuclear issues with an Iranian regime that has targeted and killed Americans will have to reconcile that position with his refusal to engage with congressional Republicans on the debt limit. The president who won reelection railing against preferential treatment for businesses will have to explain why he's suspending the employer mandate and enforcing the individual mandate. And the president who complains incessantly about Congress and Washington will have to explain

why he's chosen to protect them from the consequences of a law that will affect everyone else.

Who knows exactly how this all plays out. But the fight on these indefensible provisions is a good one to have, and focusing the national debate on Obamacare, as Ted Cruz and others have done, is a good way to advance it.

—Stephen F. Hayes

Roll It Back

Obamacare remains decisively unpopular with the American people, and most Republicans are staunchly committed to its repeal. And why shouldn't they be? The ideological core of the bill runs contrary to the vision of limited government, market-based solutions, and individual choice that has formed the foundation of the party's economic program since the statism of the First New Deal. Moreover, the party's purpose is to win elections, and Obamacare still looks like a winning issue for the GOP.

Against the airtight ideological and political arguments for Republican repeal efforts, Democrats and their liberal allies in the mainstream media have resorted to variations on a single theme: Opposition violates our sacrosanct political traditions. The Supreme Court upheld (most of) Obamacare; the president won reelection; ergo, continued efforts to undo the health law, especially those to defund it, are in grossly poor form. As Harry Reid so gracefully tweeted last week: "We will not bow to Tea Party anarchists who deny the mere fact that Obamacare is the law." According to Reid, the effort to defund this particular law is tantamount to opposition to the concept of law itself.

The position that leftists have adopted here is absurd, for two reasons. First, the notion that Obama's reelection in 2012 was a plebiscite on the relative merits of Obamacare is wishful thinking. American elections are rarely, if ever, plebiscites. Politicians work to make elections about a whole host of things; more often than not, electoral campaigns scrupulously avoid the big issues of the day. It is much better, from the politicians' perspective, to turn the election into a contest of personalities or valence issues, those on which the public concurs.

And so it was in 2012. Barack Obama hardly uttered a word about Obamacare, and ditto Mitt Romney, who presumably was afraid of Obama's rejoinder that the law was based on what Romney did as governor of Massachusetts. The 2012 election was no more about Obamacare than it was about immigration reform, cap and trade, tax reform, or anything else. The dominant theme from Obama's side was that Romney was a corporate raider, a type whom most everybody despises. From Romney's side, it was the claim that he could help create jobs, something everybody loves. Obamacare—just like cap and trade, gun control, immigration, and many other issues—was left on the sidelines. That was a shame for Republicans. The exit polls showed a plurality of voters opposing the president's health care law; that suggests, more than anything, a failure of Team Romney to turn the election into a plebiscite on the law.

Second, the implication from Democrats that once a bill becomes a law, it is as indelible as the Ten Commandments, etched into rock by the hand of God Himself, is precious when we consider the source. The Democrats, after all, mounted a 10-year campaign against the "Bush tax cuts," and did so despite defeat after defeat on the issue. Those tax cuts joined a long line of laws that the country later substantially revised or repealed entirely. A partial list includes: the Clinton tax increases, portions of the Reagan tax cuts, the Gulf of Tonkin resolution, portions of the Kennedy tax cuts, the gold standard, portions of the National Labor Relations Act, Prohibition, the direct election of senators, the Sherman Silver Purchase Act, innumerable tariff schedules set during the 19th century, the three-fifths clause, the Kansas-Nebraska Act, the Missouri Compromise, the Second Bank of the United States, the original rules of the Electoral College, the Articles of Confederation, and, of course, the rule of King George III.

The Second Bank of the United States is a particularly instructive case. There, Andrew Jackson effectively did away with the bank not by repealing the law outright, but rather by defunding the institution, stripping it of its federal deposits and sending them to his cronies in state banks. No less a liberal eminence than Ted Kennedy cited Jackson's bank veto message in his famed "The Dream Shall Never Die" speech at the 1980 Democratic convention. But as Democrats gather for their annual Jefferson-Jackson Day Dinners to complain about the perfidy of Republican efforts to defund Obamacare, it is unlikely they'll mention the actions of their party's founder. Also likely to be left unmentioned

WEEKLY STANDARD ILLUSTRATION; ELEPHANT, BIGSTOCK PHOTO

is Harry Reid's flirtation with the movement to defund the Iraq war.

Far from giving up, Republicans need to redouble their efforts to repeal and replace. That requires a robust debate within the party on the best political strategy (not to mention the best candidates to present the case against the law) as well as vigorous policy work to find solid and salable alternatives to Obama's $1.4 trillion boondoggle. That Democrats are claiming the Republicans have violated unwritten laws about political probity is actually the surest sign yet that the Grand Old Party is on the right track.

—Jay Cost

A War on Coal

On September 20, the Environmental Protection Agency proposed strict new limits on emissions from coal-fired power plants. Energy industry critics, along with a number of influential unions, were quick to decry them. The regulations would limit carbon emissions for new coal plants to 1,100 pounds per megawatt hour. The technology to meet this standard, which involves pumping carbon dioxide deep underground, is so expensive that the coal industry says it will effectively prevent new coal plants from being built. Nonetheless, in a puffy *New York Times* profile earlier this summer—"After Delayed Vote, EPA Gains a Tough Leader to Tackle Climate Change"—EPA secretary Gina McCarthy insisted that "we don't have a war on coal."

In Washington, there's a very porous line between denying and lying. The U.S. Energy Information Administration predicts that 175 coal plants, representing 8.5 percent of all of the electricity produced by coal, will close by 2016. According to the industry group the American Coalition for Clean Coal Electricity, more than 280 coal plants are slated to close, and EPA regulations are largely to blame. Since coal power plants generate over 40 percent of the nation's electricity, these closures are bound to result in significantly higher electricity bills. They also raise troubling questions about our ability to reliably supply power in much of the country.

So how can the EPA justify regulations that amount to a regressive tax on poor people and reduce desperately needed energy production? McCarthy told the *Times* she wouldn't have accepted the job at the helm of the EPA if she hadn't been confident the president was serious about addressing climate change: "It's an issue I've worked on for so many years, and it just can't wait."

Actually, it appears that climate change is already on indefinite hold. "Since just before the start of the 21st century, the Earth's average global surface temperature has failed to rise despite soaring levels of heat-trapping greenhouse gases and years of dire warnings from environmental advocates," reported the *Los Angeles Times* last week. "Now, as scientists with the Intergovernmental Panel on Climate Change gather in Sweden this week to approve portions of the IPCC's fifth assessment report, they are finding themselves pressured to explain this glaring discrepancy." Had the EPA gotten its way and begun regulating carbon emissions long ago, it would no doubt be pointing to this development and claiming credit for saving the world from environmental calamity.

The real reason behind the EPA's move is to circumvent Congress, which four years ago failed to pass a law requiring cap and trade limits on carbon emissions. The *New York Times* has giddily pointed out that the EPA's new rules could give energy producers no choice but to create their own regional cap and trade systems to meet the strict standard. The *Times* also hails the EPA rules for creating a "push for renewable energy and energy efficiency in states that so far have embraced neither."

The push for energy derived from renewable sources has been one of the Obama administration's most consistent—and consistently ill-advised—efforts. The Department of Energy recently announced that it was revitalizing its green energy loan guarantee program, the very same program responsible for the Solyndra debacle and dozens of inspector general investigations into corruption. (More quietly, the Energy Department also revealed earlier this month that a failed renewable energy loan to the Michigan company Vehicle Production Group would cost taxpayers $42 million.) But the Energy Information Administration optimistically estimates renewable sources will meet 16 percent of the country's energy needs by 2035. If you get rid of coal today, renewable sources won't even come close to filling the vacuum.

GOP leaders have already vowed to fight the regulations on coal plants tooth-and-nail, as they should. They would also be wise to hamstring the 2016 Democratic presidential candidate in Ohio and Virginia by pointing out early and often that his or her party is killing coal jobs. Representative Devin Nunes of California has already proposed legislation, A Roadmap for America's Energy Future, that would be a good starting point for a comprehensive GOP energy plan. In a nutshell, it would expand domestic energy production and ensure that subsidies for renewables are awarded on merit rather than cronyism or bureaucratic whim. But today's GOP has a dismal track record when it comes to advancing a positive agenda, necessary though this is for electoral success. Voters can see that the certain result of Democratic energy policy is to produce less energy, economic consequences be damned. If shown an alternative strategy—one aimed at producing more energy, not less energy—the voters will choose more.

—Mark Hemingway

Water Wonks

Michelle Obama's new cause.

BY GEOFFREY NORMAN

It probably seemed safe enough. The people advising the first lady may not even have taken a poll or run a focus group. After all, who could possibly be opposed to . . . *water?* Even Ted Cruz and Newt Gingrich and Sean Hannity drink the stuff. Not enough, probably. Which might, come to think of it, explain a lot. Still, a campaign to get Americans to drink more water, with the first lady as the face and chief spokesperson—what could go wrong? No controversy. No politics. Just clean, pure water.

But, of course, everything but *everything* is political in this age, which might account for the state of both politics and everything else. They have tainted each other. But that is for another day. The matter at hand is water. Clean, pure water.

The first lady's campaign would urge all Americans to drink more of it. How much more? Or, indeed, how much? Surely there is a number toward which we should all aspire. A volume of water that is optimum, stated in quarts or pints for the more conservative elements of the population, and liters for the enlightened.

But, to the annoyance of some, the first lady and her campaign would not be pinned down. The goal was simply "more." However much you are drinking now, you could always choke down a little more. It is, after all, only water. What could go wrong?

Well, there have been rare cases of people dying from drinking too much water, but they were, in most instances, athletes or soldiers or people otherwise engaged in extreme activity. For ordinary people, living ordinarily, too much water is one of those rare things one does not have to worry about. When you are approaching the threshold, you stop being thirsty. One of nature's wonders.

GARY LOCKE

Still, there has to be an optimum amount of water that one should consume. And if so, then shouldn't the first lady and the people engineering her campaign be pushing it the way they have the "hour of play" that should be part of every child's day? Something between, say, a thimble and a painter's bucket. But the spokespeople had no such number. So another question came up: Is this a campaign to get people to substitute water for those sugary drinks that are a cause of obesity?

Oh no, the first lady's mouthpiece said in answer to that question. This was not "about" that at all. It was simply an effort to get people thinking about water and drinking more. There were executives from the companies that make the dreaded sugary drinks on the podium during the ceremonies to kick off the campaign. Which is called, by the way, "Drink Up."

One wonders how long it took for the team to come up with that one.

If the goals of the "Drink Up" crusade are unclear and the aim is to be as inoffensive as possible (sounds sort of like our Syria policy), then the means, material, and personnel committed will, conversely, be massive.

According to one account, we will be seeing "Drink Up" logos on some 300 million packs of bottled water, more than half a billion bottles of water, 200,000 packages of reusable bottles, and more than 10,000 reusable bottles in the next year. Social media will be mobilized to propagandize the consumption of "more" water. And, unless Providence should suddenly show mercy on the Republic, celebrities of all varieties will be enlisted in the campaign to get Americans to "Drink Up."

It is enough, almost, to turn you against water; to stimulate the sort of reaction George Orwell described in reviewing a poet: "His great fault is lack of variation—a quality that one might, perhaps, call wateriness, since it gives one the feeling of drinking draught after draught of spring water, wonderfully pure and refreshing, but somehow turning one's mind in the direction

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of whisky after the first pint or two."

And it isn't just the politics (Michelle Obama's "Drink Up" initiative being political in the largest possible sense) but the culture. We have designer water, and people buy it by the brand. There are elegant names and logos and, of course, extravagant claims. For instance, there is Fiji, which comes in a distinctive square bottle and calls itself "Earth's Finest Water." Because, you see, it is "Perfected by Nature; Untouched by Man."

It doesn't take much of that to get you thinking along Orwell's lines.

Fiji lost some of its sheen when a *Mother Jones* piece revealed offenses against the environment and close relations with a military junta . . . but, you know, it is such good water and the bottle is so cool looking. Still, if one cannot get beyond the blemished Fiji reputation, there are many other designer waters to choose from. More than 3,000, according to one source.

Of course, sometimes the stuff in the container is just plain old water, drawn from the same reservoirs that supply the taps of people too shabby and unenlightened to buy their water at Whole Foods. And then, there are those who are concerned for the environment, which they believe is threatened by bottled water (and just about everything else, it sometimes seems) since it must be transported and this requires the burning of fossil fuels. And, by definition, it must be . . . well, *bottled*. Those containers are plastic and they are not always recycled and, thus, end up in landfills.

So at some campuses, bottled water is no longer sold at the usual outlets. But there are refilling stations where students, who carry their own water bottles, can replenish in order that they may "Drink Up" and do better in class since, as the first lady says,

> When we're properly hydrated our bodies perform better than when we're even just a little bit dehydrated. Water gives us the focus we need in our school and in our work. . . . It can even help reduce headaches and fatigue.

The evidence for claims like this may be thin to nonexistent, but this bothers only a few soreheads who have a fetish for facts. So . . . "Drink Up."

There was a time, of course, when water was not so abundantly and diversely available and we did not have the wealth or leisure to turn out celebrities whose job it was to encourage people to "Drink Up." Water was something you needed to kill the thirst and stay alive. But drinking the wrong kind of water was worse than a faux pas. It could be lethal. Still is, all over the world. People had to learn how to find water and make it safe. It took some doing and some brains.

It can make you thirsty just imagining the lives of seafaring men during the days of sail. They left with water in barrels that would be replenished only by rainwater until they made shore. On long voyages green things and swimming things appeared in the casks. And, if the winds were not fair, water would be rationed and the crewmen would get by on a cup or two a day of this vile stuff and be glad for it.

I learned, some years back, of a solution to one of these problems. I was in the Okefenokee Swamp, where the water is all stained dark from vast amounts of rotting vegetation. This makes it acidic. Someone told me how the sailing men would go far up the St. Mary's River, which drains the swamp, in order to fill their casks with this dark, acidic water because nothing would live or grow in it while they were at sea.

Ah, swamp water. The stuff of life. You wonder why they don't bottle it and sell it in earthenware jugs with alligators and cattails on the label at boutiques everywhere.

Just not cool, I suppose. ♦

Rick Perry's Second Act

The Texas governor's new national campaign.

BY FRED BARNES

Texas governor Rick Perry goes where governors have never gone before. He's been descending on blue states for months now, infuriating their Democratic governors with his pitch to CEOs to relocate their companies in business-friendly Texas. Now he's going national. He aims to stir a debate over whose economic policies are better for jobs and growth, red states' or blue states'.

And last week he formed a new organization, Americans for Economic Freedom (AEF), to sponsor, plan, and fund his national activities. You don't have to be a cynic to suspect this is leading to a second presidential campaign in 2016.

On economic policy, there's no question where Perry's sympathies lie. He's traveled to six blue states—California, Illinois, New York, Connecticut, Minnesota, Maryland—this year and spent $2 million on TV ads touting "limited government, low taxes, and a fair legal system." In a 30-second spot in Maryland in September, Perry said, "Maybe it's time to move your business to Texas."

With the creation of AEF, luring businesses to Texas becomes secondary to Perry's effort to draw attention to how red states and blue states are recovering from recession. Perry says he wants to "draw the contrast between the states . . . and between Washington, D.C., and the states." Hint: Red states, especially Texas, are doing better.

Fred Barnes is an executive editor at The Weekly Standard.

Exactly how AEF, as a non-political "advocacy" group, will function is unclear, except that Perry will be front and center in TV ads and speeches. He plans further extensive travel. He launched the new organization in St. Louis last week and will address California Republicans this week.

That's only for starters. In Republican states—Louisiana, Florida, and Arizona are on Perry's list—the idea is to show that their free-market approach has worked well. In Democratic states, he wants to focus on the effect of high taxes and overregulation in stifling growth and job creation.

All that sounds high-toned. Indeed, Perry insists he'd be promoting conservative, pro-growth policies even if he weren't considering a presidential bid. "It's what I've been all about as the governor of Texas," he says.

There's also an obvious political aspect. Perry, governor for 13 years, decided months ago not to run for reelection in 2014. This gives him time to run full-tilt for the presidency. And he hasn't been coy about considering a second presidential bid. He jumped into the 2012 race late, appeared unprepared and badly coached, did poorly in debates, and generally got low marks.

Rick Perry visiting New York, June 2013

If he runs again, Perry wants to be ready for the national stage, particularly to erase the bad impression he left in 2012. That's where AEF comes in. It provides him with a vehicle, though technically only a policy one, for taking his economic message around the country for the next 12 to 18 months. If he decides to run, he's likely to announce officially in early-to-mid-2015.

An indication of his intentions is the emergence of Jeff Miller as his chief political adviser. Miller, a California consultant who moved with his family to Texas last year, is the architect of Perry's high-visibility efforts to attract business to Texas. Now he's become AEF director. Should Perry decide to seek the 2016 nomination, Miller presumably would be his top campaign strategist.

In the meantime, AEF is a vehicle

not only to promote the red state/blue state comparison, but also to put Perry at the center of the national policy debate. Judging by his public appearances this year, Perry's ability to make the case for low tax, low spending policies—what he calls "the Texas model"—has improved dramatically since the 2012 campaign.

His responses to hostile questions on CNN's *Crossfire* in September were quick and crisp. When asked to explain why he doesn't talk about the high number of people in his state who are uninsured or live below the poverty line, he answered: "We never thought in the state of Texas that you judge the success by the number of people that are on public assistance." Okay, that's not a definitive reply, but for TV purposes, it worked.

On the show, Perry debated Maryland governor Martin O'Malley, who was smooth and glib. Beforehand, O'Malley, a Democrat, had argued in the *Washington Post* that Perry and "like-minded Republican governors subscribe to the slash-and-burn economic philosophy."

But rather than tell Perry he was out of bounds in recruiting businesses in Maryland, O'Malley ably defended his state's liberal policies. Like Perry, O'Malley is considering a bid for the presidency in 2016.

AEF didn't come up. It hadn't been announced yet. Now that it has, it's bound to provoke media scrutiny. Candidates often set up "exploratory" committees in the months before officially entering a presidential race. AEF is more substantial and policy focused. It outlines how much of its effort will be devoted to specific activities. Ten percent, an AEF document says, will be spent on "periodic outreach to members of the print, broadcast and internet media."

That's likely to be AEF's most difficult task. That the mainstream press is liberal is only part of the problem. The mainstream media relish the opportunity to ridicule Republican politicians who've faltered in the past. If Perry can neutralize media scorn, he'll have passed an important test. In this regard, AEF can help. ♦

MOJTABA SALIMI

The New Rouhani

Same as the old Rouhani.

BY REUEL MARC GERECHT

Assessing contemporary figures on the world stage is tricky business. It takes time to properly reflect on what a man has done, and judgments based on brief acquaintance are often wrong. So it was that in May 1997, lots of Westerners and Westernized Iranians thought that the newly elected president of Iran, Mohammad Khatami, was going to transform the Islamic Republic.

Hassan Rouhani

Khatami certainly had his allure. He was an intellectually curious mullah whose clerical training had not bled out of him affection for his moody, lyrical, lascivious, irreverent, tender, and zealously creative countrymen. His most revealing work, *Bim-e Mawj* (*Fear of the Wave*), portrays an astonishing intellectual voyage for a revolutionary cleric. Sometimes gushingly, more often reluctantly, and at times unintentionally, he pays homage to the unrivaled intellectual and moral power of Western thought.

Nevertheless, serious students of Iran should have known that Khatami's reform movement was destined to be crushed. The force of Iran's militant faith isn't an atmospheric thing, requiring a fine-tuned barometer to measure its variations. Revolutionary Islam isn't subtle. The most powerful revolutionaries have been determined, brave, vicious, and often loquacious.

Ali Akbar Hashemi-Rafsanjani, the former major-domo of political clerics and repeatedly the savior of the Islamic Revolution during its early dark days, is a volcano of words. No mullah has reflected more openly and proudly upon Iran's and his (the two are often inseparable) Islamic destiny. Rafsanjani—who more than any other man mentored Iran's new president, Hassan Rouhani—has a hard time hiding his greatest accomplishments. He let us know in his never-ending autobiography that the Islamic Republic had blown the Americans out of Beirut in 1983 and that he, not Ayatollah Khomeini, was the driving force behind the fateful decision to keep the war against Saddam Hussein (1980-88) going after the Iranians had ejected the Iraqis from Persian soil in 1982.

Rafsanjani gave so many speeches in the 1980s and 1990s that he has provided us with a marvelous map to an über-pragmatic revolutionary cleric's tactical and strategic sentiments. Much more fulsomely than the Holocaust-denying former president Mahmoud Ahmadinejad ever could, he has shown us how upper-class clerics see Jews dominating the United States and the West. Listen to Ahmadinejad talk about Jews and one hears a devout Shiite populist, whose worldview was formed on the street and on the battlefields of the Iran-Iraq war. Listen to Rafsanjani talk

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about Jews, and one hears a sophisticated mullah: He's Stephen Walt and John Mearsheimer on speed.

Western observers of Iran, like their even blinder Westernized Iranian counterparts inside the country, should have known that Rafsanjani's critical support for Khatami did not mean that Rafsanjani envisioned a reformist spring. No one should have been surprised that Rafsanjani withdrew his support when the reform movement started questioning sacred truths and institutions of the Islamic Revolution.

At least with Khatami, Western observers can be partially forgiven their misjudgment. Khatami did usher in a moment of national soul-searching that affected the ruling elite and its children. But with Hassan Rouhani, the commissar of Rafsanjani for over 20 years? After so much time and evidence, why in the name of Allah are so many Western journalists, academics, and think-tankers welcoming him, as they once did his patron, as a white-turbaned hope?

It is an amusing intellectual flip that so many foreign observers appear to have blended a quirky realist take on the Iranian political system with a big splash of Khatami-era naïveté. (This marriage can be seen in Christiane Amanpour's recent interview with Rouhani for CNN, which recalled her kind and encouraging interview with Khatami 15 years ago.) To wit: Since Rouhani isn't Khatami, an airy-fairy intellectual, since he's a disciple of Rafsanjani, the ultimate clerical maestro, then he will be able to manipulate the system, especially Supreme Leader Ali Khamenei and his Revolutionary Guards. Only a regime loyalist, so the theory goes, could convince Khamenei and his guards, who oversee the entire nuclear program, to give up the possibility of turning their enriched uranium and separated plutonium into nuclear weapons. Economics trumps the faith, at least for the likes of Rouhani and Rafsanjani, whose pragmatism must mean a compromise of Islamic ideals.

Sounds nice, makes a Westerner think of China and its Communists-turned-crony-capitalists. Unfortunately, it makes no historical sense whatsoever.

Unlike Khatami, who was willing to reflect on the dark side of the Islamic Revolution, Rouhani is without reflection or confession. He was with Rafsanjani in the Combatant Clerics Association in the mid-1980s when that organization discussed whether Iran should go for a nuclear weapon. Not surprisingly at a time when the Islamic Republic was losing tens of thousands of young men a month against the Iraqis, there were no dissenting voices. All favored nukes.

He was at Rafsanjani's side after Saddam Hussein had been defanged by the Americans in the first Gulf war, when Rafsanjani, then Iran's president, decided to fund seriously the clandestine effort to build nuclear weapons. The United States, not Saddam's Iraq, was now the primary concern. It was Rafsanjani, with Rouhani beside him behind the scenes, who drove nuclear research in the 1990s. The United States and other Western allies have enjoyed detailed intelligence from Iranian defectors from the nuclear program. There was never any question about the Islamic Republic's atomic intentions. The Iranians were after a nuke, and we knew it, and they knew we knew it.

It's perhaps a peccadillo to point out that Rouhani has consistently lied about the nuclear program, claiming that it's always been peaceful and observant of International Atomic Energy Agency guidelines. Rouhani headed the nuclear negotiations from 2003 to 2005, at their most challenging time. In late 2002, Iran's clandestine nuclear program was exposed, and George W. Bush, whom Tehran feared, was massing men and weapons for an invasion of Iraq. Rouhani did what he could—very successfully in retrospect—to keep the nuclear program going without angering the West, especially the Americans. The temporary suspension of enrichment showed flexibility in the face of overwhelming military might. So did Khamenei's decision to temporarily suspend weaponization research at the Parchin military facility.

In truth, though the Iranians didn't know it, there was near-zero chance that Bush would extend the war to a second member of the "axis of evil," the Islamic Republic. As Tehran began to question American resolve because of the difficulties in Iraq, Iranian confidence rose. This manifested itself in the rapid and open progress in uranium enrichment at Natanz. Properly read, Rouhani's nuclear memoir—he, too, thinks of posterity—is a long *cri de coeur* of a sophisticated revolutionary cleric against his inferiors, the men whom the supreme leader had unwisely allowed to be the public face of the nuclear program.

Rouhani's triumph in the recent presidential election wasn't a victory for "moderation" and "rationality" in Iranian politics—though Rouhani has superglued those words to his forehead. It was the triumph of class, of revolutionary clerics of good taste and slightly better economics, over the hoi polloi who'd rallied to Ahmadinejad. Rouhani's gravamen against these crude militants was that they'd allowed Europe and America to unite economically against the Islamic Republic. Retrospectively, the clandestine efforts of Rafsanjani and Rouhani, and the open divide-and-conquer strategy of Khatami and Rouhani, looked much more effective, at least in Rouhani's eyes. Rouhani made the dubious claim that the Islamic Republic could have attained an advanced nuclear status without suffering from sanctions.

In 2003, the Islamic Republic made a panicked but calculated decision to open up its known nuclear facilities to IAEA inspection. The regime later lied about the buried-in-the-mountain Fordow enrichment plant and the Arak heavy-water plutonium-separation facility, but decided to allow IAEA some access there too, once these facilities were discovered. This meant that the regime's intention to deploy thousands of centrifuges under the noses of IAEA inspectors would eventually produce enormous tension with the IAEA and the West. The regime continued to lie about its program, especially about the clandestine weaponization research that we know took place before 2003

and that probably went on thereafter. This track record of mendacity was bound to fuel the sanctions drive in Washington and Paris, the two key players in erecting the economic measures against Tehran.

The present state of play is that, if centrifuge production continues at current levels, by mid-2013 the regime will have a one-week "breakout" capacity, that is, it could take 20 percent enriched uranium and convert it to bomb-grade in seven days. What Rouhani is gambling is that Washington and Paris are unprepared to go to war. Instead, they will accept limited concessions, only delaying the Islamic Republic's breakout date, in exchange for significant economic relief.

Now there remain only a few big unknowns: Does Rouhani believe that delaying a breakout makes more economic and strategic sense than moving ahead rapidly toward a nuclear capacity? A one-week breakout window would make Iran a de facto nuclear power. (A much longer window would actually suffice since the odds of an American or Israeli strike against the nuclear sites are shrinking quickly.) Would the French, who have staunchly opposed Tehran but are also practical, hold firm to sanctions once they saw that the Islamic Republic was within seven days of a bomb and the United States had shown no desire to preempt? Without the French, the sanctions regime in Europe would unravel, and with it any U.S. hope of depriving Tehran of sufficient funds to happily muddle on, the economic standard for every Iranian leader since Khomeini. Would Rouhani decide that delaying the breakout date to 2015 or 2016 was worth whatever sanctions relief Tehran could acquire now, so long as the nuclear quest that he and Khamenei have worked so hard to achieve wasn't compromised? If so, do Khamenei and the Revolutionary Guards agree?

Without a credible American threat to go to war if Khamenei fails to dismantle—not just delay—his nuclear program, the upcoming negotiations are unlikely to end well. They could become, as we have already seen elsewhere in the Middle East, just farce. ♦

Another Yalta Conference

From Churchill, FDR, and Stalin to Blair, Clinton, and Pinchuk.

BY DANIEL HALPER

Yalta

On a charter flight from Kiev to Simferopol, before our two-hour drive here, I'm asked by the earnest reporter seated next to me whether I know what Victor Pinchuk looks like. I give a vague description—tired from having traveled nearly 24 hours. "Isn't he short and a little bald?" I say.

Victor Pinchuk gives a Wow! Wow! Wow!

"Yes," she agrees and adds: He's the one with the "hooked nose."

Clearly, the reporter's got a firm grasp of her subject, which makes sense since she's working on an upcoming profile of the Ukrainian moneyman for a financial magazine, and they appear to have some sort of working relationship.

Pinchuk is the primary funder and organizer of the conference we're attending—he's a powerful, rich Ukrainian who, we're led to believe, is bringing together powerful political-types "to contribute to the effective integration of Ukraine into key international systems." And he's a Jew, in a country once known for pogroms and attempts to purge the Jewish people, which itself might be the greatest sign that Ukraine is more integrated than ever before.

It's called the Yalta European Strategy (YES) conference, and it's primarily being held in the beautiful White Hall at the Livadia Palace, where Roosevelt, Stalin, and Churchill met to divvy up Europe toward the end of World War II. The big round table they gathered around is in the foyer—freeing up space in the White Hall for the global elites, wannabes, and press—far more numerous today than in 1945.

The palace is filled with Davos-level stars. We in the press are not the only ones he's paying to be here (just trip expenses in my case). They arrive in Mercedes and BMWs, with posses of handlers not far behind.

There's Dominique Strauss-Kahn, who seems to be on every other panel over the two-day event, and is accompanied by a youthful looking French woman, who sports thigh-high leather boots that match her (also leather) miniskirt perfectly. DSK's date is not being paid by the hour, another conference attendee confides, she's a high-level French TV executive.

He speaks in a gentle, almost incomprehensible voice and calls upon political leaders to show some courage to reform governmental institutions. When one attendee asks which world politician might be able to do that, DSK looks around the room and shrugs his shoulders. It's not attainable, he admits, but it doesn't stop him from repeating that tired line and others.

"Globalization is a war," says the man who would now be president of France, if not for allegations that he attempted to rape a New York City hotel maid. "A new kind of war. One that very few parties, especially in the

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YES 2013

EU, are prepared to fight." He's a man of many deep thoughts.

There's also Gen. David Petraeus, the war hero and former CIA director, who tells me to bug off when I ask for an interview, and at a more gentle moment admits that he's suffering from a hamstring injury that's keeping him from running his morning miles. He, too, is hoping to say nothing worthy of being quoted. And he succeeds.

Larry Summers is here, too, in his first public appearance since withdrawing from being considered by President Barack Obama to be the next chairman of the Federal Reserve. I move in to ask about his withdrawal—was he pushed out by Obama, or did he willingly remove himself from consideration for a job he badly wanted? "I said no," he screams at the reporter beside me who beats me to the Fed question. "I said no. I said no. I said no. No."

No, he wants to talk about "infrastructure growth" and how JFK Airport in New York City is so run down compared with other big international airports across the world. But on that too, he won't get into details. "I'm not going to get in a political argument with you," he sternly says when I ask whether he's critical of his former boss's effort, or lack thereof, at rebuilding America's infrastructure.

With such candor, it's no surprise the entire conference is on the record. Except for a single event: a private morning breakfast for Shimon Peres, the president of the state of Israel. And that's only private because it's on Saturday, or the Sabbath, and Peres's office doesn't feel it's appropriate for him to speak on the record on the day of rest. Fine, there wasn't anything newsworthy there, either.

But while his guests might not appreciate the press, Pinchuk certainly does. After all, if a bunch of global elites meet in the middle of nowhere, and there is no one there to witness the gathering, did it really happen?

No conference organizer wants to say how much these bigwigs are pulling in for their 48 hours on the Black Sea. Some even play dumb and suggest that folks like the Clintons—Bill and Hillary are both here—have just shown up because they're such good friends with Pinchuk. But that isn't true.

The top billing for the confab is a moderated discussion between Bill Clinton and Tony Blair, the former British prime minister. It's the most interesting event with the most prestigious speakers. So it's moderated by Pinchuk himself.

"I think you all feel how historical this moment is," he says with glee, in his thick Ukrainian accent. Cameras flash and the crowd claps. "Today I'm making something new in my life. For the first time in my life I will try to have a discussion with the president of the United States, Bill Clinton, and the prime minister, Tony Blair."

He notes it's the first time a British prime minister and American president have been in the White Hall since 1945—when it was Churchill and FDR, respectively. He thinks about it and realizes that would then make him the updated Joseph Stalin, or something like that. He laughs along with his gathering.

That evening Pinchuk will introduce us "to one of the most premium politician of our race." He is, of course, speaking of Hillary Clinton.

"A role model for hundreds of million of women in all the world. And have a great honor to give floor to Hillary Rodham Clinton. I want to give a Wow! Wow! Wow!"

The crowd obliges, and gives it up for Hillary, who under the radar has shown up here 5,000 miles from New York City, where she's due in just a couple days for the annual Clinton Global Initiative gala.

"As we meet this year here in Yalta, Ukraine is at another crossroads, a time for big decisions and bold actions," Hillary says, really getting to the heart of the matter. "A time that will determine whether Ukraine keeps moving forward toward a future enriched by European integration, or passively fails to do so, or, by other forces working on behalf of their own definition of change, is changed in a different direction toward a different future. This is the decision of the citizens and leaders of this country."

It's the kind of speech she could have given in almost any country in the world, with a slight variation or two. At least Pinchuk got his photo-op with her. And at least Macy Gray, the surprise pop singer who comes on after the former secretary of state, is entertaining. She's got some pipes, and makes it through a brief set without incident.

In reality, the most interesting panels aren't the high-paid speakers but the guys who actually care about Ukraine—the locals.

Like Viktor Yanukovych, the thuggish Ukrainian president who berates his brave opponents who dare ask him to release the political prisoners he's keeping behind bars. One who just recently got released asks when the president will also release the former prime minister that he imprisoned, Yulia Tymoshenko. "I'm glad to see you here," Yanukovych sneers as he evades the question.

And there's Petro Poroshenko, owner of the chocolate company Roshen, which has been banned in Russia. Poroshenko uses his panel to rip into the lone official from the Kremlin for hurting his business. The whole debate illustrates the larger issue at play: whether Ukraine will move toward the European Union or Russia. It can't do both, and it's increasingly clear that the current attempt to straddle can't last. (Hillary's right! The former Soviet province really is at a crossroads!)

At the gala dinner where Hillary Clinton spoke, Pinchuk furiously waves his hand to call over the reporter who had sat next to me on the charter flight in. She eagerly skips across the room and huddles with our billionaire host. He's called her over to personally introduce her to his guest of honor.

Pinchuk wants her to know, in case she didn't already, that he's a powerful man. So he interrupts Bill Clinton, who's deep in a private conversation with Elena Pinchuk, Victor's blonde-haired, beautiful wife.

After a quick handshake and a minute or two of chitchat, it's over. But it's a moment she'll remember forever. She skips back to her seat with the widest grin across her face and a whole new respect for Victor Pinchuk. ♦

Womb for Rent

The brave new world of childless couples, enterprising lawyers, and surrogate mothers

By Charlotte Allen

In the late summer of 2011, a 29-year-old woman named Crystal Kelley of Vernon, Connecticut, agreed to become a surrogate mother for a Connecticut couple who already had three children, all of whom had been born prematurely and two of whom had subsequent medical problems. The couple hoped for a fourth child who might be healthier if carried to term.

The contract that the three adults signed was brokered through a surrogacy agency, one of hundreds such businesses that have sprung up across America since the early 1980s, when it first became possible to transfer a fertilized human egg into the uterus of a woman who was not the biological mother. In this case, Kelley was to be injected with two frozen embryos that the couple said they had created through in vitro fertilization (IVF). Connecticut, like about 30 other states, has no laws on its books either banning or permitting surrogacy, but Connecticut courts have approved the arrangements, ruling that the "intended parents"—the people for whom the surrogate has carried the infant—may be listed on the baby's birth certificate as its legal parents without having to go through a formal adoption proceeding, as long as they are the infant's genetic parents. At the time she signed, Kelley was an unemployed nanny struggling to raise her own two daughters on child-support payments from her former husband. The contract called for her to be paid a total of $22,000—toward the low end of the range of $20,000 to more than $40,000, plus medical and related expenses, that surrogate carriers can earn these days by the time they give birth.

One of the transferred embryos successfully implanted, and everything went swimmingly for the first five months of Kelley's pregnancy. Then, when an ultrasound examination during the 21st week revealed that the baby, a girl, was likely to be born with severe defects, everything went catastrophically wrong. The intended parents tried to enforce a clause in the contract requiring Kelley to abort a defective fetus. Kelley fled to Michigan, which outlaws surrogacy agreements, and ultimately gave up the baby for adoption. The Kelley saga has turned into a case study with multiple meanings, depending on where you stand on the contentious and still highly controversial issues of surrogate motherhood and artificially assisted reproduction in general.

The surrogacy agency that Kelley and the couple worked through, Surrogacy International, was operated by a woman named Rita Kron, who already had a reputation for corner-cutting among commenters on Surromomsonline.com, a chatroom/message board/classified-ad clearinghouse for women who decide to become surrogate mothers. The phone number on Surrogacy International's website features the 718 area code of New York City's outer boroughs, but Surrogacy International claims to be based in Pennsylvania, where, it says, surrogacy is legal (in fact the legality of surrogacy in Pennsylvania is not at all clear, and my phone messages to Kron in New York to inquire about this issue went unanswered). It was Kron who introduced the couple to Kelley, who sorely needed the $2,200-a-month installments that the surrogacy arrangement would pay her.

When the ultrasound revealed in February 2012 that the baby girl had a cleft palate plus serious heart and brain abnormalities, the intended parents offered Kelley $10,000 to have an abortion. Kelley first agreed, if she could be paid $15,000 instead of $10,000, but after the couple turned down that counteroffer, she balked completely. The couple hired a lawyer, Douglas Fishman of West Hartford, who wrote Kelley a stern letter insisting that she terminate the pregnancy immediately (abortion is illegal in Connecticut after 24 weeks) and warning her that she might have to pay thousands of dollars in damages and medical expenses if she failed to schedule the procedure. In fact—although Kelley didn't know it at the time—no court would ever force a woman to abort a baby. After Kelley found a lawyer willing to represent her gratis so she could contest the contract's abortion clause, the intended parents told her they planned to leave her stuck with the baby, she said. In April 2012, seven months pregnant, she took off with her daughters for Michigan, which not only criminalizes surrogacy

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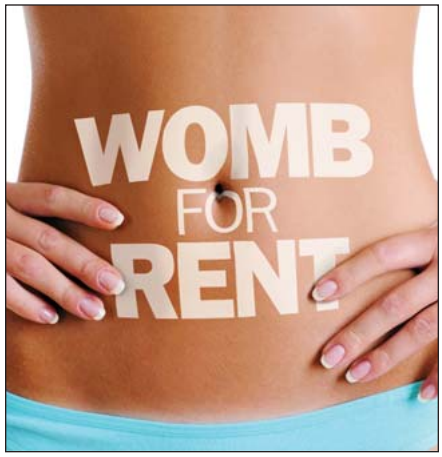
but recognizes the woman who bears the child as its legal mother. There she found a couple willing to adopt the baby.

In May 2012 the intended parents filed a lawsuit in Connecticut seeking to be declared the baby girl's legal parents so they could turn the baby over for institutionalization as a ward of the state of Connecticut. The suit revealed—apparently for the first time—that the fertilized egg hadn't come from the intended mother as Kelley had thought, but from an unknown egg donor, which meant that the intended mother had no genetic link to the baby and thus no parental rights, even in Connecticut. On June 25, 2012, Kelley gave birth to a full-term but medically beleaguered infant. The parties reached a settlement: The adoptive parents would raise "Baby S.," as she was identified, and her genetic father would give up his parental rights in return for the couple being allowed to visit her from time to time.



Recriminations flowed in all directions. Kelley was vilified for not honoring her contract, for allegedly failing to disclose two previous miscarriages, for seemingly trying to extort extra dollars from the intended parents, and for refusing to abort an infant in whom she had no genetic interest and whose chances for a normal life were slim. The intended parents were excoriated for allegedly lying about the donor eggs, for guilt-tripping Kelley, and for trying to abandon their baby daughter. Fishman was castigated for threatening to enforce an abortion clause that he must have known could not be enforced and that arguably should never have been in the contract in the first place.

On the one hand, the Crystal Kelley fiasco could be said to illustrate the need for tighter state or even federal regulation of the largely unregulated and essentially free-for-all surrogacy industry. Issues relating to childbearing are typically matters of state law, which is a mishmash of outright prohibitions and silent leniency when it comes to surrogacy, with only a few states (among them Illinois, Nevada, New Hampshire, Texas, Utah, and lately, California) having laws on their books that specifically allow the arrangements (albeit with varying levels of restrictions). Those who advocate regulating the practice, including most lawyers who work in the field of assisted reproduction, argue that passing surrogacy laws would actually protect the rights of surrogates. Those women would have access from the beginning to their own independent attorneys (chosen by the surrogates but paid for by the intended parents) when signing the contracts, making it clear that they can be paid for their efforts without violating bans on baby-trafficking, and ensuring that they have adequate medical insurance (also paid for by the intended parents) to cover their pregnancies and any complications.

Regulation would also help rid the field of unscrupulous brokers who fail to screen either the surrogates or the intended parents carefully, proponents say. Crystal Kelley, as a financially desperate single mother whose psychological screening was said to have consisted of a single phone interview by a Surrogacy International employee, should have never been deemed surrogate material in the first place, some brokers say. "These arrangements have to be done properly," says Andrew Vorzimer, a surrogacy lawyer in Woodland Hills, California, who prides himself on being a good apple in a barrel that he admits contains more than a few rotten ones. "It's absolutely mandatory that both the egg donor and the surrogate have their own lawyers review the contracts," Vorzimer says. "Sometimes the potential carrier will sign a waiver of counsel, but that just raises a red flag, as far as I'm concerned."

Opponents argue that the problem isn't rogue surrogacy or unregulated surrogacy but surrogacy itself. A strange-bedfellow coalition of religious and social conservatives, feminist groups such as the National Organization for Women, and lawyers who have represented surrogates in deals gone bad contend that the real purpose of the push for regulation is to establish a legal regime designed to privilege well-off intended parents over the lower-income women they hire to bear their children. Surrogacy is monumentally expensive—north of $125,000, sometimes up to $200,000 when all the medical, legal, and agency costs are factored in, including, often, the cost of an egg donation if the intended mother is infertile. It is also chancy—three-fourths of all surrogate transfers fail, according to statistics collected by the Centers for Disease Control and Prevention. And it is almost never covered by ordinary health insurance. It is safe to say that nearly all intended parents who sign surrogacy contracts are extremely well-off people with plenty of cash on hand with which to leverage the transaction in their favor.

Furthermore, opponents say, the real aim of regulated surrogacy is the bypassing of state adoption laws, which typically contain thick layers of protection for children put up for adoption and the women who bear them. Such basic requirements of adoption proceedings as home studies, third-party screening of intended parents, court approval of the entire transaction, and perhaps most significantly,

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the right of a woman to change her mind after the baby is born, all go by the wayside in surrogacy arrangements, where the key element is that the woman agrees irrevocably to give away the infant she is carrying long before its birth and sometimes before it is even conceived. "The woman is just an Easy-Bake Oven—she's a rented womb," says Jennifer Lahl, a former pediatric nurse who is now president of the Center for Bioethics and Culture, a nonprofit organization that opposes surrogacy arrangements. In 2010 the center produced an award-winning documentary, *Eggsploitation*, about the medical risks of egg donation that it says are never fully explained to the donors themselves, and a similar film about surrogates is in the works.

Lahl says that surrogacy contracts ignore the intimate bonding that naturally occurs between a pregnant woman and the baby that grows in her womb for nine months; the physical changes, such as the formation of breast milk, that turn her body into a nurturing haven; and the brand-new science of epigenetics, which studies, among other things, how the environment of the uterus can alter the ways in which embryonic genes express themselves. All those factors, Lahl says, can make a surrogate very much like a biological mother, with all of a biological mother's devotion and protectiveness toward the child she is carrying.

The chief advocates of regulated surrogacy, Lahl and others point out, are the owners of commercial surrogacy agencies, operating either legally or underground in nearly every state in America and estimated to be worth a cumulative $3 billion annually. You don't need a license to be a surrogacy broker. All you need, if Surrogacy International is any guide, is a list of potential carriers, a friendly IVF clinic to effect the embryo transfer, and some stock photos of adorable babies to put up on your website. Google the word "surrogacy," and you'll get a blizzard of names: Circle Surrogacy, Growing Generations, Baby Steps, Shared Conception, Creative Family Connections, Surrogacy Plus, Coastal Surrogacy, Southern Surrogacy, Modern Family Surrogacy Center. Their client base isn't just Americans; surrogacy is illegal in most countries, so America is an assisted-reproduction mecca for prosperous foreigners with fertility problems. This is the free market at its most exuberantly competitive, and sometimes at its most exuberantly unscrupulous. Shady operators seem to emerge in the news every few months. In 2009 a surrogacy agency in Modesto, California, called SurroGenesis USA Inc. abruptly closed its doors when it turned out that the supposedly independent escrow company into which intended parents had deposited more than $2.4 million to cover surrogacy costs turned out to be a sham. SurroGenesis's owner, Tonya Collins, had allegedly spent the escrow money on clothes, cars, jewelry, and vacations for herself and others. Earlier this year she was sentenced to five years in federal prison for fraud.

Regulating surrogacy via state law would presumably cut abuses such as these, but it would also make surrogacy contracts potentially ironclad—thus turning what is currently a black- or gray-market operation in most jurisdictions into a respectable and likely even more lucrative enterprise. The trend right now in state legislatures is in exactly that direction. In September 2012, California's Democratic governor Jerry Brown signed into law a surrogacy bill—mostly drafted by surrogacy lawyer Andrew Vorzimer, as it happened—that codified a California supreme court decision from 1993 that had made surrogacy contracts enforceable in California courts for nearly two decades. Legislatures in New Jersey (in June 2012) and Louisiana (earlier this year) similarly passed bills by overwhelming majorities that would have legalized and regulated surrogacy. The bills failed to become law only because they were vetoed by those states' Republican governors, Bobby Jindal and Chris Christie respectively (surrogacy advocates blamed the GOP's religious base). A surrogacy bill is pending in the District of Columbia, which, like Michigan, exacts criminal penalties for entering into surrogacy arrangements. All 13 members of the District of Columbia Council have cosponsored the bill, titled the Collaborative Reproduction Act of 2013, which would not only nullify the criminal penalties in the existing District law but would automatically make the intended parents of a surrogacy-born child its legal parents. The bill, scheduled for a vote on September 30, is almost certain to pass, and Mayor Vincent Gray, a Democrat, has expressed no serious opposition.

State legislators' favorable response to legalizing surrogacy contracts has much to do with sympathy for married couples who yearn for children genetically linked to them but who can't bring them into the world in the ordinary way for a variety of medical reasons. Surrogacy looks very much like a technological helping hand in these cases. Indeed, the upscale couples who can afford to pay for a surrogate pregnancy and who most strongly support legalizing it are the group most plagued by female infertility—typically from waiting to start families, as many women with careers do these days, until their mid-thirties and beyond. Celebrities such as Elizabeth Banks, Nicole Kidman, and Sarah Jessica Parker, who battled infertility for years before turning to assisted reproduction, have lent legitimacy and star power to surrogacy arrangements. In May 2012 GOP presidential contender Mitt Romney's oldest son, Tagg, and his wife, Jen, announced the birth of twin boys via surrogacy. According to the American Society for Reproductive Medicine (ASRM), a professional organization for the physicians who handle the medical aspects of egg donations and embryo transfers, the number of children born in the United States via surrogacy has more than doubled during the past decade: from 530 in

2004 to 1,179 in 2011. Births from donated eggs rose to 9,541 in 2011 from 7,284 in 2004.

There is another powerful constituency pushing for relaxation of the bans on surrogacy: gay men. In June the Supreme Court issued a pair of decisions that made it likely that same-sex marriage will soon be universally legal in America. So there is now a burgeoning new category of infertility to be alleviated by surrogacy contracts: "social infertility"—that is, infertility caused not by medical impediments to reproduction but by lifestyle decisions. That group includes women who do not wish to carry their own babies for one reason or other, but it mostly consists of men: single heterosexuals who cannot find wives or who choose not to marry, and gay men.

Gay couples, who are often well-to-do double-income professionals, are a carefully targeted market for both surrogate-born offspring and support for changes in the law that would facilitate surrogacy contracts. Most surrogacy websites include explicit appeals to gays: a photo of two model-grade young males cuddling a "gayby," or, in the case of one broker, an entire page titled "Surro*gay*cy." A surrogacy agency in California has reported that gay couples now make up nearly a third of its intended-parent clientele, and gays now have their own surrogacy celebrities: Elton John, Ricky Martin, and the late Michael Jackson. The District of Columbia legalized same-sex marriage in 2010, so it is not surprising that the chief sponsor of the D.C. surrogacy bill is David Catania, a political independent who is the council's only openly gay member. The District's surrogacy bill, like the 2012 California law, makes it clear that any adult, gay or straight, single or married, can be an intended parent and enter into a valid surrogacy contract. Surrogacy has in some ways become a gay-rights issue.

Mary Beth Whitehead, after losing custody of 'Baby M'

BETTMANN / CORBIS / AP

When surrogacy first became common during the 1980s, there were no Crystal Kelleys carrying infants not biologically related to them. The most common procedure was not to bother with costly IVF but to inseminate the prospective surrogate directly with the sperm of the intended father. The woman was known as a "traditional" surrogate—in contrast to the "gestational" surrogate that Kelley was. The problem was that in traditional-surrogacy cases the surrogate was also the biological mother of the baby—that is, the baby's real mother in the eyes of nearly everybody. In 1985, 29-year-old Mary Beth Whitehead of Brick Township, New Jersey, working through a New York City surrogacy agency operated by a lawyer named Noel Keane, agreed to be paid $10,000 to bear a child via traditional surrogacy for a Tenafly couple, William and Elizabeth Stern. Whitehead was a high-school dropout and former bar dancer who had two children by her then-husband, Richard, a garbage-collector. The Sterns were a research biochemist and a pediatrician respectively. Elizabeth Stern was not technically infertile, but she possibly had multiple sclerosis and feared that pregnancy would be a health risk to her.

After the baby girl was born, Whitehead realized that she could not bear to part with her, and she and her husband fled with the infant to Florida. The resultant "Baby M." case (the Sterns named the child Melissa), in which the Sterns sued Whitehead to enforce the surrogacy contract, terminate Whitehead's parental rights, and gain permanent custody of the baby, garnered nationwide publicity and considerable sympathy for Whitehead. A trial judge upheld the contract and ordered Whitehead to hand over the baby to the Sterns, but in 1988 the New Jersey supreme court ruled unanimously that paid surrogacy amounted to baby-selling and declared the contract void as a matter of public policy. "There are, in a civilized society, some things that money cannot buy," Chief Justice Robert Wilentz wrote.

The Baby M. ruling was widely acclaimed at the time, supported not only by such predictably conservative groups as the Catholic League for Religious and Civil Rights and Phyllis Schlafly's Eagle Forum, but also the National Organization for Women and a roster of well-known feminists, including Gloria Steinem, Betty Friedan, and novelists Margaret Atwood and Marilyn French. One of those high-profile Second Wave feminists, Phyllis Chesler, author of the 1986 book *Mothers on Trial: The Battle for Children and Custody*, recalls that she at first had a hard time persuading her fellow feminists, who tended to delay motherhood themselves and also to look down on full-time mothers, that the Baby M. case was actually "about a poor woman forced to give up her baby. There's a belief that a higher-income mother and father make better parents. They tended to argue that a contract is a contract."

Eventually, Chesler says, feminists did come to see surrogacy as a women's issue. Taking the side of lower-income surrogate mothers against the well-off people who had the money to buy their children became a standard progressive cause. A bioethics commission in New Jersey went so

far as to urge that surrogacy be criminalized, a step that the state declined to take, although Michigan and the District of Columbia did. Entering into a surrogacy contract in the District is currently punishable by a $10,000 fine and up to a year in jail.

Even two decades ago, however, a handful of state courts—including the California supreme court—were insisting that gestational surrogacy was simply a service, and that there was nothing wrong with compensating for the time and discomfort of a woman who had willingly agreed to bear a child for someone else. Contra New Jersey, the California high court declared that if there was a valid surrogacy contract, the intended parents were to be deemed the infant's legal parents—a linchpin of the surrogacy law that California enacted in 2012.

Furthermore, although Mary Beth Whitehead won the war, she lost the battle. Citing some threats she had made during the litigation to kill both the baby and herself, an unsupported claim that William Stern had molested her older daughter, and her unstable family life (she became pregnant by another man and divorced Richard Whitehead to marry him), the New Jersey supreme court affirmed the award of Baby M.'s custody to the Sterns. Although Whitehead (by then Whitehead-Gould) was granted visitation rights, Melissa Stern became so alienated from her mother that when she turned 18 in 2004, she allowed Elizabeth Stern to adopt her, and she chose Harvey Sorkow, the lower-court judge who had originally terminated Whitehead's parental rights, to officiate at her wedding in 2011.

Best of all for the agencies and the intended parents, military insurance (a program called Tricare) almost always covers the considerable prenatal medical expenses that a surrogate pregnancy can generate.

After the Baby M. decision, surrogacy took a new turn. Traditional surrogacy involving biological mothers with their claims of kinship nearly disappeared, at least as a commercial proposition. It has been almost entirely replaced by IVF-generated gestational surrogacy, in which the woman carrying the child has no genetic link to it and thus a theoretically lower chance of wanting to keep it after birth—or of garnering much sympathy if she does. IVF can also create a baby who is biologically related to both its intended parents, not just the father. Indeed, surrogacy agencies these days never use the word "mother" when referring to surrogates: The preferred term is "gestational carrier."

The switch to gestational surrogacy, together with advances in the technology of assisted reproduction, spawned a brand-new medical specialty, reproductive endocrinology, and a brand-new medical enterprise, the infertility clinic. Because IVF and embryo transfers are far more complex and expensive than relatively simple artificial insemination, the cost of surrogate childbearing shot up accordingly. The Sterns' contract had called for them to pay a mere $17,500 in total (about $35,000 in today's dollars), compared with the $125,000 or more that surrogacy currently costs. The procedure also became more complicated, time-consuming, uncomfortable, and risky for the surrogate herself. In a 2009 article titled "The Other Side of Surrogacy" for the online mom-zine *Babble*, writer Jennifer Block related the experiences of a woman she called "Laurel," who volunteered after bearing two children of her own to become a gestational surrogate at no charge for a childless friend:

> Take an injection of hormones to knock her fully functional cycle off its orbit and suppress ovulation. Take synthetic estrogen via pill and patch and inject progesterone suspended in oil through a twenty-five-gauge needle (it's big) into her bottom for six weeks. Along with her husband, abstain. Endure the hormones "wreaking havoc on my system," as she describes it. Shuttle back and forth to a lab two hours away for weekly blood tests to make sure said hormones had reached adequate levels, that her uterus had resumed an amplified, robotic version of its normal cycle.
>
> Once the uterus is deemed hospitable for in-vitro fertilized embryos, fill bladder to bursting, lie back in stirrups, and be mildly sedated so that a catheter delivering the thawed zygotes could be threaded through her cervix and into her womb. Then return home and resume the hormone regimen for another six weeks, including the daily self-administered injections, even after the morning sickness kicks in.

And Laurel was lucky—since most IVF-generated pregnancies fail, surrogates must often endure multiple embryo-transfer sessions until one of the fertilized eggs finally takes (or not). But then she found herself carrying twins, a not uncommon occurrence because the norm is to transfer multiple zygotes with the hope that at least one will successfully implant and survive. Laurel had sailed through her first two pregnancies, but this one was excruciating: exhaustion, constant aching, discomfort, and chronic nausea. For reasons still poorly understood, IVF pregnancies seem to generate more medical problems than ordinary ones. Pre-eclampsia, a toxic-like condition caused by substances in the placenta infiltrating maternal blood, and premature births are not uncommon among surrogates. No one has studied the long-term effects of the massive doses of synthetic hormones that prepare surrogates' bodies for embryo transfers. One drug, Lupron, an estrogen-suppressant used to synchronize the menstrual cycles of surrogates and egg donors, lacks FDA

approval for that use; it was originally developed to treat prostate cancer in men. For all of this, first-time gestational surrogates typically get paid in today's dollars only a little more than Mary Beth Whitehead was to receive from the Sterns in 1986.

Screening—that is, making sure that potential surrogates won't be likely to reconsider and bolt like Mary Beth Whitehead and Crystal Kelley—is a top priority for surrogate brokers. Egg donors are typically good-looking college students selected eugenically from their photographs (the ideal: a blonde Stanford cheerleader with perfect SAT scores). But looks are irrelevant for gestational surrogates, and it turns out that the best kind of surrogate seems to be an old surrogate. No woman can be hired for surrogacy unless she has already borne at least one child of her own, proving that she's able to do it—and also, it's said, signaling that she knows all about the emotional attachment between a mother and baby and won't form that kind of attachment this time around. (Surrogacy agencies encourage the woman to bond instead with the people for whom she's carrying the infant, and some brokers set up support groups to keep her on that track.) The theory seems to be: The older the surrogate, the greater the likelihood that she will consider herself done mothering her own children and will not yearn to mother other people's.

Women well into their 40s—a decade during which the curtain has pretty much fallen on natural childbirth and those pregnancies that do occur are deemed risky—are in high demand as surrogates. Some of them undergo surrogate pregnancy after surrogate pregnancy at a machine-like rate that would cause obstetricians to raise their eyebrows. For an upbeat article in *Washingtonian* magazine timed to coincide with the D.C. Council's vote, authors Alexandra Robbins and Ali Eaves interviewed six surrogates, none under age 30. The oldest, Kathy Powers of Odenton, Maryland, was 48 and had been pregnant six times, although only twice with a child who was genetically hers. The next oldest, Susan Fuller of Reston, Virginia, was 44, with twelve pregnancies under her belt, only three of them her own. Another surrogate named Julie, age 37, was on her fourth surrogate baby, while 36-year-old Allison Wylam had borne seven children, four of them her own, and was about to embark on her eighth pregnancy and fourth surrogacy.

The chirpy Robbins-Eaves article did not reveal how much money any of these top-performers had received, but observers say that experienced surrogates can earn as much as $75,000 per pregnancy. There can nonetheless be a medical price to pay. Kathy Powers's sixth pregnancy (achieved after two separate time-consuming transfers of frozen embryos) consisted of triplets born at 32 weeks in an emergency C-section, and Powers had to be hospitalized twice, for two weeks before the birth and with postpartum pre-eclampsia afterwards. In her *Washingtonian* photo, posed with her 7-year-old son next to the obviously upmarket Jody and Kim Crane of Virginia, with their triplets and a previously adopted 9-year-old daughter, Powers looked . . . tired.

Some of the women in the Robbins-Eaves article seemed to have well-paying professions: a labor-and-delivery nurse, a nonprofit director/fitness instructor. But most women who contract to become surrogates, well, could use the extra money. Military wives are favorite targets for surrogacy recruitment, and some brokers strategically site their offices close to bases (San Diego, with at least seven bases in the vicinity, is an assisted-reproduction magnet), and they saturate the local throwaways with classified ads. Enlisted men draw meager salaries, they move around too much for their wives to hold down permanent jobs, and they are often conveniently deployed far away in Iraq and Afghanistan so they can't pester their wives for sex during the long periods of hormone treatment before the surrogate pregnancy takes.

Best of all for the agencies and the intended parents, military insurance (a program called Tricare) almost always covers the considerable prenatal and birth-related medical expenses that a surrogate pregnancy can generate. Officially this is not supposed to happen, and there have been Defense Department calls for crackdowns, but it seems too difficult for Tricare officials to monitor the records on the 2,100 military births that occur every week. Having the surrogate's insurance program cover medical expenses means a huge financial break for intended parents, and the *Los Angeles Times* reported in 2009 that one surrogacy agency near San Diego, Surrogate Alternatives Inc., was paying a $5,000 bonus to military wives who used their Tricare policies for surrogacy-related prenatal care. Not surprisingly, military wives constitute up to 19 percent of surrogate carriers, according to a Surromoms survey, even though the military accounts for only 1 percent of the U.S. population. A *Newsweek* article in 2008 estimated that half the surrogates in California and Texas are military spouses; both states have large numbers of bases and surrogacy-friendly legal regimes.

Another way to cut the staggering cost of a U.S. surrogacy is to outsource it to a Third World medical-tourism destination. Until very recently India was the top overseas choice: excellent hospitals and doctors, a boundless supply of impoverished, undereducated women of prime childbearing age, and a legal and social regime willing to look the other way. India-focused surrogacy agencies have mushroomed both here and in India, as has the new profession of surrogacy headhunters ("medical social workers" is their official title) paid on commission to recruit women in Mumbai slums and dusty rural villages for whom the $5,000-$8,000 standard Indian fee is a small fortune. The total cost of surrogacy in India is a bargain—$30,000 or so

—although surrogate-seekers should be forewarned that the Indian government deems the gestational carrier to be the baby's mother, and that foreign intended parents might face bureaucratic tangles as they attempt to obtain a passport for the infant. About 25,000 foreign couples have been visiting India annually for assisted-reproduction services, with about 2,000 babies born, in all a $2.5 billion industry.

American surrogates typically talk about giving the "gift of parenthood" to the childless and insist that they aren't in the business for "dollar signs," as one surrogate told the *Los Angeles Times*—although when pressed, they admit that the money comes in handy for down payments, college funds for their children, clearing credit-card debt, and sometimes just getting by. Indian surrogates, by contrast, bluntly admit that their main reason for signing up is that they and their families need the fee; indeed, some Indian wives are prodded into surrogacy by their husbands. News stories about Indian surrogates have reported scandalous living conditions, with the pregnant women locked inside crowded dormitories that they are forbidden to leave except for medical visits. (Indian agencies don't believe in bonding between surrogates and intended parents, and besides, foreign intended parents typically limit their trips to India to picking up the baby and getting the proper exit papers.) Indian fertility clinics routinely transfer five or more embryos at a time into surrogates in order to boost their success rates (the ASRM recommends inserting no more than two), with resultant health problems for both the surrogates and the babies, not to mention the fact that Indian standard-form surrogacy contracts require "selective reduction"—a fancy term for abortion—when there are three or more fetuses. Indian surrogates are often not paid if they miscarry, and can be forced to undergo medically unnecessary C-sections because they're quicker than vaginal births. There have been reports of multiple frozen zygotes transferred to multiple Indian surrogate mothers simultaneously, followed by abortions if more than one pregnancy occurs.

In May 2012, a 30-year-old Indian surrogate, Premila Vaghela, the wife of a manual laborer in Ahmedabad struggling to support two children, died during her eighth month of pregnancy after collapsing with convulsions while on a routine visit to her IVF clinic. The doctors there first delivered the baby, destined for an American woman, by C-section, and then shipped Vaghela to another hospital, where she expired. In April 2013, another Indian surrogate, Mona Qureshi, died during pregnancy while carrying a child for a Norwegian couple (commercial surrogacy is illegal in Norway). In January the Indian government issued a memo announcing its intention to bar foreign gays, foreign unmarried heterosexuals, and foreign couples married for less than two years from using Indian surrogacy services. In July the government introduced a bill setting strict age limits (21 to 35) for surrogates, allowing them to bear no more than a maximum three children, including their own, and requiring them to wait at least two years between surrogate pregnancies. No matter—Planet Hospital, a pioneering medical-tourism firm based in Calabasas, California, promptly switched its surrogacy operations from India to Thailand (where commercial surrogacy is legal) and Mexico (where it's legal in part of the country). Scatologically denouncing "this latest crap circus . . . blazing out of the poop shoot of India" on his company's blog, Planet Hospital CEO Rudy Rupak on February 4 unveiled a $38,000 (plus another $12,000 for the egg-donor) surrogacy package in Thailand and a $36,500 south-of-the-border package. "'Cancun baby! Woohoo' takes on a whole new meaning now, doesn't it?" wrote a blogger on Rupak's site.

High-end, pro-regulation surrogacy advocates such as Andrew Vorzimer shake their heads at the problematic international surrogacy scene that Rupak promotes—and also warn their intended-parent clients that there's not much a U.S. lawyer can do if a foreign country refuses to honor a surrogacy contract and possibly leaves a baby with neither a passport nor any legally recognized parents. Yet the close involvement of lawyers in the business of even the highest-end surrogacy is troubling. Nearly all lawyers with assisted-reproduction practices—or at least nearly all well-known lawyers in that field—are principals in the surrogacy business itself on the side. Vorzimer, for example, besides practicing law, is CEO of Encino-based Egg Donation Inc., whose online roster of potential donors is especially photogenic, and is listed among the "professionals associated with" the Center for Surrogate Parenting, which shares an address with Egg Donation Inc. and is headed by Bill Handel, a Los Angeles surrogacy lawyer and radio personality (Vorzimer says he has no formal relationship with the center). The center brokered the surrogate-carried offspring of Tagg Romney and Elizabeth Banks. Steven H. Snyder, a Twin Cities-area lawyer who heads the American Bar Association (ABA)'s Reproductive and Genetic Technology Committee, operates the International Assisted Reproduction Center, a combination egg donation-surrogacy agency that shares the same office building as Snyder's law office in Maple Grove, Minnesota. Snyder helped draft a surrogacy-legalizing bill in 2008 for Minnesota (which has no laws whatsoever on surrogacy), but the bill was vetoed by then-governor Tim Pawlenty. The New Jersey surrogacy bill that Chris Christie vetoed in August 2012 had been drafted in part by Melissa Brisman, a Montvale, New Jersey, lawyer who owns Reproductive Possibilities LLC, a surrogacy agency located down the hall from Brisman's law office. "Surrogacy is both a medical procedure and a legal transaction, so it's natural for lawyers to be involved," Snyder

explains in a telephone interview. But it's also natural that if owners of surrogacy firms who also happen to be lawyers representing intended parents are in charge of drafting legislation, that legislation is likely to favor surrogacy agencies and intended parents.

Furthermore, having an attorney at the helm of a surrogacy agency is no guarantee of aboveboard conduct. In 2011 a San Diego-based reproductive lawyer, Theresa Erickson, who also owned a surrogacy/egg donation firm, Conceptual Options LLC, pleaded guilty to conspiracy to commit wire fraud in an elaborate baby-selling ring that included another lawyer, Hilary Neiman of Rockville, Maryland, and a veteran surrogate, Carla Chambers of Las Vegas. Erickson had been a respected member of the assisted-reproduction bar, regularly speaking at conferences and on television, had her own radio show, and was the author of a 2010 handbook for intended parents. According to court documents, she and the other two women (who also pleaded guilty to criminal charges) solicited surrogates online and supposedly matched them with intended parents—although in fact the intended parents didn't exist. The surrogates were sent to Ukraine to have donated sperm and eggs implanted; no one knew where the gametes came from. (The ASRM's ethical regulations require U.S. reproductive endocrinologists to see a signed surrogacy contract before they transfer embryos, but no such restriction exists in Ukraine, where commercial surrogacy is legal and apparently unregulated.) When the surrogates reached their 18th week of pregnancy, they were informed that the intended parents had backed out of the contracts. Erickson would then shop the babies, at least a dozen of them in total, on the Internet, charging up to $150,000 to individuals and couples eager for offspring. Afterwards Erickson would file fraudulent papers in court asserting that the purchasers of the infant had a valid preconception surrogacy agreement with the woman who bore them—a necessary step, because before California enacted its new surrogacy statute, a judge had to issue an order placing intended parents' names on a birth certificate. All three women were sentenced to prison, and Erickson and Neiman were disbarred. Conceptual Options remains in business, however, although with a new CEO, Saira Jhutty, who had been one of the agency's staff psychologists under Erickson.

While the Erickson case was pending in a San Diego federal court, a surrogate hired by an East Coast agency Neiman operated at the time—the now-defunct National Adoption and Surrogacy Center—found herself facing $217,000 in medical bills plus an uncollected $14,077 out of the $25,000 plus expenses that she said she was supposed to receive as her fee. Carrie Mathews of Windsor, Colorado, a mother of four, had signed a 30-page contract agreeing to carry a pregnancy —twins, as it turned out—for a childless Austrian couple in their fifties, Rudolf and Teresa Bako. The embryo transfer took place in Cyprus, as surrogacy contracts are illegal and unenforceable in Austria. The Bakos paid on schedule—for a while, Mathews said. Her four previous pregnancies had been easy, but this time she started experiencing daily nausea, intense swelling, pre-eclampsia, and finally, a form of anemia and elevated liver enzymes known as HELLP syndrome that necessitated physician-ordered bed rest. She delivered the twins by C-section, but her severe internal bleeding led to emergency surgery, massive blood transfusions, and a 20-day stay in the hospital. Meanwhile, the Bakos picked up the babies, took them back to Austria, and, according to Mathews, welshed on the rest of what was owed to her. The Bakos countered that they had actually overpaid Mathews, and the dispute was apparently never resolved.

Mathews's surrogacy contract called for her own medical insurance to cover her delivery-related bills, with the overage to be paid by the intended parents. Such arrangements —pushing the burden of prenatal and childbirth coverage onto the surrogate herself—are not uncommon as a way to shave the total price for intended parents. Many health insurance policies contain explicit surrogacy exclusions. The one U.S. insurance company, New Life Agency Inc., that issues special policies for surrogacy pregnancies charges from $5,000 to $11,000, with deductibles ranging from $15,000 for the most expensive policy to $45,000 for the cheapest—and those are New Life's lowest figures, for surrogates under age 35 who are carrying only a single fetus (the deductibles, by the way, must be deposited with New Life right after the first ultrasound and well in advance of delivery).

One alternative, if the intended parents balk at the premiums, is to lie to your regular insurance carrier, which is exactly what some surrogates say the agencies force them to do. In 2010 two California surrogates and their husbands sued yet another San Diego-area surrogacy agency, Extraordinary Conceptions, operated by reproductive lawyer Stephanie Caballero and her husband, Mario Caballero. The suits alleged that the Caballeros' agency had failed to buy contractually promised insurance policies for the surrogates and told them to submit their medical claims directly to their own insurance companies instead. When the claims were denied, the surrogates alleged, they were hit with tens of thousands of dollars in bills, harassing day-and-night collection calls, ruined credit ratings, and diminished prospects for qualifying for insurance in the future. (Stephanie Caballero did not respond to an email I sent her regarding the litigation, and the surrogates' lawyer, Joyce Komanapalli of Pasadena, California, declined my request for a phone interview.)

Higher-end surrogacy agencies and the lawyers who draft their contracts require intended parents to purchase adequate insurance for surrogates, no matter what the cost, protecting them from

responsibility for runaway medical bills—and the pending surrogacy bill in the District of Columbia would mandate exactly that. Andrew Vorzimer, for example, has represented surrogates in helping to bring criminal prosecutions against unscrupulous brokers, including two surrogates left unpaid when SurroGenesis folded and another two surrogates who blew the whistle on Theresa Erickson. But even the most conscientiously drafted surrogacy contract typically contains provisions that would be unacceptable in any other contractual relationship. Abortion clauses for cases of fetal abnormalities are standard features of surrogacy contracts, even though "no place in the country would ever force a woman to have an abortion," says Jack Marshall, a nonpracticing lawyer who heads ProEthics Ltd., a firm in Alexandria, Virginia, that offers continuing-education legal-ethics courses to other attorneys.

Even Tagg Romney's surrogacy contract contained an abortion clause, although the Mormon church to which Romney belongs generally forbids elective abortions. (The Center for Surrogate Parenting's Handel told the press that Romney had objected to the clause, but it had inadvertently ended up in the contract anyway.) And lawyers frequently play hardball with unenforceable contract clauses, as happened with Crystal Kelley. Other common and intrusive—and possibly unenforceable—clauses in surrogacy contracts restrict the surrogate's coffee consumption, bar her from eating meat if the intended parents are vegetarians, set limits on how much weight she can gain, disallow travel during the third trimester of pregnancy lest she give birth in a state where surrogacy is illegal, and, if she is a military wife, forbid her to have sex with her husband when he returns from an overseas deployment, on the theory that he might have contracted a sexually transmitted disease.

Furthermore, there is a conflict-of-interest gray area when intended parents who are the clients of a lawyer who owns a surrogacy agency, and the surrogate, who may mistakenly believe that the lawyer is looking out for her interests as well, enter into a contract with that surrogacy agency, whose main purpose is to generate an often hefty profit for its lawyer-owner. The ABA's ethics rules allow such arrangements as long as there is full disclosure, and some surrogacy lawyers who own agencies say they don't personally perform the legal work but delegate it instead to other attorneys in their office—which may or may not solve the underlying ethical problems. Marshall maintains that commercial surrogacy is a "minefield of what I call pre-unethical conditions—you have to watch out for them, or you can end up in a legal and ethical morass," of which the Crystal Kelley case was a prime example. "They're just landmines," says Marshall of commercial surrogacy arrangements, and rather than expect state legislatures to try to deal with them, Marshall believes they should simply be banned.

The most troubling aspect of lawyer/agency owners' involvement with legalizing and regulating gestational surrogacy is their insistence that the surrogate's agreement to hand over the baby to the intended parents be irrevocable. When the D.C. Council's judiciary and public safety committee held hearings on the District's proposed surrogacy bill on June 30, Nancy Polikoff, a law professor at American University who is active in gay-rights causes, urged the council to include in the bill a provision giving a surrogate a brief period after the baby's birth to change her mind about relinquishing it. Polikoff's hope was to create a climate more friendly to gay male couples who were not well-off and who might want to engage a less expensive traditional surrogate who as biological mother might have a recognizable maternal claim to the baby. A provision in the Uniform Parentage Act, a model law drafted by the Uniform Law Commission in 2000, would give gestational surrogates the right to terminate a surrogacy contract and would require that surrogacy contracts be approved by courts along lines similar to an adoption proceeding. So far it seems that only two states, New Mexico and West Virginia, have enacted that provision. The ABA issued its own model law in 2008 that would require court approval of the contract if neither intended parent was genetically related to the infant, and a mental-health evaluation of the intended parents plus full insurance coverage for the surrogate if one or both intended parents had a genetic link. No state has enacted the ABA's model law.

Surrogacy advocates argue: Why should intended parents have to undergo court approval, a mental-health study, or any kind of third-party screening in order to have a baby when natural parents don't? The ASRM argues that its own ethical rules for reproductive endocrinologists suffice to protect all the involved parties. "We think the underlying medical procedures are already well regulated," ASRM spokesman Sean Tipton wrote in an email to me. "We favor people having the right to make their own decisions about reproduction and would oppose measures which attempt to impose the state into that decision," Tipton wrote.

The response of surrogacy lawyers to the idea of giving a surrogate the same right to change her mind as a biological mother giving up her infant for adoption is: It's not her baby. They compare a gestational surrogate to a nanny who might also become attached to a child for whom she is caring but who certainly has no right to keep it permanently. "She's merely providing a service," says the ABA's reproductive-technology chairman Steven Snyder of surrogates. "There's no logical ground on which to say a gestational carrier should have the rights of a mother. And there's a principle of contract law called promissory estoppel, in which if people reasonably rely on a promise, it's enforceable." Both Snyder and Vorzimer raise the specter

of a surrogate using her right to change her mind to blackmail the intended parents for, say, vastly more money, in return for handing over the infant.

It's certainly true that America isn't India. Surromomsonline.com and similar websites are plastered with classified ads placed by would-be surrogates seeking to carry other people's children for them, and in some cases to sell their breast-milk from the pregnancy as well. For those women obviously, $20,000—or better yet, $40,000 or $75,000—is real money. A woman who has already carried eight babies via surrogacy isn't likely to be fazed by months' worth of discomfort, the risk of pre-eclampsia, a scar-producing C-section, a possible lengthy stay in a hospital, or the still-speculative long-term effects of massive infusions of synthetic hormones. Still, there is something disconcerting about the class divide between a group of women for whom a few tens of thousands of dollars means everything, and a group of people of both sexes for whom $150,000 or $200,000 is . . . cash on hand. You don't see the Yale-educated wives of private-equity partners advertising their gestational services on Surromoms. Furthermore, nannies are always free to quit their jobs, whereas pregnant surrogates can't escape from their contracts unless they die, miscarry, visit an abortion clinic, or move like Crystal Kelley to a jurisdiction that won't enforce the agreement. And if they do try to escape, they—again unlike nannies who quit—are likely to be sued by the intended parents.

Finally, you have to wonder whether the difference between Theresa Erickson's Ukraine-based baby-selling ring and ordinary U.S.-based surrogacy, in which the baby is ordered up in advance for the same amount of money, isn't one of degree rather than kind. Isn't it essentially the difference between buying a suit of clothes off the rack and having a tailor make one for you bespoke? In both cases, yes, there are people of fine character who yearn for children—but is that a sufficient reason to create custom-designed children for them in an IVF clinic?

Right now, and perhaps surprisingly given the support for it among the elite who shape public opinion, the law disfavors paid surrogacy. It is illegal in most of the world, with Georgia, India (under now-limited circumstances), Israel, Thailand, and Ukraine among a handful of exceptions.

In New Jersey, with Christie's recent veto of the legislature's surrogacy bill, the Baby M. decision still seems to be good law 25 years later. Indeed, a New Jersey lower court in 2009 held that the Baby M. ruling covered gestational as well as traditional surrogacy. The court refused to enforce a 2006 arrangement in which 43-year-old Angelia Gail Robinson signed a form contract drafted by surrogacy lawyer Melissa Brisman to carry a pregnancy for her gay brother and his partner, using the partner's sperm and eggs from an anonymous donor. The contract included a waiver of independent counsel for Robinson. She ended up carrying twin girls, and it was the kind of pregnancy that seems not uncommon when an older woman and embryo transfer are combined: severe pre-eclampsia, a seizure that led to a coma, and an emergency C-section.

During the pregnancy Robinson and her brother had a falling out, and Robinson, who had bonded with the twins while carrying them, filed suit seeking to be declared the girls' legal mother. New Jersey Superior Court judge Francis B. Schultz duly issued an order voiding not only the surrogacy contract but a Brisman-drafted "consent to adoption" by Robinson's brother that she had believed herself obligated to sign. Robinson was awarded joint custody of the girls with her brother's partner—although later quarrels between the two over the children's upbringing resulted in the partner gaining sole custody with visitation rights by Robinson. It was another case, like Mary Beth Whitehead's, of winning the war but losing the battle.

And Robinson and other surrogates came within a hair's breadth of losing the war as well. The Brisman-drafted surrogacy bill that would have nullified the "A.G.R." decision, as it was called, sailed through the New Jersey state legislature. It would have eliminated any waiting period for the intended parents of a surrogate-born infant to be listed as its parents on the birth certificate and required the surrogate to surrender custody of the baby to the intended parents immediately after the child was born. Christie vetoed the bill only after intense lobbying by some pro-choice feminist leaders, including Chesler, and New Jersey Right to Life. In his veto speech on August 8, 2012, Christie pointed out that in gestational surrogacies children "are linked to their parents" only "by contract," and that the legislature needed to study further the "profound change in the traditional beginnings of the family" that the bill would have ratified.

Christie's action—and those of Jindal in Louisiana and Pawlenty in Minnesota—may turn out to be only a delaying tactic. Widespread societal acceptance of surrogacy may be inevitable, prompted by the buzz surrounding the celebrities who proudly show off their surrogate-born offspring, pressure from the well-off clients and lawyers in the surrogacy business, and the fact that gays, not working-class women, are currently the prime objects of solicitude among liberals.

"No one cares about those women" who become surrogates and then find themselves caught in an arrangement they don't want, says Harold J. Cassidy, a lawyer in Middletown, New Jersey, who represented both Mary Beth Whitehead and Angelia Robinson. "Most of them don't have lawyers to speak of until after the deal is done. We are deliberately creating a breeding class of women and a class of children intended to be motherless." ♦

Germany Moves Left

Angela Merkel's Pyrrhic victory

By Christopher Caldwell

Berlin

The most valuable thing a politician has is *gravitas*. Even a politician with a sense of humor cannot afford to look like a clown. It was partly because he forgot this that Peer Steinbrück, lead candidate of the German Social Democrats (SPD), suffered such a drubbing last week at the hands of the Christian Democrat (CDU) chancellor Angela Merkel. The SPD is not the country's elite party, like the French Socialists or U.S. Democrats, but it is the main repository of hope on the center-left. Much of the media roots for it desperately. After a televised debate in early September in which Merkel and Steinbrück exchanged platitudes, devoting all of three minutes to the unfolding crisis in Syria, polls showed Steinbrück lagging 15 points behind, just as they had before the debate, and just as they would on election day. Yet the papers were suddenly full of stories about how Steinbrück had "found his voice" and "turned a corner" and Munich's *Süddeutsche Zeitung* arranged a magazine photo shoot to appear on the last weekend before the elections. Steinbrück was asked how he would respond to getting called "Peerlusconi," after the scandal-plagued former Italian prime minister. At this he made an obscene hand motion—*der Stinkefinger*, as it is called in German, although it is a gesture that knows no national borders and will be familiar to any American who has ever driven in traffic. It became the Steinbrück campaign's symbol, practically its campaign poster.

'Keep Cool and Vote for the Chancellor'

UNIRONED

Merkel's reelection is among the most spectacular victories in German postwar history. In a country that hands out majorities sparingly, she came within a whisker of one, taking 311 of 630 parliamentary seats. That was her reward for an astonishing economic turnaround. Germany has won vast new export markets, particularly in Asia, at a time when the rest of Europe is undergoing a depression in all but name. In the past eight years, German unemployment has fallen from 5.2 million people to 2.9 million. Merkel will now form a coalition with either the Green party (itself a coalition of environmentalists and limousine liberals) or Steinbrück's socialists (minus Steinbrück himself, who said he wanted no part in any such "grand coalition").

Much of the credit goes to Merkel's predecessor, Social Democrat Gerhard Schröder, who passed welfare reforms in 2003 and 2004 that stripped an overgenerous state to the bone and made German labor costs competitive. But it is Merkel who has steered Germany through the world economic crisis since 2008, and through the crisis of the European currency, the euro, which started in 2010. She has staved off demands from other governments that German taxpayers fork over the money to keep their mismanaged welfare states solvent. These demands have often been cleverly disguised—unsurprisingly, since many of them originate in France. Sometimes France and its allies ask Germany for the pooling of liability through a so-called eurobond. Sometimes what they want is a common deposit insurance that would be called "banking union." In all cases, the goal is to convince Germany to put its own assets at other countries' disposal. When appeals to neighborly solidarity have not sufficed, moral blackmail has been used. Placards carried through the streets of Athens, showing Merkel with a Hitler mustache, are a way of saying that Germany's standing as a civilized country is one that its European partners have the prerogative to revoke. Merkel, a mild-mannered provincial physicist, has the accidental virtue of not fitting into this narrative as a plausible villain. Mister Stinkefinger might have been different.

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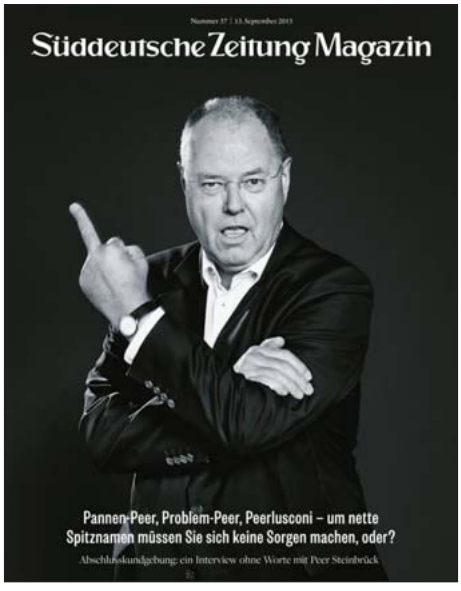
These bailouts of the European economy's basket cases are more complex than they appear. There are two theories of the euro crisis, and no consensus among voters or economists on which is correct. On one hand, maybe Italy, Spain, and France are going broke—milder versions of Greece. If you think this, then backing their debt is throwing good German money down a rathole. But maybe they're just out of cash, and there's less shame in that. Germany, too, would be going bankrupt if it had to borrow at 10 percent, and defending neighbors to whom one is bound by treaty is the least one can do. Merkel must represent both these theories of the collapse, because Germans believe the first with their heads and the latter with their hearts. Germans are simply not willing to be the executioners of a European project that still presents itself as the continent's best hope for peace and harmony. That is why frequent comparisons of Merkel to the late Margaret Thatcher are off-base. Merkel is always trying to harmonize, not (as Thatcher did) to polarize. In the early September debate, she made a remark that could have served as her campaign slogan: "*Sie kennen mich*." You know me, she told voters.



Peer Steinbrück expressing himself

Except that they don't. And this is the great paradox of the German election. The largest victory for Germany's "party of the right" in more than half a century signals the outright extinction of conservatism. For the first time since World War II, there is no conservative force anywhere on the political horizon.

FUKUSHIMA, MON AMOUR

There are three reasons for this. The first is that Chancellor Merkel's strategy has always been to deprive voters of any reason to vote for her opponents. Her preferred tactic is the one Bill Clinton used against Republicans: adopting her opponents' positions. Her rivals find it frustrating. The only way to distinguish themselves from her is by radicalizing, and she may follow them even then.

For instance, Germany built a slew of nuclear power plants four decades ago, and these provide much of its energy. For years there has been a battle between Green environmentalists, who called for an "atom exit," and others who feared the economic consequences. It was mostly fought to a draw. But days after the meltdown of Japan's Fukushima Daiichi nuclear plant in the wake of a tsunami in 2011, Merkel announced that she was rallying her party to the Greens' position. And she was not through. This spring, the Social Democrats, along with the post-Communist Left party, were calling for a national minimum wage. At any time in Germany's postwar history, this would have received polite snickers from the CDU. But the party now supported it in principle, asking only that it be introduced piecemeal. The Left and the Social Democrats also decided to back nationwide rent controls. Germany's relative prosperity is driving rents through the roof, and rent control is, for now, polling well. You don't have to ask what Merkel did.

The result is a real confusion about what the respective parties stand for. A week before the election, Merkel's CDU mentor Helmut Kohl appeared at the side of her Free Democratic party (FDP) rival Rainer Brüderle to give a semi-endorsement. Bored one afternoon before the election, I filled out a questionnaire that the *Süddeutsche Zeitung* was running on its website. It promised to match your political opinions to the votes of the various parties in the Bundestag. It turned out I should vote for Merkel's CDU—they agreed with me 70 percent of the time. But then I took a second look. My overlap was 69 percent with the free market FDP, 65 with the socialists, 64 with the cyber-radical Pirate party, 63 with the environmentalists, and 62 with the Communists.

INDIAN CHIEF

German politics is moving left for a second reason: shifts in the size and strength of the parties. Taken together, the opposition SPD and Greens gained seats in last week's election, despite a dismal showing by the latter. That is because the Christian Democrats' favored coalition partners, the Free Democrats, were driven out of the Bundestag altogether for the first time since the 1940s.

The Greens are the top party among rich people and young people. If the Hollywood and Manhattan wings of our own Democratic party could be carved out into a splinter group, it would resemble the Greens. They are certainly the most modern party, the party of the information-economy elite. But this year they nominated as their top candidate Jürgen Trittin, an old hardliner who

evokes the antiestablishment, antinuclear, and anti-American radicalism of the party's early 1980s origins. Since Trittin could not be denied the nomination and voters could not be persuaded to vote for him, the party nominated a second top candidate, the thoughtful and attractive Katrin Göring-Eckardt, a member of the Protestant church synod.

It fooled no one. The Greens quickly started several political conversations that smacked of Maoist zeal. Their national election program called for a compulsory meatless day in state cafeterias. The Green mayor of Freiburg called for a ban on public drinking. (That may sound reasonable in the dry counties of the United States, but it is electoral rotgut in Baden-Württemberg.) And their Berlin representatives called for banning cars from certain streets and banning guestrooms and the building of extra bathrooms (for fear of "crowding") in the chic neighborhood of Prenzlauer Berg.

This, alas for the party, was not the only reminder of 1980s enthusiasms. Back in Trittin's salad days, when he was green in more than party affiliation, the Greens had seen themselves as the defenders of radical politics of all kinds and had come to the defense of so-called *Indianerkommunen*. These groups were dedicated to protecting "children's rights," and one right above all: the right of children to have sex with the adults who wanted to have sex with them. Göttingen, where Trittin collaborated with a gay-rights group to write the program urging the decriminalization of certain adult-child liaisons, was a hotbed of such activity. One can argue—and the Greens eventually did—that such ideas were more mainstream back then than a lot of people find convenient to remember today. The Free Democrats' youth group also discussed decriminalization of sex with minors three decades ago, and so did groups in the Evangelical church. But that mattered little in election season. The public saw the Greens as representing two principles—authoritarianism and pedophilia—that have not recently been big vote-winners.

Other than that, Merkel's second term has been marked by a steadily waning conservatism in the public at large. Last winter a group of macroeconomists founded a new party, Alternative für Deutschland, for voters who refused to take that lying down. The party founders' primary obsession was the euro bailouts. They wanted strict enforcement of the 20-year-old Maastricht treaties, which, among other things, created the euro. Germany, they said, should not have to cover the debts other countries racked up. As conservative ideologies go, this one was mild enough, simply making the principled case for the policies Germans want Merkel to carry out in practice. "Conservatism is not a forceful position in German society," said the AfD's lead candidate Bernd Lucke in mid-September. "Some conservatives will support us. But conservatism alone is not sufficient."

Still, this kind of talk tended in the direction of calling for more national sovereignty for Germany, a subject hedged with taboos. So the AfD was tarred as a German nationalist party, a right-wing wolf in sheep's clothing, compared even with Communist splinter groups of the 1960s. Such tut-tutting was probably unwarranted. The party members I met at a conference to celebrate the economist Friedrich Hayek did not seem nationalistic. They were more concerned with hard money than with whether the government it served was in Brussels or Berlin. One of them did describe the AfD as "the CDU without the Euro-fanaticism" of Merkel's Europe-friendly finance minister Wolfgang Schäuble. The AfD just barely missed getting into parliament, earning a sliver less than the 5 percent threshold for representation. But it took enough votes away from Merkel's coalition partners, the Free Democrats, to bump them from parliament altogether. The FDP lost all 93 of its seats—considerably more than the 72 seats Merkel gained.

THE LEFT THAT CAME IN FROM THE COLD

This overwhelming victory for Merkel is a Pyrrhic one. There are now just four parties in the Bundestag. The three that are out of government—the socialists, environmentalists, and Communists—all call themselves parties of the left and form an obvious coalition-government-in-waiting. If they are not being considered as a potential government right now, it is mostly because Steinbrück promised during the campaign to rule out a pact with the Communists. This is SPD tradition, but it is far from clear that Steinbrück represents his party's most advanced thinking on the matter. Steinbrück is a member of the Schröder-era left, the "Third Way" people who traveled to London to get tips from Tony Blair, the welfare-state reformers, the courters of businessmen and bankers. He was a Social Democrat of a very conservative kind, conservative enough to serve as finance minister during Merkel's first term. It was a common complaint on the left that Steinbrück was a mismatch with his own party's program.

He will be replaced at the top of the SPD by thinkers who are more amenable to looking left than looking right—like party chairman Sigmar Gabriel, perhaps—and who are more inclined towards a pact with the Communist Left. Like the United States after 2004, when a shaky-looking executive won a victory that was never as solid as it seemed, Germany may be sailing out of the calm before a big ideological storm. ♦

Vincent Price strangling Basil Rathbone in 'Tales of Terror' (1962)

The Horror, the Horror

Thirty-eight centuries of supernatural lit. BY MICHAEL DIRDA

In *Unutterable Horror*, his deeply knowledgeable, lively, and unabashedly opinionated history of supernatural fiction, S. T. Joshi suggests that a taste for ghost stories and weird tales is far more than a slavering hunger for blood and grue. The most important supernatural fiction doesn't merely aim to make our flesh creep. Through it, ambitious writers—and their readers—are able to explore the full range of human experience. Like many classical tragedies, these unsettling stories typically introduce a sense of wrongness, followed by growing dread, and gradually build to a moment of supreme crisis and terror. And yet their final effect is often a cathartic sense of pity. There, but for the grace of God, go you or I.

Unutterable Horror
A History of Supernatural Fiction, Volume 1: From Gilgamesh to the End of the Nineteenth Century
by S. T. Joshi
PS Publishing, 357 pp., $54

Unutterable Horror
A History of Supernatural Fiction, Volume 2: The Twentieth and Twenty-First Centuries
by S. T. Joshi
PS Publishing, 422 pp., $54

Nothing human is alien to supernatural fiction. Transgressive by definition, it ventures into the dark corners within all of us, probing our sexuality, religious beliefs, and family relationships, uncovering shameful yearnings and anxieties, questioning the meaning of life and death, even speculating about the nature of the cosmos. It's no surprise that almost every canonical writer one can think of has occasionally, or more than occasionally, dabbled in ghostly fiction: Charles Dickens, Henry James, Somerset Maugham, Elizabeth Bowen, John Cheever, even Russell Kirk, to

EVERETT COLLECTION

Michael Dirda is the author, most recently, of Classics for Pleasure *and the 2012 Edgar Award-winning* On Conan Doyle.

name just a few outstanding examples. The genre's best stories are, after all, more than *divertissements*. They are works of art that make us think about who and what we are.

And, yes, they are also scary. Sometimes really scary.

In some ways, the first chapters of *Unutterable Horror* are largely backstory. Joshi mentions ghost stories from antiquity (in Petronius and Pliny), dramatic works like Euripides' *Medea*, and such Elizabethan classics as *Macbeth* and *Dr. Faustus*. But he begins in earnest with the late 18th century, arguing that only when people had ceased to believe in witches and ghosts and the devil could they begin to play with them as elements of fiction. Still, like most modern readers, Joshi doesn't think much of the period's Gothic novels, which run to rationalized endings, verbosity, and an overuse of the same dramatis personae—evil monks, Byronic aristocrats with dark secrets, terrified virgins. Only M.G. Lewis's exuberantly sexy and flamboyant *The Monk* (1796), Mary Shelley's endlessly interpretable *Frankenstein* (1818), and the long, multilayered *Melmoth the Wanderer* (1820) by Charles Robert Maturin earn the Joshi stamp of approval.

In the 19th century, Joshi rightly praises James Hogg's *Private Memoirs and Confessions of a Justified Sinner* (1824), a book somewhat reminiscent of, and indeed better than, Robert Louis Stevenson's more famous *Dr. Jekyll and Mr. Hyde* (1886). It is, in truth, one of the most disturbing novels ever written and should be far better known. Joshi dutifully points to the European influence of E.T.A. Hoffmann—best known for "The Sandman," the story upon which Freud built his theory of the uncanny—but judges much of Hoffmann's work incoherent and lacking "aesthetic rigor." Instead, our own Edgar Allan Poe takes pride of place, partly for the variety of his revolutionary storytelling and partly for the inspired artistry he brought to it.

Up to this point, one can make no serious objections to Joshi's history (though, in my view, he undervalues E.T.A. Hoffmann). However, hackles will rise when Joshi dismisses Sheridan Le Fanu's fiction (except for "Green Tea") as inartistic, ineffectual, and long-winded; discovers little merit in the many women writers of Victorian ghost stories; offers faint praise for such moving tales as Arthur Conan Doyle's "The Captain of the 'Pole-Star'"; fails even to mention Vernon Lee's "Amour Dure" (my own favorite ghost story); and condescends to *Dracula* (1897) as a second-rate farrago.

Often, Joshi's negative critiques focus on prolixity, an inattention to (a favorite term) collocation—by this he means the pleasing flow of sentences—and the generally shambolic character of so much 19th-century fiction. But as anyone who has ever looked at a Biedermeier interior or skimmed the menu of a royal banquet knows, the Victorians reveled in excess. A little too much was just enough for them. One needs to adapt to a slower narrative rhythm to appreciate Dickens, Wilkie Collins, or even Edward Bulwer-Lytton, whose *Zanoni* (1842) and *A Strange Story* (1862)—both well analyzed here—are foundational works of occult fiction.

Obviously, one must grant a critic his aesthetic criteria and allow Joshi to be true to his. Yet should this admirer of (and recognized authority on) Ambrose Bierce and H.L. Mencken be quite so derisive when books and authors fall short of his high standards? The correction of taste shouldn't preclude charity, or a recognition that commercial entertainments and *jeux d'esprit* have their place in our lives. Moreover, the most high-minded critical principles can sometimes be too confining—think of F.R. Leavis's overstrict determination of "the great tradition" in English fiction—such that they seem to shortchange the full range of literary art. If *Dracula* is such a mishmash, which it certainly is, why do people continue to read it with such fascination and pleasure?

As an outspoken atheist, Joshi also tends to undervalue work by professing Christians. In his view, the best supernatural fiction tends to be written by bold materialists; authors who actually believe in a spiritual realm can only produce bland, anodyne spooks and a "benign supernaturalism." He even calls Dickens's *A Christmas Carol* (1843) a "wretched piece of sentimentalism." Moreover, Joshi prefers fiction that works out logically, that carries an explicit meaning. Unresolvable ambiguity is an annoyance. Thus he argues, quite cogently, that the ghosts are real in *The Turn of the Screw* (1898).

The first volume of *Unutterable Horror* draws to a close with high praise for a group of Americans: Edith Wharton, Sarah Orne Jewett, and Mary E. Wilkins Freeman for their well-made ghost stories; Robert W. Chambers, mainly for his disturbing collection *The King in Yellow* (1895); and F. Marion Crawford, best known for his nautical classic "The Upper Berth."

As may be clear by now, Joshi really shines when he writes about those authors he truly cares about. In the second volume, then, he comes triumphantly into his own, especially in the sections dealing with M.R. James, Arthur Machen, Lord Dunsany, and Algernon Blackwood. If you like supernatural fiction at all, these are likely to be, as they are for Joshi, the titans. James is the master of the antiquarian ghost story (and Le Fanu's early champion), Arthur Machen and Lord Dunsany wrote exceptionally beautiful prose, and the pantheist Blackwood produced what are, for many, two of the best eerie tales of all time: "The Willows" and "The Wendigo."

In general, Joshi is surprisingly sympathetic to the restrained English tradition of ghostly fiction, represented by Walter de la Mare and L.P. Hartley, in particular. He rightly applauds the former's complex meditation on personal identity, *The Return* (1910), and the latter's macabre humor, as in the punning title of the famous story, "A Visitor from Down Under."

As the world's leading authority on H.P. Lovecraft, Joshi naturally writes enthusiastically and convincingly about that Poe of the 20th century. He argues that, as with Poe, there may be an occasional floridity in Lovecraft's stories—a stylistic trait much exaggerated by his critics—but on the whole, they are tightly constructed to achieve

maximum emotional effect. To Joshi, Lovecraft is particularly important for his cosmic vision, most strongly delineated in *At the Mountains of Madness* and *The Shadow Out of Time* (both 1936). While he didn't actually believe in his Old Ones or Cthulhu, Lovecraft employs them as heuristic devices to drive home the fundamental unimportance of self-important humankind.

In general, Lovecraft's two best-known contemporaries and fellow contributors to *Weird Tales*, Clark Ashton Smith and Robert E. Howard, are treated as less than full-fledged writers of horror fiction. The first is primarily a poetic fantasist, the latter the author of fast-paced adventure stories (his best known creation being, of course, Conan of Cimmeria). To Joshi, Smith stands, first of all, as the world's finest writer of weird poetry. It almost goes without saying that he has edited Smith's complete poems, just as he has recently edited those of Smith's mentor, George Sterling, in three volumes. But then Joshi—who has some 200 books to his credit—is arguably even more important as an editor, textual scholar, and bibliographer than as a critic.

As he continues his march through the last century's horror fiction, Joshi does increasingly revert to summary judgment, to the presentation of one plot précis after another, and to occasional snide remarks (Daphne du Maurier's work "is not entirely to be despised"). Lovecraft's acolytes—August Derleth, Donald Wandrei, and Robert Bloch, among others—are viewed as largely derivative of the Master, while the many writers of pulp horror (such as the prolific Seabury Quinn and England's Dennis Wheatley, author of *The Devil Rides Out*, 1934) are waved away as unworthy of attention.

In contrast, Joshi lauds the fecundity of the young Ray Bradbury's imagination, especially in his early stories collected in *The October Country* (1955), while also noting that his "understanding of the psychology of adolescent boyhood is perhaps unmatched in literature," as is his "ability to evoke the aching nostalgia of long-lost childhood." Both of these qualities are brought to the fore in *Something Wicked This Way Comes* (1962), "a novel of genuine terror."

Joshi also admits the effectiveness, however slick at times, of shockers and *contes cruels* by the multi-talented Gerald Kersh (no one ever forgets "Men Without Bones"), Roald Dahl, and the various writers for Rod Serling's *The Twilight Zone*, chiefly Richard Matheson (author of the last-man-on-earth classic *I Am Legend*, 1954). In the pages devoted to Shirley Jackson, Joshi displays both

H. P. Lovecraft

his forthrightness and critical acumen in finding *The Haunting of Hill House* (1959) "a bit diffused and unfocused," preferring Ramsey Campbell's 1996 *The House on Nazareth Hill* as the best of all haunted-house novels. Nonetheless, he aptly sums up Jackson's virtues:

> Her work as a whole is pervaded with an abiding sense of the weirdness that can emerge from the commonest elements of ordinary life. Her penetrating understanding of human character, and especially of human loneliness even in the midst of crowds, and the rapierlike satire that she frequently directed at the bountiful instances of greed, stupidity, smallmindedness, hypocrisy and other lamentably common human foibles render much of her work chillingly terrifying even when nothing overtly bizarre occurs.

As readers will recall, a horror boom swept the 1970s and '80s, initiated by Ira Levin's *Rosemary's Baby* (1967), William Peter Blatty's *The Exorcist* (1971), and Thomas Tryon's *Harvest Home* (1973). (The first two Joshi picks at; the third he pronounces—to borrow his own favorite adjective—an imperishable masterpiece.) Toward Stephen King and his voluminous body of work Joshi is largely unsympathetic: "I do not wish to suggest that King is a total failure on purely aesthetic grounds. He has had some modest successes." Joshi then names *The Running Man* (1982) the writer's best book. Clive Barker he finds undisciplined and overly prolific, except in *The Damnation Game* (1985), which "stands as one of the finest horror novels of the past 50 years."

The horror boom faded partly because film usurped print as the preferred medium for Grand Guignol excess. Today, maintains Joshi, Ramsey Campbell is, by a long measure, the greatest living writer of supernatural fiction. I suspect most people, except Stephen King fans, would agree with this judgment. But up until his death in 1981, Robert Aickman claimed that honor. His beautifully composed "strange stories"—"Ringing the Changes," "Bind Your Hair," "Into the Wood," and many others—elude clear-cut interpretation, yet remain profoundly disquieting.

Two of the finest recent writers of supernatural fiction have regrettably fallen silent: the reclusive Thomas Ligotti and T.E.D. Klein, the former editor of *Twilight Zone* magazine. But I envy anyone who has yet to discover the elegant work of Reggie Oliver, Caitlin R. Kiernan, Mark Valentine, Laird Barron, Barbara Roden, R.B. Russell, Simon Strantzas, Richard Gavin, Ian Rogers, Jeffrey Ford, Simon Kurt Unsworth, and Glen Hirshberg, among many others. You may have to search for their books, though, most of them having been published by specialty presses such as Tartarus, Ash-Tree, Centipede, Night Shade, PS, Tachyon, Prime, Hippocampus, Swan River, Chizine, and Subterranean.

All these authors and publishers are well worth your attention.

If you are attracted to supernatural fiction, and ours is an era when the fantastic flourishes in art, literature, and

EVERETT COLLECTION

film, then you will want to read *Unutterable Horror* (although you will need to pardon the unconscionable number of typos in these otherwise handsome volumes). A good general rule, however, is this: Trust Joshi on the books he praises, but look for yourself at those he dismisses or disdains.

That said, if you can't quite face an 800-page, two-volume work, you should go back to Lovecraft's groundbreaking monograph *Supernatural Horror in Literature* (1927). There are many editions, but the one to get is annotated by Joshi. Of course, if you've never read any horror fiction at all, the place to start is still the classic 1944 anthology *Great Tales of Terror and the Supernatural*, compiled by Herbert A. Wise and Phyllis Fraser (later, Cerf Wagner). This should be followed by David G. Hartwell's *The Dark Descent: The Evolution of Horror* (1987) and *The Weird*, Ann and Jeff VanderMeer's wide-ranging 2012 compendium of "strange and dark stories."

Keep a light on. ♦

B&A

Stalin's Cold War

The Soviet dictator, all by himself, was the cause.

BY RONALD RADOSH

Stalin's Curse
Battling for Communism in War and Cold War
by Robert Gellately
Knopf, 496 pp., $32.50

One of the most successful endeavors of the academic left in the field of American history and foreign policy has been convincing many colleagues, and thousands of students throughout the country, that the traditional understanding of the Cold War is wrong.

Older scholars believed (as did George F. Kennan, for example) that Soviet behavior was best understood as a continuation of czarist policies meant to spread the Russian empire, which explained Russia's posture in international power politics. The weaknesses of this analysis forged an opening for a new group of Cold War revisionists, historians of the left who argued that the Soviet Union was weakened at the end of World War II and, seeking only secure borders and peace with the West, was forced into the Cold War by the necessity of defending itself against American aggression.

Political leaders in the United States, such as Henry Wallace, favored giving Stalin what they thought he rightfully desired. Many historians are still sympathetic to his claims—and so portray Wallace and others, such as Franklin Roosevelt's aide Harry Hopkins, as unsung heroes. It is argued that their wisdom, had the policy they advocated been followed, would have created decades of peace and avoided the Cold War and the growth of a military-industrial complex both here and in the Soviet Union.

The Cold War is long over. But the battle over understanding its causes continues. Each year, new revisionist works appear, and adherents of Cold War revisionism in academia continue to produce tomes meant to reveal the perfidy of the United States and the peaceful intentions of the Soviets that were dashed by needlessly tough American measures.

It is in this context that readers must approach this masterful and brilliant new book by Robert Gellately, a scholar well known for his acclaimed books on Lenin, Stalin, and Hitler, as well as for his study of how Hitler ruled through a combination of coercion and consent. Turning his attention to how Stalin forged Russia's foreign policy, Gellately has mined the newly available archives in the former Soviet Union. The result is a definitive account that shows readers precisely how Stalin started, and tried to manage, the Cold War in an attempt to reach his never-abandoned goal of spreading communism throughout the world, with an aim to final victory.

Gellately shows that Stalin, rather than being passively reactive to American measures, was a leader whose every move was based on his sustained belief in Marxist-Leninist ideology, which he saw as a guideline for spreading the Soviet system elsewhere. Moscow, Gellately writes, "made all the first moves and [the West] if anything . . . was woefully complacent until 1947 or 1948, when the die was already cast." Never did Stalin want only secure borders to prevent another German invasion of Russia; his goal was to bide his time by doing whatever was necessary until the final showdown between the capitalist West and the Communist East.

One of Gellately's accomplishments here is showing that FDR and Winston Churchill both had naïve and misplaced impressions of Stalin as someone with whom they could work and reach sound compromises. Roosevelt, he writes, was not a cold warrior, out to save the American system and counter any Soviet advances: He believed he could secure peace by working with Stalin, who only wanted appreciation and payback for the great sacrifices made by the Soviet Union during the war. FDR "consistently sought to understand and sympathize with the Soviet position and he bent over backwards to ignore or downplay Stalin's horrendous methods of rule and obvious ambitions."

As for Churchill, he actually wrote his wife about Stalin: "I like him the more I see him." Stalin proved to be a wily manipulator who always told his opponents what they wanted to hear—and so dearly hoped was true.

Ronald Radosh is coauthor, with Allis Radosh, of A Safe Haven: Harry S. Truman and the Founding of Israel.

Of course, Stalin's takeover of Eastern Europe was motivated not by security concerns, but by his desire to spread the revolution in incremental steps: first in the areas he was able to control as a result of the war, and later (he hoped), throughout Western Europe, and, eventually, to the rest of the world. Triumph for communism, he thought, was inevitable; the only question was how long it would take to attain victory.

At the Livadia Palace, Yalta, 1945

To reach his goal, Stalin used extreme brutality. In some cases, NKVD squads came to villages, giving residents 15 minutes to gather their belongings and appear at trains to be taken elsewhere. Many of them found themselves going not to new homes, but to the infamous Gulag system.

One of Gellately's signal contributions is an explanation of why Stalin did not accept the American offer to extend Marshall Plan aid to the Soviet Union and its Eastern European satellites. Stalin did not reject the offer because he was afraid of Western control of his economy; rather, he believed that any aid would lead to rapid economic health, thus undermining his determination to communize the entire region.

General Marshall, Gellately notes, was serious about including Eastern Europe in his plan for European recovery. Indeed, Marshall "deplored the emotional anti-Russian attitude" in the United States and hoped that even Stalin could talk about economics and reality, with both sides ignoring ideology. It was Stalin who saw things differently: He believed that the United States wanted to defeat its main competitors in Italy, Germany, and Japan, and he wanted to both control prices and dominate the world. He thought America would fail and would collapse trying to manage the world market.

When given the choice to allow his Eastern European satellites to accept or reject European reconstruction aid, Stalin gave the order: All in the Soviet bloc had to reject participation. He believed, as did his aides in the West, that the Marshall Plan was meant to stop communism in the West, and such aid would reduce potential sources of Communist support.

> Stalin had it in his power to stop the drift toward Cold War then and there. Contrary to what some historians have suggested, he had choices. All he had to do was be prepared to say how the money would be spent. The all-powerful Stalin had no worries about political objections back home. The hindrances stopping him were entirely of his own creation. He was unable to imagine revealing economic "secrets" that, incidentally, democracies routinely publish. . . . By rejecting the Marshall Plan, the Soviets in effect flung open the doors to the Cold War.

Stalin's goal was clear from the start: "A Communist transformation of Europe that would eventually extend to other lands." The opposition to Stalinization of ordinary citizens in Western Europe was shattering this dream. Hence, Stalin opted for the one chance he had: tightening his grip on the areas his forces controlled and hoping that Western Europe would stagnate and fester while the Soviet Union would pick up the pieces in a successful Cold War.

The price paid by ordinary Soviet citizens was the opposite of those fortunate enough to live in Western Europe: a lower standard of living, a shorter life expectancy, and political regimentation by the Communist party machinery. When the Czech leadership wanted to join the Marshall Plan and accept aid—knowing that their nation's ability to thrive depended on trade with the West—Stalin forbade their delegation to even attend the meetings of implementation. "I went to Moscow as the Foreign Minister of an independent sovereign state," said Jan Masaryk. "I returned as a lackey of the Soviet Government."

We all know, as Gellately concludes, that Russians have an ambivalent view of their Stalinist past: "The struggle between the anti-Stalinists and the Stalinists is still going on in Russia." In our own land, the historical struggle is about comprehending the Cold War and understanding why it took place. The large group of revisionists still believes and argues that the responsibility for the Cold War's emergence lies with the United States. It is Robert Gellately's great accomplishment to put an end to this claim, to prove (as he writes) that such "arguments do not hold up under examination," and that, if anything, the West was initially indecisive in its leaders' response to Stalin's "Communist ideological offensive." ♦

B&A

The Lost Cause

A reporter remembers the agony of South Vietnam.

BY DAVID AIKMAN

Thirty-eight years after the last American helicopter took off from the roof of the U.S. embassy in Saigon, it might not seem possible for any new book to offer important insights and reporting on the Vietnam war.

Duc, however, does just that. Uwe Siemon-Netto, a reporter for *Der Spiegel*, arrived in Vietnam in 1965, early enough to see an elegant, Francophile Saigon not yet metamorphosed into an Asian honkytonk by hordes of GIs, but also early enough to be an eyewitness to harrowing scenes of the Battle of Ia Drang, when U.S. Army forces and North Vietnamese regulars clashed for the first time. Siemon-Netto's last trip to Vietnam was in 1972, when the famous North Vietnamese Easter Offensive was well underway.

Unlike some American reporters who seldom ventured anywhere outside Saigon, Siemon-Netto ranged far and wide across South Vietnam, dipping in on remote Special Forces bases and brave South Vietnamese Army units who were cutting down from trees the corpses of village elders and their children (including babies) who had been strung up, tortured, and murdered by Communist forces. The author's love for Saigon certainly includes forthright admiration for the beauty of Vietnamese women in their fetching *ao dais*, but also for the cocky street urchins who kept his aging Citroen clean and safe by taking refuge in it when it rained. He also writes admiringly of the German doctors and nurses who courageously staffed the West German hospital ship *Helgoland*, in the face of relentless Vietcong attempts to destroy it, far up north near Da Nang.

Duc
A Reporter's Love for the Wounded People of Vietnam
by Uwe Siemon-Netto
CreateSpace, 278 pp., $25

Duc is, in parts, hilariously funny, especially when narrating incidents involving foreign reporters in Vietnam or describing the perplexity of the Vietnamese encountering Western culture and social life. But it is also poignant and tragic, especially in reporting the viciousness of the Tet Offensive of February 1968, which Siemon-Netto experienced close-up in Saigon, and whose brutal and bloody aftermath he witnessed in Hue.

He describes weeping Marines coming across hundreds of women and children murdered by the Vietcong on their way to enjoy the holiday. Then, slowly, the full horror of the Tet atrocity emerging when it became clear that the Vietcong had targeted at least 3,000 South Vietnamese civilians on written execution lists even before the offensive started. When this fastidious German reporter came upon a mass grave of victims, he was astonished to find an American television crew standing around with idle cameras. The crew refused to shoot the scene because, they said, they didn't want to film "anti-Communist propaganda."

Because he loved the Vietnamese so much, Siemon-Netto became deeply angry that the murderous brutality of the Communist side was never fully reported by American or other Western reporters. Vo Nguyen Giap, the North Vietnamese commander, supervised a military campaign that deliberately terrorized civilians, understanding that, in Giap's own words, "the enemy does not possess the psychological and political means to fight a long, drawn-out war."

Unfortunately, General Giap turned out to be correct in his cynicism: Democratic societies are too vulnerable to their own doubts and critics to stomach the vigorous and costly struggle needed to defeat persistent and ruthless tyrannies.

Siemon-Netto was, of course, well aware of some of the civilian murders perpetrated by American soldiers. He personally reported on the court-martial of Lt. William Calley for his role

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David Aikman is the author, most recently, of The Mirage of Peace: Understanding the Never-Ending Conflict in the Middle East.

in the My Lai massacre. There is also a touching scene in which he meets an American machine-gunner who was desolate with grief and contrition because the black-clad figures he had earlier gunned down had turned out to be children. But Siemon-Netto makes it clear that the chasm between Vietcong and American murders was galactic in size: The Communists carefully planned violence against civilians, whereas the Americans punished anyone they could prove had committed such acts.

Ultimately, it was the South Vietnamese who suffered most from the war, ending up under the tyrannical rule of a Hanoi regime that continued to murder thousands of South Vietnamese military and civilians even after it had won the military victory. *Duc* is a rhapsody of admiration for the warm and talented people of South Vietnam and for those, both Vietnamese and American, who struggled, and often gave their lives, to try to keep the country free. ♦

B&A

Fidgety Feet

The energy, and ingenuity, of Hermes Pan.

BY KATE LIGHT

The news is good in this book, and the work is nice, indeed. Meticulously detailed and a joy to read, it recounts not only how much there was to Hermes Pan's partnership with Fred Astaire, but how much there was *beyond* it.

Did Hermes surpass Fred as the hardest-working man in show business? It would seem. During the years with Astaire, when the films rolled out one after another and the long hours and perfectionism were legion, when Astaire lost so much weight in the multiple takes that his clothes had to be altered, Pan matched him, take for take, hour for hour. But when Astaire worked a short day, or even took a few days off, Pan was in the studios, staging and choreographing numbers for other films across the lot, pampering and coaching insecure starlets, and sometimes appearing, uncredited, onscreen.

So there he was, masterminding a brilliant sequence, or coddling a non-dancer—such as Katharine Hepburn, who approached him for private tap lessons in 1934, and for whom he would eventually choreograph single dances in two 1936 films on his days off between *Swing Time* and *Shall We Dance*. Or there he was, auditioning 60 girls and so saddened over having to turn anyone down that he'd leave the room for the roll calls. And there he was, hosting one of his famous pasta parties. A friend to the likes of Hepburn, Ginger Rogers, and a young Ann Miller (14 when they first met on the set of *Stage Door*), he was patient, kind, and enthusiastic. But while Fred Astaire was commanding five-figure salaries, the genius behind the genius was getting anywhere from $75 a week (*The Gay Divorcee* netted him $800) to $100 a week for *Roberta* and *Top Hat*—with the chance to earn an extra $200 here and there for a few days' work across the lot.

Hermes Pan
The Man Who Danced with Fred Astaire
by John Franceschina
Oxford, 320 pp., $35

Hermes Pan

Hermes Panagiotopoulos was born in Memphis in 1909. His Greek father, a confectioner, had come to America to represent his hometown as "consul" for Tennessee's Centennial and International Exposition, but delays required him to get a job, and he eventually started a business of his own. He fell in love with an American girl and stayed in Tennessee. Hermes was the younger of two boys, with a middle sister, Vasso, also a talented dancer. At the hip, literally, of his African-American nanny, Hermes discovered jazz moves and rhythms he wouldn't otherwise have seen. Soon he was begging to be allowed to go along to his sister's dance classes—and a good thing, too, for after his father's untimely death, Hermes's adventuresome mother packed everyone off to New York, and, before long, Vasso and Hermes were dancing for tips in dance contests and everywhere they could be seen. By 15, Hermes was popping in and out of show choruses in and out of town.

In 1932, Hollywood's demand for dancers rose while the number of shows in New York fell, so migration west seemed inevitable. With their last $75, the Pans piled in a car, arriving in Los Angeles with $7 left. Stints in touring shows gave Hermes opportunities (if not always salaries) to design costumes and steps—and to dance, sing, and, above all, watch. RKO Pictures was virtually bankrupt when Pan arrived, but he leapt up the studio chain when he began to assist dance-director Dave Gould. Even when Pan did most of the work, however, he remained uncredited.

IMAGES: GETTY IMAGES

Kate Light, poet and violinist in New York, is the author, most recently, of Gravity's Dream *and the libretto to* Once Upon the Wind.

When Pan first met Fred Astaire, already in process with *Flying Down to Rio* (1933), it played like a movie scene; the two were immediately in sync. Alongside Astaire's legendary perfectionism was an openness to critique and suggestions from someone he could respect. Straightaway, Pan became that man.

Spending such intense time together—Pan and Astaire would work closely and privately on concept, choreography, and rehearsals, with Hermes dancing Ginger Rogers's parts for 10- or 12-hour days—required constitutions not merely hardy but lighthearted. Pan's warm personality was ideal for the long haul and long hours, and both Pan and Astaire were committed to the idea that, no matter how frivolous the plot, the dances should stem organically from character and situation. Both were always prepared to reshoot sequences if one tiny tilt or lift, or Fred's toupée, was off.

So fast and furious were films made, and such was the whirlwind of productivity, that after signing his first RKO contract, Pan worked on *The Gay Divorcee* (1934), *Roberta* (1935), and *Top Hat* (1935). After completing *Top Hat*, he received a whopping $250 for two-and-a-half weeks on *I Dream Too Much* (1935), working with nondancer Lily Pons; he then staged elaborate numbers for Ginger Rogers in *In Person* (1935). At the height of his work with Astaire, Pan was still in his 20s; and although he was working at the top, it was many years before his income would reflect this. It takes a lot of $250 weeks to make a $13,000 down payment on a home—as he was able to do in 1937.

While the Astaire films loom largest in Pan's history and affections, we learn that he also choreographed *Kiss Me, Kate* (1953), *Porgy and Bess* (1959), *My Fair Lady* (1964), *Finian's Rainbow* (1968), *Darling Lili* (1970), and dozens of other films. And though, like Irving Berlin, Pan could not read music, he kept pace with the luminaries: Kalman and Ruby (*Hips, Hips, Hooray!* 1934), Cole Porter (*The Gay Divorcee*), Jerome Kern (*Roberta*), the Gershwins (*Top Hat*), Berlin (*Shall We Dance*), Rodgers and Hart (*Pal Joey*, 1957), Rodgers and Hammerstein (*Flower Drum Song*, 1961), and Lerner and Loewe (*My Fair Lady*).

Pan loved and cared for his choruses as much as he did the big names: Casual photos show him on the beach, smiling in the midst of lady choristers.

With Fred Astaire, 1937

Quietly homosexual, sometimes with a committed partner, his private life remained out of the spotlight, while gossip columns linked him with many a starlet. The 55 photographs in *Hermes Pan* whet the appetite; the stories are a feast.

Astaire never wanted to be associated with one dance partner only. When he sometimes filmed with lesser dancers, or nondancers, it was up to Pan to make it work; coddling insecure stars and playing to their strengths were among his skills. When Paulette Goddard danced with Astaire in *Second Chorus* (1940), she could hardly believe it: She rehearsed hard, did the number in one take, looked great—and never danced again.

Pan once said that Fred Astaire hypnotized both his audiences and his partners. While maybe not a hypnotist himself, Pan could captivate his audience with one original staging idea after another, built from the sights and sounds around him: construction noises and rubble, band-room paraphernalia, a Fun Show, buffeting rainstorms, a coat rack. We learn that dancing on the diagonal, instead of straight towards the camera, best captures the sense of motion, and that soundstages in the 1930s recorded singers and orchestras at a distance of about a block apart. In one Pan/Astaire film, on an extremely resonant stage, taps were recorded live for the first time ever, instead of being overdubbed. We're told of the heavily sequined sleeves, in *Follow the Fleet* (1936), that Astaire dodged in take after take, and that eventually smacked him in the face so hard it made him bleed; and of the feathers shedding all over the Bakelite floor during "Cheek to Cheek."

Pan was a stylistic sponge: He choreographed Mexican hat dances, square dances, Persian-influenced dances with finger cymbals, Spanish *zarabandas*, re-creations of Vernon and Irene Castle's ballroom dances, jitterbugs, salsas, waltzes, polkas, swimming dances for Esther Williams, ice dances for Sonja Henie, belly dances, dances to gospel music, a strip for *Pal Joey*, a basketball dance, and a chorus line of 11 elephants, whom he found easy to work with. And he made the most of nondancers such as Douglas Fairbanks, Betty Hutton, Peter Lorre, Cary Grant, Kim Novak, and Liv Ullmann, a testament not only to his choreographer's talent but his psychological skills.

His collaborations with Fred Astaire alone place Hermes Pan in the ranks of the greatest choreographers. *Hermes Pan* leaves us eager to search out gems we may have missed or taken for granted, or to spot the man himself onscreen—and to celebrate this stellar, tireless, peerless career. ♦

B&A

Undercover Novelist

Fiction as weapon of mass destruction.

BY JUDY BACHRACH

"Valerie Plame's career as a CIA operative was cut short when her cover was blown by George W. Bush's White House," reads the blurb of Plame's latest imaginative stab. "Now, after dedicating herself to protecting the nation from its enemies, Plame turns to fiction . . ."

I, too, am really furious that Valerie Plame's career as a CIA operative was cut short, for, as was only eminently predictable, the woman now has far too much time on her hands. Even worse, as the above blurb intimates, the nation's enemies have by no means been eradicated by the author. Indeed, I am sorry to say that they have been perpetuated: clichés, a clumsy and improbable plot, awkward references to weaponry with which she is obviously indifferently acquainted ("The bore of the Dragunov felt warm and true under Pauk's careful touch" is my own personal favorite), weird bits of completely irrelevant background information on the heroine stuffed in toward the novel's back-end like a flapping shirttail—all these evils are currently infiltrating your local bookstore.

Blowback, which Plame wrote in tandem with Sarah Lovett, is one of the more incomprehensible novels I've ever read, and not because of its twists. There are no twists, really. None at all. There are only characters (23, by my count—far too many to keep track of), several of whom have amazing ocular characteristics (more on this later). What, exactly, any of them does for a living, or why, is beyond any ordinary reader's ability to fathom.

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Blowback
by Valerie Plame and Sarah Lovett
Blue Rider, 336 pp., $26.95

Valerie Plame, 2010

There are parallels in the book, however, with what we like to call "real life." Because Valerie Plame was once a blonde, attractive, undercover CIA operative of minor importance, the heroine, Vanessa Pierson, who could easily swap monogrammed bath towels with the author any day, is a blonde, athletic, overwhelmingly gorgeous undercover CIA operative of huge importance. Because Plame ostensibly once worked on preventing Iran from acquiring nuclear weapons, so does Vanessa. And with about the same degree of success.

Because Valerie Plame married tall, bulky Joe Wilson IV, a pompous former U.S. ambassador who once took a trip to Niger to discover whether or not Saddam Hussein was purchasing yellow cake uranium there, the heroine's cautious, tight-lipped lover is "six feet tall, taut and lean. . . . Was she imagining the faint and lingering scent of Dior's Eau Sauvage, [his] aftershave?"

No, I have to say that I don't think she was imagining it. Plame and her coauthor are utterly incapable of imagining anything at all, especially any element that might be "faint" or "lingering." For one thing, all of their physical descriptions of anyone, however minor, somehow need DNA backup. The heroine's lover, we are told very early on, as though this were a matter of extraordinary importance, "had inherited his mother's green-flecked hazel eyes."

(An aside: I'm not too sure why the lover's mother entered into this. We never do meet her or her facial features, and all we learn is that she doesn't want her son to marry the book's heroine. On the whole, this is understandable.)

Although the novel adds little to our knowledge of spycraft, wicked weapons-dealers, or the nation's nuclear-coveting enemies (ostensibly the book's subjects), *Blowback* has a great deal to offer on the gnawing issues of eyeballs, eyeball movement, eyeball interpretation, and eyeball soothers. The lover's green-flecked variety, for example, occasionally narrow—"with wariness," we are informed. The head of MI5, "strikingly attractive, even dressed as she was in a plain gray jacket [and] no jewelry" (i.e., totally dowdy because she's British), possesses, unsurprisingly, a "piercingly intelligent gaze." The American blonde-babe heroine, on the other hand, has blue eyes that, despite zero sleep for some three days running, "looked clear (thanks to Visine) beneath the strong brown eyebrows she'd inherited from her father."

I know, I know. It's hard to switch careers in midlife, and not just for Valerie Plame. But in her case, I think yet another change is in order. Think about it. Her sharp diagnosis of ominous green flecks, her passion for genetics and cheaper over-the-counter ocular medications—they all got me thinking: This woman has a future.

In ophthalmology. ♦

DANIEL JOUBERT / EPA / NEWSCOM

B&A

Two Quiet Lives

A near-perfect tale set in less-than-glamorous Los Angeles. **BY JOHN PODHORETZ**

I went to *Enough Said*, the new movie starring Julia Louis-Dreyfus and the late James Gandolfini, certain I would not write about it. Its producer, Anthony Bregman, is a friend of mine—so if I didn't like it, I wouldn't want to hurt his feelings by saying so, and if I reviewed it favorably, I would feel that I might have acted unprofessionally.

But then something happened: I actually saw *Enough Said*. And since a few people, at least, read these words in hopes of finding something worthwhile to take in at the cinema, I decided to risk untowardness to provide you with a little bit of helpful consumer service—which is, after all, the defining purpose of writing a review.

Enough Said is wonderful, and if you don't go see it, you're crazy.

It comes as close to achieving the sigh-inducing response of deep satisfaction evoked by a really good short story as any movie I've ever seen. It is small in scope, but within its frame it is almost perfectly realized. This is a movie about two newly middle-aged people who live remarkably ordinary lives in remarkably ordinary middle-class Los Angeles. Eva (Louis-Dreyfus) makes a living as a masseuse; Albert (Gandolfini) is an archivist at a museum devoted to television. Both are divorced. Each has a teenage daughter about to leave the nest. They meet at a party and begin dating.

The writer-director, Nicole Holofcener, shows these two characters peeling away their defensive layers as they grow more and more comfortable with each other, just as they would in real life. In a series of superbly written scenes—this is the best-written American movie in memory—we begin to see their winsome, winning qualities just as they begin to see each other's. They are not all that special, but they are lively, quick, and amusing, and they find each other lively, quick, and amusing.

Enough Said
Directed by Nicole Holofcener

James Gandolfini, Julia Louis-Dreyfus

Seeing *Enough Said* makes Gandolfini's death at the age of 51 all the more tragic. He plays to perfection a quiet, relaxed, self-contained man at ease with himself—precisely the qualities Tony Soprano did not have. But this is not a movie about Albert, nor is it about Albert's budding relationship with Eva. *Enough Said* is about the charming and pretty and nice Eva, who turns out to be a jagged, complex, and somewhat self-destructive person. Louis-Dreyfus, as expert a comedienne as anyone alive, drops all her shtick and burrows into this splendidly complex character in a revelatory performance.

As her daughter, Ellen, prepares to go East to Sarah Lawrence, Eva snuggles up close to Ellen's emotionally needy friend Chloe, who has a difficult relationship with her own mother and wants to supplant her friend. By doing this, Eva threatens to alienate the affections of her own beloved child. This may be a habit of hers; at a dinner to celebrate her daughter's going-away with her ex-husband and his new wife, there is a clear suggestion that Eva's unrealistic expectations helped torpedo her marriage.

Enough Said has a plot that would make the most sense in a bad episode of a clichéd TV situation comedy. One of Eva's clients is Marianne (Catherine Keener), a successful new-agey poet whom Eva admires for her pristine home and self-possession. Eva figures out that Marianne is Albert's ex-wife, but doesn't tell either the ex or Albert that she knows, because she can't help but use Marianne to gain information about her new boyfriend.

That insider information is unkind. "She's like a human TripAdvisor," Eva says of Marianne. And like all customers of the website that features nasty reviews of hotel rooms, Eva can't help but be influenced by Marianne's highly critical and belittling complaints about Albert. Eva stumbles into misbehavior, and then can't figure a way out of it. It is part of Holofcener's achievement as writer and director that this seems plausible and never descends into sitcom farce.

Holofcener has created a lived-in world here, though perhaps not lived-in enough; a real-life Eva and Albert would have family members other than their daughters, more obligations, richer and more complicated existences than we see here. That's what makes this more akin to a short story than a novel; *Enough Said* sets up a single, limited situation, and brings it to a crisis point. But within its limits, it's funnier than you expect, and more painful than you expect, and more affecting than you expect.

Also, not that this will mean anything to you, but my friend Anthony has a cameo. He has one line: "Hey."

Hey back. ◆

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—Barack Obama endorsing Democratic mayoral candidate Bill de Blasio, September 23, 2013

THE GREAT CHALLENGES OF OUR TIME

By Barack Obama

Contents