the weekly Standard

THE GREAT WAR OF 2014

JAY COST

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COVER: HAL MAYFORTH

A Democratic 'Civil War'?

The Scrapbook has always observed that while Newton's Third Law of Motion—"to every action there is always an equal and opposite reaction"—is true of the physical world, it does not always apply to the political universe.

Consider, for example, these stirrings among the faithful of the Democratic party. In a story headlined "Democratic Party feeling heat from the political left" (Dec. 1), the *Washington Post* reports that "as Obama struggles to achieve his second-term domestic agenda, a more liberal and populist voice is emerging within a Democratic Party already looking ahead to the next presidential election."

Such as? Well, Roger Hickey of the Campaign for America's Future complains about "real things in the economy that Democrats have been too timid to address," and John Podesta of the Center for American Progress laments that "all the gains . . . to fight poverty and reduce the poverty level during the Clinton administration in which I served have been washed away."

Nor are discontented Democrats merely venting to the *Post*. Retiring senator Tom Harkin of Iowa predicts that "there's going to be a big-time populist push on whoever's running for office to espouse . . . progressive policies." And nobody doubts which populist is expected to do the pushing: freshman senator Elizabeth Warren of Massachusetts.

To be sure, Senator Warren disclaims any interest in running for the presidency in 2016. But as the *Boston Globe* reports (Dec. 5), she "has won the hearts of liberals across the country with a full-throated embrace of government as an instrument to combat income inequality against a system that is 'rigged' for the rich and powerful." And if Warren is hesitant, her socialist neighbor Bernie Sanders is not: According to one left-wing website, the Vermont senator is prepared to seek the presidency to fight "income inequality, global warming, unemployment, *Citizens United*, the danger to democracy from oligarchic rule [and] media silence on everything important to the country."

All of which, of course, makes The Scrapbook very happy. For if increasing numbers of Democrats believe that oligarchic rule and global warming are winning issues for their party, we won't discourage them at all. But the interesting question is how the press will report the trend.

When the Republican party feels pressure from its right, the media are swift to declare that the GOP has been effectively conquered by crazies, and that the resulting "civil war" between "moderates" and "radicals" has rendered the Grand Old Party obsolete. So our suspicion is that, when the left exerts pressure on the Democrats next year, the process will appear to the mainstream media to be—well, somehow less destructive, more benign. Instead of the lunatics storming the asylum, or "ideologues" supplanting the "centrists" of yore, a leftward lurch will be seen as America's progressive party returning to its roots, or a second infusion of hope and change.

Or maybe not. We'll see. ♦

Savvy Joe Biden

In its breathless December 1 exegesis of the White House's response to the Obamacare website crisis, the insiders who dared speak to the *New York Times* told the paper how angry the president was that he was deceived about the status of the website and how great he was at responding to the crisis.

But buried among the agitprop was a tidbit that actually qualified as news, namely Joe Biden's response to members of Congress worried about the voter backlash they would face in 2014: "Just attack us," he told them. "Blame us."

It's sage advice, of course: This White House doesn't face another election, and they know they need as many Democrats as possible in Congress in 2015 to have any hope of getting even a small part of their agenda passed. And if Senator Mary Landrieu (one of the recipients of this advice) were to lose her seat, Democrats can probably kiss the Senate goodbye.

Noticing the anecdote, a Republican veteran of both Capitol Hill and the Bush White House emailed The Scrapbook last week with this interesting observation:

"Maybe Joe Biden doesn't deserve a MacArthur genius grant for suggesting that congressmen triangulate against the White House on the HealthCare.gov debacle. But it's worth remembering that the Bush administration would never countenance such a thing. While financial markets crashed—and along with them the approval ratings of everyone with an R next to their name—the third-string staffers ensconced in the White House those last few months vigorously pushed back on any attempts by Republican candidates (including presidential nominee John McCain) to do something similar, in a fruitless and banal attempt to protect the 'legacy' of President Bush.

"As a result, the election was an even bigger disaster than it had to be for the party, and Republicans narrowly lost a couple of Senate races that allowed Democrats to claim 60 members in the Senate. That was just enough to cram the Affordable Care Act through the Congress without any Republican help.

"Democrats have overperformed

in elections the last four cycles for a variety of reasons that go beyond their vaunted technological advantage at getting out the vote: They've been good at finding quality candidates, they have largely avoided nasty internecine battles, and they know how to present a united front. While Republicans rightly lament that a Republican Senate slipped from their grasp in the last two elections because of a surfeit of mediocre candidates in key states, it's worth remembering that fratricide is not a new phenomenon within the party." ♦

The Imaginary Future

Michio Kaku is a sort of pop physicist who makes a specialty of glibly forecasting future technology. He had a piece in the *New York Times* recently making 10 "predictions for the future," and they're about as facile as one would expect from a stalwart of the TED Talk circuit. Take just two examples: Kaku says that "Augmented Reality Will Become Everyday Reality." (Actual quote: "Remember the movie 'The Matrix,' where virtual information popped up to help inform physical day-to-day reality? Such things won't always be the stuff of Hollywood.") He also claims that "Dictators Will Be Big Losers." (Kaku: "The digital revolution empowers the disenfranchised, especially people living under dictatorships. The Internet frees people to realize they don't have to live like slaves. Dictators, who fear the Internet, and their own people, will be big losers.")

Except . . . there are very real issues of safety and privacy rights that will have to be worked out before we all live in augmented reality. Already, businesses are banning the use of Google Glass's augmented reality technology because of serious privacy concerns. (And by the way, there's no evidence that people—a few gearheads aside—want to adopt augmented reality en masse.) Kaku doesn't mention these issues. As for his second point, dictatorial regimes have proven remarkably adept at using technology to *strengthen* their hold on citizens. The Chinese government, for example, uses the Internet as just another surveillance system.

Other predictions Kaku simply conjures out of thin air:

> As in science fiction, via the Internet we will be able to experience telepathy (mind-to-mind contact) and telekinesis (mind controlling matter), to upload memories, create a brain-net (memories and emotions sent over the Internet), and record thoughts and even dreams. Basic proofs of principle for all of this have been demonstrated. This could have an enormous social impact. If memories can be uploaded, unemployed workers might one day be retrained to learn new skills. Students could take college courses while sleeping. Facebook will be full of emotions and memories. Movies may offer emotions, feelings, sensations and memories, not just images and sound.

There's no evidence that any of this will ever happen—this "prediction" is nothing but, well, science fiction. (One tell is that Kaku provides no dates for when these technological developments are supposed to occur.) But then again, what are mere pesky facts when we're talking about . . . *the future*? ♦

A Gentleman's A+

Last week, a headline in the *Harvard Crimson* confirmed that Harvard is continuing its depressing slide from an elite educational institution to a really expensive way to boost the self-esteem of America's overachieving youth: "Substantiating Fears of Grade Inflation, Dean Says Median Grade at Harvard College Is A-, Most Common Grade Is A." The plain facts here are bad enough, but should you want further confirmation that today's Harvard students aren't nearly as smart as they think they are, The Scrapbook would refer you to the embarrassing editorial the student newspaper ran the same day dismissing the relevance of its own report:

> That shouldn't come as a complete surprise—admission to Harvard has become increasingly selective with each incoming class hailed as extraordinarily gifted. A commensurate gain in academic achievement should be more an expectation than a surprise. High grades could be an indicator of the rising quality of undergraduate work in the last few decades, due in part to the rising quality of the undergraduates themselves and a greater access to the tools and resources of academic work as a result of technological advances, rather than unwarranted grade inflation.

The editors of the *Crimson* should know this is a ridiculous argument, especially considering this is the same paper that produced a video montage last month of Harvard students who were unable to name the capital of Canada. The video quickly went viral. One of the stumped students actually responded to the question by saying, "Hashtag: embarrassing." Contra the *Crimson*, we're going to go out on a limb and say that students benefiting from technological advances such as Twitter aren't automatically smarter than their predecessors.

The editorial is a little more honest, if lacking in shame, when it does in fact argue that grade inflation is necessary for self-esteem. "The post-recession mindset of students is already the source of much anxiety and to add the uneasiness of deflated grades would be unwise," the editors argue. The use of the word "unwise" here is more than a bit revealing.

The other problem with this argument is that grade inflation at Harvard is a long-term trend. Your humble Scrapbook reported on this in 2001, when Harvey Mansfield, distinguished professor of government at Harvard and esteemed contributor to this magazine, said he was "tired of punishing my students" and would henceforth give them two sets of grades each semester. The grade they earned and a suspiciously buoyant mark that would appear on their transcripts so as to placate the school's cowardly administration. At the time Mansfield justified his new grading system by citing figures from the registrar's office suggesting more than half of all grades at the university were A's or A-minuses. In other words, grade inflation at Harvard has only worsened since he raised this issue a dozen years ago.

Nor should it be surprising to learn that the only reason the issue is being raised again is that Mansfield asked the dean of undergraduate education about it at a monthly faculty meeting. According to Mansfield, the question and subsequent revelation produced an "embarrassed silence in the whole room. . . . The present grading practice is indefensible."

But when it comes to defending the indefensible, Harvard's administrators and budding editorialists are giving it the old college try. Back in 2001, Mansfield was practically accused of racism for pointing out that grade inflation was a problem. The latest *Crimson* editorial appears to make a subtle dig at Mansfield (Harvard class of 1953). "Comparing modern grades to the C average during the Eisenhower administration disregard[s] significant differences in the College," the editors of the *Crimson* protest. The current crop of students may believe that they are the academic apex of the storied university, but questioning a basic and undeniable observation of someone as experienced as Mansfield—how to put this?—would be unwise. ♦

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It's How You Play the Game

I was on the sidelines at my daughter's 11-and-under travel soccer game. It had been a successful season, but today they were being outmuscled by a very physical team from Warrenton. With a strong wind blowing against them and only one substitute on the bench, the Alexandria Heat were on the wrong side of a 5-0 rout.

Late in the second half an errant ball went in their goal off a defender's foot, which is always disheartening. A particularly stout fan, I continued clapping and cheering, though now a lonely voice on a quiet sideline. I was confident that our girls could score a goal or two before the final whistle. *They're better than this*, I kept thinking.

Then it happened again, a few minutes later, in a classic bungle of a high ball that, untouched, would have skidded safely out of bounds. Instead, it caught the raised leg of a well-meaning defender and was redirected into her own goal.

I wish I could say that, at that moment, I was thinking of how that player must have felt, but I was too disappointed. I felt betrayed. My hands stopped clapping and I stood there as silent as any other parent while a voice in my head screamed, *How could you?*

Parents now make up a category of sports fan almost as notorious as the drunken goons of European soccer. And not without reason. Who hasn't witnessed the red-faced parent with pointed finger lay into their poor little kid just moments after a tough loss? And what about the screaming dad who, at this very game, after his daughter was ejected for a flagrant two-handed push that put her opponent flat on the ground, yelled, *Oh, come on! Gimme a break!*

A lot of effort is directed toward regulating parental involvement in youth sports these days. Coaches and managers instruct parents on how to cheer from the sidelines. They tell us we must root for all the players and not yell specific instructions like, "Come on, pass to my daughter, you ball hog."

After each game, the parents in our league get rated on how they affected the overall tone. A club rule even says that parents may not speak to coaches for 24 hours after a game. This cooling-off period is intended to save us lunatic parents from flying into a rage at the coach for leaving our little Abby Wambach at right fullback when obviously she should have been playing center forward so she and her team could have finally scored a goal, *you know, coach, a goal! Remember those?*

MICHAEL SLOAN

One wonders, however, if parents aren't being scapegoated for some of the more unpleasant aspects of competition, which can only be reduced by so much. Adults can say fun is the most important thing, players can shake hands afterwards saying, "Good game, good game, good game," and sportsmanship can be praised in heroic odes sung at the breakfast table, but losing always leaves a bit of pain in the very place where you stored your hopes for a victory.

Still, with the end of the fall season, I have been thinking more about how parents should conduct themselves. And, honestly, I see nothing wrong with vigorously cheering for your team. I am a bit of a yeller, and I am not about to stop whooping, hollering, and generally carrying on, especially when my daughter pounds a ball high into the corner of the net from 20 yards out.

But there is something important—and obvious—about the fact that these players are our children. We should not only cheer for them. We should identify with them. When we are disappointed, they are disappointed. And, corny but true, learning how to lose *is* one of the great lessons sports can impart, to young athletes and parents alike.

As it happened, I had a game of my own the next evening. After about 27 years of not playing in an actual soccer match, I was stepping into a pretty serious 40-and-over co-ed game as a substitute defender.

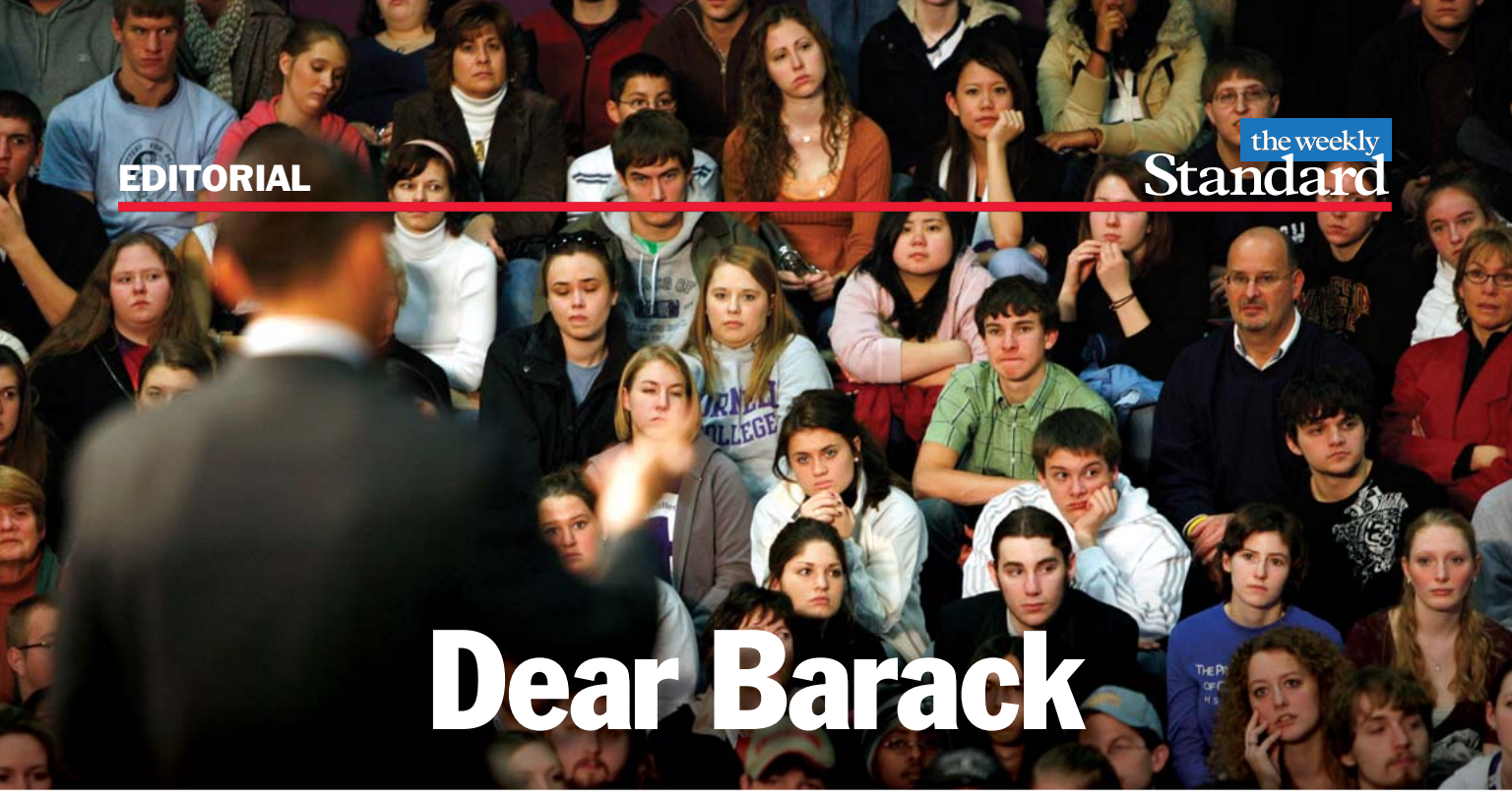
I can still run and kick decently, but doing so in a hard-fought game left my legs feeling like rotted wood. Midway through the second half, I stood in front of my own goal as a waist-high ball came at me. Untouched, it would have passed safely, but I knew what a player is supposed to do in this situation.

Only I was moving too slowly to capture the ball softly with my chest. Instead, I lifted my creaking right leg to make the stop. But my angle was bad. Bam! The ball flew off my foot and into our net.

It was exactly what the defender on my daughter's team had done the day before. And, just like her, I shook my head, resumed my position, and got ready for the kickoff.

David Skinner

the weekly Standard



AP IMAGES / CHARLIE NEIBERGALL

Dear Barack

Seduced and then disappointed by a hipster who turned out just to be another solipsistic boomer, now chastened yet still hopeful for change (if no longer swept away by the promise of Hope and Change), young Americans are ready to ditch Barack Obama. Things had been getting rocky for a while, but seeing the dawning of the Age of Obamacare in its full glory seems to have been the final indignity. The young will of course never acknowledge that maybe their old-fogey parents were right all along, but they do understand that what they thought was going to be a meaningful, long-term relationship has turned out to be just a youthful fling. And so they're getting ready to say, Dear Barack, thanks for the memories, but we'll be returning the next email to sender, addressee unknown.

In 2008, 66 percent of Americans between the ages of 18 and 29 voted for Barack Obama, and 60 percent of that age group stuck with their man in 2012. Now a poll from Harvard's Institute of Politics shows only 46 percent saying they'd vote for him again, and a (narrow) plurality of young Americans actually say they would recall him if they could. (Indeed, among the younger half of the cohort, 18- to 24-year-olds, who missed some of the 2008 infatuation, there's a clear majority for recall.) Only 41 percent of the 18-to-29 cohort approve of the job performance of the president to whose election they were so crucial, with 54 percent disapproving. Nor is there much lingering fondness for the sweet liberal nothings Barack whispered into their ears. More Americans between 18 and 29 now report they're conservative (37 percent) than say they're liberal (33 percent), and one suspects the 26 percent who call themselves moderate are more open to moving in a rightward direction than to the left.

So it's a real moment of opportunity for conservatives. Can they do more than catch the young on the rebound? Can they begin a lasting relationship, one based not on superficial charm but on a solid basis of understanding and shared interests? Of course a little romance wouldn't hurt—but honestly, you can't replicate that first kiss anyway. So conservatives are free to do what they do best, which is to make sense, not love.

The young should be open to common-sense arguments. They are particularly victimized by Obamacare. They're also being victimized by costly and hidebound institutions of higher education, full of unpleasant liberals whom the young don't much respect. And in return for being lectured to, they're being saddled with amazingly burdensome student loan debts. More broadly, young people don't want to live in a world where nuclear proliferation is out of control and terrorism and Islamic extremism are rewarded, or in a country that's accumulating debt, losing economic opportunity, and watching upward mobility fade away.

The good news for Republicans is that on all these issues, the entire Democratic party is in sync with Obama. As his policies fail, it's not as if other Democrats are offering plausible alternatives. Nor does it look as if the Democrats are going to nominate a fresh and youthful face in 2016.

The Republicans don't really have to do that much. They need to make clear they share young people's healthy aversion to moralistic nannies and self-important experts who seek to nudge, badger, and coerce us to do things for our own alleged good (welcome to modern liberalism!). They need to advance a broad and bold conservative reform agenda. And they need to produce a compelling presidential nominee in 2016.

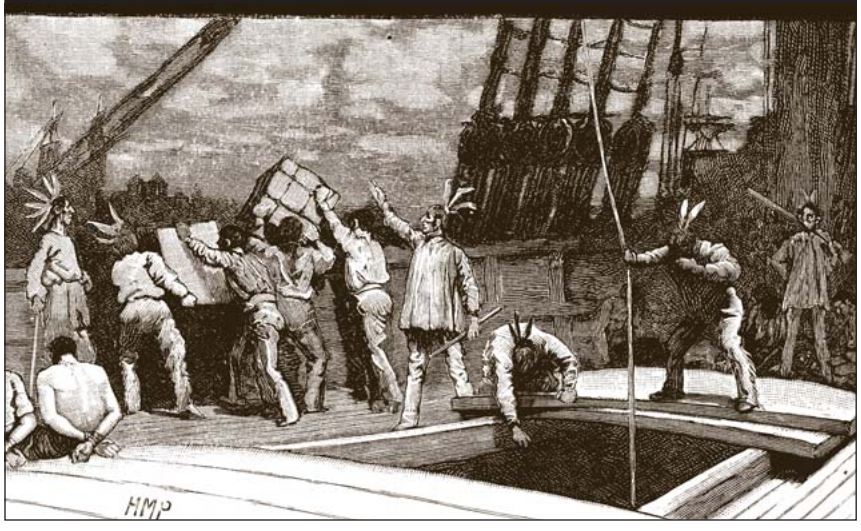
Whoever the GOP nominee is, the young are unlikely to swoon. But they also won't be burdened with regret.

—William Kristol

Happy Birthday, Tea Party

Remember, remember the sixteenth of December.

BY RICHARD SAMUELSON



Two hundred and forty years ago this month, a gang of Bostonians dressed as Indians boarded the *Dartmouth*, the *Eleanor*, and the *Beaver* and dumped 90,000 pounds of tea into Boston Harbor. That fateful action on December 16, 1773, and Parliament's inflammatory response—closing the Port of Boston, altering the colony's charter, radically limiting popular government in Massachusetts, allowing the quartering of troops in private houses, among other arbitrary measures—precipitated the American Revolution. The Boston Tea Party, like the revolution more generally, seems to be a relic of a bygone age, despite the modern namesake it's inspired. Is it just the appellation that reverberates today?

Richard Samuelson is associate professor of history at California State University, San Bernardino. He is writing a book on John Adams's constitutional thought.

Some scholars, most notably Harvard's Jill Lepore, reject any comparison between 1773 and the present, accusing the modern Tea Party of "historical fundamentalism" for, in part, making "political arguments grounded in appeals to the founding documents, as sacred texts, and to the Founding Fathers, as prophets." But that criticism rests on a fundamentalism of its own, presupposing that the past is so distinct from the present that the political practices, ideas, and modes of 1773 cannot possibly be applicable today. America's revolutionaries did not think about history that way, nor do many Americans today. Louis Hartz wrote years ago that "the traditionalism of the Americans, like a pure freak of logic, often bore amazing marks of anti-historical rationalism." The ideas on which the country was founded are only a "freak of logic," however, if one accepts Hegel's progressive view of history as gospel. Such is the fundamentalism of our modern American historians.

There are, in fact, several echoes of the original Tea Party in the modern one. In both cases, we have a fight to preserve self-government, legal questions regarding the constitutional limits of the government's powers and the structure of constitutional government, and the inability of a distant elite to distinguish between vigorous citizens and an unthinking rabble.

But it was a more prosaic issue that inspired both. As the historian Robert Middlekauff notes, Parliament passed the Tea Act of 1773 primarily "to bail out the financially troubled East India Company." The colonists regarded the tax as unconstitutional, and they nullified it, turning ships away with their cargo still on board in just about every colony. In Boston, however, Governor Thomas Hutchinson forced a showdown.

The response was a carefully managed *legal* action. When the *Dartmouth* entered the Port of Boston on November 28, 1773, her owners had to pay customs duties within 20 days, or the cargo would be forfeit to the government. That led to a standoff: The powers that be in Boston refused to let the cargo be landed, and the governor refused to allow the ship to leave without offloading the tea. In the meantime, two other ships with tea arrived in port. On December 16, with the clock running out and no resolution in sight, the tea was dumped into Boston Harbor.

One would think that a gang of men merrily breaking open chests of tea, splitting them with hatchets (to ensure the tea would spoil in the water), and hurling them into the harbor would have gotten out of hand. But it didn't. One or two of the "Indians" on board went for the booze, but they were stopped. An overzealous rebel broke into the captain's quarters; the captain was reimbursed for the cost of the broken lock. This was the most American of protests, conducted by a taxpaying mob.

Like that of the eighteenth century, today's establishment has blinders

IMAGES: NEWSCOM

on, assuming that the protesters are poorly educated and perhaps religious zealots, too. By the standards of the day, the British colonists were highly literate, particularly in New England. Massachusetts was the home of the Puritans, who were still religious, but hardly the fanatics the Anglican establishment took them to be. But the particulars didn't matter. Looking at Boston, England's leadership class saw the rabble of eighteenth-century London. It's not so different today. Some of our recent Tea Party gatherings have been known to leave public spaces cleaner than they were before the demonstrators arrived—just as the original Tea Party replaced the damaged lock on the ship. Perhaps the editors of the *New York Times* mistake the Tea Partiers for the Occupy crowd?

Yale law professor Dan Kahan recently conducted a study of today's Tea Party. "I fully expected I'd be shown a modest negative correlation between identifying with the Tea Party and science comprehension," he noted. Instead, he found that people who identify with the Tea Party are slightly more knowledgeable about science than the average American. The study's conclusions brought him up short. "I don't know a single person who identifies with the tea party," he realized. Reading the *New York Times*, the *Huffington Post*, *Politico*, and other like sources gave him a false and biased view of the Tea Party. To his credit, Kahan was happy to have the correction. Many others are not so open-minded. In both 1773 and today, the notion of middle-class protest simply does not register with the leadership class.

The two Tea Parties also share a concern with constitutional structure. In the 1760s and 1770s, some British leaders wanted to create an American "civil list"—a permanent elite with lifetime jobs to administer the colonies. That would bring the empire under proper management. In our day, we have civil servants—often graduates of elite institutions with impressive credentials—who have jobs for life and who, in effect, write our legal code, enforce it, and judge whether citizens have run afoul of the rules. Some of the modern Tea Party protest is directed against this modern—perhaps postmodern—aristocracy that threatens to alienate government from the common citizen. We should also recall that the modern Tea Party follows up the "Porkbusters" movement of the George W. Bush years. Pork-barrel legislation is, in some ways, the twenty-first-century equivalent of the pensions that George III would dispense when he needed votes in Parliament.

In sum, both Tea Parties reflect a frustration with distant elites who can hardly be bothered to know or care what most Americans think, and who wish to regulate us more than we would like, often without our direct consent. Those at the center seem to regard many of the people on the periphery as simpleminded plebeians whose opinions are hardly worth considering, motivated as they are by ignorance or, in current parlance, "racism." Tea Party backers, meanwhile, are viewed by the establishment as self-serving pirates who wish to line their pockets, with the Koch brothers in the role of John Hancock.

The original Tea Party was a New England affair, while today's is a national protest. But many of our Tea Partiers, like their colonial ancestors, want America to be that "city on a hill." They believe that what is special about America is under attack, and they are, metaphorically, throwing tea into Boston Harbor in the hopes of forcing the establishment to take notice and persuading the rest of the country to rally alongside them. ♦

Poll Position

Obama's collapsing numbers.

BY FRED BARNES

President Obama is 5-for-5, but not in the way he'd prefer. In baseball, 5-for-5 signifies perfection. In Obama's case, it means the opposite. On the five most important polling questions that measure a president's success, he's not only dropped significantly, but he's now regarded negatively overall.

The five yardsticks are presidential job approval, honesty, handling of the economy, strong leadership, and the public's impression of him personally. Being underwater on all five is extraordinary, if not unprecedented.

For presidents, the five measures don't ordinarily rise or fall in tandem. President George W. Bush's job approval tanked, but he was seen as a strong leader. President Bill Clinton was distrusted, but maintained high job approval. President Jimmy Carter was trusted, but sank in job approval and was judged a weak leader.

That Obama's poll numbers have plunged across the board indicates recovery will be very difficult. Presidents who skid downward in their second term are rarely able to turn their fortunes around. Obama's decline is similar to George W. Bush's. "The parallels," says Republican pollster Whit Ayres, "are downright eerie."

The country was divided in the first year of Bush's second term. Then an event—Katrina—raised questions about the president's competence and ability, and disapproval set in. "Once the approval and disapproval lines cross, the trust he enjoyed . . .is undermined, and he never again wins majority approval of his job performance," Ayres wrote in *National Review Online*.

Those lines have crossed for Obama, most destructively on job approval and trustworthiness. "There's no question that job approval is the most important by far," says Larry Sabato of the University of Virginia. "It is the ultimate summary statistic—a prism through which we get a sense of everything, how the country's going, the economy, the president himself all rolled into one. . . . The other measures are interesting, but they are a 'slice of life.' As Carter showed, you can be trusted and personally liked but still lose."

What makes a president's job approval all the more crucial is its correlation with how his party does in elections. Obama's approval has tumbled into the low 40s and the high 30s in polls by CBS News, Reuters, and the *Economist*/YouGov. If those numbers hold, he will be a huge drag on Democratic candidates in 2014. If they improve, so will Democratic prospects.

The matter of honesty and trust is nearly as serious as job approval. For Obama, the problem here is his statement, made repeatedly before and after Obamacare was enacted, that anyone who liked his health care plan would be able to keep it.

This happened to be the only one of several promises Obama made about his health reform that the public believed. North Star Opinion Research discovered this last March in a poll for the YG Network. People dismissed as untrue Obama's vows that Obamacare would not add to the federal deficit, would save families $2,500 a year in health insurance, not require cuts in Medicare, and not lead to a doctor shortage or rationing.

The promise to let individuals keep their current insurance was different. It was deemed true by a 64 to 27 percent margin. And when it became clear this claim was false, the reaction was poisonous for the president. His credibility was shattered.

Obama has tried to explain away his promise, soften it, and put the blame on insurance companies. His excuses haven't helped. "Once you break people's trust, it's hard to resurrect it," Ayres told me. So Obama is likely to have a credibility problem for the remainder of his presidency.

On his handling of the economy, Obama's rating matches his job approval. It's lower than ever. His frequent announcements that he intended to "pivot" to emphasize improving the economy have fallen flat as growth and job creation continue to stagnate.

Meanwhile, rejection of the notion of Obama as a strong leader has become a staple of national poll results. Most Americans want a strong leader in the White House, and they aren't finding one in Obama.

The fifth category is trickiest. It involves how people feel about Obama, the individual. Most polls show people like him. But when asked about their "impression" of him or whether he "inspires" them or if they "admire" him, they react more negatively than positively. This is new. Until recently, the president had gotten higher marks on this measure than on job approval.

What should we make of a president whose poll numbers have collapsed together? It's noteworthy this has occurred in Obama's second term, when he lacks a campaign to run ads praising him and denigrating his opponents, pollster Ed Goeas says. And there's no future candidacy for people to rally around. At the moment, Goeas adds, "the more people see him, the madder they get."

But it's more than just that. "When most or all the measures fall simultaneously, it means that something dramatic has happened to undermine the public's confidence in the president," Sabato says. "The Obamacare rollout and presidential misleading on keeping your doctor and insurance explain [Obama's] recent polling fate."

But not entirely. There's another factor. Obama is on his own now. He's flying solo as president. And what the polls reveal, when taken together, is a rising concern that he may not be up to the job. ♦

Fred Barnes is an executive editor at THE WEEKLY STANDARD.

In a Plain Brown Package

Australia's doomed effort to kill tobacco sales.

BY P. J. O'ROURKE

I am sitting at my desk, looking at a photograph of a gangrenous foot. It is a bloated thing in hues of phlegmatic gray rot, sanguine inflammation, melancholic black bile, and choleric open sores—exhibiting all the humors of a meeting of the United Nations Human Rights Council. Above the photograph, in bold white capitals on a dull, matte background are the words "SMOKING CAUSES PERIPHERAL VASCULAR DISEASE." The photograph is helpfully labeled "GANGRENE." Below the photograph, in a bland sans-serif typeface with letters an eighth of an inch high, is "Marlboro Red."

This is a pack of Australian cigarettes, conforming to that nation's Tobacco Plain Packaging Act. The act went into effect on December 1, 2012, and is the strictest such legislation in the world.

The act isn't very strict in its use of the word "plain." I had to go through 35½ column inches of the *Oxford English Dictionary* before I arrived at definition 17, "homely: often used euphemistically for ill-favored, ugly."

And the plain fact is I've been a journalist for more than four decades. I've listened to a lot of wild tales. But nothing I've ever heard—not even in the most hyperbolical regions of the Middle East from fantastical lunatics making their farthest-fetched pronouncements—can match "My mother died of foot gangrene from smoking."

If putrid tootsies are not your style, there are a variety of other government-mandated images displayed on Australian cigarette packs, such as rotted gums, diseased lungs, a blind eye, a smoker's corpse, and tongue cancer. Though the tongue cancer photo doesn't really come off. It has the look of a graphic pornography extreme close-up where the close-up is so extreme that the graphic has displaced the porn.

Packs of Australian Marlboros

Nonetheless this is a brilliant marketing campaign by the Australian authorities, doubtless designed to increase tax revenue from cigarette sales to junior high school boys. If I were in junior high I'd promptly find a way to buy (bribing an older brother or cousin, if need be) this incredibly disgusting flip-top box. And then I would be beside myself with eagerness to get to school the next day and usher my pals into the boys' room to show off my gruesome, shoeless, sockless purchase.

In the World Gross-Out Championship, which is the preeminent event and main purpose of seventh grade, I'd retire the cup. At recess we'd show the pack to the girls, eliciting the highly coveted "ICK!" shriek. After school a certain kind of girl, the kind who made our hearts flutter (which Australia warns that cigarettes also do), would ask, "Can I try one?"

Of course we'd smoke the things. Who could resist? I can't resist myself. As a confirmed cigar-smoker, I don't care much for cigarettes. But the 13-year-old abides in us all. And it's an affair of honor. I am devoted to Lady Nicotine. She has been insulted.

Hmm . . . they're not bad. A little stale from travel, perhaps, but "tastes good like a cigarette should." Or was that Winstons? No brand name appears on the individual cigarettes, just a cryptic "A001" in tiny type below the filter. That leaves me wondering if I should smoke them, in espionage novel fashion, wrong-way-round, leaving no trace of my presence to be detected by enemy spies in the employ of another branch of the U.N., the World Health Organization. But this is not a bright idea with filter cigarettes.

And "plain packaging" is not a bright idea period. Let me withdraw any imputation of base motives to the Australian government and stipulate that its legislators *mean* well. Legislators always *mean* well. They say so themselves. But—as certain well-meaning legislators in another country have discovered with certain well-meaning legislation about another health issue—meaning well is not synonymous with doing good.

Australia's Tobacco Plain Packaging Act hasn't done any good. According to a report prepared by the auditing and consulting firm KPMG for tobacco companies doing business in Australia, the sale of cigarettes and loose tobacco for rolling cigarettes had been declining in that country by an average rate

IMAGES: THE WEEKLY STANDARD

P.J. O'Rourke, a contributing editor to THE WEEKLY STANDARD*, is the author of a new book,* The Baby Boom: How It Got That Way (And It Wasn't My Fault) (And I'll Never Do It Again).

of 1.8 percent a year since 2000. Following the imposition of plain packaging a year ago, however, "total consumption of tobacco . . . appears to be stable."

Sales of legally packaged and lawfully retailed Australian cigarettes are down. No surprise given that most smoking is not done in seventh-grade boys' rooms and that a pack of cigarettes in Australia costs nearly $16. (The Australian dollar is worth approximately the same as the U.S. dollar except it has a kangaroo on it instead of George Washington.)

But this decline in sales has been offset by a 154 percent increase in sales of contraband and counterfeit cigarettes coming from overseas. These cost half as much and arrive in the pleasant traditional wrappings of their brand. (Though, in the case of counterfeit cigarettes, with some risk of misspelling—*Malrbolo.*)

In calculating the 154 percent figure KPMG seems to have done its homework—surveying thousands of adult Australian smokers, analyzing Australian Customs tobacco seizure data, and sending out teams to pick up the litter of 12,000 empty cigarette packs in 16 Australian cities and towns.

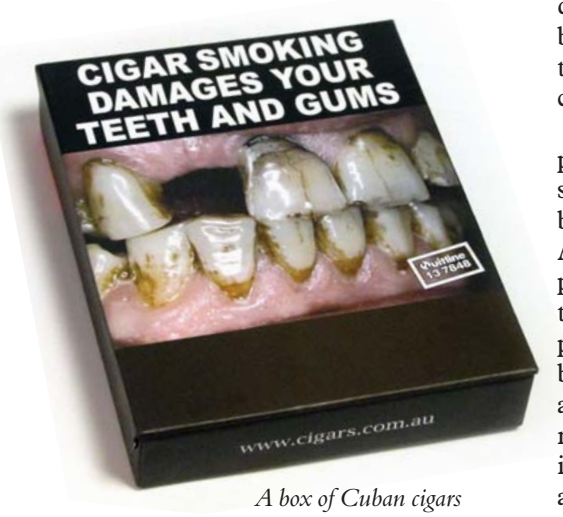
Not to re-impute base motives to the Australian government, but plain packaging has been a revenue disappointment as well. KPMG estimates that, as of mid-2013, contraband and counterfeit cigarettes have cost Australia a billion dollars in lost taxes.

Do you suppose there's organized criminal activity involved? Consider that a pack of smokes costs a buck and a quarter in Vietnam. This makes the mark-up for smuggled heroin look like the profit margin on a Walmart Black Friday loss leader.

Plain packaging encourages gangsters, depletes Treasury reserves, and fails to make people smoke less. Furthermore it led to domestic political discord in Australia.

When deliberating what color tobacco product packages should be, the government first decided on olive green. Social scientists claimed that research shows olive green is the color least attractive to young people. Never mind the camo-pattern clothing in favor among the youthful set and the number of adolescent girls who've dyed their hair exactly that hue. Then the Australian Olive Association took umbrage. You don't mess with the Olive Association. They know where your martini is. The government was forced to relent and had to settle on "drab dark brown." It is precisely the shade that all fashionable interior decorators want to paint the living room. I assume Australia's decorators took umbrage too.

But the greatest damage that plain packaging has done is in its perversion of moral philosophy and my cigars.



A box of Cuban cigars

One can buy genuine Havanas in Australia. Having snuffed out my Marlboro, I am presently enjoying a Montecristo Joyitas, a full-flavored cigar with an elegant 32-ring gauge. I am not, however, enjoying its cigar box. Montecristos come in a sturdy cedar *cigarrero* designed to preserve aroma and freshness. The box is handsomely decorated and emblazoned with the red and gold triangular Montecristo crest with a fleur-de-lis device on a field of six crossed rapiers. It's worth the price as an object of art even if you don't smoke. But not any more. Not in Australia.

My Joyitas arrived encased in cardboard that was flimsy as well as drab dark brown and bearing a photograph, in this case, of rotted gums. Being that a cigar box is the size of a cigar box, those gums are in heroic scale.

The attractive and understated Montecristo cigar band—in a rich walnut brown—has also disappeared. It's been covered with a paper collar of requisite plainness. This is nearly an inch wide, deprives me of a third of my smoke, and any attempt to remove it tears the wrapper leaf and destroys the cigar.

Each of these strips of paper has been fastened by hand with scotch tape. Mindless, useless, idiotic work is typical of many government jobs, but this seems to exceed even the typical work done in the Australian parliament.

And the Australian parliament is, no doubt, working very hard indeed. There's no end to the work to be done once moral philosophy has become so perverted that something like "plain packaging" is considered a public benefit.

Beer is certainly next, with pictures of drunken fistfights, snoring bums, and huge, gin-blossomed noses on every can. Airplane crashes kill a lot of people. No plane should be allowed to land in Australia unless it's painted drab dark brown and bears an image of fiery carnage along its fuselage. Cars kill even more. Perhaps a banner showing lethal wrecks could be pasted across the inside of every car's windshield. And there's food. Make all food drab dark brown (something of a historical tradition in Australian cooking anyway) and deck the labels with naked fat men.

Fortunately there are those who are still willing to fight for property rights and freedom of choice. Raúl Castro, for one. Cuba has gone to the World Trade Organization to challenge Australia's Tobacco Plain Packaging Act. Cuba argues that the act violates the internationally recognized rights of trademark owners and does not comply with the WTO's agreements banning technical barriers to trade and protecting intellectual property.

When Raúl Castro is your Milton Friedman, you're ready for the intellectual firing squad. The thought process of Australia's legislators should be stood up against the wall of common sense. Care for a last cigarette? ♦

King of the Contractors

Erik Prince defends his warriors.

BY MARK HEMINGWAY

With all due respect to General David Petraeus, the most influential strategist of the wars in Iraq and Afghanistan may turn out to be Erik Prince. The fact that Prince has had a huge impact on how the U.S. military operates isn't necessarily a compliment. The former Navy SEAL is the founder of Blackwater USA, the notorious "private military contractor" that garnered a great deal of unwanted publicity for its role performing security and logistics functions for the U.S. government in various war zones. Prince and his former outfit have legions of detractors for whom the term "private military contractor" is just a euphemism for mercenary.

Even Prince appears to have plenty of reservations about his 13 years with Blackwater. After spending years responding to congressional subpoenas and resolving a number of high-profile lawsuits, Prince has returned from self-imposed exile in Abu Dhabi and published a book, *Civilian Warriors: The Inside Story of Blackwater and the Unsung Heroes of the War on Terror*—his attempt to set the record straight. He feels he's been treated unfairly, and not entirely without reason. "We were 'cowboys.' We were paid too much and beholden to no one—Bush's private army, run by a Roman Catholic war profiteer," is how Prince describes the portrait of his firm that emerged. If you were reading his press in the twilight of the Bush years, you'll know that he's not being hyperbolic.

That's not to say Blackwater's role in the war on terror was spotless. A Blackwater detail guarding a State Department convoy killed 17 Iraqi civilians during a shootout in Nisour Square in Baghdad in September 2007, and to this day the justification for the firefight remains murky. Prince is adamant that the inability to explain bad things that happened in the fog of war could have been avoided. "We requested cameras," he tells me. "And lawyers from the State Department said no, because what if we record an incident? Well, exactly!"

Erik Prince testifying before Congress in 2007

He also insists that Blackwater should be remembered for more than controversy. Prince recalls the day after he was hauled before the House Oversight and Government Reform Committee, then led by Democrat Henry Waxman, for hostile questioning about Nisour Square. The very next day, Blackwater contractors responded to a distress call in Baghdad from the U.S. embassy and ended up saving the life of the badly wounded Polish ambassador to Iraq in a dramatic helicopter rescue mission. The Nisour Square shootout generated headlines in major newspapers for years. The copious decorations heaped on Blackwater contractors by the Polish government did not.

The idea that private corporations should help the government wage war remains something many people can't stomach. Prince maintains that Blackwater's role is vindicated by history. "That question of whether you're gonna have battlefield contractors was solved a long time ago," he notes. "Thanksgiving was brought to [America] by a military contractor—Miles Standish and John Smith were private military contractors working for a British, London-based, publicly traded company that sent them here to colonize America. . . . Nine out of 10 ships taken in the American Revolution were taken by privateers. Washington used to own a piece of a privateer. . . . The ebb and flow of battlefield contractors needed in America is certainly interwoven in our history."

Indeed, Prince is right to note that America's armed forces since World War II were historically anomalous in both their size and their lack of dependency on private contractors. After the Cold War, reversion to the mean was inevitable. "The military can't be all things to all people. So we have gaps. A temporary way to fill that gap is to contract that service. If you don't wanna do that, then bring back a much, much larger and very expensive military," he says. "I just saw a number, that the Pentagon is budgeting $2.1 million per soldier in Afghanistan. That number to me is so utterly staggering, it's ridiculous."

Prince is also impatient with another criticism, which is that military contractors in Afghanistan were bilking taxpayers. It's true that Blackwater received over $1 billion in government contracts in the span of a decade. In his book Prince mounts an

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extensive case that his firm in particular was a good value. If that argument seems self-serving, Prince also explains in detail how corrupt and broken the Pentagon's contracting process is, with its "cost plus" arrangements that let the government pick up the tab for unlimited cost overruns.

The book, he says, was intended "as a factual, well-researched, well-documented clarification of what is and was, [to] set the record straight once and for all. And to make the case that government has gotten way too big, including the defense budget." Prince adds, "I'd like Republicans to understand that there is plenty of room to cut the defense budget. That this notion of being unpatriotic to cut defense is not true. I love the U.S. military . . . [but] when you're spending more than the next 17 countries combined, it's an unsustainable number with this kind of debt."

If contractors are necessary to make the military cost-effective, what limits should be placed on their role? When Prince founded Blackwater, he had no plans to send privately employed soldiers into war zones. Blackwater started out in 1997 as a large compound in rural North Carolina with the sole mission of renting out facilities to the U.S. military and other law enforcement agencies. The post-Cold War military had been shutting down bases and cutting back on training expenses, which was damaging to readiness.

For instance, after the USS *Cole* bombing it became apparent to the Navy that firearms procedures and training necessary to protect ships in port had severely degraded, in part because the military simply lacked the firearms ranges needed to maintain the proficiency of soldiers and sailors. The Blackwater compound was built to supply tactical shoot-houses, sniper ranges, driving tracks, and other training grounds, all within range of Quantico, Norfolk, Camp Lejeune, and other nearby bases. Had Blackwater stayed in this role, few would question that such a private contractor could be a cost-effective partner with the military.

Then 9/11 happened. The downsized military was ramping up in a hurry, and Blackwater's logistical capabilities just kept expanding, all at the behest of Uncle Sam. Soon Blackwater was in charge of providing the security detail for Paul Bremer, the U.S. administrator of postwar Iraq. The company owned and operated 73 aircraft, which were deployed in support of America's war efforts. Blackwater was even the go-between for the CIA and Afghan warlords looking to bring down the Taliban. From the beginning, Prince cultivated an aggressive and ambitious culture at Blackwater. "The company grew by just saying 'yes.' We didn't need marketing. We just said 'yes' and performed," he says.

Blackwater quickly became the best-known private military contractor in Iraq and Afghanistan. In retrospect, maintaining a much lower profile would have been wise. It also didn't help that the left-wing opposition to the war on terror was enraged by the fact that Prince is from a wealthy family well-known for funding conservative causes and religious groups such as the Family Research Council.

In reality, Prince was a standup guy compared with some other contractors—contracts worth $400 million were awarded to a company founded by Tim Spicer, a notorious mercenary whose previous work had included a botched mission to regain control of a copper mine that nearly destabilized the Papua New Guinean government and accusations he violated a U.N. arms embargo while doing shady work in West Africa.

But the damage to Prince's image was done. "I never tried to be a hero, but I certainly never wanted to be cast as the villain either," he says ruefully. "They cast us as villains for saying yes when the U.S. government needed us." Even if you accept Prince's insistence that his patriotism always trumped business, the most charitable interpretation suggests a degree of naïveté. Anyone who's ever read a spy novel knows that doing favors for the CIA and State Department is a good way to end up being burned.

Looking back, Prince regrets plans he couldn't bring to fruition—in particular, he wanted to bring military defense and logistical capabilities to bear on humanitarian work, what he calls "relief with teeth." At one point Blackwater was in the process of "spec-ing" out a 900-foot Maersk ship to rent out space on board to charities and NGOs. The ship would have helicopters, vehicles, generators, and everything else "you need for a Philippines-type disaster or a tsunami in Indonesia . . . anywhere around South Asia, east coast of Africa, you're within four-five days of sailing with 1,700 containers of everything you need for a disaster situation." When there was no disaster to respond to, the ship could moor off the coast of needy areas and drill wells and set up medical clinics.

But that ambitious floating relief project never happened. The one private firm in the world with the logistical and military expertise to pull it off got further drawn into the war on terror and eventually succumbed to politics. "We definitely broke a lot of trail. And like any point man will tell you after a long patrol, the point man takes the most branches and thorns to the face," Prince says. The crusade against Blackwater has hardly made the U.S. government skittish about hiring private military contractors. Blackwater is still operating with different owners under the name Academi, and similar outfits such as Triple Canopy and ArmorGroup are thriving. Because of Erik Prince, it's now difficult to imagine the United States going to war anytime soon without being heavily reliant on contractors.

Whether or not this reliance is a good thing remains a politically charged question. Prince has moved on to private equity investments, and wants his book to be the last word on Blackwater. But despite his impassioned defense of the work done by his former firm, Prince is well aware that the use of private military contractors is not something to be undertaken lightly. "To the next entrepreneur that's thinking of running to the alarm bell the next time the government needs it—this book should be a cautionary tome." ♦

Habeas Chimpanzee

The nonhuman rights campaign.

BY WESLEY J. SMITH

"Tommy" and other chimpanzees are the subjects of several lawsuits in New York seeking writs of habeas corpus and "immediate release from illegal detention." These lawsuits, the doing of the Nonhuman Rights Project, are not a surprise. As already noted in these pages ("Animal Desires," April 9, 2012), NRP volunteer lawyers have spent years researching the common law of states, looking for legal precedents that can be twisted to support declaring intelligent animals such as chimps and dolphins to be "legal persons."

Gimme my rights.

The New York litigation is based on a 1772 King's Bench ruling that ordered an escaped and recaptured African-American slave named James Somersett freed as a "person" rather than sent to Jamaica as chattel. Think about that for a moment. If anyone ever claimed that American slaves were morally equivalent to chimpanzees, charges of racism would rightly fly. But the Nonhuman Rights Project makes the very same argument—just the other way around.

The chimps in the cases are owned by a roadside zoo, Stony Brook University, and a private individual who keeps one at home. The NRP's press release alleges that the chimps at the zoo have been neglected or abused. But ending alleged mistreatment isn't the prime purpose of the case. Rather, the goal is to force inclusion of animals, along with people, in the moral community.

Indeed, according to the group's website, its investigators have known of the alleged cruelty for some time, but apparently never reported it to the authorities. "Three months" after first discovering the chimps' poor care, NRP investigators visited the zoo again and learned that two of the animals were dead.

Still they did nothing. Later, they found Tommy kept "in a small cage at the back of a dark shed," clearly improper confinement for a social animal. Yet even this abuse they did not report, though doing so would likely have brought Tommy immediate relief. Instead, the NRP reports, "the conclusion of the legal team was to move as quickly as possible to file the suit," pressing toward their ideological goals rather than seeking to secure Tommy's present welfare.

To understand the importance of these lawsuits, it is necessary to appreciate the distinction between "animal welfare" and "animal rights." The former concept accepts that it is moral for humans to own animals and use them for our benefit, though we have a solemn duty to treat animals with respect and use humane methods of husbandry. These principles are embodied in numerous state criminal statutes against animal abuse—such as those used to prosecute Michael Vick—and in myriad other laws, regulations, and ethical protocols.

In contrast, animal rights is an ideology that perceives animals as having the same right not to be owned as humans. Ultimately, the movement seeks to prohibit all domestication of animals.

Its activists are smart enough to know that achieving their end will take a long time, so they strategize. The NRP's lawsuit and others like it—such as PETA's recent failed attempt to have SeaWorld's orcas declared slaves—focus on intelligent animals for which people feel empathy. This helps erode the "species barrier" between the perceived moral value of humans and animals. Eventually, the movement aims to destroy human exceptionalism—denigrated in animal rights ideology as "speciesism," as odious as racism—and bring about a world in which human duties to animals are as rigorous as those we owe each other. (Animals will, of course, not owe us or each other any duties, a concept beyond their comprehension.)

Declaring some animals legal persons, in turn, will open the door to one of the animal rights movement's most coveted goals: "animal standing," allowing suits to be brought in the name of animals. Once animals can sue, movement lawyers will descend on animal industries like locusts.

Lest some readers complacently assume that no court would grant an animal a writ of habeas corpus—one nearly did. In 2005, a Brazilian judge heard a case for a writ on behalf of Suica, a chimpanzee, and appeared on the cusp of granting the request when the chimp died, mooting the case. "Criminal procedural law is not static," the disappointed judge wrote in the order of dismissal, "rather [it is] subject to constant changes, and new decisions have to adapt to new times."

That's precisely the kind of judge that the NRP hopes to draw in just one case: a jurist who wants to make history as the first to grant rights and personhood to an animal. As Steven Wise, a law professor and the moving force behind the NRP's state litigation strategy, has written, granting a single animal legal personhood would open the floodgates. Should that happen, the deleterious cultural and economic consequences would be staggering. ♦

Wesley J. Smith is a senior fellow at the Discovery Institute's Center on Human Exceptionalism and the author of A Rat Is a Pig Is a Dog Is a Boy: The Human Cost of the Animal Rights Movement.

Doing the Wrong Thing

Congress prepares to undo one of its few worthy reforms. BY ELI LEHRER

After a decade-long run of bad weather that included Hurricanes Katrina, Sandy, and Ike, and a host of other river valley and storm-surge floods, the 45-year-old National Flood Insurance Program (NFIP) owes taxpayers about $25 billion that no analyst believes it will ever pay back. Meanwhile, by keeping rates far lower than the private market ever would for some flood-prone properties, the program encourages development in ways that endanger lives and harm the environment.

That's why it's disturbing that so many in Congress—including some who stand firm against government meddling in other areas of the economy—have embarked on an effort to undo modest reforms that actually move the program in the right direction. Whether Congress can stay the course on flood-insurance reform is a clear test of its willingness to put its fiscal house in order and govern in the public interest.

The reforms in question were enacted last year in the Biggert-Waters Flood Insurance Reform Act, one of the few major pieces of legislation to pass a terribly riven Congress in 2012. At a glance, they seem to offer something for everyone. Environmentalists got better maps of flood zones that reflect rising sea levels, as well as improved protection of nature. Fiscal hawks saw premium subsidies phased out for owners of second homes, business properties, and houses the taxpayers had already rebuilt multiple times, as well as a transition to appropriate rates for people who have been remapped into higher-risk areas.

Eli Lehrer is president of the R Street Institute.

Private property insurers continue to get payments for servicing policies under the NFIP's "write your own" program. The law also opened the door to privatizing at least part of the NFIP via private reinsurance and catastrophe bonds.

Realtors, local governments, and developers, who would have preferred the status quo, at least got assurance that the program would continue into the future and that rates wouldn't rise sharply for most primary residences. More than 90 percent of the program's 5.5 million policies would see no major changes in rates.

The only real losers—people who will no longer get subsidies—are literally members of the "1 percent." There are 130 million housing units in the country, 1.1 million of which receive subsidized flood insurance through NFIP. And of those 1.1 million, nearly 80 percent are found in counties that rank in the wealthiest quintile. And most of them won't see their premiums rise sharply anyway.

But the reforms' vast benefits and modest costs may not suffice. A little more than a year after passage, many who once signed off on the reforms have changed their minds. In local briefings around the country, the Federal Emergency Management Agency, which runs the NFIP, set off a panic by offering accounts of rates rocketing up to $20,000 and $30,000 per year. When about 350,000 second-homeowners (by definition, not poor) got much higher bills this past January, opposition to the reforms kicked into high gear. The National Association of Realtors, arguably the most powerful trade association in Washington, joined with developers and local governments to call for vast changes and convened a high-level committee to seek measures that would effectively gut the core provisions of Biggert-Waters.

Congress responded. Rep. Maxine Waters (D-Calif.), who coauthored the reform legislation, did a U-turn, and in June the House passed an amendment to a Homeland Security appropriations bill that suspended the core flood-insurance provisions for a year. Meanwhile, 23 senators have jumped on to a bill sponsored by senators Robert Menendez (D-N.J.) and Johnny Isakson (R-Ga.) that would delay all rate changes for four years, effectively punting the issue until the NFIP's next scheduled reauthorization, at which point it's not inconceivable that the program's debt to taxpayers could rise as high as $50 billion. While plenty of liberals like Sen. Elizabeth Warren (D-Mass.) have joined the bill, so have conservatives like Sen. David Vitter (R-La.).

This isn't to say that the reforms have no flaws or couldn't use some changes. A handful of people of modest means who are unexpectedly remapped into much higher risk areas may be socked with larger bills they can't afford to pay and should probably get some temporary relief as long as they occupy their homes. More seriously, a longstanding rate-setting practice of ignoring levees that don't provide protection against 100-year floods has resulted in some people behind "decertified" or "uncertified" levees being charged much higher rates than they should be. (Developers and others blocked an effort to fix this, because it would have also required more of those behind the levees to purchase coverage.) Other broader changes—even rate freezes for people of modest means who own their own homes—probably should be part of a negotiation.

But not every problem has a government solution. Even the truly high rates—which will likely be in the neighborhood of $10,000 rather than the $30,000 figures FEMA has thrown around—may be more an opportunity than anything else. They

can be a catalyst for serious discussions about mitigation or buyouts for those who face the enormous risks that justify extremely high rates. Moreover, as higher rates have rolled out, at least a half-dozen companies around the country have announced plans to go into business in competition with the government's program. While they won't charge subsidized rates, many of them may be able to underprice the government on unsubsidized coverage.

On balance, the reforms under Biggert-Waters are incredibly modest: More than half of the properties most at risk won't see rate increases even if all of the reforms go into force. The private sector's role in flood insurance for homeowners will grow only slightly. Anyone looking to privatize flood coverage in a serious way will have to make further reforms when Biggert-Waters expires in 2017.

Still, each year that subsidies for development in flood-prone areas continue, more people will move into harm's way. As the backlash to the reforms demonstrates, once they are there, it is beyond difficult to get them out.

This has very real human costs: Undoing a modest phaseout of flood insurance subsidies almost surely would mean plucking more people off of roofs with helicopters during the next massive flood or seeing more of them perish. And things appear certain to get worse. Ocean levels have been rising for at least 10,000 years, and climate change may accelerate this process in the future.

The real problem, however, isn't the flood insurance program itself, but rather what it represents. In the context of a $3.5 trillion budget, the NFIP's $25 billion of unpayable debt isn't a fiscal calamity. But Congress's seeming inability to stick with modest reforms—even when they produce far more winners than losers—proves how hard it is for the federal government to do anything that improves the nation's finances. If members of Congress can't save flood insurance reform, it's hard to believe they'll ever be able to fix far larger fiscal ills. ♦

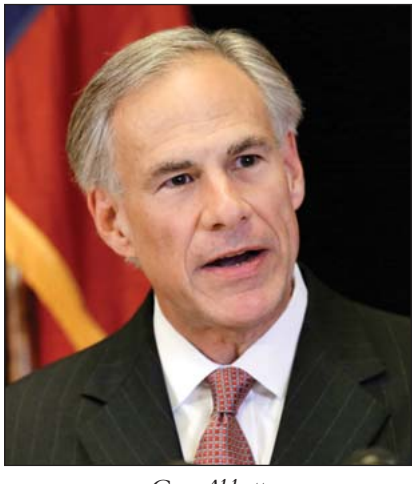
AP / TONY GUTIERREZ

Equality for Convicts?

Another case of federal overreach.

BY TERRY EASTLAND

A question: Are Texas and all its agencies and local governments breaking the law? The answer is that they probably are, according to the Obama administration and its Equal Employment Opportunity Commission. But the Texas attorney general, Greg Abbott, isn't waiting for the EEOC to investigate and bring charges.



Greg Abbott

Last month, in a preemptive strike, he sued the commission. The case is *Texas* v. *EEOC*.

The EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on grounds of race, color, religion, sex, or national origin. Under the law as amended by Congress, the agency may enforce Title VII according to the theory of "disparate impact," which holds that a race-neutral employment policy that has a disproportionate impact upon individuals protected by Title VII violates the law if it is not job-related and consistent with business necessity.

In the classic case, from the 1970s, an electric power company in North Carolina required a high school diploma for certain jobs. That selection criterion was not strictly job-related and had a disparate impact upon black applicants, who were less likely than white applicants to hold a diploma.

In the late 1980s, the EEOC began scrutinizing the exclusion of job applicants convicted of felonies, and the Obama administration has made it a priority to apply disparate impact analysis in this area (as well as in lending, housing, and school discipline).

Thus, in April last year, the EEOC issued Enforcement Guidance for employers on the use of criminal background checks. The guidance invoked "national data" showing that blacks and Hispanics "are incarcerated at rates disproportionate to their numbers in the general population" and that the exclusion of job applicants with criminal records has "a disparate impact based on race and national origin." These data, the guidance said, provide "a basis for the Commission to investigate Title VII disparate impact charges challenging criminal record exclusions."

The guidance makes clear that the categorical exclusion of applicants with certain criminal histories from jobs is especially problematic and that instead of absolutely barring such applicants, employers should conduct "individualized assessments" of applications, a change in policy that would presumably result in more hires of former felons and thus reduce

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the disparate impact to legal insignificance. What was previously an unambiguous "no" to a would-be security guard at a private company would become instead, "Okay, well, tell me about yourself . . ."

Even before issuing the guidance, the Obama EEOC had stepped up disparate impact investigations of employers that use criminal background checks in hiring. "We've been tracking this for a while," Abbott told me in an interview. And he's not liked what he's seen—legally dubious cases, sanctionable litigation tactics, high defense costs.

In its complaint Texas points to a case the commission brought against Peoplemark, a temporary staffing company in Michigan. The case lasted three years, during which the agency subpoenaed 18,000 pages of corporate documents and came up with nothing. The federal district court in the case sanctioned the EEOC, whose conduct it said "falls between frivolous and insulting," dismissing the agency's complaint with prejudice and awarding Peoplemark more than $750,000 in fees and costs.

Abbott notes with grim amusement that the EEOC questioned the company's refusal to hire an applicant who'd twice been convicted of felonies (housebreaking and larceny), a decision whose prudence was evident when she was returned to prison (for felonious assault) while the investigation was still under way.

In sum, Abbott sees a bad enforcement policy being pursued by a zealous agency. Already he's watched one company in Texas—Freeman, a trade-show and convention company—go through an investigation for its refusal to hire felons. The commission made so many errors in its handling of the data necessary for disparate impact analysis that the court in the case finally had no choice but to dismiss it.

Abbott, who has served as attorney general since 2002 and is the prohibitive favorite to be elected governor in 2014, doesn't want any more businesses in Texas to have to endure disparate impact probes into their use of criminal background checks in hiring. That's one motivation for his lawsuit. The other: a federal government acting beyond its proper authority.

Consider that Title VII applies to public as well as private employers, including the state of Texas and its Department of Public Safety, Department of Aging and Disability Services, General Land Office, Juvenile Justice Department, state lottery commission, and Parks and Wildlife Department, not to mention school districts.

Texas states in its complaint that "state law and longstanding hiring policies impose" on the state's public employers "absolute bans on hiring convicted felons or in some instances persons convicted of certain categories of felonies" and that "these absolute exclusions do not allow the sort of 'individualized assessments'" that the guidance embraces.

Abbott sees a bad enforcement policy being pursued by a zealous agency. Already he's watched one company in Texas—Freeman, a trade-show and convention company—go through an investigation for its refusal to hire felons.

It may seem, then, that Texas has asserted that its law and federal law are in conflict. In such a case, state law is "preempted," and the state must comply with the federal law.

But, of course, Texas is not saying that. Its suit argues that the conflict is not between Texas law and Title VII but between Texas law and the "EEOC's interpretation" of Title VII, as stated in the guidance. And that is not a real conflict, says Texas, because the EEOC's interpretation of Title VII is not federal law.

The complaint explains that "Congress has denied the EEOC the authority to promulgate substantive rules interpreting Title VII." And yet that is what the Enforcement Guidance attempts to do. When the guidance announces that hiring policies categorically excluding convicted felons create an unlawful "disparate impact" under Title VII and employers instead should conduct "individualized assessments" of job applicants with felony records, that is not Congress speaking, says Texas, but an agency that Congress has instructed not to make substantive rules interpreting Title VII.

Texas further maintains that those rules, if not invalidated, would require state employers "to choose between evaluating and hiring convicted felons in defiance of state law or risking investigations, challenges, and lawsuits" from the EEOC.

The EEOC has until early January to respond. The agency is likely to argue that the case is premature, and Texas to respond that it shouldn't have to wait until the EEOC sues a state employer, especially given the agency's record of abusive litigation tactics.

If the case goes forward, Texas's strongest claim is that the court should "hold unlawful and set aside the Enforcement Guidance" on the ground that the agency "has exceeded its statutory authority." If the case centers on that claim, the EEOC will be forced to defend the legality of its Enforcement Guidance. And so it will have to defend its use of disparate impact analysis in criminal background check cases and address whether it is requiring or merely "encouraging," as it says it does, individualized assessments of job applicants with criminal records.

In July the attorneys general of nine states sent a letter to the commission describing the Enforcement Guidance as "a quintessential example of gross federal overreach" and asking (unsuccessfully) that it be rescinded. It would not be surprising if those states followed Texas's example and filed cases on the same issues.

If not rescinded by decision of the commissioners, the Enforcement Guidance still could be held "unlawful and set aside" by the federal courts—as should be the fate of any gross federal overreach. ♦

The Battle of 2014

With the midterm elections less than a year away, the terrain looks surprisingly favorable for Republicans

By Jay Cost

Regularly scheduled elections are a hallmark of the American political system. In 18th-century Britain, the monarch could call new elections on a whim, and our Founders saw in that arrangement a seed of tyranny. The Constitution they designed requires elections for Congress every two years, and the next such elections are less than a year away. This is good news for conservatives as they continue to oppose the Obama administration.

This president has been tremendously helped by having a Democratic-controlled Senate for his first five years in office. Harry Reid's masterful, if not entirely virtuous, use of Senate rules has kept the president from having to veto bills containing popular Republican initiatives inimical to his liberal agenda. It has thus kept House Republicans from successfully framing the political debate during Obama's tenure. Republican control of the Senate could finally force Obama to veto popular bills and thus sharpen debates over the economy, health care, and energy ahead of the 2016 presidential battle.

So the $16-trillion question is: With 35 Senate seats up for grabs next fall, can the Republicans win control of the upper chamber?

Tom Cotton, left, and Bill Cassidy

The Republicans enjoy good prospects in the Senate, although their victory is far from certain. Currently, the GOP controls 45 seats, with 51 required for the power to organize the chamber (since Vice President Joe Biden, as president of the Senate, casts the deciding vote in a 50-50 tie). So the Republicans need to pick up 6 seats. Generally speaking, presidents see their political position decline by the time they've been in office for six years; since 1938, the opposition party has picked up an average of 7 Senate seats in sixth-year midterm elections. Yet this is no sure thing: Bill Clinton's position was relatively strong going into his second-term midterms, and in 1998 the Democrats lost a net of zero Senate seats.

So what about 2014: What will determine the outcome? Obviously, the unique dynamics of individual races will sometimes be decisive; but on average, races tend to balance themselves out. More generally, such contests are structured by three broad factors: the relative exposure of the parties, the political standing of the president, and the pace of economic growth. Let's take each in turn.

To get at partisan exposure, simply ask which party has the better playing field. Next year it is undoubtedly the Republicans. Democrats are defending seven Senate seats in states that Mitt Romney won in 2012: Alaska, Arkansas, Louisiana, Montana, North Carolina, South Dakota, and West Virginia. Of these, only North Carolina was close. Democrats also must defend six more seats in states where Republicans are competitive and often win: Colorado, Iowa, Michigan, Minnesota, New Hampshire, and Virginia. Republicans, meanwhile, are defending only one seat where the broader electoral dynamics favor the Democrats—in Maine.

This sets the context for appreciating not only the scope of potential gains for the GOP, but also the role that President Obama will play. Right now, his job approval is languishing in the low 40s, according to the *Real Clear Politics* average of polls. If that number is unchanged a year from now, the president is likely to be even less popular in the states that Romney won and right around that average in the purple states that are up for grabs. This will be an enormous challenge for Democratic candidates to overcome. For better or worse, it is difficult these days for members of Congress to establish an electoral reputation independent of the occupant of the White House. Obamacare, moreover, links all the incumbent Democrats

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with the president: Every Democratic senator seeking reelection can be said to have cast *the* critical vote for it. If Obamacare remains unpopular next year, the president will be a political millstone, and it will be all the more difficult for Democrats to liberate themselves from him.

As for the economy, most experts forecast modest improvement next year, with economic growth remaining below the postwar trendline and unemployment still higher than before the financial crisis. There will probably be neither a recession to politically boost Republicans, nor an explosion of growth as in the late 1990s to help Democrats. Most likely, candidates favorably disposed to the president will trumpet steady growth, while his opponents will bemoan stagnation.

All in all, this suggests that Republicans are set to have a reasonably good year. The Democrats, even if they retain a majority, are extremely unlikely to walk away having lost zero net seats, as they did in 1998. The election is too far away for confident predictions, but a net pickup of six Senate seats by the Republicans appears doable.

Over the last two election cycles, the GOP has needlessly lost six Senate elections because its candidates were grossly inferior to those the Democrats nominated. In other words, over the last two cycles, the Republicans should have won control of the Senate, but failed because their candidates were terrible.

Joe Miller, left, and Ken Buck

What about the Senate contests as seen from the vantage point of particular states? Nominees have not yet been selected, which clouds the picture. Still, there are a few points to be made. First, Democratic incumbents are retiring in the heavily Republican states of Montana, South Dakota, and West Virginia. This is important, because contests for open seats tend to reflect the partisan dynamics of the state, and these states gave Mitt Romney between 55 percent and 62 percent of the vote, a clear advantage for Republicans.

Beyond that, the races in Arkansas and Louisiana, two heavily GOP states where Democratic incumbents are running for reelection, have already assumed their likely shape. In Arkansas, the GOP has struck gold with its all-but-official candidate: Freshman House member and decorated Iraq war veteran Tom Cotton is running unopposed for the nomination. Cotton is about as close to ideal as Republican candidates come. He's young, smart, distinguished, and has appropriated the usually Democratic language of "the people versus the powerful" to tie Senator Mark Pryor to the backroom deals brokered by the Democrats to pass Obamacare. In Louisiana, GOP congressman Bill Cassidy has drawn a challenger from the right, but seems likely to beat him in Louisiana's unique "jungle primary" (all parties compete, and the top two finishers face off in the general election) and win the right to face incumbent Democrat Mary Landrieu in the fall.

In the remaining states, little can be said until the results of GOP primary battles are known. These primaries could be the most important factor in determining who takes control of the Senate in January 2015. Over the last two election cycles, the GOP has needlessly lost Senate elections in Colorado, Delaware, Indiana, Missouri, Montana, and North Dakota because its candidates were grossly inferior to those the Democrats nominated. In other words, over the last two cycles, the Republicans should have won control of the Senate, but failed because their candidates were terrible.

That problem could dog them again. For instance, Republicans have two decent would-be candidates in Alaska—Lieutenant Governor Mead Treadwell and former attorney general Dan Sullivan—but Joe Miller is also running for the nomination. Miller upset Republican senator Lisa Murkowski in the 2010 Republican primary, but ran such an inept general election campaign that the incumbent was able to win reelection as a write-in candidate. Similarly, Ken Buck, the Republican nominee for the Senate in Colorado in 2010, opened himself up to attacks in the culture war and lost to Democrat Michael Bennet. Buck is running again.

If Republicans nominate candidates like Miller and Buck, they may once more snatch defeat from the jaws of victory. In general, they need to recruit solid conservatives who are also appealing to voters. If Obama remains unpopular next year, and the public is still dissatisfied with Obamacare, candidates who focus on those issues with pinpoint accuracy should win. But contenders who cannot successfully defend themselves on culture war issues or whose personal integrity is questionable will give Democrats an opening.

On the other side of the Capitol, the House of Representatives looks reasonably secure for the Republicans, for the same reasons that a takeover of the Senate is possible. Modest economic growth and a weak president should shield Republicans from Democratic assaults and discourage top-notch Democratic prospects from challenging GOP incumbents.

Moreover, the electoral landscape of the House favors the GOP. Mitt Romney actually carried a majority of House districts in 2012, even as he lost the nationwide popular vote by roughly 4 points. Democrats these days are wont to blame their plight on perfidious GOP gerrymandering, ignoring the 80 years after the Great Depression in which Democrats had the upper hand in drawing House districts.

In fact, the Republicans' strong position in the House is a surprising consequence of Obama's electoral coalition. No victorious presidential candidate has depended so heavily on the support of urbanites and nonwhite voters. These are "bad" voters for the House of Representatives: that is, it is very difficult to parcel out urban voters, clustered within cities, across many districts. By contrast, suburban and rural voters, who more often vote Republican, are more spread out and can be distributed across districts so as to maximize a party's vote. Thus, Democrats regularly win with 80 percent or more of the vote in urban districts, while Republicans win with 65 percent in rural and suburban districts. This means that a larger share of the Democratic vote is "wasted."

This effect is multiplied by the influence of the nonwhite vote. In 1982 liberal Democrats sponsored amendments to the Voting Rights Act that require state governments to create minority-majority districts whenever possible. This makes it all the more difficult to disperse the Democratic vote. Alabama, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina all have large African-American populations, and the states are legally required to cluster them, producing heavily Democratic districts, rather than spreading them out across swing districts. Ditto Texas, where the Hispanic population is usually concentrated in a handful of south Texas districts, rather than distributed in such a way as to make more seats winnable for Democrats.

Just under a year out from the 2014 midterms, it is difficult to be more specific than this. We will have to wait to see how Obamacare plays out, how the economy performs, and what sort of candidates the parties select to get a firmer sense of the Republican party's prospects. Still, at this point, it is possible to say that the Republicans hold a fair chance of taking control of the Senate and are favored to retain control of the House. ♦

Back to Work

Long-term unemployment is a serious problem. Liberals don't have an answer. Conservatives can do better.

By Michael R. Strain

Democrats on the House Ways and Means Committee wrote a letter on the Tuesday before Thanksgiving to Rep. Dave Camp, Michigan Republican and Ways and Means chairman, urging him to devote some committee time to extending federal unemployment benefits. At issue is the Emergency Unemployment Compensation (EUC) program, enacted in 2008 to offer qualifying unemployed workers benefits above and beyond what are available during normal economic times. Typically, the federal-state Unemployment Insurance (UI) system offers 26 weeks of benefits to qualifying unemployed workers. Given the severity of the Great Recession, Congress and the president correctly decided to extend the maximum duration for which workers could receive unemployment compensation. Partly because of EUC, some unemployed workers could receive benefits for up to 99 weeks. Even in the depths of the recession, "99 weeks" became notorious in certain conservative circles.

The program has been extended several times, and is scheduled to expire again three days after Christmas. An estimated 1.3 million workers who have been unsuccessfully looking for a job for 27 weeks or longer (the "long-term unemployed") will immediately lose benefits if the EUC program is not extended.

The expiration of EUC thus provides an opportunity for conservatives to consider their response to the serious problem of long-term unemployment. The left's answer is clear: Extend UI benefits. What should the conservative response be?

Some conservatives dislike unemployment insurance, arguing that it amounts to the government "paying people to stay unemployed." If the government were to cut off benefits, the logic goes, then the unemployed would search harder for jobs, be more willing to take a less-than-perfect-but-still-adequate offer, and the unemployment rate would fall.

There is a kernel of truth here, of course—in order to qualify for benefits a worker must be unemployed. But there are other qualifications to receive benefits in addition to being unemployed: among them, that the worker must be able to work, available for work, and actively seeking work.

Even given these conditions, it is easy to imagine some unemployed workers fitting the conservative stereotype; you can probably picture a young, unmarried man, without any kids, laid off in a reasonably good economy, taking a couple of weeks of government-funded vacation before really starting his job search in earnest. And the weight of the evidence is that unemployment insurance does extend the duration of jobless spells, even if the magnitude of that effect is relatively small during serious economic downturns.

Having said that, it is quite hard to imagine that a significant number of workers who have been unemployed for 27 weeks or longer are engaged in a halfhearted job search because they don't want to lose the leisure time their $300-a-week check allows. It is also hard to believe that UI is significantly contributing to long-term unemployment, given its demographic makeup. A report released this summer by the Urban Institute found that nearly half of the long-term unemployed in 2012 had at least some college

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education. More than 1 in 10 were college graduates, and 4.5 percent held advanced degrees. Nearly two-thirds of the long-term unemployed were in their prime working years, between the ages of 26 and 55. Nearly one-third were parents, and a little over one-third were married.

In other words, a large share of the long-term unemployed are people with relatively high earnings potential and personal responsibilities that extend beyond themselves. It is hard to imagine an educated worker in her prime working years with a kid at home having allowed a $300-a-week check to stand between her and a strenuous job search for over half a year.

Something better than this

Why, then, are the long-term unemployed finding it so hard to get a job? Simply put, the labor market has yet to heal. Aggregate demand is still weak. The 7.3 percent unemployment rate is quite high. The share of the population aged 25 to 54 with jobs fell by a staggering 4.9 percentage points during the recession, and has recovered only 0.6 percentage points of that loss. The ratio of unemployed workers to job openings has fallen to 2.9 from its July 2009 peak of 6.7, but it is still considerably higher than its pre-recession average. On top of a lousy labor market, there is growing evidence that the long-term unemployed are unattractive to employers simply because of the length of their unemployment. Hiring managers are asking, If no one else has taken a chance on this worker, why should I? Maybe previous employers have seen something wrong with this worker that I haven't yet.

There are 4.1 million long-term unemployed workers in the United States today. That is staggering. Happily, the number is down from its postwar high of 6.7 million, reached in April 2010. Prior to the Great Recession, the postwar high was just 2.9 million, in June 1983. A stunning 36 percent of the total unemployed are long-term unemployed. The previous high was 10 percentage points lower, also in June 1983.

These millions of workers are suffering—financially, emotionally, spiritually. Some of them may never work again, and may be forced to subsist on welfare, increasing the rolls and expense of those programs. Society is also suffering: A large pool of willing and able workers are idle; our already segmented society is even more segmented; our country is less dynamic, vibrant, and thriving.

It is easy to see why the Democrats on the House Ways and Means Committee—and liberals generally—want to continue funding extended UI benefits for the long-term unemployed. And, if for no other reason than the limited time before EUC expires, extending the program is the prudent course. But conservatives should want to do more than the left has suggested. To throw money at the problem and be done with it is not the answer. The long-term unemployed need help to get back on their feet, to earn their own success, to flourish.

One thing conservatives might push for is relocation assistance—to help the long-term unemployed move from a bad local labor market to a good one. The job market varies widely across cities and states. Instead of continuing to cut UI checks to a New Jersey worker who has been unemployed for eight months, why not cut him a check to help him move to North Dakota, where he has a much better chance at getting a job?

As mentioned above, the evidence suggests that many long-term unemployed workers are "scarred"—their lengthy spell out of the workforce is making it difficult for them because firms view workers who have been unemployed for so long as risky hires. Why not reduce the risk associated with the hire by lowering the minimum wage for long-term unemployed workers? A firm may not want to take a $7.25-per-hour risk on a long-term unemployed worker, but might be willing to take a $4 risk. If we lower the minimum wage for the long-term unemployed, then we'll need to supplement their earnings with an expanded Earned Income Tax Credit or some other government-funded wage subsidy.

To help make sure that we aren't adding any new workers to the rolls of the long-term unemployed, states without worksharing UI programs—about half of them at the moment—should start them. Under worksharing, a worker who has his hours reduced by his employer in response to a temporary lull in demand can receive a prorated UI benefit. This makes it easier for firms to reduce employees' hours by, say, 20 percent, rather than laying off 20 percent of their workforce. Government shouldn't tilt the scales towards layoffs by prohibiting workers who have their hours reduced from receiving prorated UI benefits.

These ideas hardly exhaust the policy approaches conservatives should consider. To most effectively help the long-term unemployed, though, the U.S. economy will need to return to a state of broad-based, steady growth. Conservatives certainly should continue to oppose harebrained (see

Clunkers, Cash for), cronyist, and inefficient spending. But there are projects the federal government could assist that would advance conservative goals.

Helping the long-term unemployed get back to work is one such goal. As is increasing economic mobility to further the conservative vision of a fluid, dynamic society, characterized by energy, filled with citizens working to realize their ambitions. One way to advance these goals would be to improve transportation networks within cities and their outlying areas in order to shorten commute times from low-income neighborhoods to employment centers.

Recent research from economists at Harvard and the University of California, Berkeley, suggests that socioeconomic segregation within cities and their outlying areas plays an even greater role in limiting the ability of low-income Americans to rise than was previously thought. Many low-income Americans face commute times measured in hours, not minutes. Public policy can shorten the distance between working-class neighborhoods and employment centers by shortening commute times for low-income workers.

In its cheapest incarnation, this would involve extra buses that run nonstop from low-income neighborhoods to employment centers, both in city centers and in suburbs. And of course, more money for better roads, bridges, and tunnels would shorten commute times for everyone, including the working poor.

Only 88 percent of men between the ages of 25 and 54 years are currently participating in the labor force, down 9 percentage points from the years following World War II. There are many reasons why fewer prime-age males are working, but decreasing the cost of working by decreasing commute times should allow more men to participate in the labor force than currently do. And better transportation networks might open up job opportunities to the long-term unemployed that are currently closed due to distance.

In addition to directly helping the long-term unemployed and the working class by opening up job opportunities to them, the indirect effect of a multiyear infrastructure project would be a boost to aggregate growth. The health of the labor market and the health of the broader economy are intertwined—conservatives should see helping one as helping both.

Conservatives need coherent policies that resonate with the American people and convince them that conservatism is about more than ever-lower marginal income tax rates, budget accounting, and making an idol of the heroic entrepreneur. Policies to help the long-term unemployed and advance economic mobility fit the bill. ♦

John Lennon, George Harrison, Sir Paul McCartney, and Pete Best, Liverpool, December 17, 1961

Yeah, Yeah, Yeah

The first of three (!) volumes on the Fab Four. BY EDWARD ACHORN

Every Christmas season a new load of books about the Beatles appears, capitalizing on a baby-boom market that has yet to flicker out and the enduring love many middle-aged people feel for the Liverpudlians' joyous noise from the 1960s. But the fanatics among us have been waiting with mounting impatience for something special, a work we knew would be both authoritative and groundbreaking: the first of three volumes of a history of the band by one Mark Lewisohn.

Tune In
The Beatles: All These Years, Volume I
by Mark Lewisohn
Crown Archetype, 944 pp., $40

Lewisohn, for the uninitiated, may be the most respected Beatles authority in the world: He was a consultant and researcher for the band's own *Anthology* project and is the author of the essential reference books *Complete Beatles Recording Sessions* and *Complete Beatles Chronicles*. His publisher recognized his standing by reportedly shelling out huge bucks for this undertaking, even though such accounts as Philip Norman's *Shout!* (1981) and the authorized 1968 biography by Hunter Davies have long been available.

After 10 years of toil, Lewisohn has finally weighed in—quite literally, given the book's back-wrenching 944 pages—with this inelegantly titled first volume. It takes the band only to the end of 1962, when they were on the edge of stardom. For the truly insatiable, Lewisohn's British publisher has brought out an

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Edward Achorn, editorial page editor of the Providence Journal*, is the author, most recently, of* The Summer of Beer and Whiskey: How Brewers, Barkeeps, Rowdies, Immigrants, and a Wild Pennant Fight Made Baseball America's Game.

even bigger version of the volume, an Extended Special Edition—or "author's cut," as Lewisohn puts it—in a set spanning 1,728 pages, bound in two books.

Has it been worth the wait? Yes and no. The mighty tome has landed with a distinct thud. Beatles fanatics are on their feet cheering, but those less invested may find Lewisohn's approach heavy-going. To be sure, the author is nothing if not meticulous: He has performed the Beatles scholarship his admirers had hoped for, blasting through myths and getting as close to the truth, perhaps, as anyone could all these years later.

Take Liverpool club owner and early Beatles manager Allan Williams, the purported author of an entertaining 1975 autobiography *The Man Who Gave the Beatles Away*, one of the essential books on the band's early struggles. Lewisohn persuaded Mr. Williams to sit down and discuss that work at length, sorting out the accurate passages from those dressed up by a ghostwriter to give the memoir some added pop. Lewisohn also debunks one of the most famous Beatles stories: the moment in Blackpool when 5-year-old John Lennon's separated parents cruelly asked him to choose which adult he would prefer to live with. John was said to have clung to his father, then run bawling to his mum. But this never happened, Lewisohn concludes, having tracked down the merchant seaman at whose house this melodramatic, camera-ready scene was said to have taken place. Lewisohn is also uncommonly good in uncovering producer George Martin's initial hostility to the Beatles' self-written song "Love Me Do." Lewisohn reveals the extraordinary role that office politics played in forcing Martin to give the Beatles' first chart success a chance.

Other revelations are of a similar order. There is nothing that would shatter the oft-told story of the Beatles' rise to fame, but there are intriguing nuggets, delightfully tasty to addicts. Lewisohn tells us, for example, that manager Brian Epstein wanted the chief songwriter to get top billing in credits rather than use the Lennon-McCartney nomenclature; that Epstein was *not* to blame for the lame set list for their disastrous Decca audition; that the band was briefly known as "Japage 3" for John, Paul, and George; and that Paul McCartney was at the low end of the totem pole when the Beatles first played Hamburg ("Everyone hates him," bassist Stuart Sutcliffe wrote back home).

Lewisohn's integrity keeps him close to the facts, and his judgments seem unfailingly sound. (Yes, the genial but drab Pete Best—fired just before the band hit it big—really was a mediocre drummer, as three sets of record producers confirmed.) But Lewisohn's writing is uninspired, the pacing sluggish. And as much as I love the Beatles, I found the fact-stuffed account of their childhoods a wide, dreary prairie to cross—almost as tedious as the tale of their experience prior to the long nights spent in seedy Hamburg bars that transformed them into a tight and powerful band. While Lewisohn tries to spice things up with jokes and inside references, they seem more forced than charming: A producer "was flying to New York to get an early clue to the new direction"; a violent bouncer was "the man who put the punch in punctuality"; the Star-Club "planted an acorn for change in West Germany's youth culture." Or this: "It was a laugh a minute with John Lennon." (At least he didn't write that the Beatles were working eight days a week.)

Yet Lewisohn does reveal, in unprecedented detail, how miraculous it all was. A thousand things could have changed everything: Imagine if Paul had not met John; if the lads' parents or guardians had succeeded in keeping them in school or at jobs; if Allan Williams had not met the Hamburg club owner Bruno Koschmider, or if other bands had been available to go. What if compulsory military service in Britain had not been ended? What if the Decca audition had been recorded before they were ready, denying them the essential assistance of EMI's George Martin? What if the Beatles, on the edge of quitting many times, had done so? Each time the end neared, the Beatles would promise each other, "Something'll happen." And when, as the scattered pieces uncannily fit together toward the end of this book, something does happen, the effect is not only riveting; it is thrilling. ♦

B&A

In Dubious Battle

Why Bunker Hill was a pyrrhic victory for the British.

BY PATRICK J. WALSH

I've previously read two fine accounts of Bunker Hill written by two masterful American historians independent from the cloister of academia: *Decisive Day* by the late, great Richard Ketchum and *Now We Are Enemies* by Thomas Fleming. Nathaniel Philbrick's new book follows in the tradition of these gentlemen-writers, who narrate history in well-wrought prose. But Philbrick essays a wider subject matter than the Battle of Bunker Hill of June 17, 1775; this is actually an engaging history of Boston, the center of resistance and scene of action during the first two years of the American Revolution.

Bunker Hill
A City, a Siege, a Revolution
by Nathaniel Philbrick
Viking, 416 pp., $32.95

In 1774, responding to the Boston Tea Party, an outraged Parliament closed the port of Boston to all trade, appointed General Thomas Gage military governor, and sent four regiments

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to Massachusetts. In England, General Gage boasted to King George III that this number was sufficient; in Boston, he realized his error and requested more troops. Gage's situation further deteriorated after the battles of Lexington and Concord (April 1775), as he found himself in a precarious strategic position, bottled up in the peninsula surrounded by hills that was Boston.

Reinforcements of 1,500 men were dispatched, along with three generals: William Howe, John Burgoyne, and Henry Clinton. Arriving in Boston in May 1775, all three agreed to fortify Bunker Hill and Dorchester Heights, commencing on June 18. But colonists got word of the plan and, to the amazement of the British, built fortifications overnight on June 16 on Breeds and Bunker hills in Charlestown. Huddling in an emergency council of war, the British planned a frontal assault on the rebel positions, with General Clinton demurring. William Howe led the attack against what, in contempt, he called "peasant farmers," believing they would run at the first sight of British regulars.

'The Death of General Warren' by John Trumbull (1786)

In his journal, Clinton recorded that Howe thought his plan would be "carried off easily." Certainly, the rebels were farmers: The adroitness of their spades had been shown in constructing a six-foot fortification in record time. And unlike English farmers, Americans were adept in the use of firearms from an early age. They also had military experience, learned in militias and in fighting the French and Indian War. One aristocratic English officer who fought at Lexington and Concord wrote in a private letter home that the rebels "have men amongst them who know very well what they are about."

General Howe did not understand his enemy, or that Americans were, culturally, a new people who had developed differently from their British cousins. The colonial American experience had been a long lesson in the method of settling problems of immediate necessity, and throughout the revolution, the British would be continually astonished by Yankee inventiveness and ingenuity.

The ever-alert General Clinton actually heard the rebels digging in the early hours of June 17 and urged an immediate attack. But Howe dithered; by the time the battle began, it was two in the afternoon on a hot day, with all of Boston looking on from rooftops and church steeples. The British stormed the hill twice, but were driven back by deadly fire. American muskets were made all the more murderous by the traditional use of "buck and ball," a mixture of one large lead ball to every four pieces of buckshot, and American troops aimed for officers, whose more resplendent uniforms made excellent targets. The British looked upon purposely aiming at officers as a severe breach of military decorum, but American practicality, and a culture of producing immediate results, was disdainful of such niceties of warfare.

With dogged resolve, Howe made a third attack, finally emerging triumphant as rebel gunpowder ran out. But it was a pyrrhic victory—and Clinton truly said that "another such would have ruined us." In fact, Bunker Hill was one of the bloodiest battles in the history of the British Army, with 1,054 casualties: 226 dead and 828 wounded. The Americans suffered 420 casualties, with 115 dead.

Bunker Hill's aftermath hardened the resolve on both sides. Britain became more cautious, no longer gambling on a decisive victory that they hoped would crush the growing tide of revolution.

Besides being well-written, *Bunker Hill* is a handsome volume, with many colored illustrations—and wonderfully drawn and colored topographical sketches of 1775 Boston by the British colonel J.F.W. Des Barres. Philbrick brings innumerable historical characters to life, concentrating in particular on the sadly forgotten Dr. Joseph Warren, president of the Provincial Congress. Warren was a top-ranked political leader in Boston who was left in charge while his seniors, John Hancock and John and Samuel Adams, attended the Continental Congress. It was Warren who called up the militia and dispatched Paul Revere on his ride.

At 34, Warren was dynamic and capable, a popular leader who never reached the summit of his potential. Like George Washington, he possessed a flair for the dramatic, and knew its political uses. A dandy before the age of democratic simplicity, he dressed in his finest suit when he appeared on Bunker Hill to encourage the troops who heartily cheered him. But after being cut down by a British bullet to the head, Joseph Warren's lifeless body was stripped of its apparel, his flashy silk vest garnering £7 in Boston—the booty of war. ♦

B&A

Agony of Spirit

The revolutionary poet revealed in his letters.

BY EDWARD SHORT

England produced some superb letter-writers in the 19th century: Lord Byron, Emily Eden, John Keats, Charlotte Brontë, and Sydney Smith gave an altogether new charm and expressiveness to the epistolary art. Smith's letter to his young friend Miss Lucie Austin in 1835 is a good example:

> You are going to Boulogne, the city of debts, peopled by men who never understood arithmetic; by the time you return, I shall probably have received my first paralytic stroke, and shall have lost all recollection of you; therefore, I now give you my parting advice. Don't marry anybody who has not a tolerable understanding and a thousand a year, and God bless you, dear child.

Jonathan Swift, Samuel Johnson, and Horace Walpole all wrote splendid letters in the previous century, but they never achieved the sort of brilliant badinage that Smith did. Another figure who brought an inimitable gusto to his correspondence was the poet Gerard Manley Hopkins (1844-1889), and in this magnificent edition of his letters, we can see the full range and exuberance of one of Victorian England's best letter-writers.

The central act of Hopkins's life was his conversion to Roman Catholicism when he was 22. Shortly thereafter, he joined the Society of Jesus. Before converting, he wrote to his father how "the Catholic system . . . only wants to be known in order to be loved—its consolations, its marvellous ideal of holiness, the faith and devotion of its children, its multiplicity, its array of saints and martyrs, its consistency and unity, its glowing prayers, the daring majesty of its claims."

Edward Short is the author, most recently, of Newman and His Family.

The Collected Works of Gerard Manley Hopkins
Volumes I and II: Correspondence
edited by R.K.R. Thornton and Catherine Phillips
Oxford, 1,057 pp., $299

Balliol College chapel

This rhapsodic catalogue left his devoutly Anglican father aghast. His Oxford tutors were equally stunned. Henry Parry Liddon, biographer of the Anglo-Catholic theologian Edward Pusey, barraged him with letters, urging him to reconsider; Benjamin Jowett, Balliol's famous professor of Greek, likened the appeal of Roman Catholicism that swept up Hopkins and so many others of his generation to a "commercial panic." In a letter to Florence Nightingale, Jowett wrote how "very miserable" it was that "at Oxford . . . there should be so little moral strength and so little regard for truth."

Hopkins took the anti-Catholic bias in stride. "Not to love my University," he said, "would be to undo the very buttons of my being." If John Henry Newman could say it was Oxford that had made him a Catholic, it was even truer of Hopkins. Studying classics at Balliol steeled him in both his faith and his art.

Considering how revolutionary so much of Hopkins's poetry was, he had need of the confidence that only a place like Balliol could bestow. His bold, innovative syntax and his celebration of "the roll, the rise, the carol" of creation are like nothing in English poetry:

> *As kingfishers catch fire, dragonflies draw flame;*
> *As tumbled over rim in roundy wells*
> *Stones ring; like each tucked string tells, each hung bell's*
> *Bow swung finds tongue to fling out broad its name;*
> *Each mortal thing does one thing and the same:*
> *Deals out that being indoors each one dwells;*
> *Selves—goes itself; myself it speaks and spells,*
> *Crying* What I do is me: for that I came.

Hopkins's delight in words is everywhere in his letters. He lived in the great age of philology and shared its fascination for what Matthew Prior called the "idiom of words." In fact, he was taught by the same headmaster who had taught the etymologist Walter Skeat, who, with James Murray, launched the Oxford English Dictionary in 1879. "I am going to write to Skeat about scope," Hopkins says in one letter. "I have doubts about Skeat's treatment of scope, cope, scoop, scape, cap."

Hopkins was also fond of music, as his many observations on composers prove. "Do you like Weber?" he asks one correspondent. "For personal preference and fellow feeling I like him of all musicians after Purcell. I feel as if I could have composed his music in another sphere." This casts an intriguing sidelight on his

TONY HISGETT

own elaborately musical verse. Then again, he knew the limits of his own decided taste:

> The only good and truly beautiful recitative is that of plain chant. . . . It is a natural development of the speaking, reading, or declaiming voice, and has the richness of nature; the other is confinement of the voice to certain prominent intervals and has the poverty of an artifice. But Handel is Handel.

As a Jesuit, Hopkins had many postings—proof that the Society of Jesus did not altogether know what to do with their extraordinary convert. From Blackburn, he writes, "It seems likely that I shall be removed; where I have no notion . . ."—an uncertainty which led him to refer to himself as "Fortune's football." Nevertheless, Hopkins did his best to adjust: "It is our pride," he says, "to be ready for instant dispatch." Wales, the slums of Liverpool, Glasgow, Oxford, and finally, dear, dirty Dublin all figure in both his letters and poetry.

"Museless" Liverpool produced his sullenest reflections: "The drunkards go on drinking, the filthy, as the scripture says, are filthy still: human nature is so inveterate. Would that I had seen the last of it." Once posted to Farm Street in London, he wrote, "I am so far as I know permanently here, but permanence with us is gingerbread permanence, cobweb, soapsud, and frost-feather permanence."

No one—or perhaps only Sir Thomas Browne—ever expressed himself with such felicitous eccentricity.

Again and again, these letters demonstrate the appeal that human distress held for Hopkins. In a letter to Robert Bridges, who became his sounding board and confidant, he writes:

> A shocking thing . . . has happened to a young man well known to our community. He put his eyes out. He was a medical student and probably knew how to proceed, which was nevertheless barbarously done with a stick and wire. The eyes were found among nettles in a field. . . . He was taken to a hospital and lay in some danger—from shock, I suppose. . . . It is not good to be a medical man in the making. It is a fire in which clay splits.

This same fellow feeling would lead Hopkins to recommend the giving of alms to those, like Bridges, who were unsettled in their faith.

Gerard Manley Hopkins

The letters also show what a shrewd literary critic Hopkins was. When someone praises Charles Doughty's *Arabia Deserta* (1888), he responds in allusive disbelief: "Is not Elizabethan English a corpse these centuries? No one admires, regrets, despairs over the death of the style, and the living masculine native rhetoric of that age more than I do; but 'tis gone, 'tis gone, 'tis gone."

The letters exhibit the great store that the artist in Hopkins placed on character, which was not a popular principle in the decadent ethos that his Balliol coach Walter Pater did so much to promote. Apropos what he called "beautiful evil," Hopkins insists that "it is our baseness to admire anything evil. It seems to me we should in everything side with virtue, even if we do not feel its charm, because good is good." Indeed, for the poet, "without earnestness there is nothing sound or beautiful in character, and a cynical vein indulged coarsens everything in us."

Another characteristic highlighted by these letters is Hopkins's respect for failure. For the priest in him, the greatest exemplar of the power of failure was Christ, who "would have wished to succeed by success—for it is insane to lay yourself out for failure. . . . [but] was doomed to succeed by failure; his plans were baffled, his hopes dashed, and his work was done by being broken off undone." With such an appreciation for the dignity of failure, it is perhaps not surprising that Hopkins should have told another correspondent that "his muse takes in washing." Such solicitude for human infirmity resulted in some unforgettably beautiful poetry:

> *God, lover of souls, swaying considerate scales,*
> *Complete thy creature dear O where it fails*
> *Being mighty a master, being a father and fond.*

The letters also help illuminate Hopkins's highly experimental verse, especially in such poems as "The Leaden Echo and the Golden Echo" and "The Wreck of the Deutschland." Moreover, in one letter, he defends his accustomed complexity by arguing that meaning in verse should be of two kinds: that which is immediately discernible and that which takes a while to emerge, but then "explodes." It is only apt that the poets for whom he expresses most admiration should be John Milton and Walt Whitman, who may seem poles apart but whose poems do often *explode* in the way of which Hopkins approves.

When it came to his own verse, Hopkins was human enough to miss fame. If he gradually reconciled himself to the fact that his poems would remain unpublished in his lifetime,

KATHERINE MESSENGER

he was deeply disappointed that *The Month* rejected his bravura Pindaric ode, "The Wreck of the Deutschland." It was a rejection that severely tested the self-denial at the root of his vocation. Still, he was devout enough to recognize, with Ronald Knox, that "waiting upon God alone and letting the world go its own way without you is an integral part of sanctity."

Much of his later poetry wrestles with something Ignatius Loyola says in his *Spiritual Exercises*: "Let him who is in desolation strive to remain in patience, which is the virtue contrary to the troubles which harass him; and let him think that he will shortly be consoled, making diligent efforts against this desolation." Some—such as Norman White, who wrote a misleading critical biography of the poet—misrepresent Hopkins's spiritual difficulties. These letters correct the view that Hopkins resented the religious order that forbade the publication of his verse: "When a man has given himself to God's service," he wrote to the poet Richard Watson Dixon in 1881, "when he has denied himself and followed Christ, he has fitted himself to receive and does receive from God a special guidance, a more particular providence."

> Now if you value what I write, if I do myself, much more does our Lord. And if he chooses to avail himself of what I leave at his disposal he can do so with a felicity and with a success which I could never command. And if he does not, then two things follow; one that the reward I shall nevertheless receive from him will be all the greater; the other that then I shall know how much a thing contrary to his will and even to my own best interests I should have done if I had taken things into my own hands and forced on publication.

Of course this is not a point of view that most literary biographers can be expected to appreciate; but as these letters show, it was the point of view to which the poet himself subscribed, with whatever anguish. When it came to Hopkins's vocation, Newman provided the soundest gloss, telling the poet: "Don't call the Jesuit discipline 'hard.' It will bring you to heaven." ♦

B&A

On the Brink

A world in transition before the Great War.

BY SUSANNE KLINGENSTEIN

"The first second of 1913. A gunshot rings out through the dark night. There's a brief click, fingers tense on the trigger, then comes a second, dull report. The alarm is raised, the police dash to the scene and arrest the gunman straight away. His name is Louis Armstrong." Armstrong is 12 years old. At the Colored Waifs' Home for Boys, where he is later dumped, he is so unruly that the home's director thrusts a cornet into his hands to help the boy blow off steam. He never puts it down. A star is born.

With this shot in the night, the German art historian Florian Illies opens this entertaining romp through the mind-boggling year 1913.

Among historians, who stare mesmerized into the vortex of insanity that produced the Big Bang of August 1914, the precursor year is a bit of an orphan. World politics are in a holding pattern; the players of the future lounge about, biding their time. Hitler is painting postcards, Stalin is writing nationalist essays, Trotsky is playing chess. All three are in Vienna. Hitler and Stalin enjoy morning walks in the park of Schönbrunn, as does the old emperor Franz Josef, who is contemptuous of the *Erzherzog* (Archduke Franz Ferdinand) racing through Vienna in a car that has golden spokes like the emperor's coach.

Stalin beats Lenin seven times in a row at chess before leaving Krakow for Vienna. But it is Leon Bronstein (Trotsky) who becomes known as the best player in the Café Central. That year, the man who will kill him in Mexico is born in Barcelona. That's the sort of thing one learns from Illies.

Susanne Klingenstein is a lecturer in the Harvard/MIT Division of Health Sciences and Technology.

1913
The Year Before the Storm
by Florian Illies
translated by Shaun Whiteside and Jamie Lee Searle
Melville House, 272 pp., $25.95

This marvelous book is like a box of rich cultural chocolates, each wrapped in the brightly glittering foil of its own significance. They are tightly packed, one next to the other in chronological tiers called months. The result is a stunning kaleidoscope of High Modernism: Artistically, 1913 was exploding in fulfillment. Best known is the pandemonium that erupted on May 29 at the premiere in Paris of Stravinsky's *Le Sacre du printemps*, choreographed and danced by the scandalous Nijinski and Diaghilev's Ballets Russes. Although Maurice Ravel, from his cheap seat, yelled "genius" above the outraged audience, the next morning *Le Figaro* surmised that the Russians weren't prepared for the French proclivity to protest "once stupidity has reached its nadir."

The enjoyment of Illies's spirited depiction is a bit marred by the translation. It was originally done for a British readership. Hence, one has to get used to Briticisms, such as "interval" for "intermission." Fair enough, if we acknowledge the seniority of British over American English. But there is no excuse for telling us that Gabriele d'Annunzio, who sat in the audience on May 29, had run away from his disciples (*Gläubigen*) in Italy, when he had really escaped from his creditors (*Gläubigern*).

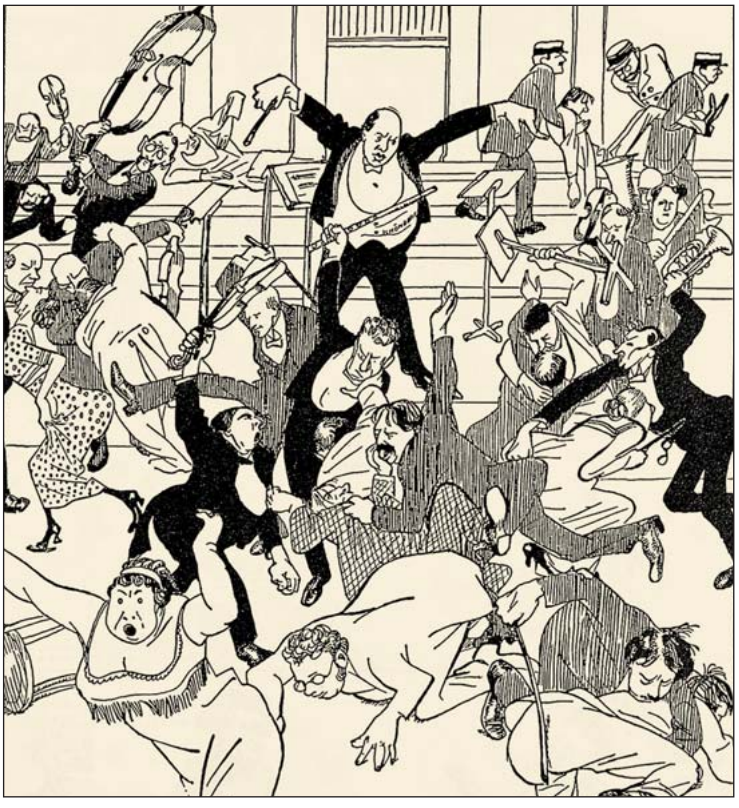
Unlike Stravinsky, Arnold Schönberg cannot be suspected of meeting

his audience in Vienna unprepared on April 13. Many in the audience had brought their house keys to be rattled in displeasure; audience and maestro were prepared for battle. But keys aren't enough when Schönberg decides to present, in addition to works by himself, Gustav Mahler, and Anton von Webern, Alban Berg's *Five Songs with Orchestra on Picture Postcard Texts by Peter Altenberg*, op. 4. Hissing, laughter, and rattling of keys ensue: "Then Anton von Webern leaps to his feet and shouts that the whole rabble should go home, to which the rabble replies that people who like such music belong in the Steinhof [Vienna's insane asylum and current residence of the poet Peter Altenberg]." Unlike Pierre Monteux, who, unperturbed by the tumult around him, conducted *Sacre* to the last bar, Schönberg "stops the orchestra and shouts into the audience that he will have any troublemakers removed by force."

To be schoolmastered by such a man is too much for the Viennese bourgeoisie. All hell breaks loose. The conductor is challenged to a duel, and a man is seen climbing over the seats: "When he reached the front row, Oscar Straus, composer of the operetta *The Waltz Dream*, boxed the ear of the president of the Academic Association of Literature and Music, Arnold Schönberg."

Public spectacles seem to have been a necessary stimulant for artistic growth.

No public spectacle was more closely watched than the obsessive love affair of Alma Mahler-Werfel, widowed since Mahler's painful death in 1911, and Oskar Kokoschka. It produced dozens of Alma paintings and one true masterpiece, *Bride of the Wind* (*Die Windsbraut*). The equivalent in Berlin was the insane mutual attraction of two poets: the dirt-poor, opium-addicted single mother Else Lasker-Schüler and the parricidal medical pathologist Gottfried Benn, who swooned publicly in poems of unrivaled intensity. In Vienna, the poet Georg Trakl was madly in love with his sister, and the painter Egon Schiele was infatuated with *his* sisters, Melanie and Gerti, whose pubescent



'The Upcoming Schönberg Concert' (1913)

bodies he drew with exact attention to gynecological details. At the same time, Arthur Schnitzler wrote his novel *Frau Beate und ihr Sohn*, never translated into English, about a mother who makes love to her son in a boat on a lake, after which they drown themselves.

Not all love affairs are public, though; Kafka, for one, never raised his voice. His letters to the quite ordinary, big-boned Felice Bauer in Berlin are marvels of quiet loopiness. It is one of the great merits of Illies that he exposes Kafka's indecisiveness as its own brand of a sweetly endearing ludicrousness. His letters to Felice culminate in a marriage proposal that is a quiet self-annihilation, and he tops it off with a letter to her father (written on Goethe's birthday, August 28) in which he explains that if Felice were to marry him, who loved her more than he would ever love anyone, she'd condemn herself to a monastic life with a taciturn hermit.

That's one way to end things.

Rainer Maria Rilke, in contrast, was in the business of accruing women. They were good for his poetry and his purse. They liberated him from having to make a living; he could take his time with his poems. Exposure of Rilke's lazy lounging is another great merit of *1913*. One comes away with gratitude from passages in which the author prefers the company of the scalpel-wielding Benn, on his daily dissections in the morgue, to reading yet another of Rilke's gossipy letters to a lover who has fallen for his calculated charm.

But it was another quiet man who, in that noisy year welcomed with Louis Armstrong's gunshot, turned out to be the true revolutionary. In a year when artists and intellectuals prided themselves on not being able to sleep—on writing, dancing, talking through the night—and the greatest literary works were about waking up to life, however messy it may turn out to be, Marcel Proust opened the first volume of his magnum opus with this surprising sentence: "*Longtemps, je me suis couché de bonne heure.*" ("For a long time, I would go to bed early.")

Illies's stylish evocation of 1913 is thrilling entertainment for those who have heard it all before but wish to experience—one more time, perhaps—the bleary-eyed ecstasy that is the result of staying up all night reading a book in one sitting. ♦

GETTY IMAGES

B&A

Stardust Memories

Not so long ago, Hollywood was a two-party town.

BY TEVI TROY

Ronald Reagan campaigning for governor of California (1966)

Hollywood's hostility to conservatives is so unrelenting that at times it reaches comic levels. In the recent remake of *The Three Stooges*, the film's producers tried to communicate the depth of scurrility of Sofía Vergara's villainess by showing her reading this estimable magazine in bed.

That the character was played by the voluptuous Vergara no doubt lessened the impact of a blatant attempt to mock and condemn conservatism. Nevertheless, the fact that the filmmakers used this shorthand signal indicates both the endemic nature of modern liberalism in Hollywood and its propensity to indulge in open contempt of more than half of the American populace—specifically, those who do not share Hollywood's ideological leanings.

Tevi Troy, a former White House aide, is the author of What Jefferson Read, Ike Watched, and Obama Tweeted: 200 Years of Popular Culture in the White House.

When Hollywood Was Right
How Movie Stars, Studio Moguls, and Big Business Remade American Politics
by Donald T. Critchlow
Cambridge, 240 pp., $27.99

None of this should come as any surprise to readers of THE WEEKLY STANDARD, but what may not be known is that this was not always the case. There was a time when significant parts of Hollywood even leaned right, and that very history is the subject of this book. Here, Donald T. Critchlow surveys the period from when Hollywood first became interested in politics (the 1930s) until 1980, when Ronald Reagan was elected president. Critchlow argues that, during this period, conservatives in Hollywood were not only active and vocal but rather successful in their efforts, as well.

He begins with the campaign by studio heads, led by Louis B. Mayer, to oppose novelist Upton Sinclair's radical 1934 bid for governor of California against Republican Frank Merriam. (Mayer even imposed a one-day tax on MGM employees to pay for his victorious efforts, something his employees understandably resented.) Critchlow also explores the powerful influence of Communists in Hollywood and the efforts by conservatives, and some anti-Communist liberals, to oppose them. He provides several interesting stories about how screenwriters, actors, and studio executives became informed and active. And he also notes the lamentable impact of World War II, as the conflict allowed "many anticommunist liberals to overlook the despotic nature of communism, the blindness of party followers, and the malleability of party principles." Critchlow cites a letter by screenwriter James McGuinness to columnist Westbrook Pegler in order to show how relentless the Communists were in their efforts: "The Pinkos seem to have no social life other than cell meetings. They are bread, butter, liquor and sex to the Reds."

Critchlow digs up no small number of uncomfortable truths. Those artists who joined the party were required to relinquish their artistic freedom, something that too few were reluctant to do. Budd Schulberg, author of the great Hollywood novel *What Makes Sammy Run?*, was told that he could not write his book without the approval of the party. Fortunately for us, Schulberg disregarded the directive and completed the book—although he found it necessary to run away to Vermont to escape from his overseers.

These tales of the humorless, dictatorial nature of Communist operatives fail to appear in the standard accounts of the battle against communism in Hollywood. Modern lore tends to romanticize the Hollywood Ten, who refused to cooperate with the House Un-American Activities Committee. Critchlow refuses to engage in such airbrushing. He charges that "the ten 'unfriendly' witnesses who followed presented the Hollywood Left at its worst—arrogant, intolerant, and out of touch with mainstream America." He also cites

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'The film's producers tried to communicate the depth of scurrility of Sofía Vergara's villainess . . .'

Billy Wilder's observation that "of the Unfriendly 10, only two had any talent; the other eight were just unfriendly."

Critchlow goes beyond the production sets and screenplays. He shows how Hollywood actually aided the electoral prospects of Republican presidential candidates Dwight Eisenhower and Richard Nixon. We learn that Robert Montgomery helped Ike improve his performance in front of the camera, and, thanks in part to Montgomery's counsel, Eisenhower made groundbreaking use of television, becoming the first president to give a televised press conference and the first to establish a White House camera room.

As for Nixon, he is generally remembered for his poor performance in his televised debate against John F. Kennedy (something Eisenhower advised him not to do). But Nixon had his own moments of success on TV, and he never would have become president without them. Television, of course, rescued Nixon's career (with the Checkers speech) at a time when Ike was inclined to drop him from the ticket. And in 1968, Nixon, determined to do better on TV than he had in 1960, hired *The Mike Douglas Show* producer (and later Fox News president) Roger Ailes to serve as adviser. Critchlow notes: "Borrowing from Kennedy's media-savvy 1960 campaign, Nixon's successful use of television during the 1968 campaign helped win the election for him."

Nixon's campaign also understood the importance of using Hollywood stars on the campaign trail. As one aide observed:

> If you appear by yourself, you'll perhaps get 10,000 people to hear you speak. If you are introduced by John Wayne you can bet on 20,000. . . . It's amazing how many Americans who are normally bored stiff by politics will turn up to rallies when they know there's going to be a movie star there.

According to Critchlow, the greatest accomplishment of the Hollywood right was getting Ronald Reagan elected. Reagan used stars effectively in his 1966 campaign for governor against Edmund G. (Pat) Brown, father of California's current governor. Buddy Ebsen, of *Beverly Hillbillies* and, later, *Barnaby Jones* fame, joked to a Reagan rally audience: "Better an actor than a clown in Sacramento." Brown miscalculated in one retort: "You know I'm running against an actor. Remember this, you know who shot Abraham Lincoln, don't you? An actor shot Lincoln." This malicious—and illogical—slur "outraged Reagan's Hollywood supporters," Critchlow writes.

The era of Hollywood conservatism, however, drew to a close even as Reagan was elected. Hollywood may once have been a two-party town—three if you count the Communists—but those days are no more. Now, what stands for open-minded, tolerant liberalism is Sofía Vergara reading The Weekly Standard in bed—which sounds to me like a great idea for a pin-up poster. ♦

TWENTIETH CENTURY FOX

B&A

Man in Chains

Hard to watch, important to see, the reality of slavery.

BY JOHN PODHORETZ

The problem with *12 Years a Slave* is that it is very, very good—and because it is very, very good, it is extraordinarily difficult to watch. So much so, in fact, that I assumed the movie was a more graphic version of the 1853 memoir of the same name by Solomon Northup, a free black man who, in 1841, was kidnapped in Washington and sold into slavery in Louisiana. Then I read Northup's book. It offers a portrait of slave life far more brutal and grinding and unimaginably dehumanizing than the movie's.

If we were to see on screen what Northup put on the page, the film would be unendurable. This makes the achievement of screenwriter John Ridley and director Steve McQueen even more impressive. They remain entirely faithful to Northup's story, as is proper when attempting to do justice to an important historical account. But they must have recognized they had no choice but to tell it in such a way that a moviegoer who has not been strapped into a seat and had his eyes forced open like Alex's in *A Clockwork Orange* could continue to watch it. And they don't fall prey to the aesthetic temptation to linger over some act of violence out of a manipulative hunger to wring raw emotion from us.

In avoiding that temptation, as Stanley Kubrick could not in his aestheticization of ultraviolence in *A Clockwork Orange*, Ridley and McQueen have made a work about the monstrousness of dehumanization rather than a celebration of it.

We follow Northup, a 31-year-old man whose wife and children have traveled away from their Saratoga home for a few weeks. He is gulled into journeying to Washington by two con men who offer him a job playing violin in a circus. They spike his wine, and hours later, he finds himself in chains in a slave pen near the Capitol. When he angrily protests his free status, a slaver beats him mercilessly with a paddle. The shock, outrage, bewilderment, doomedness, and agony that cross the face of the British actor Chiwetel Ejiofor as he howls and weeps create an almost unbearably intimate bond between the character and the audience. It's an astonishing performance here and everywhere.

12 Years a Slave
Directed by Steve McQueen

Chiwetel Ejiofor

Northup meets other slaves, including a woman named Eliza, whose two children are torn from her and sold to others in a scene for which the word "wrenching" could have been invented (though again, in the book's telling, the event is far more awful). Northup becomes the "property" of an outwardly decent plantation owner named Ford, who shows him surprising respect; this angers one of Ford's foremen, whose acts of hostility set Northup off. He beats the foreman. As punishment, with Ford away from the plantation, Northup is left to hang from a noose just an inch off the ground for a day, only saving himself from strangulation by slight and constant movements of his feet.

After this unspeakable torment, to save his life, Ford sells him to a drunken psychopath named Epps (played by the incredibly intense Michael Fassbender), who is obsessed with a female slave named Patsey (Lupita Nyong'o). His psychosexual attentions to her enrage his wife, who thinks nothing of smashing Patsey's head with a decanter and gouging her nails into Patsey's face. The girl begs Solomon to kill her and thereby release her from the life she does not have the strength to end herself. He refuses, fearing for his own immortal soul, but what then happens to Patsey gives him cause to regret his refusal.

The hush that comes over the audience as the movie ends, and the fact that the audience (at my showing and at others I have read about) tends to remain stunned and unmoving as the final credits roll testifies to the film's undeniable power. Doing justice to the story of Solomon Northup makes it impossible for *12 Years a Slave* to be anything but a take-your-medicine movie, the sort of picture one sees out of duty rather than in the expectation of gaining any pleasure from it. That is a mark of its integrity.

At a remove of 161 years from the liberation of Solomon Northup, in a nation whose president is a black man twice elected by record numbers of American voters, *12 Years a Slave* tells a remarkable story about this country's monstrous original stain. It is, therefore, nothing short of disgusting that liberal bloggers have taken it upon themselves in recent weeks to use the movie to castigate conservatives for failing to see *12 Years a Slave* as a call to action against present-day American racism.

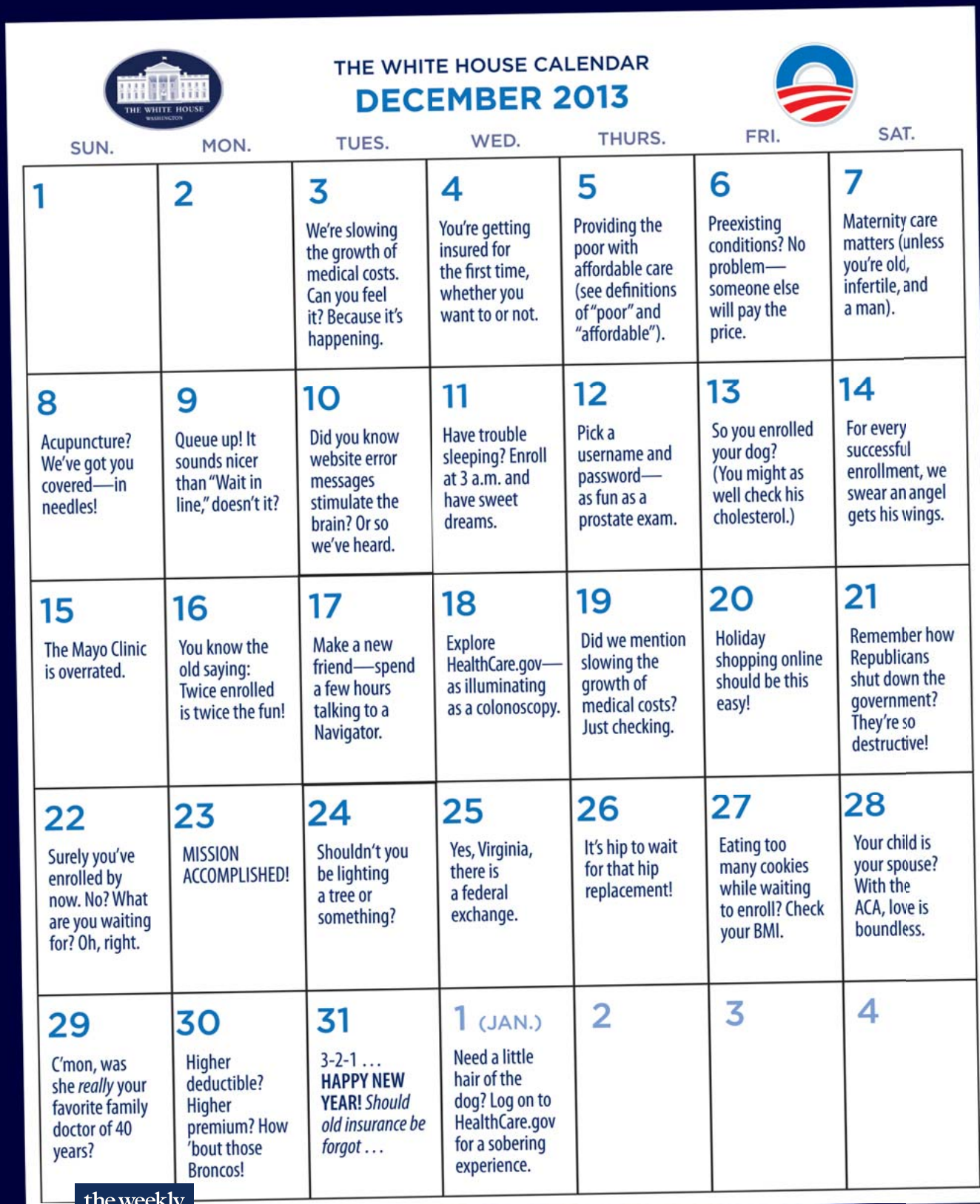
To compare the difficulties an African American faces today to the inhuman evils that afflicted Solomon Northup, as some do to score a cheap political point while patting themselves on the back for their compassion, is to make a disgraceful cartoon of that man's intolerable suffering and of all those to whose wretchedness he bore witness.♦

FOX SEARCHLIGHT PICTURES

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

"The White House will take the lead in emphasizing a different benefit each day until the Dec. 23 enrollment deadline for Jan. 1 coverage."
— Politico, December 2, 2013

PARODY



THE WHITE HOUSE CALENDAR
DECEMBER 2013

SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.
1	2	3 We're slowing the growth of medical costs. Can you feel it? Because it's happening.	4 You're getting insured for the first time, whether you want to or not.	5 Providing the poor with affordable care (see definitions of "poor" and "affordable").	6 Preexisting conditions? No problem—someone else will pay the price.	7 Maternity care matters (unless you're old, infertile, and a man).
8 Acupuncture? We've got you covered—in needles!	9 Queue up! It sounds nicer than "Wait in line," doesn't it?	10 Did you know website error messages stimulate the brain? Or so we've heard.	11 Have trouble sleeping? Enroll at 3 a.m. and have sweet dreams.	12 Pick a username and password—as fun as a prostate exam.	13 So you enrolled your dog? (You might as well check his cholesterol.)	14 For every successful enrollment, we swear an angel gets his wings.
15 The Mayo Clinic is overrated.	16 You know the old saying: Twice enrolled is twice the fun!	17 Make a new friend—spend a few hours talking to a Navigator.	18 Explore HealthCare.gov—as illuminating as a colonoscopy.	19 Did we mention slowing the growth of medical costs? Just checking.	20 Holiday shopping online should be this easy!	21 Remember how Republicans shut down the government? They're so destructive!
22 Surely you've enrolled by now. No? What are you waiting for? Oh, right.	23 MISSION ACCOMPLISHED!	24 Shouldn't you be lighting a tree or something?	25 Yes, Virginia, there is a federal exchange.	26 It's hip to wait for that hip replacement!	27 Eating too many cookies while waiting to enroll? Check your BMI.	28 Your child is your spouse? With the ACA, love is boundless.
29 C'mon, was she *really* your favorite family doctor of 40 years?	30 Higher deductible? Higher premium? How 'bout those Broncos!	31 3-2-1 . . . **HAPPY NEW YEAR!** *Should old insurance be forgot . . .*	1 (JAN.) Need a little hair of the dog? Log on to HealthCare.gov for a sobering experience.	2	3	4