the weekly Standard

BOWL CHAMPIONSHIP SPLENDOR
JEFFREY H. ANDERSON

DECEMBER 23, 2013 $4.95

THE SILENCE OF THE LIBERALS

BY CHRISTOPHER DEMUTH

WEEKLYSTANDARD.COM

Contents

December 23, 2013 • Volume 19, Number 15

Articles

Features

Books & Arts

COVER BY DAVE MALAN

Selfie-in-Chief

Last month, the Oxford English Dictionary named "selfie" the word of the year. If you are blissfully unaware, a "selfie" is a photo taken of yourself by yourself, holding a smartphone at arm's length pointed towards your face. It is then typically shared on a social media site such as Facebook, perhaps with a brief comment or caption, as a means of letting your friends and followers know that you are, say, attending some fabulous event (which they aren't), are looking particularly fine, and are perhaps surrounded by a fun-loving group of attractive people (ideally of the opposite sex).

If you think this trend is symptomatic of the malignant narcissism infecting our culture, you're not alone. One brave American recently started a blog called "Selfies at Funerals," documenting people who use this uniquely postmodern expression to put themselves inappropriately at the center of an important event that is not about them, or otherwise act inappropriately at a somber occasion.

Like most social media trends, selfies—let alone selfies at funerals—are predominantly taken by teenagers, teenagers-at-heart, and those who have a particularly exaggerated sense of self-regard. Regular readers of The Scrapbook should not be surprised to learn that the president of the United States falls within the latter category, most recently evidenced by the fact that Obama was caught posing for a selfie with Prime Minister Helle Thorning-Schmidt of Denmark and her U.K. opposite number, Prime Minister David Cameron, at Nelson Mandela's memorial service. In fact, Obama generally appeared to be smiling and laughing a lot in the presence of Thorning-Schmidt, who happens to be very attractive. The *New York Post* called the photos of Obama and Thorning-Schmidt "flirty," a judgment that casual observers might be inclined to agree with. Adding to the human drama is that in many of the photos, Michelle Obama appears to be giving her husband a serious case of stinkeye.

It may be too much to assume that the president was flirting with Thorning-Schmidt—pictures can be deceiving—but the photos do seem to convey a first lady none too happy that her husband is not exhibiting the sense of decorum one would ex-

GETTY IMAGES

pect of a head of state at a funeral. And if that's the case, The Scrapbook is pleased just this once to affirm its solidarity with Michelle Obama.

The Danish prime minister has since announced that she will not be releasing the selfie she took. Perhaps it dawned on her that it was not a good idea for three important world leaders to draw attention to themselves while everyone else reflected on the death of a head of state whose accomplishments will dwarf theirs.

There's also another unflattering subtext to the unfortunate *tableau vivant* at Mandela's funeral. As it happens, Thorning-Schmidt is the daughter-in-law of Neil Kinnock. As you might recall, Kinnock was the British Labour party leader whose tale of a hardscrabble childhood in Welsh coal-mining country was plagiarized by Barack Obama's vice president in 1987 during the first of Joe Biden's embarrassing presidential campaigns. If we lived in a world where shame and honor meant anything, that would have put the kibosh on Biden's career. Instead, the Mandela selfie seems to neatly encapsulate how our political elites grow more shameless with each passing year.

Following the Mandela service, the "Selfies at Funerals" blog was shuttered with a post headlined "Obama has taken a funeral selfie, so our work here is done."

Alas, our Sisyphean, if self-assigned, task of chronicling the other missteps of the narcissist-in-chief will no doubt keep this page occupied for a few more years. ♦

In Memoriam

Nelson Mandela, a man of some considerable personal dignity, might have been distressed by the series of mishaps at his public memorial service: the disorganization which left thousands unable to get to the event, rendering the stadium half-empty; the embarrassing "selfie" taken by Barack Obama during the proceedings (see left); the cheering of Robert Mugabe and booing of George W. Bush; the burglary at the home of Archbishop Desmond Tutu in Cape Town while he prayed in Johannesburg.

Or maybe not: Twenty-seven years' imprisonment probably taught Mandela something about human nature, and the all-too-human tendency toward imperfection. Consider the case of Thamsanqa Jantjie, the sign language interpreter hired by the South African government to "sign" while President Obama, and others, spoke to the assemblage. According to experts, Mr. Jantjie's finger movements and arm-waving were not sign language at all but—finger movements and arm-waving. Mr. Jantjie begs to disagree. But then adds the interesting fact that he is schizophrenic, and had heard distracting "angels" during the memorial service.

This confirms The Scrapbook's lifelong devotion to Occam's razor, the philosophical premise that the simplest, most logical, explanation—for behavior, phenomena, events—is probably the correct one. This is itself a simplification, of course; but the basic idea is usually confirmed by experience. In journalism, we gaze upon obvious things and ask complex questions: Why is Iran enriching uranium? How can the Affordable Care Act be made to work? What is China's motive in confronting Japan? Why would Thamsanqa Jantjie stand

before thousands of people, and millions watching on television, to perform what amounted to a pantomime of sign language? The Scrapbook's initial presumption—Mr. Jantjie must be crazy—seems now to have been the correct, and obvious, answer.

Which leads, in turn, to a further inquiry: What was the post-Mandela South African government thinking when it hired Thamsanqa Jantjie?

This story has, thus far, divided into two parts: Hilarity and wonderment at the spectacle itself, and concern about security. Mr. Jantjie has admitted that his schizophrenia sometimes prompts him to violence—and there was President Obama, and other world leaders, within his range. But the answer to questions about Thamsanqa Jantjie is equally obvious, and perhaps too uncomfortable to contemplate. It is entirely possible that the decision to invite a schizophrenic with violent tendencies onto the speakers' platform was consistent with the widespread confusion, disorganization, and chaos in Johannesburg. And that optimism about the future of the new South Africa, on a continent with a long and troublesome history, might have died along with Nelson Mandela. ♦

A Christmas Tradition

The Scrapbook is delighted to commend to readers a new ebook from our contributing editor Joseph Bottum. *Nativity: A Christmas Tale* "reimagines Melchior, the Wise Man who brought gold, as a wealthy cancer patient adrift in the American Midwest, picking up a menagerie of strays as he fights his way through a snowstorm." Readers who followed our advice in Christmases past will already have enjoyed Bottum's *The Christmas Plains*, a memoir of his South Dakota boyhood, as well as last year's holiday ebook *Wise Guy*—like *Nativity* a reimagining of the Gifts of the Magi. Have we mentioned that nothing beats an ebook as a last-minute gift? Hie thee to Amazon.com without delay. ♦

the weekly Standard
www.weeklystandard.com

William Kristol, *Editor*
Fred Barnes, Terry Eastland, *Executive Editors*
Richard Starr, *Deputy Editor*
Claudia Anderson, *Managing Editor*
Christopher Caldwell, Andrew Ferguson, Victorino Matus, Lee Smith, *Senior Editors*
Philip Terzian, *Literary Editor*
Stephen F. Hayes, Mark Hemingway, Matt Labash, Jonathan V. Last, *Senior Writers*
Jay Cost, John McCormack, Michael Warren, *Staff Writers*
Daniel Halper, *Online Editor*
Kelly Jane Torrance, *Assistant Managing Editor*
Julianne Dudley, Ethan Epstein, *Assistant Editors*
Maria Santos, Jim Swift, *Editorial Assistants*
Philip Chalk, *Design Director*
Barbara Kyttle, *Design Assistant*
Teri Perry, *Executive Assistant*
Max Boot, Joseph Bottum, Tucker Carlson, Matthew Continetti, Noemie Emery, Joseph Epstein, David Frum, David Gelernter, Reuel Marc Gerecht, Michael Goldfarb, Mary Katharine Ham, Brit Hume, Frederick W. Kagan, Charles Krauthammer, Yuval Levin, Tod Lindberg, Robert Messenger, P.J. O'Rourke, John Podhoretz, Irwin M. Stelzer, *Contributing Editors*

MediaDC
Lou Ann Sabatier, *Chief Executive Officer*
Joe Guerriero, *Chief Revenue Officer*
Grace Paine Terzian, *Chief Communications Officer*
Steve Sparks, *Chief Operating Officer*
Kathy Schaffhauser, *Chief Financial Officer*
Catherine Lowe, *Integrated Marketing Director*
Nicholas H.B. Swezey, *V.P. Advertising*
T. Barry Davis, Peter Dunn, Andrew Kaumeier, Mark Krawiec, Chasie Powell, Jason Roberts
Advertising Sales

Advertising inquiries: 202-293-4900
Subscriptions: 1-800-274-7293

The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, second week in July, and fourth week in August) at 1150 17th St., NW, Suite 505, Washington D.C. 20036. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-274-7293. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, $4.95. Back issues, $4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. For a copy of The Weekly Standard Privacy Policy, visit www.weeklystandard.com or write to Customer Service, The Weekly Standard, 1150 17th St., NW, Suite 505, Washington, D.C. 20036.

A Condition in Need of a Label

The Nobel Prize in Medicine has already been given for this year, but I should like to get a jump on next year's prize by describing and naming a mental condition from which untold millions suffer. The condition is not anything so devastating as dementia. Most people who have it manage to work around it.

For the most part the condition attacks people in their fifties and beyond, though the young can acquire it in an early onset version. Consider a single, if far from singular, case—mine. I encounter with mildly irritating regularity the problem of forgetting names, both common and obscure. In sports, the Mets' catcher Gary Carter's is a name I not long ago forgot. The other day I could not call up the name Eric Blore, the comic character actor in lots of Fred Astaire movies. From culture I lost the name Reynaldo Hahn, the composer who was a friend and some say lover of Marcel Proust. With a few clues, of course, one can locate all these names on Google.

Less bearable is forgetting names of acquaintances, recent and old. I could not remember the name of the girl, the tallest in my grammar school class, so shy when young, who turned out to be an extraordinarily sweet character (Doris Weisbrod). People at the university at which I taught for 30 years, both administrators and fellow teachers, their names—poof!—have disappeared from my mental Rolodex, gone, I assume, where notes of music go.

I can list movies—*Match Point*, *The Odessa File*, *The Freshman*—in which I can name the principal actor but cannot recall a shred of the plot. Sometimes, in a nice reversal, I remember a fair amount of the plot of a movie but cannot come up with its title. I'll sit down to a movie shown on television, or on a DVD, and halfway through realize that I've seen it before. More worrisome, though, is when watching a movie with my wife, who is my contemporary and the person with whom I have watched every movie I've seen over the past 40 years, one or the other of us is certain he or she has seen this movie before and the other certain that we have not.

DAVE CLEGG

I do not misplace my glasses, nor do I lose my keys and wallet. Yet every so often I will unconsciously break with decades-long routine and neglect to place one or the other in the pocket in which I traditionally place them. A brief moment of panic results when I put my hand in my left-hand pocket and find my wallet isn't there, relieved a nanosecond later to discover it's in my right-hand pocket. Whew!

I go to the grocery store to pick up four items. Four measly items, I decide, do not require a shopping list. I arrive at the store, and I cannot remember the fourth item. Cottage cheese? Pretzels? Possibly sparkling water? I buy them all. When I return home the item I couldn't remember turns out to have been bananas.

Then there is the problem of not being able to recall the things I forgot earlier in the day and hoped to remember or look up later. These are usually bits—notions, conceits, ideas—that seemed dazzling when they occurred to me on the edge of sleep or in the shower or in my car, yet they depart my mind quite as mysteriously as, unbidden, they arrived.

None of this stops me from functioning. I continue to work, pay taxes, lunch with friends, maintain family life, get riled up about politics, harbor preposterous fantasies. Still, why have so many small, usually quite unimportant items slipped from memory? Why do I so often find myself doing once-routine things ass backwards: putting my cell phone in my night-table, a necktie in my shirt drawer, a salt-shaker in the refrigerator.

The cause of this condition is unclear. As with all conditions with no known causes, I suspect there is no cure. A label for it, though, would be helpful. Attaching a label to a mental condition can be, if not necessarily explanatory, highly comforting. Without such labels the Diagnostic and Statistical Manual of Mental Disorders would be out of business. The condition I have been describing—forgetting mostly unimportant things, falling out of once-secure routines—badly needs a label, and I have decided to call it Assbacker's.

Assbacker's—it does have a nice lilt to it, does it not? When next I cannot recall the name of the manager of the Tampa Bay Rays, or the director of *The Postman Always Rings Twice*, or two names of the French composers known as Les Six, I shall say to myself: "Not to worry, kiddo. It's only Assbacker's. It's not fatal. Merely mortal."

Joseph Epstein

the weekly Standard

Obama-Weary

Two public opinion polls released last week show that the American public is skeptical of the Obama administration's interim agreement with Iran concerning the Islamic Republic's nuclear weapons program. Further, the surveys show that Americans by a large majority mistrust the mullahs and, as much as they'd like a negotiated settlement, believe that it's unlikely. In other words, the broad American mainstream is more judicious and more sensible than elite liberal opinion, which is still caught up in its Rouhani-fever-induced fantasies of a "historical reconciliation" with a state sponsor of terror that has been targeting America, our interests, and our allies for 35 years.

Just as telling, the latest polls push back against the conceit that in the wake of two wars, Americans—Republicans, Democrats, and independents—no longer care about the larger world around them, especially not the Middle East. As it turns out, the American people are not isolationists, nor are they "war-weary," as President Obama has described them. Rather, it seems that they're wary of their leaders, and of the yawning gap between the White House's public posture and its real intentions. These polls show that the public has taken an accurate accounting of the world, and identified the issue that most troubles us and threatens the security of our allies—Iran's nuclear weapons program.

John Kerry in Geneva

NEWSCOM

On December 9, Pew Research Center and *USA Today* released the results of a poll conducted between December 3 and 8 concerning the November 24 interim agreement struck at Geneva between Iran and the P5+1 powers (the U.N. Security Council members plus Germany). Their survey showed that 43 percent disapprove of the agreement, with 32 percent approving. Republicans disapprove by 58 to 14 percent while only half of the Democrats polled approve of Obama's deal and 27 percent signaled disapproval. A large majority of respondents, 62 percent, say that the regime in Tehran is not serious about addressing international concerns over its nuclear enrichment program.

Another survey taken shortly after the Geneva deal also found a U.S. public deeply skeptical of Iranian intentions. Conducted by Luntz Global on behalf of al-Masdar.net and TheTower.org—two websites run by The Israel Project, a U.S.-based nonprofit—the poll shows 84 percent of Americans (96 percent of Republicans and 75 percent of Democrats) believe Iran is using negotiations to stall as it continues to advance its nuclear weapons development. Only 16 percent think the regime is negotiating in good faith and will eventually give up its nuclear weapons project.

The Masdar/Tower poll also gives evidence of broad opposition to the White House's negotiating position and tactics. While Secretary of State John Kerry admitted last week that the final deal would likely allow Iran some limited ability to continue to enrich uranium, 86 percent polled believe Iran should not be allowed to enrich at all. Further, even as the administration has relieved some sanctions and is pushing back against congressional efforts to impose a further round of sanctions, 77 percent disagree with the White House and argue that more sanctions and additional financial pressure are the best way to get the regime to abandon its nuclear efforts. In what may be even worse news for the White House, and augur trouble in next year's midterm elections for its allies, a majority of Democrats (77 percent) as well as Republicans (96 percent) say they'd rather vote for a senator who approves new sanctions than one who doesn't.

It's true of course that all polls need to be taken in a broader perspective, and these two come on the heels of surveys that seemed to show support for the interim agreement. For instance, a Hart Research Associates poll also

conducted after Geneva showed that 63 percent favor the deal while only 24 percent oppose it, purportedly after the terms of the agreement had been explained to respondents. The problem is that Hart's pollsters did not explain the deal accurately. Geneva does not require the Iranians to freeze their nuclear program, as the pollsters said; nor does it neutralize Iran's current stockpile. While it's true that, as the Hart poll explains, most economic sanctions are for the moment left in place, the effect of Geneva is to unravel the sanctions regime, as international corporations are now lining up to do business with Tehran. In this sense, the pollster's prompt was incomplete. In another sense, it was plain wrong. As *Haaretz* reported last week, the White House has admitted to Israeli officials that its estimate that Iran would receive $7 billion in immediate relief was way too low; the real figure is much closer to Israel's original assessment of $20 billion. That is to say, the relief was not, as the Hart pollsters suggest, modest.

Another survey completed after Geneva also appears to signal approval of the deal. According to a Reuters/Ipsos poll, 44 percent favor the agreement while only 22 percent oppose it. And yet the more significant responses concern what to do if the interim deal fails. In that case, 49 percent say more sanctions should be imposed, 20 percent believe the White House should take military action, with only 31 percent saying they prefer more diplomacy. These findings do not, as Ipsos pollster Julia Clark said, speak "to war fatigue, where the American appetite for intervention—anywhere—is extremely low." Rather, it shows that two-thirds of the U.S. public is deeply skeptical that more jaw-jaw with the regime in Tehran is likely to lead to a permanent agreement to curb its nuclear weapons program.

Virtually every poll on the Iran issue, from Pew surveys dating back to 2009 up to a *Washington Post*/ABC poll post-Geneva, gives clear evidence that Americans want a negotiated settlement. But they show just as plainly that a majority of the American public does not believe the Iranian regime is negotiating in good faith. According to the Masdar/Tower poll, 77 percent of all respondents distrust the mullahs who, according to 69 percent, constitute a greater threat to U.S. national security than all other threats in the Middle East combined.

In other words, the American public prioritizes its strategic concerns. They believe—rightly in our view—that the regime in Tehran is hostile to America. The public doesn't trust it to bargain in good faith and doesn't believe it will stop in its march toward a nuclear bomb. Yes, Americans are weary—of a president who takes a cavalier attitude toward national security.

—Lee Smith

Twilight of the Sequester

In Washington, folks are celebrating a new bipartisan budget deal that saves us from another full round of reductions in federal spending mandated by the "sequester." Far fewer are lamenting the dwindling of the sequester itself. As usual, Washington has things upside down.

The budget agreement was merely a necessity, caused by a revolt of House Republicans on the Appropriations and Armed Services committees. Without their votes, the sequester became unsustainable, even in the GOP-controlled House. Democrats never liked it. Thus a big chunk of its across-the-board cuts had to be replaced. At least that was the explanation for doing so.

The sequester, in contrast, is an anomaly of modern government, a historic achievement in shrinking the size of Washington. It "reduced government spending for two years in a row for the first time since right after the Korean War," Senate minority leader Mitch McConnell insisted last week. "Many of us came to Congress to do just that."

Let's put this achievement in context. Phil Gramm and Warren Rudman enacted a plan to restrain spending, Jimmy Carter embraced zero-based budgeting, Ronald Reagan championed spending cuts, Newt Gingrich produced reductions as House speaker, Bill Clinton presided over a balanced budget. Yet none of them imposed fiscal discipline matching what the sequester accomplished in two years and promised to continue over the next eight—to the tune of $1 trillion in reduced non-entitlement spending.

The sequester has the virtue of actually working. The cuts go into effect annually. In 2013, $84 billion was that year's share of the overall reductions. And $84 billion in cuts were enforced. If the usual practice had been followed, the $84 billion reduction would have been spread over 10 years and much or all of it never imposed.

For beleaguered Republicans in Congress, the sequester provided a political bonus. It gave them leverage in dealing with President Obama and Senate Democrats. The sequester's cuts are automatic, which means neither action by Congress nor the president's signature is needed annually. And relief from its spending caps is impossible without the acquiescence of Republicans.

Relief is what Obama, the spender-in-chief, desperately wants. The sequester has already slashed domestic programs he cherishes and slaps a death warrant on his plans to devote untold billions to grandiose projects such as universal pre-K education and a national network of "manufacturing innovation centers."

But Obama doesn't come to the sequester issue with clean hands. Its author, during budget negotiations in 2011, was Obama's budget director Jack Lew (now Treasury secretary). It was meant to force a congressional super-committee to agree to a package of spending cuts and tax hikes—or else the sequester would take over. They failed and it did.

The sequester rattled Obama. He claimed the idea came from Congress, only later conceding it was indeed a product of White House brainstorming. At one point, he threatened to veto any bill tampering with the sequester. Then he switched to denouncing it as an impediment to economic growth. "At a time when too many Americans are still looking for work, it's inexcusable," he said in May.

Once defense-minded Republicans began protesting the disproportionate cuts in the military, Obama shamelessly took up that argument as well. This was breathtaking in its hypocrisy, since Obama's own cuts are far more responsible for starving Pentagon spending than the sequester is.

It was the defection of Republicans, led by chairman Buck McKeon of the Armed Services Committee, that shattered the pro-sequester majority. Republican members of the Appropriations Committee also dissented for turf reasons. The sequester intruded on their role in shaping the budget. The result: The sequester was suddenly vulnerable.

Only under these circumstances does the budget accord fashioned by House Budget Committee chairman Paul Ryan and his Senate counterpart, Democrat Patty Murray, become minimally acceptable. It provides $63 billion in sequester relief in 2014 and 2015. It passed the House on December 12, 332 to 94.

Ryan, to his credit, played a weak hand as best he could. The agreement restores $23 billion in defense spending next year and doesn't include a tax increase. Democrats refused to consider any trims, much less meaningful reforms, in Social Security, Medicare, or Medicaid. And they rejected the bold plan in Ryan's House budget to raise revenues through opening federal lands and offshore areas to energy development.

The sequester isn't dead. In the fight to restrain government spending it's a wounded warrior. It's supposed to resume its menu of automatic cuts in 2015, but don't hold your breath. Now that its caps have been breached once, they're bound to be tossed aside again. And the greatest tool for curbing the growth of government in the lifetime of most Americans will be lost.

—Fred Barnes

The Purge of Jang Song-thaek

End of the road for Beijing's Man in Pyongyang.

BY DENNIS P. HALPIN

Jang Song-thaek is seized by guards at a party meeting shown on North Korean state television.

The spectacle of North Korea's former number two, Jang Song-thaek, being stripped of all his titles at a December 8 party meeting in Pyongyang and then arrested by uniformed guards left no doubt about his fall from grace. Jang's former protégé, Premier Pak Pong-ju, was in tears as he denounced his old friend while he was being dragged away. Such a public display of political disarray, broadcast the next day on state television, was unprecedented in the North Korean hermit kingdom. Four days later, Jang's execution was reported by KCNA, the official news service of the regime.

Dennis P. Halpin is a former U.S. consul in Busan and adviser on Asian issues to the House Foreign Affairs Committee. He is a visiting scholar at the U.S.-Korea Institute at SAIS (Johns Hopkins).

The fall of one of North Korea's most artful dodgers—the uncle of ruler Kim Jong-un—was accompanied by a laundry list of his reported transgressions. He was accused of engaging in a "depraved, capitalist lifestyle" that included "gambling, womanizing, and drugs." On a more sinister note, Jang was denounced for "throwing the state financial-management system into confusion and committing such acts of treachery as selling off precious resources of the country at cheap prices"—likely a veiled reference to the economic zones created near the Chinese border at Dandong and in Rajin-Sonbong in the northeast. The official state announcement pledged a follow-up purge of Jang's supporters, which must make Pyongyang's elite very nervous.

This purge seems already well underway. In an eerie echo of George Orwell, the *Korea Herald* reported on a December 7 rebroadcast of a North Korean television documentary in which Jang Song-thaek had been deleted from 13 scenes. The uncle had been filmed side-by-side with his nephew during an autumn inspection of a military unit, but now, suddenly, he was airbrushed out of the scene. Other South Korean media report that Jang Song-thaek's fund manager has fled with the accounting books to China, where he is reportedly in hiding with South Korean assistance. Jang's relatives overseas, including a nephew who is serving as the North Korean ambassador to Malaysia, have been abruptly ordered back to Pyongyang.

Pyongyang watchers are waiting to see if Jang's reportedly estranged wife, Kim Kyung-hui, attends the December 17 memorial service for her late brother, the former North Korean leader Kim Jong-il, on the second anniversary of his death. Kim Kyung-hui had been able to shield her husband from execution during previous purges.

When the Dear Leader Kim Jong-il suffered a debilitating stroke in the summer of 2008, he reportedly turned to his little sister Kim Kyong-hui and her husband, Jang Song-thaek, for assistance. The Dear Leader, facing his own mortality, understood that he did not have the decades of tutelage to prepare his own untested son and heir that he had received from his father. The stroke indicated that it might be necessary to turn over the reins of the family enterprise, the Democratic People's Republic of Korea (DPRK), much sooner than expected. Jang, having once been purged, gladly stepped into the role of mentor to Kim Jong-un. When Kim Jong-il died in December 2011, it was Uncle Jang who stood directly behind his nephew in the funeral procession.

Jang's elevated status in the new regime was confirmed when, as vice chairman of the National Defense Commission (NDC), he was dispatched in August 2012 on an official visit to China, isolated North Korea's sole ally and guarantor. Kim Jong-un himself, in contrast, has yet to garner such an

IMAGES: NEWSCOM

invitation to Beijing as the new leader of North Korea, although South Korean president Park Geun-hye was invited within six months of her assumption of office. Using convenient excuses, such as the Chinese leadership transition, Beijing has repeatedly rebuffed Kim Jong-un's request to travel there. The Chinese leadership is apparently piqued by his erratic and provocative behavior, including a series of missile launches and even a nuclear test, which has embarrassed Beijing and severely disrupted Six-Party diplomacy.

Beijing, in contrast, rolled out the red carpet for Jang, a "lao pengyou" (old friend), scheduling meetings with all of China's key leaders, including then-president Hu Jintao. Beijing's leaders were familiar with Jang, in contrast to his young nephew. Despite a secret "getting-to-know-you" visit to China in 2010 in the company of his late father, the young Kim remains largely an enigma to the Chinese leadership. Jang Song-thaek, by contrast, was a frequent visitor to North Korea's embassy in Beijing in the 1990s. He was also a promoter of a style of economic reform, with no liberal political strings attached, which was music to the ears of the Chinese leadership. Beijing is known to be concerned by the abysmal state of the North Korean economy, which requires continued, generous subsidies from China. Jang had not only visited China frequently over the years but even South Korea. In the heady days of Seoul's "sunshine policy" in 2002, Jang saw how economic engines like the Samsung conglomerate produced the South Korean miracle on the Han River.

Economic reform in North Korea, however, has proved no easy path to maneuver. For unlike the vast Chinese mainland of 1.3 billion people which, so far, has had little to fear from the contrasting example of a democratic and free-market Taiwan of 23 million, South Korea is a potentially enormous magnet. With twice the population and a GDP roughly 40 times that of North Korea, the example of South Korea is a constant, potential threat to opening and reform by Pyongyang.

Those who advocate economic reform, like Jang Song-thaek, are always at risk of being suddenly purged. Such was the fate of Kim Jong-u, a Kim family cousin, who touted economic reform as chairman of North Korea's Committee for the Promotion of External Economic Cooperation during the Great Famine of the 1990s. His activities included hosting an economic seminar attended by over 300 foreigners in 1996 in Rajin-Sonbong. (Like Jang Song-thaek, he had connections to the Rajin-Songbong Free Economic and Trade Zone near the Russian and Chinese borders.) But as North Korea made a marginal recovery from famine, and fear of external "impure elements" increased, the door to economic reform abruptly shut. In 1998 it was reported that Kim Jong-u was purged and then executed, just as two of Jang Song-thaek's closest aides were recently.

The good old days: uncle and nephew, April 2013

Jang himself also suffered when the bloom of economic reform faded. He was reportedly sent in 2004 for "re-education through labor" to a steel mill, although his marital tie to the only daughter of the Great Leader Kim Il-sung likely spared him a firing squad. Jang's relationship to his spouse, four-star general Kim Kyong-hui, did not appear to be any less dysfunctional than was the case with the rest of the Kim family. Kim Kyong-hui, who suffers from chronic health problems related to alcoholism, reportedly drove their only child to suicide. Their daughter Jang Kum-song died of an overdose of sleeping pills in Paris in 2006, where she was studying. She had reportedly been ordered back by her mother to Pyongyang in order to break up a relationship with a boyfriend.

The purge of Jang Song-thaek was as abrupt as Kim Jong-un's purge of Vice Marshal Ri Yong-ho in July 2012. The removal of the former chief of the general staff of the Korean People's Army (KPA), who had been described as "a mentor" always at the side of Kim Jong-un during the transition to the new regime, was as much a shakeup of Pyongyang's military establishment as Jang's is in the political sphere. This was followed this past May by the sudden removal, after only six months, of hardline general Kim Kyok-sik as the minister of defense and his replacement by an unknown general. Kim was kept on for three months as chief of the KPA general staff until he was completely removed from the scene in August following the seizure by Panama of a North Korean vessel carrying a shipment of illicit arms. General Kim has long been involved with North Korea's arms smuggling, most notably to Syria where he was once an assistant military attache, and he is credited with carrying out two major attacks on South Korea in 2010, the torpedoing of the *Cheonan* naval vessel and the shelling of Yeonpyeong Island. He reportedly allowed Kim Jong-un to take the credit for these operations, permitting the young and inexperienced leader to gain a measure of gravitas with older, skeptical North Korean military brass.

A pattern of purging experienced advisers has clearly emerged as part of Kim Jong-un's modus operandi. Some see this as a move to replace the old guard of his father's generation with persons beholden to Kim Jong-un personally. But it may be more of an indication of youthful bravado by a cocky but inexperienced leader than a sign of stability and strength. Some point to Jang's reported rival, Choe Ryong-hae, as the instigator of his dismissal and see this as a reassertion of military power over party officials close to Jang. Choe, however, while carrying the title of vice marshal, is

not a career military man but from the Socialist Youth League and has questionable leadership experience with which to guide Kim Jong-un through the labyrinth of Pyongyang politics.

Kim Jong-un himself was hailed by some as a breath of fresh air when he emerged out of nowhere just a few years ago to assume the succession mantle. He was seen as a Swiss-educated, basketball-loving citizen of the world who might bring a degree of enlightenment to isolated Pyongyang.

Instead, in his erratic and brutal behavior, including issuing shoot-to-kill orders for refugees, blowing to smithereens a hapless comrade who showed insufficient mourning upon the death of the Dear Leader, and reportedly ordering a musical entertainer and her entire troupe in front of a firing squad at the behest of his jealous wife, the Young General has proved every bit as bloodthirsty as the rest of his infamous family.

The execution of Beijing's man in Pyongyang may give Kim Jong-un one more opportunity to thumb his nose at the Chinese for agreeing to greater sanctions in the wake of his missile and nuclear adventurism. However, when push comes to shove, an experienced leader would have recognized that there is, at present, no alternative to China for Pyongyang and that Jang Song-thaek represented a valuable conduit to the mandarins in Beijing. Bejing's nervousness about North Korea may be reflected in the fact that it staged a live-fire landing exercise with about 5,000 army, navy, and air force troops in Bohai Bay near North Korea on Sunday night, December 8, just after the purge of Jang Song-thaek was confirmed.

The question being raised not only in Beijing but elsewhere seems to be: With experienced hands like Jang Song-thaek, Ri Yong-ho, and Kim Kyok-sik removed from the scene, and with the Young General often distracted riding roller coasters with his wife or hanging out with Dennis Rodman, who in Pyongyang will be minding the store? Does the new kid on the block have the brains and skill to keep the Kim family enterprise going? ♦

Speed Reading the Pope

50,000 words, boiled down—way down.

BY ANDREW FERGUSON

Everybody has an opinion about the pope these days and, what's worse, feels compelled to express it. Rush Limbaugh has an opinion about the pope. He says he finds the pope "upsetting." And he's not even Catholic!

Promethean neopelagians, beware.

It's true that Rush Limbaugh finds nearly everything upsetting. Getting upset is what he gets paid to do. What has set him off this time is the papal exhortation released late last month, *Evangelii Gaudium*, the Joy of the Gospel. It is the kind of document, increasingly common, that is commented upon and argued over and tweeted about rather than read. It goes on for more than 50,000 words, and much of it is of narrow, I almost said *parochial*, interest; according to a tally by the Catholic News Service, for example, more than 10 percent of it is devoted to the pope's sermon-writing tips for pastors. Much of the rest has to do with the authority of bishops' meetings and other matters of church organization.

Still, *Evangelii Gaudium* is easy to read, most of the time, thanks to Pope Francis's pleasant and familiar prose style. This makes it all the more frustrating that so many opinionizers didn't dog-paddle through all of its 288 sections. Judging by the commentary, you'd think the upshot of the document, or even the document itself, consisted of six paragraphs devoted to the pope's musings—it's hard to call them ideas—about economics.

Too bad: There's lots more to *Evangelii Gaudium*, including passages on the social obligations of private faith that are as graceful, generous, and penetrating as any you're likely to read. A proper faith, he tells us, leads to "a fraternal love capable of seeing the sacred grandeur of our neighbor, of finding God in every human being, of tolerating the nuisances of life in common by clinging to the love of God, of opening the heart to divine love and seeking the happiness of others just as their heavenly Father does." This might have calmed Limbaugh down if he'd gotten that far.

It is perhaps the fate of Francis to be misunderstood, whether through ignorance, laziness, or acts of will. The public image of a thoroughly reformist pope is by now fixed, and people who like the idea—not a large percentage of them are Catholics, I'll assume—are taking the ball and running with it. A priest reports being asked by a woman in a discussion group when he was going to be married, now that the pope had declared

Andrew Ferguson is a senior editor at The Weekly Standard.

TÂNIA RÊGO / ABR

that priests should find a mate. (She had garbled the public comments of a Vatican official who had pointed out that priestly celibacy is a theoretically reversible convention and not a dogma of the church.) A *Time* magazine copy editor, giddy at the thought of a pope just like him or herself, tagged a picture of the pope like so: "The first Jesuit Pontiff won hearts and headlines with his common touch and his rejection of church dogma . . ." The caption was corrected, but you can see why they think they like him so much.

Traditionalists are quick to point out that Francis hasn't come close to "rejection" of any dogma, and, in matters dear to the hearts of Catholic traditionalists, he continues to make strongly worded statements on abortion and the protection of unborn babies—not a dominating concern for Catholic liberals in Europe and America. And in the new document, in a passage in praise of women's contributions to church life, he includes a parenthetical aside: "The reservation of the priesthood to males, as a sign of Christ the Spouse who gives himself in the Eucharist, is not a question open for discussion." *Time*'s copy editors can take comfort from the pope's modish use of the unisex "Spouse," however.

Till now the pope's reputation as a man of the left has rested on that "common touch," along with his lack of interest in issues of homosexuality, particularly gay marriage, which in one way or another excite Western Catholics of all dispositions. The categories of right and left in the Catholic church don't translate well into the world of practical politics, especially in the United States, where the politics are at once intellectually inert and rhetorically feverish. Many Catholic conservatives, for example, have little affection for the free market (until it comes to finding bargains) because it disrupts settled patterns of family and social life. In response to *Evangelii Gaudium*, they applauded as heartily as any Catholic liberal the pope's treatment of market economics (he never uses the even more ambiguous word "capitalism"). It was rough indeed, as in this instantly famous passage:

> some people continue to defend trickle-down theories which assume that economic growth, encouraged by a free market, will inevitably succeed in bringing about greater justice and inclusiveness in the world. This opinion, which has never been confirmed by the facts, expresses a crude and naïve trust in the goodness of those wielding economic power and in the sacralized workings of the prevailing economic system.

The pope, by contrast, places his more elegant and sophisticated trust in the goodness of those wielding government power, "states," as he writes optimistically, "charged with vigilance for the common good."

It is disconcerting for a Catholic to read sentences from the pen of a pope that are demonstrably untrue. Leaving aside the doctrine of papal infallibility, which doesn't apply to documents like *Evangelii Gaudium*, deference to authority is supposed to be bred into Catholics. And deference to an authority who is empirically wrong presents a special dilemma.

"Never," the pope announced in a homily earlier this year, "has the use of violence brought peace in its wake." Never? Survivors of Bergen-Belsen will have a different view. Likewise, if the pope wants facts about the effects of economic growth on poverty and justice, he could consult with the World Bank or the International Monetary Fund. By their estimates, global poverty is half what it was 20 years ago, thanks to—surely, at least in part—the economic growth generated by free exchange in the marketplace.

Disoriented perhaps by this bald obtuseness, Catholic opinionizers with a fondness for both the pope and economic liberty were obliged to make one of three responses. The first was to get upset. The second was to insist that the pope didn't really mean what he said—that *Evangelii Gaudium* is really an attack on consumerism, commercialism, and materialism, and a plea for the place of the poor at the center of Christian life. And it is indeed such an attack and such a plea. But if it is only that, then the drubbing of market economics was simply gratuitous. This seems highly unlikely. The attack may consist of only six paragraphs, but they do pack a punch.

A third response was to grant that the pope meant what he said, but what he meant was severely limited to his experience in Latin America, where poverty and economic corruption are tied together. This would require the pope to believe that commerce in Argentina or Venezuela operates on the principle of a free market. Stranger still, he would have to believe that governments in those countries act with "vigilance for the common good." Also unlikely.

Part of the confusion rests in the pope's tendency, when he lapses out of pastoral mode, to write at a very high level of generality, without taking time to explain his terms. When he writes about "human beings . . . considered consumer goods to be used and then discarded," is he talking about abortion or stem cell research, though neither is mentioned explicitly, or about the poor trapped in the jaws of the free market? Maybe both, maybe neither. It's hard to tell. When he insists that the only way to restore a peaceful society is through "non-ideological ethics," does he mean . . . well, what does he mean? Even we opinionizers who have read every word of *Evangelii Gaudium* would find it hard to come up with a definition. "It is not the task of the Pope," writes the pope, "to offer a detailed and complete analysis of contemporary reality." And he's as good as his word.

The pope's favored mode of argument is caricature. Nothing wrong with that! The caricatures extend beyond his discussion of economics, where his unspecified targets believe in the "absolute autonomy of the marketplace" (they do?) and that "everything" (everything?) "comes under the laws of competition and the survival of the fittest." As it happens, the pope's caricatures exist only on his right. Over the past generation, for example, traditionalists in

the United States and elsewhere have tried to restore what they consider beauty and dignity to a vernacular liturgy saturated in therapeutic talk and the gluiest pop music.

In *Evangelii Gaudium*, as elsewhere, the pope shows he has no sympathy for the traditionalists or their cause—"the self-absorbed promethean neopelagianism of those who ultimately trust only in their own powers and feel superior to others because they observe certain rules or remain intransigently faithful to a particular Catholic style from the past." He sides instead with the therapists and pop musicians: "the Church can also come to see that certain customs not directly connected to the heart of the Gospel, even some which have deep historical roots, are no longer properly understood and appreciated. Some of these customs may be beautiful, but they no longer serve as means of communicating the Gospel."

Again the level of abstraction and imprecision is very high, but he seems to make disapproving allusions as well to bishops and priests who have made an issue of offering communion to pro-abortion politicians.

"The Eucharist, although it is the fullness of sacramental life, is not a prize for the perfect," he writes. "Frequently, we act as arbiters of grace rather than its facilitators." Nancy Pelosi no longer has to worry.

"I am aware," Pope Francis writes near the beginning of his work, "that nowadays documents do not arouse the same interest as in the past and they are quickly forgotten." He has ensured that *Evangelii Gaudium* will not share that unhappy fate. In the meantime, many Catholics will have to wrestle with the fact that the causes that get their hearts started in the morning—defending traditional marriage, restoring a sense of beauty and dignity to the liturgy, asserting the morality of enterprise and entrepreneurship—are interesting to the pope only to the extent that he wants us to knock it off. At best, he's telling us, our causes are distractions; at worse, they are active impediments to a full Christian life. ♦

The Congressman Who Says 'No'

How many enemies does Rep. Justin Amash really have? BY MARIA SANTOS

"Tables turn on the Michigan tea party"; "Business to tea party: Get out of our way"; "Donors Plot Against GOP Rebel": Judging by the headlines, next year's Republican primary in Michigan's 3rd Congressional District is shaping up as a referendum on the conservative incumbent's dogged adherence to his limited-government principles—and a sign of gathering mainstream mobilization against the Tea Party.

Justin Amash, left, and Brian Ellis

But according to Brian Ellis, the business-backed financial consultant who is challenging two-term incumbent Justin Amash, the headlines have it all wrong: His campaign is not directed against the Tea Party. In fact, while he doesn't go so far as to claim the label for himself, Ellis is trying to capture the Tea Party vote from Amash. "Let me put it this way," he says, "I've talked to Tea Party folks in this district, and they're not happy."

Amash, the son of a wealthy Palestinian-American businessman of Christian background, is often likened to former congressman Ron Paul, another staunch House libertarian with national appeal among Tea Party voters. But, Ellis insists, the Grand Rapids area "is not a libertarian district, and I'm willing to stake my campaign on that." Amash's critics in the business community are also exasperated by his repeated defiance of the House GOP majority.

Born and raised in Michigan, Ellis once owned a Grand Rapids food processing company, and then founded an investment advisory firm. He was until recently a member of the East Grand Rapids Board of Education but has never run for national office. Influential Michigan business leaders donating to his candidacy include J.C. Huizenga and Mike Jandernoa—both former Amash donors. Seven such Amash defectors signed a letter supporting Ellis's candidacy and denouncing Amash and his congressional allies for having "effectively nullified the Republican majority in the U.S. House."

The role of these big-name Amash deserters has drawn media attention to Ellis's campaign. At first the coverage suggested that the donors had conspired to replace Amash and had chosen Ellis for the job. But Ellis says that's not quite right: He decided on his own to run and then went out seeking support. He seems surprised by the media's misinterpretation of his campaign so far.

Bill Ballenger, a veteran political analyst who publishes "Inside Michigan Politics," agrees that the coverage of Ellis is off base—but for a different

IMAGES: NEWSCOM

Maria Santos is an editorial assistant at The Weekly Standard.

reason. He's skeptical of Ellis's chances, because Ellis has had "no presence as a political entity" and hasn't disclosed how much money he's raising. He notes that Amash has crushed challengers in the past. He calls Ellis's attempts to distance himself from the "establishment" label "ridiculous" and "clearly not true." According to Ballenger, the media are wrong to make such a fuss about Ellis's challenge. "Amash has always had his enemies, there's always been this feeling that he's out of step, that he's a freak, but it's just not proven to be true."

The reports have one thing right: Amash has created powerful enemies. He has frequently voted against the House GOP leadership on key issues, has been the lone "no" vote on dozens of bills, and tried to persuade his fellow congressmen to oppose John Boehner for speaker. That rebellion resulted in his being kicked off the Budget Committee. In a recent survey from Public Policy Polling, he had slid to just 37 percent job approval.

Amash has withheld his support from many causes that most conservatives favor. He is the only House Republican who opposes the Keystone pipeline legislation, which he deems unconstitutional because it singles out one company for special treatment.

Amash is famous for painstakingly explaining every vote he casts on his Facebook page. As in the Keystone case, he frequently argues against legislation on constitutional grounds or votes "present" if he thinks a bill wasn't given enough time for review.

Ellis is unimpressed. "He's got his explanations for why he's voted, but I don't really care. I'm a businessman, I look at the bottom line." He has no use for Amash's constitutional scruples, remarking, "If something is unconstitutional, we have a court system that looks at that."

Ellis agrees with Amash in one controversial area—NSA spying. Like Amash, he's critical of the NSA, saying that "it certainly appears from what you read that the NSA may have overstepped their bounds. . . . I'm very supportive of reining that in." He cautions this doesn't mean he supports dismantling the whole program. And he still considers Edward Snowden "a flat-out traitor." This puts him to the right of Amash, who lauds Snowden as a "whistleblower," and even a bit to the right of the GOP leadership.

Ellis sounds the most establishment in his criticism of the government shutdown. Citing his financial background, he calls it "beyond reckless." But he also stresses positions that could appeal to Tea Party voters, like Amash's voting "present" on a bill to withhold public funding from Planned Parenthood. Amash says the bill is unconstitutional and didn't remove any line-item appropriations. Ellis promises that he will never vote "present" on any bill.

Despite the hype about Ellis's backers, Amash is not without powerful friends. Doug DeVos, president of Amway and one of the wealthiest businessmen in the state, backs him. Some are frustrated by Amash's stance on issues like Paul Ryan's House GOP budget, which he voted against, and his opposition to special tax cuts for small businesses. But key conservative groups like the Club for Growth remain loyal. David Wasserman of the Cook Political Report writes that, because of Amash's conservative following and support from some in the business community, "in a GOP primary setting, it will be exceedingly difficult for Ellis to effectively flog Amash from the political 'center.'"

And Amash has begun striking back. Last month he called in to a radio show while Ellis was being interviewed. The congressman's voice sounded tense and angry as he accused Ellis of supporting earmarks and misrepresenting Amash's voting record. The exchange ended with terse "we'll see about that"s from both sides. Amash published an op-ed quoting the *Washington Post* on his challenger's backers, who hope Ellis will do things "the old-fashioned way—by working the inside game and playing nice." Throwing down the gauntlet, Amash declared, "Crony capitalists have found their guy—and it's not me." ♦

Subsidizing Rich and Poor

There are better ways to help workers than the minimum wage. BY IKE BRANNON

There is a vintage Corvette parked on the street nearby, a 1977 canary yellow model in perfect condition. The NADA Blue Book says it's worth around $15,000.

The car is someone's toy: I know that because it hasn't been moved for an entire year. I've seen the owner visit it a couple of times to rev the engine and give it a sponge bath, but it's been in the exact same spot since last Christmas.

Higher wages, fewer earners

The Corvette owner and I happen to live in a neighborhood in the middle of Washington, D.C., with a severe parking shortage, the result of a surfeit of nine-story buildings with nominal parking and close proximity to a spate of popular restaurants. The going price for reserved parking spaces in the area is $250 a month.

My neighbor with the Corvette doesn't bother with a reserved spot in a garage because he's got a great deal: For a mere $35 a year—the price of a residential permit—he can store his car on the street.

It turns out there are *lots* of people who are willing to put their cars on the street for $35 a year—way more people than there are spaces for them: By my count over half of the cars currently parked on my block have not been moved in more than two weeks.

As a result it can be almost impossible to find street parking at night or on weekends and fairly difficult at other times as well. On a Friday night about a third of all traffic in our area consists of people trolling the streets, looking for parking, a local politician informed me.

Why doesn't the government charge more for street parking permits? After all, the D.C. government keeps telling us it needs more revenue and that the wealthy don't pay their fair share: asking the guy with the Corvette and people like him for $2,000 a year to store their cars on streets owned by the government seems like a good way to extract money from the well-off.

Our city government doesn't contemplate doing such a thing because there are poor people in the neighborhood who couldn't afford to pay that much, our elected officials aver. The only flaw with that logic is that there aren't a lot of poor people in our neighborhood—the going nonsubsidized rent for a one-bedroom in our area is $1,500 a month, and there are only a smattering of subsidized units in our zip code. We're also well-served by bus and Metro, so I suspect most of those who are poor and live here don't own a car: Lots of middle-class households get by without one, my own included.

As a result of a well-intentioned desire to help the poor, our government effectively helps my presumably wealthy neighbor—and lots more like him—to marginally benefit a few poor people who need cars to get to work.

When most of the beneficiaries of a policy are not the ones we want to help, perhaps the policy is counterproductive. We want to make it cheaper for poor people to park their car so we make it cheap for *everyone* to park their car, and we end up with an outcome that few people are happy with, save my neighbor with the vintage car.

The push to increase the minimum wage to help reduce income inequality is a similarly misplaced way to help the poor. While there are working parents making the legal minimum wage, the vast majority of those who work at a job that pays the minimum—almost 80 percent, according to a report by Ben Gitis of the American Action Forum—are not supporting a family with that money. For them, a minimum-wage job is their ticket to learning about the wicked world of holding a job, and represents a step to another, better job.

But the higher the first rung is on that ladder, the more difficult it becomes to begin climbing it in the first place. Raising the minimum wage by two or three dollars is going to mean some teens are going to have trouble finding a job—never mind Jared Bernstein's banal argument in the *New York Times* that if increasing the minimum wage did decrease jobs, then states would not be increasing their minimum wage.

Liberals push for a higher minimum wage in part because a targeted alternative to helping poor working parents—such as tweaking the Earned Income Tax Credit—would cost the government money. But a minimum wage costs the economy plenty, albeit in a less overt way, in the form of fewer jobs for unskilled, inexperienced young workers.

Opposing the minimum wage doesn't mean an indifference to the plight of the working poor: It's evidence of a recognition that government cannot simply legislate away this particular problem. If we want to help the working poor we need to help them become more productive and create more jobs and not pretend that merely mandating higher wages for all costlessly solves the problem.

Improving the plight of low-income workers who head a household is certainly a goal worthy of pursuing, but not if we create all kinds of collateral damage while fixing it. ♦

BIG STOCK PHOTO

Ike Brannon, a senior fellow with the George W. Bush Institute, is president of Capital Policy Analytics, a consulting firm in Washington.

The Silence of the Liberals

Obamacare is inimical to their values, too

By Christopher DeMuth

Obamacare may or may not survive its inauspicious beginnings. It has become dangerously unpopular and accident-prone and faces a minefield of difficulties. Still, the Obama administration has a plausible strategy: to titrate the program's numerous taxes, subsidies, mandates, and restrictions so as to forestall immediate legislative or electoral reversal, thereby entrenching its basic structure for tightening as future circumstances permit.

But the drama has made one thing clear: Obamacare will never achieve its promise of affordable health care for all paid for with improved efficiencies in health insurance and medical care. The initial troubles and compromises have revealed that the program improves "access" mainly by herding millions of people and firms into insurance they do not want or need. A great many will simply refuse, having little to fear for the time being, with the result that government expenditures will be far higher than projected. It is equally clear that the variety and quality of medical care will be seriously restricted for all concerned.

Collaterally, Obamacare is introducing a new form of government—improvisational government, characterized by continuous ad hoc revisions of statutory law by executive decree. This is a reversion to a primitive form that long antedates our Constitution and rule-of-law traditions. Transported to the modern world, it leaves the private sector in a state of constant uncertainty and subjection.

These developments have produced a strong partisan reaction. Republicans are commiserating with individuals who have lost their health insurance or seen their rates increase, and are introducing tactical bills to stay unpopular program elements. Obamacare was a partisan enactment and was designed, clumsily, in such a way as to generate identifiable victims—so the partisan response was inevitable and is, up to a point, serving a worthy function of public education.

Christopher DeMuth is a distinguished fellow at the Hudson Institute.

Two further responses are deeper and more arresting. First, many prominent Republicans and conservatives—lawmakers (Paul Ryan), academics and think tankers (John Cochrane, Thomas Miller), and intellectuals and journalists (Yuval Levin, Ramesh Ponnuru, Holman Jenkins)—have come forward with specific proposals for expanding affordable health care more than Obamacare does, while eliminating its many harmful and unworkable features. Tax and regulatory reforms, and targeted public subsidies, would provide portable and renewable insurance, including for those who have developed costly health conditions; would legalize (rather than banish) low-cost insurance for essential medical services by replacing special-interest coverage mandates with sensible minimum standards; and would encourage direct purchase of routine medical goods and services where insurance has nothing to offer but paperwork. Conservative reformers would also put Medicare and Medicaid on a budget—something all knowledgeable observers know to be imperative to sustaining the programs and bringing government deficits down to manageable levels. At the same time, the programs would be converted from monopoly to competitive supply through vouchers, "premium support," and greater variety in addressing the special needs of the very poor.

There are important differences among these proposals, and much room for debate. But they have one thing in common that is highly admirable, whatever one thinks of their merits: They transcend, in fact defy, the opportunities of the moment to score partisan political points. To be sure, they would dispense with many unpopular Obamacare provisions; but they go further and aim higher—to correct the harmful preexisting conditions in American health care that Obamacare promised to correct but is making worse. And that is a risky proposition when the public is angry and suspicious over government meddling with health care. Are Americans prepared to part with the illusion that everything related to "health" should be available free or far below cost, and that this can be done without degrading medical practice and risking eventual bankruptcy? Will they distinguish between higher-priced insurance for medical services they

don't need and insurance that leaves them to pay directly for services they do need but are quotidian and noncontingent? Do they understand that competition and innovation are as valuable in health care as in smartphones and coffee shops? Will they recognize that further expanding Medicare and Medicaid, when that is offered as the cure for Obamacare's failures, is a quack remedy? The conservative reformers are betting that the public, now that it is paying attention, will answer in the affirmative. They may be right, but they need help.

The other arresting response to Obamacare's troubles is a nonresponse—the silence of the liberals. Serious liberals are those for whom the primary purpose of politics is to protect personal liberty and advance social equality. Their liberalism has been the motive force of America's political history—which is the saga of extending legal and political rights, social status, and realized liberty to ever-wider groups, and legislating "welfare state" protections against the social and economic vicissitudes of life. They have been eclipsed in recent decades by those who call themselves "progressives"—who borrow the language of liberalism but are in practice devoted to enlarging and valorizing government itself rather than the liberty and equality of citizens. Critically, progressives predominate among Democratic party and interest-group activists whose careers consist of acquiring and deploying state power. But serious liberals are still prominent in intellectual and university life and in the party itself; they may be said to be the party's conscience.

DAVE MALAN

The media, in their fascination with disputes between the Republican establishment and Tea Party radicals, have mostly overlooked this more fundamental fissure in our politics. (Indeed, the GOP disputes are mainly tactical disagreements over how to respond to the triumph of statist progressives among Democrats.) But the Obamacare debacle could bring that fissure to the forefront. It certainly should.

Serious liberals were silent or supportive during the Affordable Care Act's legislative debates, bitter enactment, and initial implementation. That was understandable, for the effort promised to dramatically expand health care availability and to correct several evident injustices, such as the unavailability of insurance to those who have developed serious maladies; and Republicans were working hard to stop it and might well have succeeded. Then, when the troubles first appeared earlier this year, it seemed natural to many liberals to attribute them to fixable technical glitches and executive incompetence. But now that the program's true nature and future course have come into sharp relief, it is time for serious liberals to find their voice. For Obamacare's two central features are as inimical to liberal values as to conservative values. The first is monopoly and the suppression of diversity and competition. The second is extreme concentration of power, exercised continuously in monitoring and directing the activities of millions of citizens.

Friedrich Hayek explained more than 50 years ago (in *The Constitution of Liberty*) that the welfare state does not require, and should renounce, exclusive monopoly provision by the government itself. Hayek was a classical liberal—he rejected both "libertarian" and "conservative"—but his approach to health care for the poor, retirees, and those in chronic ill health was strikingly like that of today's conservative reformers. Guarantee equal, continuous access through financial support and legal rules (and if necessary even an individual insurance mandate!)—but avoid the stultifying effects of government monopoly, and let recipients reap the same benefits of competitive supply, variety, and freedom of entry and experimentation that prevail in the rest of the economy.

Obamacare is not an outright government monopoly, but it achieves the same dreary results through standardization and regimentation. It establishes a profusion of regulatory controls over prices, entry, and services in insurance and medical care, policies whose systematic anticonsumer perversities have been documented by generations of economists of all political persuasions. (Not long ago, the elimination of entry and price controls in competitive markets was a bipartisan project, championed by Edward Kennedy as well as Ronald Reagan.) That some states operating their own Obamacare insurance "marketplaces" are already moving to ban the private sale of individual and small-business insurance is one example of the program's tendency toward explicit monopoly.

But the most harrowing aspect of Obamacare is that it vests political executives and government administrators with sweeping discretionary power, free of conventional checks and balances. It gives federal officials the authority to set insurance prices without any of the economic and legal standards that govern regulation of public utilities. It gives obscure committees authority to decide on the kinds of medical services doctors and hospitals are permitted to deliver from one patient to the next. It gives political operatives the ability to force private institutions to dispense free birth control pills, and potentially many

other things, as tactics of electoral campaigns. It has federal and state officials running "marketplaces" and advertising campaigns and sales promotions—all with the style and mindset of business executives, but with coercion as well as persuasion at their command. The unsettling appearance of what I earlier called improvisational government—with the president and his subordinates revising Obamacare's statutory requirements, and even their own implementing regulations, by press conference or web posting—is an authentic expression of the statute's basic ethic, which is the ethic of executive will.

In this form of government, the dignity and autonomy of the individual—central liberal concerns—are distinctly secondary matters, indeed are obstacles to be overcome and suppressed. Whether your insurance arrangements suit your needs is not important—what counts is whether they suit the needs of those in office. Another central liberal concern, social equality, fares no better. President Obama's new rhetorical emphasis on Obamacare "redistribution" is a diversion: Aside from the expansion of Medicaid, the program's redistributions are arbitrary and frequently regressive. Because much of its financing consists of cross-subsidies built into the prices of insurance policies and medical goods and services, its burdens and benefits fall on individuals and firms whose circumstances—of income, occupation, race, gender, family, health status, number of employees, and more—are highly various and interconnected. Whether one selected distributive effect accords with one or another conception of social equality is a complicated question; the net effect of all of them is unknown and probably random.

Obamacare does, however, appear to include one form of systematic redistribution—from young adults to older people. This is regressive on the whole, because older people are wealthier, and it piles onto the already enormous intergenerational transfers of Medicare and Social Security. Taken together, these transfers are demographically unsustainable in the near term and bound to collapse. In the meantime, they are impeding employment and family formation among the young, creating significant social frictions and anxieties, and undermining support for social insurance itself. Little wonder that requiring twentysomethings to purchase insurance for things they don't need has become symbolic of Obamacare's inequities.

Serious liberals ought to be able to do better than this. They should dare to join a coalition of reconstruction with the serious conservatives who have already dared to lay their cards on the table. There would be many significant disagreements to be hashed out. The liberals would favor higher taxes and tax-financed subsidies and, probably, larger budgets for Medicare and Medicaid. They would be more inclined to let government experts second-guess individual decisions and market results. But the prospect of letting Obamacare run its course gives both sides a great deal to gain from compromise.

Moreover, the Obamacare experience holds important practical lessons for both conservatives and liberals. Many on the right, for example, from Hayek to the Heritage Foundation, have been open to an individual health insurance mandate as a means of compelling individual responsibility and policing free-riding (like compulsory liability insurance for drivers). Obamacare twisted the mandate into a tool of redistribution through pricing cross-subsidies ("shared responsibility" rather than individual responsibility), which has probably destroyed the idea as political matter; and the Supreme Court has held that the federal government may not go further than encouraging self-insurance through mild, nonpunitive tax incentives. But the alternatives now remaining may be improvements. The same result, and more, might be achieved by legalizing low-cost insurance limited to truly essential health services and catastrophic events, making guaranteed renewal contingent on purchasing at least the limited insurance at a young age, and financing the transition with explicit subsidies for the uninsured who develop costly health conditions.

It is worth recalling, finally, that Obamacare was built to fail, but not in the way things have turned out. The penultimate version of the Affordable Care Act established a government insurance carrier as an optional alternative to private insurance. Proponents calculated (privately, in the Democratic caucuses) that commercial firms, bound to actuarial and financial standards, would be unable to comply with the statute's requirements without widespread policy cancellations and dramatic rate increases, and that the public would blame the firms rather than the government. The government carrier would then step in to save the day from the greedy private insurers, thereby bringing "single-payer" medicine to the United States that could not be enacted forthrightly.

But in the legislative end-game, Senator Joe Lieberman —a thoroughgoing liberal in domestic policy although a neoconservative in foreign policy—held the decisive vote, and he insisted that the government insurance feature be dropped. But for that step, Obamacare's troubles would today be leading smoothly to the expansion of direct federal health insurance to pick up millions of canceled policies and undercut rate increases on terms no private firm could match. Even HealthCare.gov's disastrous debut would have been turned to advantage, by declaring the government insurance retroactive once the website was fixed and people could finally sign up. So it is one serious liberal who left us with the chance to extricate ourselves from this aggressively illiberal program, if only others will now seize the day. ♦

Bowl Championship Splendor

The golden age of college football

By Jeffrey H. Anderson

College football wasn't always like this. The eyes of the nation weren't always riveted on a massive stadium in a tiny town in southeastern Alabama, wondering whether the two-time defending national champion Crimson Tide could really—against all probability—be knocked off by archrival Auburn. They weren't always glued a week later to a game in Big Ten country, wondering whether Michigan State could really hand Ohio State its first loss in two years and knock the Buckeyes out of the national title picture. No, the race for the national championship wasn't always so exciting. In fact, not that long ago there wasn't even a national championship—at least one decided by anything other than a purely subjective vote of sportswriters or coaches. There wasn't a clear national champion because there wasn't an official national championship game.

All of that changed during the 1998 offseason, when the Bowl Championship Series was created, and a new era of college football began.

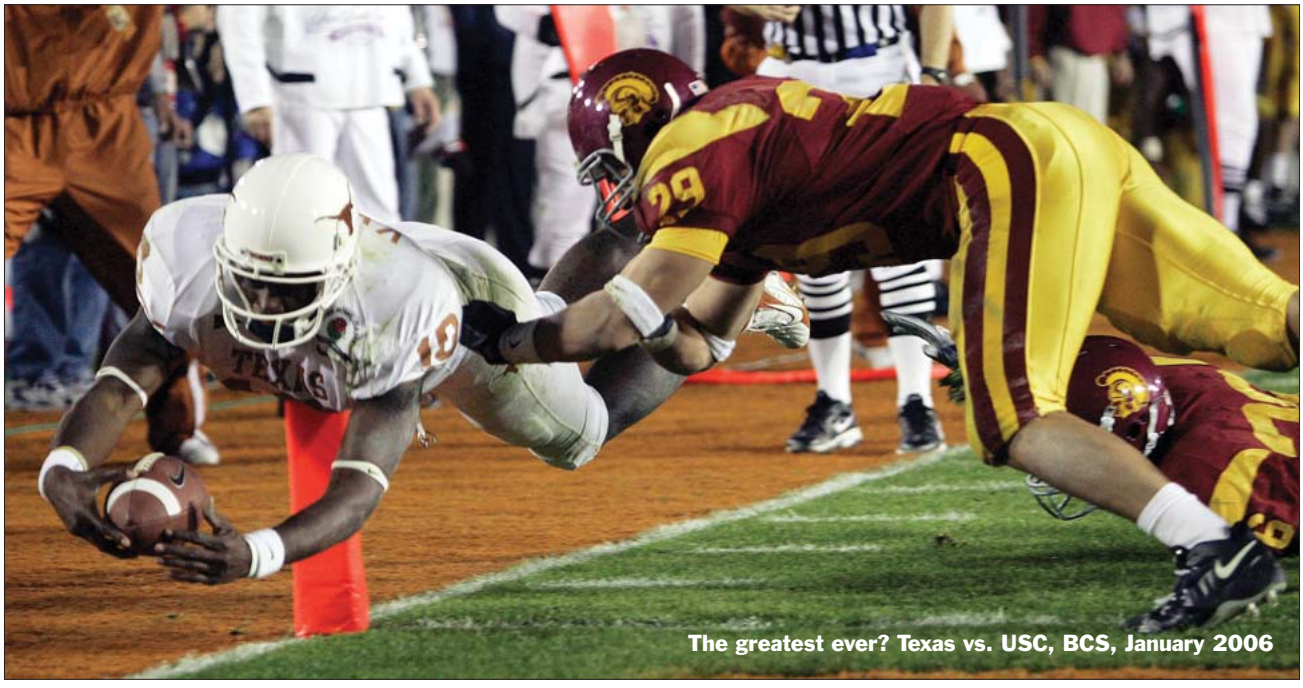
On the morning of May 18, 1998, I answered the phone, suspecting nothing out of the ordinary, and was quite surprised to hear that the voice on the other end was that of Roy Kramer, commissioner of the Southeastern Conference. Kramer said he was devising a new formula to determine which college football teams would play in which bowls, and he wanted to know if Chris Hester (co-creator of the Anderson & Hester Rankings) and I would have a problem if our computer rankings were included. I replied (in what was certainly an understatement), "We would *welcome* being included." Three weeks later—once Kramer had gotten buy-in from the other conference commissioners, NBC, ABC, and CBS—the creation of the Bowl Championship Series (BCS) was publicly announced.

The BCS was designed for one central purpose: to provide college football with an annual national championship game. That game would be hosted on a rotating basis by the Rose, Fiesta, Sugar, and Orange Bowls. (Since January 2007, it has been hosted separately from these bowls, although still on their sites, as the National Championship Game.) Kramer, a former successful head football coach at Central Michigan, knew that the championship-game matchup needed to be determined on the basis of something beyond the subjective polls, which ask coaches, sportswriters, and the like to rank the teams as they see fit. Kramer rightly sensed that it should be rooted in some sort of objective evaluation. So he turned to computer rankings.

That first season, the only computer rankings that were included in the BCS formula were ours (the Anderson & Hester Rankings, then called the *Seattle Times* Rankings), Jeff Sagarin's (which were and are published in *USA Today*), and the now-defunct and truly terrible *New York Times* rankings. Collectively, the computer rankings accounted for one-fourth of the original BCS formula, with the polls (the average of the AP and coaches') accounting for another fourth. The other two quartiles were based on a not-very-accurate internal BCS strength-of-schedule rating and each team's number of losses. So three-quarters of the original criteria was objective, while only one quarter—the polls—was subjective.

The excitement began early. On the last day of the BCS's first season, No. 2 (in the BCS) UCLA lost at Miami in a hurricane make-up game that had originally been scheduled for months earlier. Then, in perhaps the game of the year, Texas A&M overcame a 15-point, fourth-quarter deficit to defeat No. 3 Kansas State in double-overtime in the Big 12 Championship Game. As a result, Florida State moved up from No. 4 to No. 2 in the final BCS standings, and the Seminoles played No. 1 Tennessee on January 4 in the Fiesta Bowl. The Volunteers won 23-16, to claim the first BCS national championship.

Jeffrey H. Anderson is the co-creator, along with Chris Hester, of the Anderson & Hester Rankings.



The greatest ever? Texas vs. USC, BCS, January 2006

AP / LENNY IGNELZI

From the start, fans loved the BCS. And one of the things they loved most about it was complaining about it. That first season, a level-headed Kansas State fan wrote and told Chris and me that, by not having the Wildcats ranked in the top-two, our computer rankings were committing an injustice comparable to that of slavery.

To be sure, the BCS generated its share of controversy—and the computer rankings, being its most mysterious part, provided an easy scapegoat. To this day, however, few people seem to realize that an important change was made to the BCS formula after its sixth season. The formula, which had previously been a bit too complex and unwieldy, was streamlined, simplified, and significantly improved. From the 2004-05 season onward, this revised formula included only two basic components: the polls (with the Harris poll replacing the AP poll after the 2005 season) and the computer rankings (which by then consisted of ours, Sagarin's, Richard Billingsley's, Peter Wolfe's, Kenneth Massey's, and Wes Colley's). In another important change from the original formula, the polls were given more weight. Going forward, they accounted for two-thirds of the formula, while the computer rankings accounted for the other third. This reflected a recognition that it's the fans' game, and the fans' opinions (largely reflected in the subjective polls) need to hold sway—although not unlimited sway.

The improved formula worked like a charm. Controversy about the BCS persisted, but it started to sound more like an echo from the earlier days, with that echo fading further over time. For the past 10 seasons (from 2004-05 through 2013-14), the BCS national championship matchup has reflected the public consensus each and every year—a remarkable feat for any formula that isn't based strictly on popular opinion.

Under the BCS, college football has flourished. In 1997, the last pre-BCS season, attendance for the sport's Football Bowl Subdivision (its major division) was 27.6 million. Last season, it was 37.2 million—an increase of 35 percent. Some of that is because teams now play more games, but the average attendance has also risen, from 42,085 in 1997 to 45,440 last season. Over that same span, average attendance at Division I men's college basketball games has dropped from 5,485 to 5,190.

What's more, the BCS has opened up college football's loftiest heights to more teams. While not a single team from a nonpower conference or school was invited to what we'd now call a BCS bowl game in the 27 years between 1971 (when Air Force played Tennessee in the Sugar Bowl) and the onset of the BCS, 8 such teams have been invited by the BCS in the past 10 seasons alone (Boise State twice, Utah twice, TCU twice, Hawaii, and Northern Illinois).

The BCS took a sport that had developed organically across decades—with all of its unique bowls, conferences, and rivalries—and sought to improve it at the margins rather than fundamentally transforming it. The BCS's obvious benefit has been the staging of a genuine national championship game. But its less obvious benefit, which even Kramer has indicated he didn't fully anticipate, is that it has caused fans across the nation to care far more about games in other regions than they did before—thereby greatly enhancing the most compelling regular season in all of sports.

Thus, when Alabama lined up for a potential game-winning 57-yard field goal against Auburn on the game's final play, two days after Thanksgiving, it wasn't just the state of Alabama that held its breath. When the Crimson Tide's well-struck kick dropped about a yard wide and two yards short of its intended destination, it wasn't just the Deep South that watched with surprise as Auburn's Chris Davis caught the ball in the back of the end zone. And when Davis started to run it out, when he broke toward the left sideline and into the open field—it wasn't just SEC country that erupted along with the frenzied home crowd. When Davis crossed the goal line, completing perhaps the most improbable play in college football since Stanford's marching band ran onto the field more than 30 years ago, it was all of America (minus the Bama fans, of course) that cheered the triumph of an underdog squad (0-8 in the SEC a year ago) that had found a way to beat its archrival, the defending national champions.

Who cheers that way for regular-season college basketball—or, for that matter, for regular-season NFL football?

Before the BCS, that game would have been played with a potential Sugar Bowl berth on the line, not a potential National Championship Game berth. And while people outside the South might have watched, they likely wouldn't have been watching closely or caring much. For the most part, fans used to pay attention to what was happening in their own regions. Now the irresistible drama of college football—particularly of late-season college football—is shared throughout the land, and there is nothing quite like it.

At least there hasn't been. But next year things will change. Next season, the BCS will give way to the College Football Playoff (CFP), which will institute a two-round structure involving the top four teams. Somewhat lost in the hype surrounding a playoff is a profound change in the method of selecting teams, which is perhaps more consequential than the additional playoff round. After all, the BCS had already provided not only a figurative, season-long playoff but also a literal playoff between the top two teams.

There are pros and cons to the additional round. On the one hand, should undefeated Texas and undefeated USC each have been forced to play semifinal games before waging their epic battle for the championship in the 2006 Rose Bowl? Upsets can always happen, and one that year might have denied fans the chance to see the greatest game of the BCS era and perhaps of all time—in which Vince Young's fourth-and-five scramble for an eight-yard touchdown with 19 seconds left gave the Longhorns the victory. (That year's Texas team holds the highest season-ending rating in the history of the Anderson & Hester Rankings.) In a similar vein, should this year's Auburn team be forced to play a semifinal rematch versus No. 3 (in the BCS) Alabama before getting a shot at No. 1 Florida State? In other words, should Alabama get a mulligan? That's how it will work beginning next year.

To these drawbacks, it must be added that there's something about a playoff that requires the suspension of one's faculty of reason. Some fans act as if the notion of a playoff were brought down from Mount Sinai, but the playoff structure is a rather artificial construct that amounts to declaring that, at some particular point in time, only the games from here on out will really count. Only by respecting such arbitrary decrees can fans make sense of the notion that, say, a New York Giants team that lost six games was nonetheless the 2007-08 NFL champion, because they scored with 35 seconds left in the season's final game to give the New England Patriots their only loss.

On the other hand, playoffs clearly have their place—and, indeed, the BCS's one-game playoff has been a wonderful addition to the sport. And it will certainly be fun to watch the extra round of playoff games. Moreover, there are years when the top two teams aren't as cut and dried as in others, years that perhaps cry out for a four-team playoff field. Nor should a four-team playoff have too much of an adverse effect on the regular season.

But the effect of the playoff on the bowls—particularly on the oldest and grandest bowl—is another question. It is hard to see how there will be many matchups of Pac-12 and Big Ten champions in future Rose Bowls. More often than not, one or both of those conference champions will make the four-team playoff field, thereby pulling them out of Pasadena. This year, for example, the No. 4 team in the BCS, Michigan State, would have been pulled out of its Rose Bowl matchup against No. 5 Stanford, thereby disrupting the traditional pairing of Big Ten and Pac-12 champions in this, the 100th Rose Bowl. And even when the Rose Bowl hosts a national semifinal game, it could only host the Pac-12 and Big Ten champions if those teams were *both* in the field of four and were matched up in the same game. In other words, enjoy this year's clash of traditional conference champions in the Rose Bowl—it may be the last one for many years.

Of course, the notion that No. 2 Auburn would play No. 3 Alabama, while No. 1 Florida State would play No. 4 Michigan State, is based on those teams' placements in the BCS standings. But those standings won't exist next year. That's because the current conference commissioners—in the wake of the retirements of Kramer, former Pac-10 commissioner Tom Hansen, and others who helped form the BCS—have decided to uproot Kramer's foundational notion that college football's biggest stage shouldn't be filled by purely subjective means. After 16 years of anchoring its standings in objective criteria, college football will instead use the subjective findings of a 13-member selection committee as the sole determiner of its playoff field.

This is a profound change, and it remains to be seen whether fans will accept it. If the BCS reflected a Madisonian-like effort to "refine and enlarge" public opinion, the new "panel of experts" more nearly reflects the Progressives' view that Madison got it wrong. Under the BCS, the polls held sway unless the computers held them to be in error by a relatively wide margin. Thus, the computers marked the outer limits of the acceptable range of subjective opinion. There will be no such limits placed on the CFP's supercommittee, whose subjectivity will go unchecked and won't likely be explained to the fans who will be on the receiving end of its unilateral decrees.

Some people called the BCS elitist, but in truth the BCS standings reflected the collective opinion of 167 poll voters, anchored in the objective conclusions of six computers. The selection committee will reflect the collective opinion of just 13 people, anchored in nothing objective whatsoever—except for whatever criteria those 13 individuals might subjectively choose to apply.

As a nation watched: Auburn's Chris Young dooms Alabama.

NEWSCOM

True, college basketball—a sport marked by three weeks of postseason glory, a four-month de facto exhibition season, and (as noted) declining attendance—has a selection committee. But it's one thing to decide between giving a team a No. 1 or a No. 2 seed in a tournament field of 68 teams. It's quite another to emerge from a closed-door meeting, anoint the four top teams, and then announce that every other team has been eliminated from consideration.

Moreover, part of the charm of the BCS was that teams and fans knew, every week from late October onward, where they stood. Each team not only knew what spot it held in the BCS standings but also how far—numerically—it was behind, or ahead of, other teams. That prepped teams and fans alike for what might come next. The expert panel won't be as much fun.

There has been talk that the panel might buttress its secret deliberations by using a computer ranking system like the RPI (Rating Percentage Index), which has long been the objective ranking of choice for the basketball selection committee. But the RPI is a laughably bad ranking, a conclusion perhaps obscured by the fact that basketball rankings don't much matter.

Jeff Sagarin has run the RPI for college football and shared it with me. One week before this season's climax, the RPI would have called for a championship game between two-loss South Carolina and two-loss Arizona State (teams No. 8 and No. 11 at the time in the BCS). Now, with the regular season in the books, the RPI ranks three-loss Arizona State (losers to Stanford on the season's final Saturday) ahead of one-loss Alabama. It ranks North Dakota State two spots ahead of Rose Bowl-bound Michigan State. During the 2010-11 season, which culminated in Auburn beating Oregon 22-19 in the title game—a matchup that both polls and all six BCS computer rankings unanimously called for—the RPI instead called for Oklahoma (No. 7 in the BCS standings) to play Auburn and ranked undefeated Oregon 15th, behind a South Carolina team that had lost four games. Even if the selection committee doesn't use the RPI's rankings, it might well decide to use the RPI's almost equally bad strength-of-schedule ratings (on which those rankings are based), as the CFP website states that the committee will consider strength of schedule.

Even the CFP's mission statement, which declares, "The committee's task will be to select the best teams," is problematic. The best team isn't the same thing as the most deserving team, and the distinction is crucial. All six BCS computer rankings (which are designed to show the most deserving teams) rank Auburn above Alabama. Similarly, both polls rank Auburn over Alabama. But the entity that's best-equipped to know the *best* team—Las Vegas—would almost surely make Alabama a significant favorite over Auburn in a rematch. So, would the supercommittee really seed Alabama ahead of Auburn? Or would it instead imply that Vegas oddsmakers don't know who the best team is? Or would it simply refuse to follow its own mandate to seed teams based on which ones are "best"?

Odds are, we college football fans will never know. We'll just be presented with a list. We will have to take solace in these words from the CFP website: "Each committee member independently will evaluate an immense amount of information during the process."

It's hard to believe that college football fans, who are instinctively more Madisonian than Progressive and aren't known for embracing panels of experts in this or most other realms, will tolerate this for long. It therefore seems almost inevitable that college football will eventually go in one of two directions: back to the BCS standings,

which could be renamed the College Football Playoff standings, as the tried-and-true means of selecting teams; or on to an eight-team playoff, which—by giving five of the eight slots to major conference champions—would marginalize the importance of the committee while also marginalizing the importance of college football's enviable regular season.

If there were an eight-team playoff field, a classic regular-season game like Auburn-Alabama would largely have been sapped of its drama, at least for those living outside of the state in which it was played. Instead of deciding Alabama's fate in the national championship race, it would merely have lowered its seeding. The same could probably be said of Ohio State's fate in the aftermath of its game against Michigan State. Meanwhile, matchups between Big Ten and Pac-12 champions in the Rose Bowl would be even rarer under an eight-team playoff than under a four-team one—perhaps far rarer. In short, an eight-team playoff would undermine much of what is good about college football.

The other option—using the BCS formula to determine the four-team playoff field—would offer a proven track-record of success. Across the past 10 seasons (again, since the BCS formula was simplified and improved), that formula—generally reflecting public opinion but being anchored in objective measures—would have produced uniformly solid fields of teams.

All things considered, the most sensible way to apply the BCS formula in selecting teams for the playoff would probably be to take the top three teams in the BCS standings and reserve the fourth spot for a conference champion (or for an independent that's ranked No. 4). That way, a nonconference champion would be guaranteed a bid by making the top-three, while winning a conference championship would be given some extra weight. Using that criteria, this year's lineup would be No. 1 (in the BCS) Florida State, No. 2 Auburn, No. 3 Alabama, and No. 4 Michigan State. Last year's would have been No. 1 Notre Dame, No. 2 Alabama, No. 3 Florida, and No. 5 Kansas State (since No. 4 Oregon wasn't a conference champion). In 2011-12, it would have been No. 1 LSU, No. 2 Alabama, No. 3 Oklahoma State, and No. 5 Oregon (since No. 4 Stanford wasn't a conference champion). Or, alternatively, one could just take the top four teams, regardless of conference championships. Either way, it would be hard to argue with these results.

In short, the problem with college football going away from the BCS isn't its expansion from a two-team to a four-team playoff. The problem is its choosing to fill that field via subjective means, in a nontransparent way, through the decrees of a baker's dozen's worth of insulated elites. College football fans aren't likely to accept having their team's fate decided by the caprice of a committee. If that in turn leads to the further expansion of the playoff field to eight teams (to help relieve the pressure on the committee), it would do serious and lasting damage to college football's bowl games and its unparalleled regular season. It would also undermine the nationwide interest in regional games, which has been the greatest unanticipated benefit of the BCS system.

For those of us who have been fortunate enough to be involved in the BCS from the beginning, it has been a great 16-year run. Not many people have been given the opportunity to have a say in the national championship matchup of their favorite sport—let alone 16 times. It has certainly been an honor and a blessing, and I'll forever be grateful to commissioners Kramer, Hansen, and others.

People sometimes ask whether Chris and I will continue doing our rankings next season. I suppose it's a fair question, but it always sounds a bit strange to my ears. We were doing rankings before the BCS began—with no realistic expectation that they would ever be used in this way—and we'll keep doing them after it ends. After all, somebody's got to show the supercommittee where it's gone wrong.

On the day of the final BCS standings' release, Florida State coach Jimbo Fisher said, "We all complained about the BCS and everything that goes on, but it's funny how many times they get it right." Indeed, the BCS got it right 10 times in a row. From 2004-05 through 2013-14, it offered fans the matchup they wanted to see every year, without relying on pure subjectivity, on closed-door meetings, or on a panel of "experts"—let alone relying on all three at once. Instead, the BCS combined subjectivity and objectivity, art and science, and reflected public consensus while also helping to inform it. It did its job, and it did it extremely well.

On ESPN's *College Football Final* on the night of the conference championship games, Hall-of-Famer Mark May argued during the show's always enjoyable "Final Verdict" segment that college football should keep the BCS. May said, "I believe that the BCS system did their job at getting No. 1 and No. 2 matched together. And I believe, if you like the BCS system, you should keep the BCS system." May then lamented that the new system will open the door to an 8-team playoff, then a 16-team playoff, and so on. The rampart against such an unfortunate occurrence—which would ruin the dramatic regular season and colorful bowl games—is to continue using the BCS selection process to select the four-team field. A system that worked in picking two teams, to the exclusion of all others, can certainly handle the far easier challenge of picking four.

But whatever the future may hold, the truth is that the BCS took the best sport in America and made it indisputably better. In fact, it seemed to make it better almost every year. As a result, anyone who loves the game and has followed it closely over the past decade is likely to share in this appraisal: The BCS era has been the golden age of college football. ♦

Schweitzer Takes Aim

A progressive populist has Hillary in his sights

By Michael Warren

Brian Schweitzer sounds content with being a "former" pol. As we chat on the phone, he is looking out the window of his home on Georgetown Lake in western Montana. By mid-November, the lake is frozen, and the Pintler Mountains to the south are covered with snow. Schweitzer's home sits at the end of a dirt road more than a mile long. "I'm 25 miles from groceries," he says.

The 58-year-old Democrat is also a long way from Helena, the state capital, where he was governor from 2005 to 2013. And he's even farther from Washington, D.C., where national Democrats had hoped he might succeed longtime senator Max Baucus in two years. They assumed when Baucus announced his retirement in April that Schweitzer was the party's best (and maybe only) choice to replace him. But in July, Schweitzer said he wasn't running, leaving Democrats scrambling to find a suitable candidate.

Brian Schweitzer

Just because Schweitzer wasn't ready to be one of a hundred in the U.S. Senate doesn't mean he's out of the game, though. He's acting and talking like someone who is preparing to run for president. In an interview with Scott Conroy of *Real Clear Politics*, Schweitzer casually mentioned New Hampshire's state motto. "Live Free or Die," he said. "We understand that notion in Montana." On December 18, he's making the trek to Des Moines to speak to a gathering of Progress Iowa, a liberal grassroots group.

During a recent appearance on MSNBC, Schweitzer attempted to opine thoughtfully on foreign policy (the Iran nuclear deal, he said, would "tip the balance away from the Saudis and the Egyptians to the Persians," and the Middle East was experiencing "big changes") and said one item on his "bucket list" is to visit every county in Iowa. He's taking shots at potential primary rivals (Hillary Clinton) and expounding on where the party needs to go after Obama. There are no public plans for a (ghostwritten) book on the Montana values that shaped him and could reshape America—yet.

This far out from 2016, Schweitzer's doing just about anything to raise his profile. After seeing his MSNBC interview, I called up a former assistant, saying I'd like to interview the governor next time he's on the East Coast. A few hours later, I got a phone call from Schweitzer himself. We spoke for over an hour.

I asked if he would consider making health care policy a major element of his presidential campaign. "I didn't say I was going to run for president in 2016, did I?" he shot back. "I didn't say I wouldn't, but I didn't say I was. But it's something I'm interested in."

To hear Schweitzer tell it, he was never really serious about running for Baucus's Senate seat. "The Associated Press asked me if I had intentions of running for Congress or for the Senate," he says. "I told them, and I was widely quoted, and you can write this, that I wasn't goofy enough to be in the House of Representatives nor senile enough to be in the Senate." He tells me he has a "72-hour rule" about spending time in the nation's capital. "If I spend longer than that, when I get back here I have to wash myself with stuff that I use on my dogs when they get sprayed by a skunk," he says. "There's a smell that emanates from that city."

That's classic Schweitzer: brash, funny, and more than a little self-serving. In truth, he had run for federal office in 2000 against Republican senator Conrad Burns. Burns squeaked by the underfunded Schweitzer by just three points. It was a strong enough showing that Schweitzer ran, successfully this time, for governor four years later. He says he prefers the dynamism of being an executive.

"It is mostly motion masquerading as action," he says of legislative work. "If you've run a business, like I have, if you've run a state, like I have, then you like to get things done. I get up at 4:30, 5:00 in the morning, and I decide, 'What can we do right now, today, to change the world?' and then you can start doing things to make that come true."

Some Democrats are interested in making a Schweitzer candidacy come true. Nathan Daschle is a Democratic strategist and the former executive director of the Democratic Governors Association who worked closely with Schweitzer when the governor was chairman of the DGA in 2008. He says Schweitzer has a "unique brand" that mixes progressive values, populist rhetoric, and Western self-reliance. "I would be surprised if he

Michael Warren is a staff writer at The Weekly Standard.

looks at the space and doesn't try to get in," says Daschle.

Even if that space includes Hillary Clinton? The shadow of the former secretary of state looms over the unformed Democratic primary field, something Schweitzer acknowledges. In 2012, he told the AP that if Clinton ran in 2016, "she walks away with the nomination and then beats whichever Republican." When asked on MSNBC about that assessment, Schweitzer said it's still "probably true" before launching a barrage at Hillary, Barack Obama, and the state of the Democratic establishment.

"The question that we have is, will it be the Hillary that leads the progressives?" he said. "Or is it the Hillary that says, 'I'm already going to win the Democratic nomination, and so I can shift hard right on Day 1.' We can't afford any more hard right. We had eight years of George Bush. Now we've had five years of Obama, [who], I would argue, in many cases has been a corporatist."

No doubt that sounds sweet to grassroots progressives who view Hillary with suspicion and have been disappointed by what they perceive as Obama's move to the center. But it's even harsher since it comes from the man who gave a rousing address at the 2008 Democratic National Convention that placed him in the national spotlight. Clearly Schweitzer is trying make enough noise to position himself as the voice of the progressive populist wing of the Democratic party.

Brian David Schweitzer was born in 1955 in Havre, a railroad town in north-central Montana. Descended from German and Irish homesteaders, Schweitzer pursued two degrees in the agriculture sciences and shipped off to the Middle East for seven years in the 1980s to develop irrigation systems there. Among the places he lived were Libya and Saudi Arabia, giving the young Schweitzer a worldliness not enjoyed by most sons of Montana. (On a recent TV panel discussion on the Middle East, Schweitzer showed off his Arabic with a hearty "*marhaba*," or "welcome.")

He returned to Montana to ranch and farm, later working for the U.S. Department of Agriculture. His first foray into politics came in the race against Burns in 2000. Hoping to capitalize on outrage over the high cost of prescription drugs, Schweitzer made headlines when he packed buses full of senior citizens and drove them to Canada, where they could buy cheaper medicine.

"When they got on the bus, I didn't ask if they were Republican or Democrat, Libertarian or vegetarian. I didn't care," Schweitzer told the AP at the time. "I wanted to know if they were fed up with the high cost of prescription drugs, and they trusted a farmer they didn't know to take them to Canada."

His impulse to make bold statements with stunts would pop up again later on in his political career. His thin margin against Burns, in a state where George W. Bush won in a landslide at the top of the ticket, encouraged Schweitzer to try again. In 2004, Montana's unpopular incumbent Republican governor declined to run for reelection. Schweitzer ran as a populist outsider against Republican Bob Brown, a veteran state legislator and the secretary of state. In an effort to burnish his nonpartisan credentials, Schweitzer selected a Republican legislator, John Bohlinger, as his running mate. (Bohlinger has since switched parties.) Despite Bush cleaning up once again in the state, Schweitzer eked out a four-point win to become the first Democratic governor since 1989.

Schweitzer became known for his endearing folksiness. Frequently dropping the traditional necktie for a bolo tie, he instituted an open-door policy for reporters in his capitol office. There, they were likely to see his black-and-white border collie, Jag, dubbed the "First Dog of Montana." In 2008, Jag had an approval rating of 80 percent, higher than Schweitzer himself. The governor once traveled to Opheim, a town of 85 and a short drive from the Canadian border, to give the commencement address at the local high school. Unremarkable, maybe, except there was only one student graduating. The AP reported on the event.

The spectacles continued, often designed to embarrass the Republican legislature. At one point, Schweitzer fashioned a cattle brand with the word "VETO" and used it to dramatically burn bills in front of crowds outside the capitol. People loved it. Democrats overflow with praise for Schweitzer's "political gut." Nathan Daschle calls him "one of the most instinctively political people" he knows.

"He had a knack for reading what the general population was wanting," says Jon Sesso, a Democratic state senator who was minority leader in the statehouse for part of Schweitzer's tenure. Even Republicans grudgingly give him his due.

"I do think the state has a strong populist streak that has grown stronger as party identification has grown weaker," says Jeff Essman, the GOP majority leader in the Montana senate. "Brian Schweitzer did very well in capitalizing on that streak."

Montanans were pleased with Schweitzer's first term and, in 2008, he was reelected decisively, winning by 32 points and in all but 7 of Montana's 56 counties. Schweitzer became one of the most consistently popular governors in the country and, in October 2012, near the end of his second term, he had an approval rating of 54 percent.

That kind of political prowess should interest national Democrats looking to break into traditionally Republican states on the presidential level. Since 1968, Montana has voted for the Democratic presidential nominee only once: for Bill Clinton, in 1992.

"Democrats have been struggling to figure out how to

traverse the red-blue state divide to find a way to communicate and implement in red-state America the principles and ideas that resonate so strongly in blue-state America, and to do it without causing a revolt," said MSNBC's Steve Kornacki, before introducing the governor in that recent TV appearance. He turned to look at Schweitzer, sitting across from him. "You understand," Kornacki gushed. "You actually spoke and pursued a fairly progressive agenda in Montana, in a red state, and it didn't cost you." Schweitzer smiled back, his grin stretching across his round face and complementing his receding hairline. "You have to explain what you're doing," he replied.

In our conversation, he explained what he did, though it wasn't always clearly progressive. "As governor, I cut more taxes than any governor in history," he says, a nice opening for a presidential pitch. "I built the largest budget surplus on an annual basis for eight consecutive years, larger than any time in the history of Montana, 10 times larger than all through the nineties, and invested more in education. In fact, reformed education. There were several things that we did. We had to take on higher-education administrators, and we had to take on teachers' unions—they didn't agree with us on some of the things that we did—but at the end of the day, during a six-year period, my last six years, Montana increased the percent of our adult population with a college degree at the fastest rate in the country."

So what are Schweitzer's progressive bona fides? For one thing, he has no patience for Democratic third way-ism on economic issues. It's the perspective that prompts him to refer to Obama's presidency as corporatist. He criticizes Obamacare from the left, blaming fellow Montanan Max Baucus (the chairman of the Senate committee responsible for drafting much of the law) for allowing special interests to influence the bill. "This bill, which was written by the insurance company and pharmaceutical lobbyists, doesn't challenge the expenses," Schweitzer tells me. "Why would it? If you're in the business, and you get to write the bill, what are you going to do?"

His own national health care reform would "fit on the back of an envelope." Explaining the whole thing takes him half an hour. ("Am I boring you yet?" he asks around minute 25.) At the center of his proposal is allowing citizens below the retirement age to enroll in Medicare, forcing private insurers to compete against the government rate.

"As you probably recall . . . most Democrats were calling for a public option. . . . But what came out of the Senate Finance Committee did not have a public option," Schweitzer says, blaming health insurance lobbyists and their enablers in both parties. "We now have the corporate party and the corporate-lite party."

He speaks with a populist's disdain for corporations. He paints himself as the defender of the hardworking miner. In January, after leaving the governorship, Schweitzer partnered with a New York hedge fund to instigate a hostile takeover of Stillwater, a palladium and platinum mining concern and one of the state's largest companies. Stillwater had purchased copper and gold interests in both Canada and Argentina and had seen its stock price plummet. Schweitzer said it reminded him of the turmoil in Montana after the once-powerful Anaconda Copper expanded into Chile in the mid-20th century as a hedge against Montana's powerful mineworker unions. When Salvador Allende nationalized the mines in Chile, Anaconda went bust.

"It worried me," Schweitzer says. "I thought to myself, honestly, if a governor or a former governor or a former senator from Montana, if things were going on in the risks the Anaconda company was making in Chile, if they would have stepped in, if they would have said something, if they would have stood up to the management and the directors, perhaps they could have saved the Anaconda Copper Company." In May, Schweitzer and his investment partners took control of Stillwater, with Schweitzer named the new chairman of the board. Stillwater has since reduced its interest in Argentina. Schweitzer also owns nearly 40,000 shares (worth around $450,000). It's all for the sake, he says, of protecting Montana jobs.

As governor, Schweitzer wasn't always a doctrinaire liberal. He deviated from his party on energy and guns, understandable given Montana's economic reliance on mining and energy production and its rural landscape. He strongly supported the construction of the Keystone XL pipeline, referring to those debating the project in Washington as "jackasses," and pushed for more development of coal. And in 2009, Schweitzer signed a law that exempts Montana-made firearms from federal regulations.

"It's a gun bill, but it's another way of demonstrating the sovereignty of the state of Montana," he said after signing it, sounding a bit like Texas governor Rick Perry. Schweitzer recognizes his position on guns as one major reason he'd struggle in a Democratic primary. His credo on gun control, he told students at Montana State University earlier this year, is: "You control yours, I'll control mine."

But Schweitzer makes up for his unorthodoxies on issues ranging from the environment (among the cattle-branded vetoes were a set of "anti-environment" bills pushed by the GOP) to social issues (he's pro-choice) to health care. He increased education spending and public-sector pension funds, while maintaining a surplus. "He was fiscally conservative but socially very progressive," says Jon Sesso, the Democratic state senator.

"There aren't many people who can fire up progressives and get an 'A' rating from the NRA," says Daschle. Put another way, there aren't many Democrats like Brian Schweitzer. ♦

President Obama and friends defending the Affordable Care Act, December 3, 2013

Undoing the Damage

The (legal) case against Obamacare. BY TERRY EASTLAND

The biggest political story in our domestic politics since 2009 has been, as it will be for the foreseeable future, health care. One part of this story is ripe for telling now: the constitutional challenge to the Affordable Care Act (ACA)—also known as Obamacare. That effort, you'll recall, came in a series of lawsuits that few legal experts thought had much chance of succeeding. But victories in the lower courts led to new appraisals and a growing sense that, in the Supreme Court, the challengers just might win.

Terry Eastland is an executive editor at The Weekly Standard.

Unprecedented
The Constitutional Challenge to Obamacare
by Josh Blackman
PublicAffairs, 352 pp., $27.99

As it turned out, the Court's decision last year in *National Federation of Independent Business* v. *Sebelius* was very close, with the ACA barely surviving.

Josh Blackman is an assistant professor of law at the South Texas College of Law and a blogger on legal topics. His politics lean in libertarian and conservative directions, and he admits being "very sympathetic" to the case against the ACA. Indeed, in late 2009, shortly before the law was passed, Blackman was asked to help write a report explaining its constitutional infirmities, a document some legal conservatives hoped to send to Congress. He declined on account of his position at the time as a law clerk to a federal judge. That was the right thing to do. But even if Blackman hadn't been clerking, he might well have decided not to become involved; for, as he indicates here, he was concerned that a decision striking down the ACA, which President Obama regards as his principal domestic achievement, would be perceived in political terms and thus undermine the notion that the Court is above politics.

Blackman's sympathy for the con-

PAT BENCIC / UP / NEWSCOM

stitutional arguments against the ACA, and his concern for judicial restraint in this landmark case, help shape a sure-footed narrative that benefits from his reporting. Blackman interviewed more than 100 people, among them attorneys who represented the challenging parties and federal lawyers who defended the ACA, as well as journalists who covered the case.

He usefully begins by explaining the difficulties involved in regulating health care, as well as the conservative origins (more than 20 years ago at the Heritage Foundation!) of the so-called individual mandate, and Obama's decision to endorse the mandate after having opposed it during the 2008 campaign.

The ACA was passed on straight party-line votes on March 23, 2010, and before the ink of the president's signature "was even dry," writes Blackman, the constitutional challenge to it commenced, with lawsuits filed in courts across the country. Blackman shows how each fared, and how the case from Florida—a coordinated challenge that united 27 states in opposition to the ACA—became the one that the Supreme Court reviewed.

Here, in *Unprecedented*—so titled for the many ways in which the ACA and the legal challenge to it represent new developments—Blackman covers the legal strategies on both sides; the oral argument in the Supreme Court that consumed six hours over the course of three days; the rhetoric outside the Court (in political Washington) as to how the justices should decide the case; and, of course, the decision itself, in which Obamacare was sustained, thanks to Chief Justice John Roberts.

At the heart of the ACA is the individual mandate, which seeks to expand health care coverage by requiring individuals to buy insurance and imposing on those who do not a penalty paid to the IRS. What many regarded as the key legal question in *NFIB* was whether the mandate was a valid exercise of the commerce clause, which, in famously spare terms, gives Congress the power to "Regulate Commerce . . . among the several states."

Chief Justice Roberts found that the mandate could not be supported by the commerce clause, a position also taken by Justices Scalia, Kennedy, Thomas, and Alito. In Roberts's words, which, as Blackman points out, echoed the arguments of the challengers: "Congress has never before attempted to use the commerce power to order individuals not engaged in commerce to buy an unwanted product"—in this case, health insurance—and "nothing in the text to the Constitution suggests it can."

As we know, the fact that the mandate failed under the commerce clause did not mean that the ACA was struck down. As Blackman relates, Roberts, stating that the Court must resort to

ASSOCIATED PRESS

Chief Justice John Roberts

"every reasonable construction . . . in order to save a statute from unconstitutionality," read the mandate as imposing not a penalty but a tax, and, as such, as a valid exercise of the congressional power to levy taxes. In sum, you either have insurance or you don't—either being a valid option—and if you don't have insurance, you pay not a penalty but a tax increase. The Court's four judicial liberals—all of whom believed the mandate was constitutional under the commerce clause—joined Roberts in this part of his opinion, thus creating a tax-power majority of five for saving the mandate.

Roberts also addressed the constitutionality of the other provision in the ACA designed to expand health care coverage, which was focused on those not able to buy insurance. Under the so-called Medicaid expansion, states could receive new funding under Medicaid if they provided more insurance for more people. Failure to comply with the law's conditions meant, however, that a state could lose not just the new funding for the expansion but *all* of its Medicaid money.

While the states had not won on this issue in the lower courts, Roberts agreed with their argument that the threat of withholding served "no purpose other than to force unwilling states to sign up for the new program." That was a serious threat—"a gun to the head," he wrote—and as such it triggered the Constitution's prohibition against unlawful coercion, a view shared by the two judicial liberals who joined this part of his opinion (Justices Breyer and Kagan) and by the four justices in agreement with Roberts on the commerce clause.

But Roberts, as Blackman writes, "reached yet another compromise position. . . . Congress could offer new funding to states agreeing to participate in the Medicaid expansion . . . [but] it could not take away all of the funding from states that chose not to," a remedy embraced by the four judicial liberals. Roberts thus "had found a way to save the mandate—and the Medicaid expansion."

Roberts's saving efforts drew vigorous objection from Scalia, Kennedy, Thomas, and Alito, who wrote an unusual "joint dissent." They would have held the ACA invalid in its entirety. They would not have saved the mandate by framing it as a tax, nor would they have remedied the constitutional problem with the Medicaid expansion by reframing the statute and changing its design. The Court "saves the statute Congress did not write," wrote the dissenting justices. "The Court regards its strained statutory interpretation as judicial modesty. It is not. It amounts instead to vast judicial overreaching."

Argued March 26-28, 2012, *NFIB* was handed down on June 28. Three days later, relying on unnamed sources, Jan Crawford of CBS reported that Roberts "initially decided [with] four Justices to strike down" the individual mandate on commerce clause grounds.

The implication was that, at some point after the post-argument conference of justices, Roberts had changed his vote or fully made up his mind. Crawford also said that Justice Kennedy had led a "month-long, desperate campaign to bring [Roberts] back to his original position," and that Kennedy "didn't give up until the end."

Hoping to advance Crawford's story, Blackman reached unnamed sources close to the Court to see what more could be reported; there was not much. Blackman also looked outside the Court, to public statements made after the case was argued by President Obama and other Democrats making clear, as one veteran Supreme Court reporter told Blackman, "that striking down the law would throw the Court into a partisan fight." Noting Crawford's observation that Roberts, in his capacity as chief, is "keenly aware of his leadership role on the Court" and also "sensitive to how the Court is perceived by the public," Blackman concludes that "we may never know for sure whether [the Democrats' statements] had an impact on the chief justice."

Later in the book, Blackman notes that Crawford said of her sources: They "flatly reject the idea that Roberts buckled to liberal pressure, or was stared down by the president," but instead "believe that Roberts realized the historical consequences of a ruling striking down the landmark health care law." Blackman basically accepts this view: "[Roberts] apparently chose to save the law in the short term in order to preserve what he believed to be the best interests of the Court in the long run."

That Chief Justice Roberts characterized the individual mandate as a tax was the critical development in *NFIB*. Interestingly—a point Blackman doesn't treat in his narrative—the joint dissenters didn't dispute, as a general matter, the need for judicial restraint and for saving a statute from unconstitutionality in a case where the law under review is, by its terms, unclear. But for them, that was precisely the problem, for the text of the law was clear in every respect: "[W]e cannot," said the justices, "rewrite the statute to be what it is not."

Blackman sees, in the constitutional challenge to Obamacare, certain advances for limited government. Congress now may not invoke the commerce clause to "simply force a person to buy a product." And if Congress turns to the tax power to accomplish such a goal, "it must take the political consequences of calling it a tax," as Obama refused to do when the law was being debated in Congress, changing his tune only after the lawsuits were filed. Moreover, "for the first time ever limits have been placed on Congress's powers to condition its monetary grants to the states."

Blackman also sees shifts in our "constitutional culture." They include a Supreme Court more willing "to police the outer bounds of the federal government's power, in terms of both federalism and enumerated powers"; judges, on pain of being accused of activism, more willing to "strike down laws by enforcing the entire Constitution," including its structural provisions; and a federal government on notice that it "will need to justify further expansions of federal power."

It will take time to determine whether these actually are doctrinal advances and cultural shifts. Subtract a judicial conservative from the Court, and add, from the hand of Barack Obama (who has three years left in office), a judicial liberal, and the outlook for limited government won't be as good.

In *NFIB*, Chief Justice John Roberts wrote that "it is not our job to save the people from the consequences of their political choices." Now, a year and a half after the case was handed down, we know more about "the consequences" for health care of choosing a president and Congress determined to pass the law that they did. The Affordable Care Act is not unconstitutional, according to the Supreme Court, but it is proving to be a policy and political disaster, and repeal-and-replace never sounded so good. For that to happen, the people will have to make the right political choices in 2014, and again in 2016. ♦

B&A

Uncivil Tongues

The evolution of forbidden language.

BY JOSEPH BOTTUM

Holy Sh*t
A Brief History of Swearing
by Melissa Mohr
Oxford, 336 pp., $24.95

The early British and American reviews of this book are hilarious—hilarious, that is, in the sense of proving two of Melissa Mohr's minor theses. In her account, the sex-based swear words so reviled by the Victorians have become almost commonplace: No real stigma attaches to their use these days, although certain classes may still feel a little antiquated *frisson* when they write or say them. The real swear words of our time, she notes, are race- and gender-based epithets, which polite society has banned—words that, indeed, almost *define* polite society by their absence.

And sure enough, the reviewers (especially the British ones) have gleefully put into print all the once-prohibited words they know for fornication and excrement. Nouns, verbs, adjectives, gerunds, even adverbs—all-purpose bits of grammar that seem intended mostly to prove, among the writing classes, that their users want us to admire them for having broken free from the stultifying strictures of the linguistic past. Then, when they reach Mohr's discussion of

Joseph Bottum is a contributing editor to The Weekly Standard.

racial and sex-preference terms, they suddenly turn into prissy Victorian matrons, clicking their tongues in disapproval. A little euphemism, a lot of typographical gesturing, some elaborate circumlocution—it takes work to review a book about these modern unspeakables and not actually quote them.

The hypocrisy of the self-congratulation would be sad if it weren't so unselfconsciously comic.

And yet, why shouldn't writers avoid such weighted terms? It is the polite thing to do, after all, and modern hypocrisy rests only on the Edwardian delusion that we have escaped polite convention even while we are actually swimming in it. Social taboos surround us, as well they ought; the only error is thinking that, having set aside old ones in favor of new ones, we are somehow free of them.

Of course, as Mohr demonstrates, linguistic politenesses occur in every era of every culture, even if our own is more moralistic than most. Mohr, who has a newly minted doctorate in medieval and Renaissance English literature from Stanford, lives in Somerville, Massachusetts, dividing her time between bringing up her young children and hiding from them the actual research she was doing while writing this, her first book.

We lack a good single term for the prohibited speech that Mohr traces through a few thousand years of Western history—which is peculiar, given how intuitive their combination seems. Bodily functions and religion are the two main sources of prohibitions, she argues, and the word "obscenities" gathers them under the bodily origin. Most of our possible vocabulary, however, unites them under the religious source: "blasphemies," "profanities," "cursing," even "swearing."

A word like "vulgarities" captures the notion of class-bound politeness for either source, but it implies that the lower class is solely responsible for the history Mohr relates, when, in fact, the process is often reversed. It was the Renaissance upper and middle classes, for example, who turned theologically dreadful oath words into casual curses: "strewth" (from "by God's truth"), "zounds" (from "by Christ's wounds"), and the like. (A common folk etymology traces "bloody" to a similar root in "by Our Lady," but that proves unlikely.) Queen Elizabeth I was demonstrating not her vulgar origin among the common folk but her upper-class masculinity when she studded her speech with frequent ejaculations of "God's death," to the shock of visitors.

Whatever we want to call these terms, Mohr begins her history by noting that the ancient Romans had their

'Mother, Wilfred wrote a bad word!'

full share of them. The epigrams of Martial, for example, are full of terms we know are obscene, mostly because the titillating Martial used them. So, too, the graffiti at Pompeii—and Mohr notices that bodily functions provided far more everyday exclamations for the Romans than did religion. If we take obscenity as a guide, fornication was seen as "a means of exercising control," she suggests, since many Roman vulgarities involve an active (and often mockable) penetrator and a passive (and *always* mockable) recipient.

From there, Mohr switches to the Bible and the Christianizing of Europe into the Middle Ages. The Bible, she observes, was generally forthright about bodily functions (although she misses some biblical euphemisms), even while circumlocutions about God and the holy abound. This combination continued to define the linguistic pattern for a millennium. For the medievals, defecation and sex often occurred in public. Even the wealthy couldn't afford, or wouldn't use, private spaces, and the openness about body functions was echoed in an openness about the language for them.

Or so *Holy Sh*t* claims. Here, a stronger understanding of the distinction between the bawdy and the obscene would have helped Mohr. Even while Chaucer, say, is quite open about swiving and defecating and urinating and farting, it's hard to avoid the fact that he is hardly casual, much less coldly scientific, about them. They all have a tinge of the mockable, comic, and ugly about them. Everyone does them—but then, this is a fallen world, and everyone has a tinge of the mockable, comic, and ugly about them.

Early modernity saw the invention, if that's the word, of privacy, and the new use of the word "privy" suggests the transference of bodily functions out of public space. Mohr blames, in part, the rise of the middle class and the combination of capitalism and the Protestant Reformation—Max Weber's old plaint about the "disenchantment of the world"—for the change in language from religion-based curses to body-based obscenities. As classes became more fluid, the need to establish linguistic markers between them became more pressing. The privacy the new rich could afford for bodily functions was reflected in the prissiness of the language they used about those functions.

Only the poor, in other words, were still old-fashioned, and the Victorians saw the full flowering of the new understanding of vulgarity—a sense that failing to use circumlocutions about the body was a class sign marking a lack of education and morality. A lack, that is, of civilization. The Edwardians started the rebellion against that Victorian consensus, Mohr suggests, and it continues down to our time, as demonstrated by the writers who still feel a thrill from using what a Victorian would have counted as obscenities, though our contemporaries pay no social price for doing so.

THE GRANGER COLLECTION, NEW YORK

Mohr concludes with an interesting discussion of racial slurs and offensive terms about sexual orientation, but she can't quite bring herself to draw the conclusion her work suggests. If the holy and the bodily are the sources of linguistic taboo, and we have proudly abandoned most of the old prohibitions against naming fornication and defecation, where do our modern taboos come from? The only option she seems to have left is the holy: These words are rendered unspeakable by the recent elevation of our distaste for them. They are banned by what seems essentially a religious taboo. We are the Victorians, in other words—or, rather, the imaginary Victorians, as they have come down to us as a byword for the prissy and moralistic.

As it happens, I'm a fan of the prissy and moralistic in language; but Melissa Mohr reminds us that we shouldn't take ourselves too seriously. Just like the Victorians—just like people in every culture that has ever existed—we take some language as beyond the pale: a marker of the failure to possess education and morality, the failure to be civilized. ♦

B&A

Emperor of Europe

The little Corsican with some big ideas.

BY LAWRENCE KLEPP

Napoleon
Life, Legacy, and Image
by Alan Forrest
St. Martin's, 416 pp., $27.99

One thing that Napoleon—who didn't believe in God, ideologies, or progress—did believe in was his own destiny. The spectacular victories of his Italian campaign in 1796 made the 27-year-old general famous in France and throughout Europe, and, at that moment, he later said, "I no longer regarded myself as a simple general but as a man called upon to decide the fate of peoples." (The "peoples" themselves were to have no say in the matter.) He saw himself as another Alexander the Great, Julius Caesar, or Charlemagne. The French historian Hippolyte Taine wrote that Napoleon's career was the work of "egoism served by genius." The genius extended even to language: "All his expressions are bright flashes, one after another," said Taine, not otherwise an admirer.

Compare the tedious rants, bombast, and doctrinaire banalities of the 20th-century dictators who, in some other respects, followed in Napoleon's footsteps to his own lapidary, sardonic ironies: "Never interrupt your enemy when he is making a mistake. . . . An army marches on its stomach. . . . The best way to keep one's word is not to give it. . . . Imagination rules mankind." Or, after his Russian debacle: "From the sublime to the ridiculous is but a step."

Also from the sublime to the barbaric. Taine estimated that 1.7 million people of French origin, and 2 million outside France, died as a result of his wars. His abortive invasion of Egypt in 1798 led to futile desert marches and massacres. In Spain, where he didn't know how to fight against an elusive guerrilla resistance, the war was marked by the desperation and brutality made immortal in the art of Goya. After his dishevelled retreat from Moscow through the snow, he had lost all but about 30,000 of his original 600,000-man army—plus 200,000 horses, many of them eaten by starving, freezing soldiers.

He nevertheless impressed some impressive people, including Goethe (who met him), Stendhal (who was with his army in Russia), Byron, Hazlitt, Heine, Emerson, Carlyle, and Nietzsche. The anti-Napoleon contingent—from fiercely disillusioned contemporaries like Madame de Staël and Chateaubriand, Wordsworth and Coleridge, to W. H. Auden, who briskly summed him up as "an enemy of civilization"— is equally impressive.

The novel thing about this biography isn't that it avoids conspicuously joining either camp and maintains a low-key, measured tone. It's that author Alan Forrest would like to tiptoe around the colossal statue and see what was going on in its shadow. He says right off that he wants to shift some attention to the generation of jurists and administrators who, like Napoleon (born 1769), came of age at the beginning of the French Revolution and, after the Reign of Terror was over, fashioned a new, more open meritocratic society through reforms such as the simplified legal system known as the Code Napoléon.

This approach could have resulted in a performance of *Hamlet* without the prince. But Forrest keeps his eye warily on Bonaparte the whole time, and he's particularly good on his childhood in Corsica and his rather lonely and melancholic formative years in French military schools under the Old Regime, where his Corsican accent and manners were mocked. Agreeing with Taine, Forrest says that Napoleon "remained deeply Corsican in his emotions and psychology," and 18th-century Corsica, he reminds us, was "the land of the vendetta."

Still, despite ready acknowledgment of Napoleon's mistakes and excesses, Forrest tips the scales in his favor by writing that

> Napoleon's major achievement was to create a civic and legal order that inspired loyalties and, in many parts of Europe, survived after he himself had been banished to Saint Helena and the Empire was no more than a memory.

Yes, but the reforms would have eventually happened without him

Lawrence Klepp is a writer in New York.

and his carnage, as they already had in places like England and Denmark. And the reaction, after 1815, to everything he had stood for either reversed or delayed modernization across Europe. Forrest seems inclined toward the views of the more liberal-minded of Napoleon's admirers, such as Heine and Hazlitt and Stendhal, who saw him as basically a man of the Enlightenment—an enlightened despot on the 18th-century model, whose forcefulness was just what was needed to clear away the feudal relics and cobwebs from European society.

Even if he deserved them, Napoleon himself showed little interest in his reforming credentials until he got to Saint Helena. He was more interested in the distant past than in the future. His idea of a united Europe was based on the Carolingian empire of a thousand years before, and Forrest notes his symbolic visit to Charlemagne's tomb at Aix-la-Chapelle shortly after he crowned himself emperor in 1804. He was backward-looking even in military matters, as his French biographer Jean Tulard made clear. He rejected all sorts of technical innovations, leaving his soldiers to fight with semi-obsolete weapons, and he seemed indifferent to the Industrial Revolution, even though it had made his most resilient enemy, Great Britain, wealthy enough to fund his continental foes and frustrate his ambitions at every turn.

One could argue, as the Czech-born American historian J. Christopher Herold did in *The Age of Napoleon* (1963), that his most important accomplishments were the inadvertent ones. They include: conjuring a fervent new German nationalism, which he brought on by abolishing the placid old Holy Roman Empire, with its crazy-quilt of 300-plus independent comic-opera principalities and free cities, and by repeatedly devastating and humiliating all the German-speaking lands; enhancing the spiritual prestige of the papacy, achieved by his kidnapping and imprisonment of the pope; and turning the United States into a great continental power, thanks to his impulsive offer (taking the American negotiators by surprise) of the whole of the vast Louisiana Territory at a giveaway price.

His other enduring legacy is his legend, which, as Forrest stresses, he embellished by dictating newspaper stories, commissioning heroic paintings, and, in exile on Saint Helena, inventing farsighted reasons for his always-impetuous, improvised moves. Yet even unembellished, there's no denying that his life was more dramatic, and epic in scale, than that of anyone else since ancient times. "What a romance my life has been!" he exclaimed toward the end of it. It's not surprising that no other historical figure has inspired so much biographical and historical literature.

Napoleon by Ingres (1806)

Of course, a legend requires forgetting as much as remembering. As Chateaubriand put it not long after Napoleon's downfall, when the French started getting nostalgic for his triumphs:

> It is forgotten that everyone used to lament those victories, forgotten that the people, the court, the generals, the intimates of Napoleon were all weary of his oppression and his conquests, that they had enough of a game, which, when won, had to be played all over again, enough of that existence which, because there was nowhere to stop, was put to the hazard each morning.

Napoleon, a born gambler, could never get enough of the game. He bet on quick, easy victories in Spain and Russia, and lost badly. And, late in the game, every time he had a chance to save his regime by settling for ruling France rather than most of Europe, he turned it down. "No true gambler quits when he breaks even," Herold commented. The impatience and rashness that allowed him to win battle after battle made him, as Paul Johnson has pointed out, unfit to establish a stable political order. His whole life, from Corsica to Waterloo, was a matter of taking chances, relying on timing and luck, and risking everything.

Still, the fascination he has always commanded isn't just the fascination everyone feels at the sight of the high-stakes roller, the daredevil adventurer, or the tightrope walker. Hegel spotted him riding out of Jena the day before the 1806 battle and wrote of witnessing "this world-spirit" on horseback. Napoleon didn't embody a "world-spirit," or *Weltgeist*, as there is no such thing; but once you adjust for metaphysical inflation, Hegel may have been on to something—he did embody a *Zeitgeist*.

In an age captivated by Rousseau's primitivism, Macpherson's Ossian epics, and the novels of Walter Scott, a lot of Europeans were looking for something sternly heroic and mythic out of antiquity or the Middle Ages. Napoleon, influenced by the same writers, was made to order. It was the Romantic cult of heroic sublimity that drew many writers and intellectuals to him. His image turns up in all the arts. His blundering pursuit of retreating Russian generals into the steppes plays a major role in the greatest of novels, *War and Peace*, and becomes the occasion for Tolstoy's philosophical tangents on history. There are plays, paintings, sculptures—and then all the films, including Abel Gance's 1927 silent classic *Napoleon*; 1937's *Conquest*, with Charles Boyer and Greta Garbo reenacting Napoleon's affair with the married Polish beauty Maria Walewska; and *Monsieur N.* (2003), an escapist version of his exile.

Forrest mentions Tolstoy and the first two of these movies, but the "legacy" and "image" promises made in this book's subtitle are only sketchily

realized in what remains a lucid, balanced rendering of the life. Herold's *Age of Napoleon* is the book to read for his cultural and philosophical resonance, and Johnson's brief, damning 2002 biography is more incisive about the ominous precedents he set.

Unlike the dictators who wrecked the 20th century, Napoleon wasn't doctrinaire or fanatical, but he suffered from a very bad case of hubris. He may have been, as Germaine de Staël put it at the time, "a chess-master whose opponents happen to be the rest of humanity." But the last word goes to Marshal Foch, the French commander in World War I: "He forgot that a man cannot be God." ♦

B&A

Rosie the Riveting

How a great pop singer regained her voice.

BY JOHN CHECK

Rosemary Clooney in 'The Stars Are Singing' (1953)

Rosemary Clooney was brought back to popular consciousness a half-dozen years ago in an episode from the first season of *Mad Men*. Viewers were treated to a rendition of "Botch-a-Me," one of her conspicuous successes of the 1950s, a time when she recorded many hit records (the biggest being "Come On-a My House"), appeared on her own weekly television show on CBS and, later, NBC, and starred opposite Bing Crosby in *White Christmas* (1954).

Born in 1928 in Maysville, Kentucky, Rosemary Clooney had a largely unhappy childhood owing to her father's alcoholism and her mother's aloofness. From her earliest days, she possessed "a natural stage presence," as Ken Crossland and Malcolm Macfarlane put it; all that was needed was a chance to display it. Her big break would come in 1946 when she and her sister Betty, a talented singer in her own right, joined the big band of Tony Pastor. Leaving the band toward the end of the 1940s, Clooney would enjoy a decade rich in achievement in the 1950s. Following these highs were the lows of the 1960s, when tastes in popular music took a decisive turn from the Great American Songbook.

Late Life Jazz deals candidly with Clooney's problems from that decade, the most severe of which centered on her abuse of prescription drugs, a consequence of difficulties with her marriage. Her husband and father of her five children, the actor and entertainer José Ferrer, was a serial philanderer much more concerned with his career than with hers. There were problems, too, with finances and musical projects. Things came to a head in 1968, when she suffered a nervous breakdown, hastened by the assassination of Robert Kennedy, whose presidential campaign she had been actively supporting.

Nine months passed before she would again sing in public. Gradually working her way back in the 1970s, she would go on in the 1980s and '90s to record a series of well-regarded albums, appear often on talk shows, and perform for adoring audiences in some of the best clubs in the country. She died in 2002, having defied F. Scott Fitzgerald's dictum about American lives having no second acts.

If *Late Life Jazz* has a thesis, it is the implicit one that Rosemary Clooney's artistic accomplishment in the last 25 years of her life owed not so much to a new turn in her style as to a deepening of a sensibility that had been present from the outset.

Take, for instance, the notorious "Botch-a-Me." With its silly lyrics and Clooney's fake Italian accent, this song, first recorded in 1952, is an easy target of ridicule. Doubtless it was one she had in mind years later when she compared herself with Tony Bennett, whose own career was enjoying an autumnal resurgence: "He sang such good songs; I recorded such crap." Yet for all that, "Botch-a-Me" has a wonderfully infectious lilt to it, an irrepressible sense of swing that keeps it fresh more than 60 years after it was recorded. She brought

MONDADORI / GETTY IMAGES

Late Life Jazz
The Life and Career of Rosemary Clooney
by Ken Crossland and Malcolm Macfarlane
Oxford, 336 pp., $29.95

John Check teaches music theory at the University of Central Missouri.

this same lilt to her work in the 1950s with such celebrated musicians as Duke Ellington, Benny Goodman, and Harry James, alongside all of whom she more than held her own. And it was this same spirit, modulated and enriched by the vicissitudes of the years, that she carried through to her work for Concord Records in the 1980s and '90s.

One of the strengths of this volume is the generosity with which the authors credit those who contributed to Clooney's success. Bing Crosby, in particular, was one of her champions, and in the treatment of their friendship, the book is at its best. (Crossland and Macfarlane have each written books on Crosby.) Musical collaborators are also given their due, including accompanists (among them Buddy Cole and John Oddo) and arrangers (Nelson Riddle, Billy May). Credit, too, is given to the founder of Concord Records, Carl Jefferson, not only for financing Rosemary Clooney's late-life work, but also for having the good taste to match her with such consummate musicians as the tenor saxophonist Scott Hamilton and guitarist Ed Bickert.

The prose here is largely workmanlike: Felicitous formulations are few, while clichés appear in perhaps too great a number. A greater flaw, however, is that Crossland and Macfarlane fail to bring sufficient penetration to their analysis of the music itself, especially the music that is the ostensible emphasis of the book: Clooney's work from the last quarter-century of her life. Only too rarely do they deliver themselves of judgments such as this: "The album [*Sentimental Journey*] had more fizz than anything Rosemary had recorded since her Concord tribute to Nelson Riddle in 1995 and the same sense of pep and vigor accompanied her to [Michael] Feinstein's [club in New York]." But even this is likely to leave readers wanting to know which tracks from the album were particularly good, and why those, and not others, should be singled out.

Still, *Late Life Jazz* provides a solid introduction to the life and work of a singer whose legacy is more substantial than viewers of her television shows from the 1950s—or of *Mad Men*—may have imagined. ♦

B&A

Dutch Masters

The greatest of whom is much in evidence here.

BY DANIEL GELERNTER

Vermeer, Rembrandt, and Hals
Masterpieces of Dutch Painting from the Mauritshuis
The Frick Collection
Through January 19, 2014

What may be the greatest painting in our hemisphere is on temporary loan from the Mauritshuis in The Hague. *Girl with a Pearl Earring* (ca. 1665) hasn't been in the United States since 1996 and is unlikely ever to be here again. We owe this traveling show of Dutch masterpieces, centering on Johannes Vermeer's best-loved work, to an ambitious Mauritshuis expansion project scheduled to be completed in mid-2014. With almost foolhardy daring, the priceless painting has voyaged to Manhattan by way of Japan, San Francisco, and Atlanta, and will make a final stop in Italy after its stay at the Frick ends next month.

In no other city will the *Girl* be so among friends: Manhattan has more Vermeers than any *country* in the world: The Met alone has five, which beats every country outside Holland. The Frick Collection, a comparatively small museum in a lovely townhouse on Fifth Avenue at 70th Street, owns three Vermeers. These, and an astonishing array of other Old World masters, were bought by Henry Clay Frick, a man of singular taste and generosity, who willed his collection and the $5 million (in 1913 dollars) house he built for their display to become a museum after his death. Piece for piece, it's one of the greatest art collections in the world.

Daniel Gelernter is an artist and CEO of a tech startup.

'Girl with a Pearl Earring'

And it's usually pretty quiet. But with the added distinction of *Girl with a Pearl Earring*, the line for this exhibition stretches for half a block. Inside, the elegant elliptical room at the far end of a long marble garden has been divested of its usual Whistlers and now contains only that one beguiling painting. The Frick strictly controls the number of people in the exhibit, which contributes to the long lines but also means that, once in, you'll have a chance to stand almost nose to nose with the *Girl* if you want. And though many seem to come simply in hope of feeling a little closer to Scarlett Johansson (who portrayed Vermeer's fictionalized model in the 2003 film *Girl with a Pearl Earring*), the profound beauty of this piece will move anyone who can be moved.

The composition is striking, but explains nothing: A bust-length portrait of a girl looking up at you over her left shoulder against a dark background

is the exact same thing you'll see in Vermeer's *Study of a Young Woman* (ca. 1665-67) in the Met. But this is a great painting, and the one at the Met is not. This girl has an earring, of course—which is rather too much talked about. Suffice to say, it's not a pearl; it's probably a painted teardrop of glass. You can find the same earrings in at least five other Vermeers, including (most clearly) in the Frick's very own *Mistress and Maid* (ca. 1666-67).

Depending on whose attributions you believe, between 34 and 36 Vermeers are known to exist today, and his favored props—the earrings among them—make frequent appearances: the yellow satin fur-trimmed jacket (5 paintings); the famous chairs with the lion's head finials (13 paintings); the map copied so beautifully that its cartographer and date of publication have been identified (at least 2 paintings, with fragments in more).

Vermeer's staggering technique makes his attention to detail seem even more painstaking than it is: In the Met's greatest Vermeer, *Young Woman with a Water Pitcher* (ca. 1662), the reflection on the brass basin of the tapestry underneath is rendered with such convincing fluidity that I'll bet you didn't notice that it doesn't match the tapestry it's supposed to be reflecting. The translucent pearls in the necklace depicted in *Mistress and Maid* are suggested by shadow and highlight painted directly on the mistress's skin.

In this Mauritshuis show, you'll find pieces by contemporary inferior painters: the workmanlike Nicolaes Maes; the uninspiring Gerard ter Borch; and the fussy and generally awful Jan Steen. Of course, they didn't have Vermeer's technique. And, given a million years and the same exact subject matter (which they often had), they could not—and never did—approach Vermeer's elegance in composition. Nor could they match the simple beauty of Vermeer's palette. But the greatness of *Girl with a Pearl Earring* is elsewhere, beyond. In the final analysis, Vermeer is an artist, whereas Maes, ter Borch, and Steen are just photographers without cameras.

The art of the one-frame, super-short-story masterpiece by Vermeer—or by Velázquez, Homer, or Hopper—is *truth*. It was said of the great 1650 Velázquez portrait *Juan de Pareja* (ordinarily the greatest painting in our hemisphere) that it *was* truth itself. In the Frick exhibition, look at *As the Old Sing, So Pipe the Young* (ca. 1665) by Jan Steen: There are 10 figures in that painting and not a single real, true human. Then look into the eyes of Vermeer's girl. She has a mind; she thinks. There is a wish on the tip of her tongue. *You* wish that you could talk to her and you know that, if you could, she'd have something to say to you.

That makes a great painting. I think it's what people mean when they say something "really speaks to" them. Gerard ter Borch's painting doesn't speak—or if it did, it would sound like a village idiot.

Rembrandt is the other great Dutch master featured at the Frick. (Frans Hals is there too, but his portraits are about as sublime as rodeo clowns.) Rembrandt speaks most powerfully not through his famous earlier paintings in the show—*Simeon's Song of Praise* (1631) and *Susanna* (1636)—but through his own eyes in the extraordinary late self-portrait that is a part of the Frick's permanent collection. It hangs in the main gallery next to his renowned and problematic *Polish Rider* (1655). Vladimir Nabokov—with typical linguistic genius and a grain of truth—compared Rembrandt to Remembrance: "Dark but festive." It took 50 years and a dramatic fall from art-stardom to total bankruptcy for the real Rembrandt to emerge from the festive nature and dandy clothes of his earlier days. Here, too, is human truth in the sad majesty of his late work.

'Mistress and Maid' by Johannes Vermeer (ca. 1666-67)

THE FRICK COLLECTION, NEW YORK / PHOTO BY MICHAEL BODYCOMB

But I'd rather look at *Girl with a Pearl Earring* than Rembrandt, and I'd rather look at the live girl standing next to me than at the Vermeer. Because the central axis of human truth around which art and the surrounding world turns is, and always will be, female beauty.

Bill Gates has been very nearly kicked enough for his recent silly statement on museums *versus* medicine (see "The Blindness of Bill Gates," The Weekly Standard, Dec. 9, 2013), so I won't belabor the point. In the 1980s, Walter Mondale used a similar argument against the manned space program: There are sick and starving on earth, we don't have our spending priorities straight. That may be. But I'm glad we went to the moon, and I'm glad that there are people like Henry Clay Frick who wasted time and money on art. I can envisage a world in which the human race spends all its energy on being healthy: There's nothing to life except not dying, and nothing on the walls but an occasional surgeon general's warning. ♦

B&A

Eternal Rome

A flawed gem features a brilliant performance.

BY JOHN PODHORETZ

There's a breathtaking and deeply frustrating Italian film called *The Great Beauty* I have to tell you about, because it's really something to see even though it will probably drive you a little crazy.

The Great Beauty is a conscious and knowing update, 53 years later, of Federico Fellini's seminal *La Dolce Vita*—a portrait of Rome and the journalist who lives at the red hot center of it. The key difference between the two films is that Marcello of *La Dolce Vita* is glamorously young while Jep, the protagonist of *The Great Beauty*, throws himself a 65th birthday party in the film's bravura opening sequence.

Like *La Dolce Vita*, *The Great Beauty* has no plot to speak of; it's a series of scenes in which the protagonist interacts with Romans of every station—high-born, low-rent, clerical, anticlerical, Marxist, anti-Marxist. Writer-director Paolo Sorrentino has updated Fellini's gaudy and arresting way with the camera to the latest in 21st-century techniques and retains the master's fascination with human variety (a key role is played by a dwarf).

The one thing the people of *La Dolce Vita* and *The Great Beauty* have in common is that they are all spiritually empty, but in a peculiarly entrancing way. And no one is more entrancingly soul-sick than Jep Gambardella. Forty years before the film begins, he wrote a celebrated and highly successful novel that bought him what may be the world's greatest apartment, with a gigantic terrace overlooking the Colosseum.

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

The Great Beauty
Directed by Paolo Sorrentino

Toni Servillo

He never wrote another novel; instead, he decided he wanted to become the king of Rome, with the power (as he says) not to make a party but "to end one." Never married, and a legendary ladies' man, Jep goes to sleep when the sun rises and wakes at three in the afternoon. He has the langorous weariness and charm of someone who has seen everything and judges nothing. In the movie's most potent scene, Jep offhandedly brutalizes a self-righteous parlor Marxist who has attacked him for his flippancy and unseriousness by exposing every one of her illusions and self-justifications as though he were talking about the weather.

The scene is a tour de force for the actor who plays Jep, a 54-year-old theater director named Toni Servillo. I've been liberally tossing garlands lately to leading men—Tom Hanks in *Captain Phillips*, Robert Redford in *All Is Lost*, Chiwetel Ejiofor in *12 Years a Slave*—but I have to say that Servillo puts them all in the shade with what may be not only the performance of the year but of this century. He builds his character with an almost supernatural attention to detail, from his languid gait to his corrupted smile, until we are able to separate the disappointed man from the glamorous shell in which he has carefully sepulchered himself. I've never seen an intellectual depicted as well on screen.

So what is the problem with *The Great Beauty*? For one thing, it's intermittently very boring. Sorrentino is so in love with his swooping camera and innovative shots of Rome that he loses all sense of pace. Some scenes go on two or three minutes too long while others end far too quickly. He doesn't bother with conventional narrative techniques, so it takes several minutes to figure out that a key character has died. This is information we shouldn't have to guess.

Mostly, though, Sorrentino doesn't really have anything all that interesting to say about Rome. When Fellini offered up his portrait of fashionable soullessness, it was something new; but it comes as no surprise to us that a 65-year-old party animal may discover he has wasted his life.

Sorrentino's ever-moving camera takes us inside palaces and ancient Roman temples and hidden glories, but there doesn't seem to be any point to it. Perhaps he intends to contrast the city's eternal glories with the transient foolishness of Jep and his friends, but it doesn't come across that way; it just plays like a travelogue. Moreover, the whole city seems strangely unpopulated. You never get the sense of Rome's crazed hustle, which you certainly did in *La Dolce Vita*.

Nonetheless, *The Great Beauty* is a knockout—an annoying knockout. Maybe if you're prepared you'll be less annoyed than I was—and more knocked out. And even if not, you'll get to see Toni Servillo, who is more dazzling than any special effect. ♦

JANUS FILMS

"Not limiting their activities to the earthly realm, American and British spies have infiltrated the fantasy worlds of World of Warcraft and Second Life, conducting surveillance and scooping up data in the online games played by millions of people across the globe, according to newly disclosed classified documents."

—New York Times, *December 9, 2013*

PARODY

anything
there's so much new
all our predictive models are clearly bunk.

DECEMBER 11, 2013 *ONE DOLLAR CHEAP*

U.S. OPERATIVES STAGE DARING WORLD OF WARCRAFT RESCUE

Raid Frees American Dwarf Mages from Orc Extremists

By PETER BAKER AND JEFF ZELENY

WASHINGTON — Obama administration officials announced a major victory tonight, revealing the details of a daring raid that freed six American Dwarf Mages who had been held captive by a band of Orcs for nearly two years. The operation, carried out under cover of night in World of Warcraft's (WoW) player-versus-player realm, is the first major success since the intelligence community launched WoW operations in 2008.

"Tonight, I am proud to report to the American people and to the world that the United States has conducted a legendary quest that has improved our guild's Strength and Spirit attributes across the board, and made the World of Warcraft safer for all Americans," President Obama said from the Oval Office.

The perilous operation was carried out by a diverse team of 12 American intelligence operatives: four Night Elf Rogues, three Pandaren Hunters, two Draenei Shamans, a Gnome Priest, and two undercover Blood Elf Paladins. "They represent the best and brightest the intelligence community has to offer," explained General Keith Alexander, director of the National Security Agency. "It is only through their bravery and unwavering patriotism that we were able to rescue our fellow countrymen from the vast canyon maze of Durotar."

A U.S. intelligence operative leads a trio of World of Warcraft heroes into battle.

According to newly declassified documents, the hostages were captured "during a foolish jaunt into eastern Kalimdor." One senior intelligence officer, speaking on condition of anonymity, speculated, "The noobs probably didn't even know where they were. I mean, some level 12 Mages in Horde territory? They had no business being there—no wonder they got ganked."

The documents also show that the operation faced many setbacks and was nearly aborted. "[Undercover Blood Elf Paladins] Elramir and Inothar continue to deal with acute Bloodthistle Withdrawal; their reliability is in question—possibly compromised by the enemy," reads one dispatch from Thrail, the level 72 Night Elf Rogue leading

Continued on Page A3