

**WASHINGTON
BLOCKHEADS**
ANDREW FERGUSON

the weekly

Standard

FEBRUARY 10, 2014

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'KELO' REVISITED

CHARLOTTE ALLEN
on the wasteland left
behind by the infamous
eminent domain case

Michael Cristofaro
standing in what
once was his yard
in New London, Conn.

WEEKLYSTANDARD.COM

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The State of the State of the Union

Where you stand on President Obama's State of the Union address last week depends, to some degree, on where you sit. Liberals thought the president was feisty, determined, basking in the glow of historic achievements, throwing down the gauntlet at obstructive Republicans. Conservatives thought the president seemed decidedly out of steam, listless, defensive, excessively partisan, willfully ignorant of dangerous problems, threatening to govern by executive fiat.

THE SCRAPBOOK, as usual, takes a contrarian stand: We, too, thought the president's performance was below par, and found the speech—the whole spectacle—dispiriting, not invigorating. But that's our reaction to most State of the Union addresses, no matter who's in the White House. Which leads us from contrariness toward thinking the unthinkable: Maybe it's time to reconsider the idea of the State of the Union address.

For the history is more complicated than readers might think. Whence cometh the modern State of the Union spectacle? Article II, Section 3 of the Constitution states that the president "shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient." This sounds to THE SCRAPBOOK like an intentionally vague suggestion that the president keep Congress in the loop and, "from time to time," recommend new legislation for enactment.

But as any student of history—or justice of the Supreme Court—will tell you, the Founders' exact intentions can sometimes be a matter of conjecture. Our first two presidents,

George Washington and John Adams, interpreted this to mean an annual address, in person, with a survey of the world and list of prescriptions. But our third president, Thomas Jefferson, thought the practice smacked of Britain's State Opening of Parlia-



Just put it in writing.

ment, with the president playing the role of monarch, not democratically elected chief of the executive branch. He opted, instead, for a written message to Congress, read by a clerk, which tradition took root and served such disparate presidents as Andrew Jackson, Abraham Lincoln, and Theodore Roosevelt.

It was Woodrow Wilson who, in 1913, revived the notion of a personal State of the Union speech delivered to Congress. Wilson, of course, was a good progressive who thought the presidency had been subsumed by the legislative branch—his Princeton doctoral dissertation on this theme, *Congressional Government* (1885), became an influential text—and he relished the idea of descending on the House chamber to lay down the law. Every president since has followed his lead.

Both arguments, THE SCRAPBOOK concedes, have their merits; but the

institution is now almost beyond meaning. The occasion has become what Jefferson feared—legislators welcoming a triumphant Head of State—and the address itself is largely partisan spin, with garrulous incumbents exhorting Congress to do their bidding. Members of the president's party rise to their feet after every assertion while members of the opposition look sullen and uncomfortable. The diplomatic corps and the Joint Chiefs of Staff sit in quiet mortification while members of Congress stamp the floor and make faces.

Both parties, alas, have contributed to the spectacle. President Reagan introduced the custom of acknowledging "American heroes" in the visitors' gallery, which has become not only wearisome but stretched the definition of "hero" (although Sgt.

First Class Cory Remsburg, recognized this year, was a welcome exception to the rule). President Obama has bumptiously hectored the justices of the Supreme Court as they listen in mandatory (and irritated) silence. Any doubt that this annual televised circus is a partisan affair disappeared when the networks introduced the opposition-party "response" in 1966.

No president, so the argument goes, would forgo the chance for a prime-time television appearance where he says what he wants to a captive audience while members of Congress scramble to shake his hand. Maybe. But the gap between what presidents demand and what they get from Congress is increasingly wide. Arguably, the State of the Union address can make a president look weak.

THE SCRAPBOOK's argument, for what it's worth, is neatly symmetrical and constitutionally sound: We had written messages for a century, more

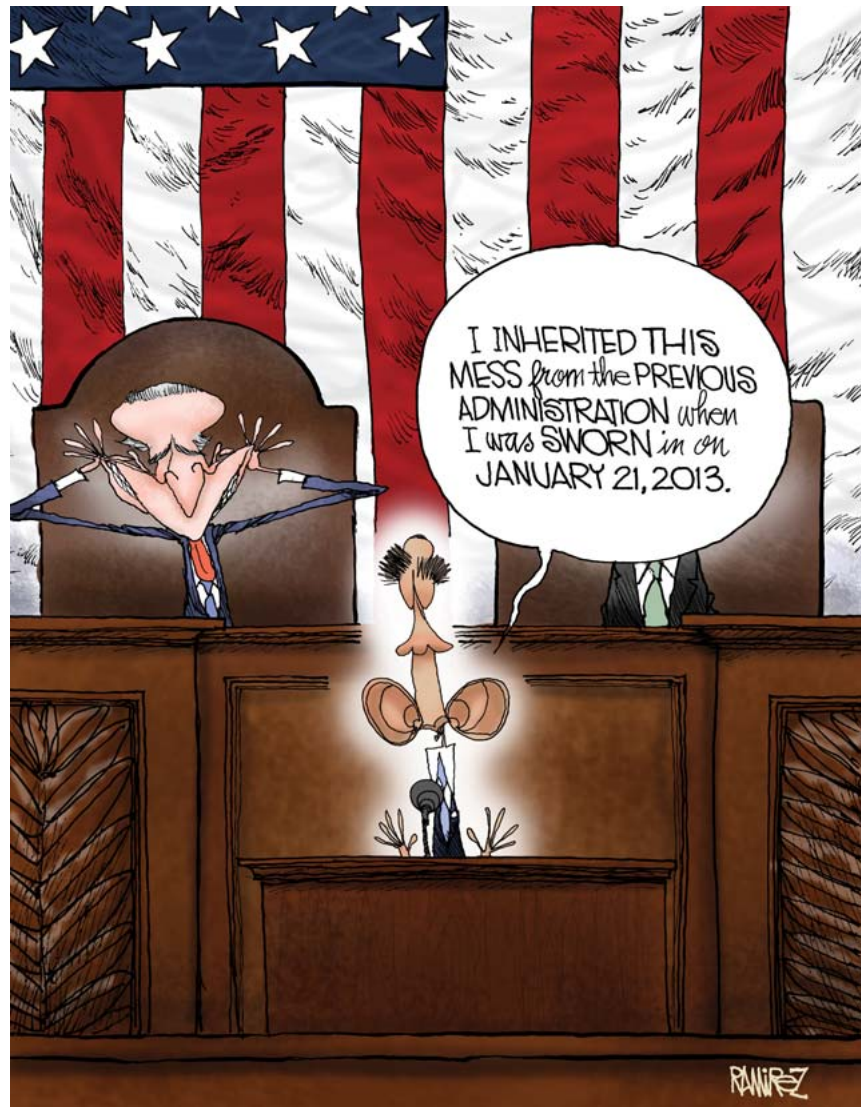
or less, and have had personal addresses for exactly a century. Time for a change! ♦

Please, Release Me

THE SCRAPBOOK has devoted plenty of column inches over the years to detailing the incestuous relationship between public employers and public employee unions. Every election cycle, union dues—paid with taxpayer dollars—go to Democratic politicians, who, when in office, thank their donors with immutable contracts containing generous wages and benefits. It's truly a vicious circle. But even we were surprised when we found out just how directly money was being funneled from public coffers to private pockets through union contracts. So we're happy to report that a practice known as "release time" just took a major legal hit in Arizona—one that could result in a domino effect across the country.

In Phoenix, some police officers don't patrol their city streets or even serve citizens from behind a desk. Instead, they work for the Phoenix Law Enforcement Association, the police union—all the while collecting their salaries and benefits from city taxpayers. "Release time" provisions in their contracts allow these public employees to be released from their designated duties to perform services for the union, such as attending and managing grievance hearings.

Such clauses are common in labor contracts across the country, and this one wouldn't have come to public notice either if, in the words of the *Arizona Republic's* editorial board, city and union leaders there "had been a little less profligate with the taxpayer's dollar." Six officers work full-time for the union, with each getting 160 hours of overtime pay in addition. One works 500 hours a year as a union lobbyist—laboring on taxpayer dollars, we imagine, to get his bosses to fork over more taxpayer dollars to him and his colleagues on the force. Besides these six full-time workers, the union has access to 35 other officers it can free



up from duties for an unspecified time each year. Some police officers haven't actually been working for the public since the 1990s.

But no more—thanks to the good folks at the Goldwater Institute. Last week, Judge Katherine Cooper of the Maricopa County Superior Court ruled that release time violates Arizona's constitution, which prohibits the state and any local government in it from giving a gift or subsidy to any private individual or group without receiving a lawful public benefit in return. The think tank filed suit on behalf of two Phoenix taxpayers in December 2011, obtaining two temporary injunctions that halted release

time in Phoenix before they finally won the case—which, of course, the union plans to appeal.

The union was just one of the defendants, though. The city itself, along with its mayor and city councilors, also fought the suit—despite the testimony of one officer that when he was released from his duties, his beat went uncovered, leading to a "huge safety risk to the citizens of south Phoenix."

But it isn't just the citizens of South Phoenix who should be celebrating this victory. The judge indicated that her ruling applies to every union contract the city has signed. More important, as the Goldwater Institute

observes, “Dozens of states have gift clauses enshrined in their constitutions, meaning the outcome of this lawsuit could spur an end to the practice throughout the country.” ♦

Lower-class Krugman

A remarkably depressing Pew survey released last week found that a full 40 percent of Americans now consider themselves “lower class,” or “lower middle class” versus 44 percent who see themselves as “middle class.” As recently as 2008, 53 percent of Americans considered themselves “middle class”—and only a quarter identified as “lower class” or “lower middle class,” a vivid illustration of both the ravages of the recession and the amazing weakness of the Obama “recovery.”

By all accounts, it’s bad news in what it says both about Americans’ perception of their standard of living and the actual economic struggles they face. By all accounts except that

of *New York Times* columnist Paul Krugman, that is. On his blog, Krugman actually labeled the depressing poll finding “a good thing.” Why? Because as a result of it, “we’ll actually start creating the kind of society we only pretend to have”—i.e., supporting Krugman’s preference for an expanded welfare state.

THE SCRAPBOOK isn’t one to histrionically smear liberals for spurious connections to the far left, but Krugman’s cheerfulness calls to mind no one so much as Nikolay Chernyshevsky, the 19th-century socialist and influencer of Lenin, who is reputed to have coined the Leninist motto, “the worse, the better.” His point was that a more miserable working class was more likely to rise up and launch the socialist revolution.

Ideology aside, it’s more than a little callous to celebrate economic misery because it happens to improve the prospects for one’s political program. If more Americans begin to feel better off, will Krugman perversely think this is “a bad thing”? ♦



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Buster Qua Buster

For reasons too boring to go into, I have recently inherited custodial duties of the family dog. When Buster first arrived, more than a decade ago, we spent a fair amount of time together. I took responsibility for training him with a rigorous program lasting several weeks. To this day, if you ask him to fetch, sit, roll over, shake hands—any of your basic doggie tasks—he will instantly lie down and close his eyes. In the early days I walked him a lot too.

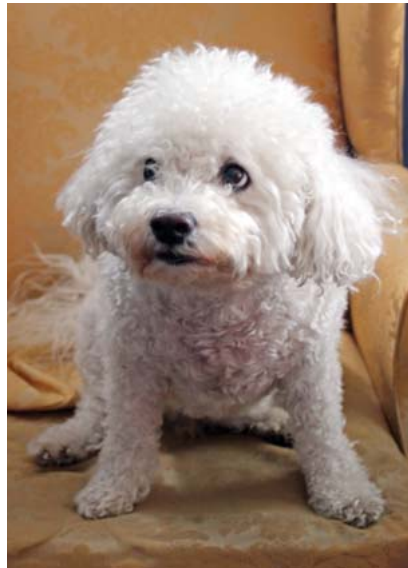
Time passed. Work obtruded. My wife, at home with young children, became Buster's primary care giver. I didn't pay much attention to him, to tell the truth. And now, 10 years older, we are getting reacquainted, settling into a comfortable routine as old family members do. I don't have much choice anyway. Most days he has me under constant surveillance. We take long walks in the early morning. He lies on my office floor during the day, follows me to the kitchen for lunch, returns postprandially to his position next to my chair, and stretches out so that with a single false move a roller will snap his tail in two. At 4 P.M. precisely he starts to whimper for a dinner that, he must know, is never served before five.

At least I assume he knows this. He does, doesn't he?

It's the kind of question that pesters me throughout the day. Often finding myself without much to think about, I begin to wonder what Buster is thinking—*whether* Buster is thinking. Our walks display his twin natures, the lower, animal nature brightened with glimpses of . . . something higher. On fair days he is incapable of walking more than a few feet without stopping to investigate the messages left by other members of the dog community. A fire hydrant is like a plump edition of the *Sunday Times* to him, offering

in its riot of pheromones news of illness and health, food and sex, rest and exercise, birth and death.

Buster scans these bulletins with an avidity that's almost unseemly—a carnal single-mindedness that suggests a 1950s teenager handling his first issue of *Playboy*. Faced with a pile of leaves or a divot of turf, Buster buries his snout impossibly deep and then



Buster

somehow buries it further, pushing it forward like a furrow splitter, as if he could pass through the material world altogether into a spirit world of doggie bliss, the realm of pure pheromone. At some moments his whole body stiffens. When I grow impatient and give a gentle tug with the leash, his reverie breaks and he seems momentarily disoriented, off balance, a shade of chagrin passing over his face as if he's been found out—the teenager with the *Playboy* again, startled by Mom rapping at the bathroom door.

But I'm just imagining his chagrin, aren't I? Anthropomorphizing?

To find my way out of my puzzlement, I checked out a stack of dog books from the library, with promis-

ing titles like *Inside of a Dog* and *How Dogs Think*. I suppose I shouldn't have been surprised at what I found. The same mad reductionism that has snowed thoughtful people in every other field of inquiry—the ravages of neuroevolutionary cognitive sociobiopsychology, and the rest—has seized the people who study dogs. They give mysterious names to ordinary things as a way of rendering the most mysterious questions ordinary.

I learned, for instance, that when Buster and I spend time together we are in fact engaged in *cross-species pair bonding*. When he places his head in my lap, he is launching a *thermotactile sensory probe*, the sly dog. On our walks he might accelerate his gait to match mine or I will slow mine to match his. The simple courtesy one species pays to another, you'd think? No: We are exhibiting *allelomimetic behavior*. Sometimes, in what I once assumed was an excess of affection, Buster will turn and try to give me a kiss. But of course what we perceive as affection can be nothing more to the sociobiologist than an evolutionary strategy. So no: Buster is trying to make me vomit. Back in the prehistoric wilderness, it seems, Buster's ancestors provided for their pups by only half-digesting food. When Mama returned to the den, the puppies learned to lick her face, inducing her to vomit up boluses for their enjoyment.

The reductionists don't let me off the hook, either, of course. My illusions about Buster are no more pathetic than those I harbor about myself. I could tell you about the bioevolutionary subterfuge that makes me think I love my dog when all I'm doing is rewarding myself with blasts of oxytocin and prolactin, thereby enhancing my Darwinian fitness. But I'll spare you. Besides, Buster has his eye on me from his perch on the couch, as if to say, "Time for some cross-species pair bonding?"

That is what he's saying, isn't it?

ANDREW FERGUSON

The Obama Complex

President Obama couldn't resist confiding to a recent interviewer, "I am comfortable with complexity." In fact, he is comfortable with a kind of pseudo-complexity that lends itself to pseudo-thoughtful formulations.

Thus, in his State of the Union address last week the president explained to his benighted and presumably belliscose fellow citizens: "You see, in a world of complex threats, our security and leadership depends on all elements of our power—including strong and principled diplomacy." (The "you see" is particularly condescending, even by Obama's standards.) The point is, with respect to Iran, "we must give diplomacy a chance to succeed."

The trouble is that, in a world of complex threats, diplomacy won't succeed unless backed up by the other elements of our power. And Obama has abandoned everything but diplomacy. Sanctions are being dismantled. The threat of military action has virtually disappeared. Obama's Iran policy now rests exclusively on diplomacy and will therefore fail.

As did the diplomacy-only policy he pursued for the first 18 months of his presidency. Obama desperately wanted to talk to the mullahs in Tehran. So he said nothing as the regime crushed pro-democracy protesters in 2009 and then announced in February 2010 that it would begin to enrich uranium from 3.5 percent, the highest level it had previously achieved, to 20 percent, beginning its final dash toward nuclear weapons capability.

In light of his diplomatic failure, and faced with overwhelming bipartisan pressure from Congress, Obama finally tried a more complex strategy, supplementing diplomacy with new sanctions on Iran. During the Bush administration there had been five U.N. Security Council resolutions supporting sanctions. In the summer of 2010 Obama reluctantly moved toward a Bush-like approach, and sanctions were toughened periodically until he was safely reelected. But since then, and given the excuse of a charm initiative by the new Iranian president, Hassan Rouhani, Obama has lost interest in sanctions. It's once again diplomacy-only.

Obama's most recent effort culminated in the interim deal known as the Joint Plan of Action (JPA), which went into effect on January 20. This deal grants Tehran significant concessions while getting little in return. It doesn't roll back Iran's nuclear program. At best, it puts some parts of it on pause while permitting others to move ahead. No part of the nuclear infrastructure is dismantled. That's why

experts report the deal—if adhered to by the regime—would delay Iran's nuclear progress by perhaps one or two months. And even that's debatable. Because Iran can continue to build up its stockpile of 3.5 percent enriched uranium and can continue to tweak its centrifuges, improving their performance, the regime might be able to offset any aspects of its program that will be slightly delayed. It can also continue work on the Arak heavy water plant designed only to produce nuclear weapons.

So the deal doesn't roll back Iran's nuclear program. It does concede Iran's right to enrich, and it does roll back sanctions, thereby returning billions of dollars to the regime's coffers. And it requires the United States to refrain from imposing any additional sanctions on Iran.

The deal has a six-month term, but it can be renewed for another six months, and the administration anticipates doing this. So the Obama administration is embarking on crucial talks with Iran having given up its main point of leverage, the ability to impose new sanctions. As for its other lever—a credible threat to attack Iran's nuclear sites—that's gone too. After the failure to act in Syria, after making withdrawal the priority in Iraq and Afghanistan, no one believes Obama will act against Iran.

So for a year we could have talks dragging on, with Iran selling more oil, generating more revenue, and poking more holes in a sanctions regime that was decades in the making. Meanwhile Iran will continue to accumulate its stockpile of enriched uranium, drawing closer to nuclear weapons capability. With decidedly less leverage, the chances of concluding an acceptable final deal, already low, will greatly diminish.

To be sure, there are those outside the administration who would put U.S. efforts to prevent a nuclear Iran on more solid footing. Fifty-nine senators, including 16 Democrats, have cosponsored legislation to impose new sanctions if Iran cheats or if there is no sound and comprehensive deal in a reasonable time. The Iranians have declared that passage of this bill would prompt them to walk away from the negotiating table, and Obama has accordingly pledged to veto the legislation.

We support the legislation. But the truth is that the long sanctions effort—dating back two decades now—may have run its course. It will be very hard to reverse the erosion that Obama has allowed to begin. And even if one could, there's little evidence that sanctions could ultimately stop Iran's nuclear program. The one time the program seems to have

actually halted happens to have been the one time Iranians took seriously the threat of American military action: in 2003, after the invasion of Iraq, when Tehran briefly feared it might be America's next target after Saddam Hussein. But it was not to be, and the program started back up as the Bush administration backed off. And now the idea of American military action, under this president, is not credible.

That leaves Israel. As a bipartisan group of national security experts convened by the Gemunder Center for Defense and Strategy of the Jewish Institute for National Security Affairs argued in a recent report: "The United States should move immediately to impose new sanctions and consider even tougher actions against Iran if no acceptable final agreement is in place 180 days after the JPA's formal implementation on January 20. At that time, the United States should do nothing that would impinge upon Israel's ability to decide what actions it must take . . . and indeed should support Israel if it takes military action."

The American public understands that Israel may have to act, since Obama won't. And polls show the public would want America to support such an Israeli action if it's necessary to prevent the Iranian regime from acquiring nuclear weapons breakout capability. When it comes to complexity, the public sides not with Barack Obama but with Ronald Reagan: "They say the world has become too complex for simple answers. They are wrong. There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right."

Obama is no Reagan. If he were, we might not have to use force, because a credible threat of military action often means you don't have to use it. But no serious person now believes President Obama will act. And that's why Prime Minister Netanyahu may well have to.

—William Kristol & Michael Makovsky

Rumors of al Qaeda's Demise

For five years, the Obama administration has touted its success in the war against al Qaeda. In formal addresses, daily press briefings, and campaign speeches top administration officials have celebrated the "decimation" of al Qaeda and predicted its imminent extinction.

John Brennan, the president's top adviser on these matters, even took the bold step of putting a timeframe on the end of al Qaeda. "If the decade before 9/11 was the time of al Qaeda's rise and the decade after 9/11 was the time of its decline, then I believe this decade will be the one that sees

its demise," he said in a speech at the Woodrow Wilson Center in the spring of 2012, not long before he was named CIA director.

We were skeptical of Brennan's claims at the time. Almost nobody believes them now. The growth of the al Qaeda network and the persistence of the threat it presents is no longer in serious dispute. Experts disagree about the precise shape of al Qaeda and its capabilities. But even those who not long ago were echoing the administration's line are now worried that al Qaeda currently controls "more territory in the Arab world than it has done at any time in its history," in the words of CNN's Peter Bergen.

This puts the Obama administration in a difficult position. Despite its many hopeful claims, al Qaeda is nowhere near defeat. And with Obama's withdrawal from Iraq, his drawdown in Afghanistan, and his eagerness to end even wars that are not won, the prospect of the demise of al Qaeda grows more distant every day.

In response to this grim reality, or at least in a tacit acknowledgment of it, the rhetoric of the Obama administration has increasingly focused on redefining al Qaeda. No longer is it the vast network described by the Bush administration prosecuting a "global war on terror." Instead, al Qaeda in the Obama administration's public descriptions is like a Russian matryoshka doll, growing ever smaller with each iteration.

And now we've reached the end. We've gone from a global network, to something called "core al Qaeda," to one man incapable even of effective propaganda. Last week, State Department spokeswoman Marie Harf claimed that Ayman al Zawahiri is "the only one left" of "core al Qaeda."

It's an absurd claim. And the context makes it worse.

At a State Department briefing on January 23, reporters asked Harf about a new message from Zawahiri to his followers. Her initial response? "I haven't seen it." But moments later, after promising to "take a look or a listen," she claimed to know enough about its contents to dismiss their significance, saying "this is not new rhetoric we've heard from Zawahiri."

How can you offer assurances about the substance and meaning of a message if you have not heard it? You can't.

This was the context for her claim that Zawahiri is the only core al Qaeda member still standing. "Look, this is not new rhetoric we've heard from Zawahiri. He's—core al Qaeda in Afghanistan and Pakistan, besides Zawahiri, has essentially the entire leadership been decimated by the U.S. counterterrorism efforts. He's the only one left. I think he spends, at this point, probably more time worrying about his own personal security than propaganda, but still is interested in putting out this kind of propaganda to remain relevant."

A day after the briefing, Thomas Joscelyn and Bill Roggio, the indispensable team from the *Long War Journal*, highlighted Harf's claims and debunked them. The story might have ended there, but in a decision she prob-

ably now regrets, Harf responded. Here is the relevant section of her argument:

I was making the point that of the high-value core al-Qaeda leadership targets the United States has had in our sights, Zawahiri is the only senior AQ leader left from the group that planned 9/11—from core al-Qaeda as we’ve known it. Of course, al-Qaeda core does replace leaders that get taken off the battlefield, but they are replaced in general with younger, less experienced fighters who don’t have the same kind of operational background and who don’t have the same ability to plan external attacks. They are obviously still very dangerous—especially in Pakistan and Afghanistan, and when they partner with other local terrorist groups—but they are by any definition a shadow of what the group used to be. You would be hard-pressed to name another senior AQ leader in the Af-Pak region at Zawahiri’s, or Abu Yahya al Libi’s, or Atyah Abdul Rahman’s level (I could go on and on . . .).

And when you read my full statement there, it’s clear that I’m talking about the core al-Qaeda leadership being decimated, not the entire group. It defies logic to argue that I think Zawahiri is literally the only core AQ fighter left.

If Harf believes it defies logic to argue that she thinks Zawahiri is the only core al Qaeda fighter left, she might have done more to explain why she said that Zawahiri is the only core Al Qaeda fighter left.

As the *Long War Journal* points out, in trying to explain

what she meant by her claim that Zawahiri was the “only one left” of “core al Qaeda,” Harf offers several different definitions of that group. There’s senior leadership from “the group that planned 9/11” and “core al Qaeda as we’ve known it” and even new “al Qaeda core leadership” that includes those who replace the ones who have died.

It may seem unfair to pick on Harf. Perhaps she just mis-spoke in making her claim about Zawahiri. But she’s hardly unqualified to speak on these issues, and there’s no question that her views are representative of Barack Obama’s national security leadership. As Harf pointed out herself, she has “spent six years at the CIA—including three as our spokesperson talking about exactly these issues.” And indeed, the problem isn’t the messenger, it’s the message.

From the earliest days of the Obama presidency, the administration has downplayed threats posed by al Qaeda and its affiliates. On his first day in office, Obama pledged again to close the detention facility at Guantánamo Bay. Three days after the attempted bombing of an airplane over Detroit on Christmas Day in 2009, the president claimed Umar Farouk Abdulmutallab was an “isolated extremist,” despite the fact that the bomber had already detailed for authorities his ties to Al Qaeda in the Arabian Peninsula. When Faisal Shahzad attempted to detonate an SUV packed with explosives in Times Square six months later, Janet Napolitano, secretary of Homeland Security, dismissed it

We’re Number ... 12?

By Thomas J. Donohue
President and CEO
U.S. Chamber of Commerce

Where does the United States stack up against global competitors when it comes to economic freedom? It would be easy to assume that a nation built on the principles of personal liberty and free enterprise would be at or near the top—and for many years it was.

But according to the *Economic Freedom Index* recently released by the Heritage Foundation and *The Wall Street Journal*, the United States doesn’t even crack the top 10. America falls behind 11 other countries in key measures that include size of government, openness of markets, regulatory efficiency, and rule of law.

The conclusions of such studies depend heavily on the factors being evaluated and the quality of data being used; regardless, the decline in our ranking in this study is worth paying attention to. The findings suggest that Americans have less control over

their property, assets, and some personal decisions like health care coverage, and businesses have less freedom to invest, hire, and grow.

One of the biggest threats to our economic freedom is a federal government that is ballooning in size and scope. Much of this expansion has occurred through regulations, which are now being churned out at a rate of 4,000 a year. All these regulations have a chilling effect on business, cooling hiring, investment, and expansion. We need to fight against overregulation and reform the system to be more efficient.

Out-of-control government spending and growing debt are also undermining our economic freedom. The fundamental drivers of our deficits are unsustainable entitlements. We need to modernize and reform them; otherwise, we’ll continue to borrow against our future, putting opportunity and prosperity at risk for generations of Americans.

What should concern us most is not the rank but the downward trend. The United

States is the only country measured whose ranking has declined seven years running. We’ve got to turn things around.

The good news is that we have ample opportunity to do it. We are making great strides in trade by building market-opening relationships with key partners around the world. We have a natural abundance of energy that is poised to make us an energy superpower and drive tremendous growth and jobs at home. We have opportunities to reform our broken immigration system and improve education, which would help make the U.S. workforce more flexible, skilled, and competitive.

Anyone who’s ever bet against the United States has lost. If we solve our problems and seize our opportunities—and we can—we will ensure that our nation remains the best place in the world to live, work, and do business.



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as a “one-off” attempt and prematurely dismissed suggestions that the bomber, who was trained and funded by the Pakistani Taliban, had ties to international terrorists. And for two weeks, despite abundant evidence to the contrary, the fatal attacks in Benghazi were misleadingly portrayed as the result of an angry mob spun up by a YouTube video. When the *New York Times* tried unsuccessfully to resurrect that discredited line last month, Obama administration officials quietly whispered their approval to reporters who asked about the story.

If they’re just trying to deceive us, that’s offensive. If they’re deceiving themselves, it’s dangerous.

—Stephen F. Hayes

myConstitution

President Obama has just announced the creation of a new program, which he calls myRA, as part of an overarching agenda he’s implementing, which could well be called myConstitution.

Under the heading “Year of Action: Making Progress Through Executive Action,” the White House announced January 29 that Obama is using “his executive authority to direct the Department of the Treasury to create ‘myRA’—a new simple, safe and affordable ‘starter’ retirement savings account.” Treasury Secretary Jack Lew, Obama’s former chief of staff, says the accounts are “modeled on the Roth IRA.” But the Roth IRA was created by law—passed by the people’s elected representatives in the House and the Senate (after having been spearheaded by Sen. William Roth) and signed into law by President Clinton—not by “executive authority.”

Does this sound more like the exercise of executive power, or of legislative power? Creating a new type of retirement account certainly doesn’t sound like a president carrying out his constitutional duty to take care that the laws be faithfully executed. And even if this isn’t technically the creation of a new kind of IRA but merely a rebranding of existing Roth IRAs (it’s a bit hard to tell), the administration’s choice of language strongly suggests that Obama is engaging in an alternative form of lawmaking—and is proud of it.

This latest undertaking adds to a long list of actions by Obama that have created a stench of lawlessness: his unilateral raising of the minimum wage for new federal contracts; his unilateral refusal to enforce Obamacare’s employer mandate, its mandated caps on out-of-pocket costs, aspects of its coverage mandates (after those had led millions of people’s insurance plans to be canceled), and its individual mandate as it pertains to those with canceled plans; his administration’s funneling of subsidies through federally run exchanges, in defiance of Obamacare’s plain language

(which allows such subsidies to flow only through state-based exchanges); his refusal to enforce federal marijuana laws; his refusal to deport illegal immigrants under the age of 30; his refusal to enforce key aspects of the mid-1990s welfare-reform law; his refusal—in the wake of the revelation that his economic “stimulus” was costing taxpayers \$278,000 per job (the number has since risen)—to release timely reports as mandated by the text of his own “stimulus” legislation; his issuing “recess” appointments to the National Labor Relations Board while the Senate was in session; and so on.

Congress cannot just sit by and watch this happen. Nor can it count on the efforts of the media to shame Obama into abiding by the legal limits of his office. During a gaggle aboard Air Force One, the White House press corps showed its usual diligence in addressing such matters, in the following exchange about myRA:

REPORTER: This can obviously be created just by the stroke of a pen, you don’t need any congressional help for it?

LEW: That’s correct. We have the authority.

There was no follow-up.

In *Federalist 51*, James Madison wrote that the separation of powers provides half of the “double security” to our rights (the other half is provided by federalism—the separation of powers between the states and the federal government). In one of the most famous passages in American political writing, Madison offers further thoughts in that essay, which members of Congress should take to heart today:

The great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. . . . Ambition must be made to counteract ambition. . . . It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

That last sentence is key. A well-informed, sober citizenry must ultimately hold our government officials in check. But especially in the absence of an attentive press corps, the citizenry relies upon members of Congress, governors, and leaders of all stripes to call attention to dangerous ambitions and encroachments by the president that jeopardize our constitutional forms.

—Jeffrey H. Anderson

A Real Equality Agenda

Let's redistribute power, not income.

BY JAY COST



Obama delivers his 2014 State of the Union address.

Barack Obama's latest State of the Union address was a dreary, tiresome affair—which, to be fair, could be said of most such addresses by most modern presidents. The only real surprise was how he soft-pedaled the problem of inequality. Pre-speech hype had promised this would be the centerpiece theme, and it's certainly one that has been a hobbyhorse of his Democratic party since its founding. But perhaps, on deeper reflection, we should not be so surprised that the word itself was only mentioned once.

President Andrew Jackson's veto message regarding the Second Bank of the United States is a mishmash of

bad economic reasoning and dubious constitutional arguments, but at its most persuasive it rails against the capacity of government to reinforce the divisions between the rich and the poor. A half-century later, the Democrats rediscovered their inner Jacksonian as William Jennings Bryan similarly waged a holy crusade for indebted Western farmers being "crucified" upon "a cross of gold" erected by Eastern creditors.

It is strangely embarrassing to watch today's Democrats struggle to lift the banner that Jackson and Bryan once raised with ease. After all, today's party more or less represents the very interests that so enraged their 19th-century forebears. Take a stroll through New York's Upper East Side, and you will mostly encounter

Obama voters. Drive along California's famed 101 from Los Angeles to San Francisco, and you will not enter a single county that went for Romney. At the corner of Wall and Broad, the movers-and-shakers walking past you will be about as likely to have given to the Donkeys as to the Elephants.

This probably explains why Obama only trotted out an inequality agenda in year six of his presidency, with his power at its nadir, instead of in year one, when it was at its apex. Haranguing the plutocrats is what 21st-century Democrats do only to rebuild their support in flyover country; when that base is secure, the malefactors of great wealth suddenly do not seem so bad.

For instance, a few years ago, Democrats endlessly complained about the ban on reimportation of drugs from Canada. These days, they do not mention it at all, though the ban persists. This was not because of a change of heart, but a change of status. When Obama was on the outside trying to get in, he railed against the pharmaceutical industry; when he finally made it in, he cut a deal with Big Pharma that kept the ban in place in exchange for industry backing of Obamacare.

Putting aside the Democratic party's situational ethics, what can we say about Obama's agenda? In his State of the Union, he called for tax reform, more money for infrastructure spending, subsidies for tech companies and scientific research, more job training, universal pre-K education, promoting "equal pay for equal work" for women, and raising the minimum wage. These are fairly stale policy prescriptions, but from a political standpoint there is something to be said for wrapping them up in a call to end inequality. After all, who is opposed to that? How can anybody oppose giving the poorest workers a raise, or guaranteeing universal pre-K, without coming across like Ebenezer Scrooge? More broadly, how can conservatives hope to build a broad-based political coalition against a left making these sorts of populist appeals?

One thing they should certainly

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do is highlight the deep problems with Obama's agenda. The first, and most obvious, is that the government has demonstrated a knack for being a perpetrator of the very ailments Obama promises to ameliorate. Just as the economic marketplace creates winners and losers, so also does the political marketplace. In important respects, the political marketplace is worse, for political winners get to embed their privileges into the law itself. It is fair to ask: How can one trust a government to solve the very problem it has helped create?

Indeed, Obama's address inadvertently referenced the government's proclivity to play favorites. The minimum wage is a hallowed talking point for wealthy liberals posing as hardscrabble populists, but in fact its original purpose was to serve as a sort of domestic tariff. By 1937 Northern industries had come to terms with organized labor, but the South still resisted. Fearing a flight of capital to Dixie, it was Northern businessmen who made the difference in pushing a minimum wage through Congress.

Liberal Democrats had outsized majorities during this period of the New Deal, but Southerners controlled key choke points within the legislature, notably the House Rules Committee. It was only a broad coalition that included liberals, organized labor, and, crucially, Northern industrialists that brought the Fair Labor Standards Act to a vote on the floor. Unsurprisingly, the wage floor was set so low that only the South was really affected. And even then, it only passed after it was loaded up with exemptions for all sorts of politically privileged groups.

This decidedly inegalitarian backstory of the minimum wage has mostly been lost to history. One would be hardpressed to find a book about the New Deal in Barnes & Noble that discusses this at any length. This is not a coincidence; advocates of bold, activist government want to forget all the inequalities it creates. So it is with Obama. His signature achievement, the Affordable Care Act, is one of the most grossly unfair pieces of legislation to become law in modern times.

Underwritten by a logroll among elite interests as varied as the drug manufacturers and the feminist left, it is an enormous redistribution of wealth from the young to the old, the healthy to the sick, without due regard to socioeconomic status.

The second problem with Obama's inequality agenda is more subtle, yet more pernicious. A narrow focus on economic inequality overlooks the fact that, over time, everybody's standard of living tends to improve. Andrew Carnegie, for all his wealth and power, never had access to penicillin, which today the

A narrow focus on economic inequality overlooks the fact that, over time, everybody's standard of living tends to improve. That is the 'magic' of Adam Smith's invisible hand. Looking at things through the historian's lens, it is clear that almost everyone wins with economic development.

poorest of the poor can get for free. And that's not all. Today's poor have access to nutrition, amenities, medical care, and knowledge that were scarce or nonexistent not that long ago. That is the "magic" of Adam Smith's invisible hand. Looking at things through the historian's lens, it is clear that almost everyone wins with economic development.

On the other hand, the game of political power is *necessarily* zero sum. Economic exchanges have the capacity to create wealth, which can accumulate in ways that make everybody better off eventually. Not so with power. Political transactions do not create new wealth, and political power is a commodity whose supply never changes. One side's gain must always be another's loss.

The Jacksonian Democrats were acutely aware of this. While Jackson's rant against the Second Bank was, at

its best, a tirade against inequality, the president's focus was more political than economic. Ditto the populists of the late 19th century. They were not looking to redistribute wealth via farm subsidies; rather, they wanted to redistribute the political power that had accumulated in the East.

By expanding government to deal with economic imbalances, Obama threatens to exacerbate the nation's already deeply unequal power relations. The Framers of the Constitution were careful to design a governmental structure that balanced institutions against powers, but subsequent generations sloppily altered the original design. Today, Washington, D.C., operates according to a perverted form of Madisonian pluralism: Public policy is deemed legitimate not because it measurably advances the common interest, but because all the active, organized interest groups in town have had a chance to influence it at the margins. This broken system—which Madison himself would find repellent—inevitably favors the organized over the unorganized, the defenders of the status quo over those seeking a change, and private interests over the public good.

The problem is now so bad that the federal government is arguably incapable of taking on any substantial project without treating groups differently, based solely upon their political connections. Obama entered Washington promising to change this process, but his four big achievements—the stimulus, the auto bailout, Obamacare, and the Dodd-Frank financial reform bill—only reinforced it. Why should we doubt that his efforts to deal with income inequality will only make the nation's political inequality worse? We do not have to read the story to know the plot: Under the guise of distributing wealth more evenly, Obama will favor key interest groups (vital to Democratic political success), and by centralizing more authority within Washington, D.C., he will enshrine those privileges in the law. This may or may not equalize the money in the wallets of the citizens (it probably won't), but it will

assuredly take political power from the people at large and hand it over to friends of Barack Obama.

A true equality agenda, which Obama is incapable of pursuing, would start where Old Hickory began. Acknowledging that inequality is a natural fact of human existence—after all, skills and talents are not equally distributed by God—it would concern itself with the ways in which our government is wont to “add ... artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful,” in the words of Jackson.

Those seeking to enact such an equality agenda through the federal government would approach the problem humbly, knowing that Uncle Sam has a way of being profoundly unfair, perhaps especially when passing laws with names like the Fair Labor Standards Act. They would therefore begin by reforming the way Washington itself does business, not only cleaning out the dirty pathways of power but acknowledging the structural limits of government’s ability to act for the common good. They would then focus on empowering individuals directly, rather than via bureaucrats or interest groups. Block grants to state and local governments (where the citizenry can exercise greater control), vouchers, and easily accessible tax credits are all ways to level the economic playing field as well as the political one, for they all can empower individuals to make their own life choices.

Of course, today’s Democratic party will offer nothing of the sort. Founded by Jackson as a coalition deeply suspicious of government, it evolved over a century ago into the party advocating the use of big government to solve problems. Today, it is now merely the party of government—and not just any government, but one whose constitutional framework has been twisted to concentrate wealth and power upon itself and its clients. Jackson’s party has come to represent everything that Jackson himself once opposed. ♦

Washington’s Blockheads

The perpetual adulation of Herblock.

BY ANDREW FERGUSON

Herblock: *The Black & the White*, a documentary about the editorial cartoonist Herbert Block, had its cable premiere on HBO last week, and we can expect repeated showings for many weeks to come, creating a low-buzz Herblock-fest interspersed dizzily among re-airings of *Girls*.

Block died in 2001, at the age of 91. Why the programmers at HBO think their youngish, modish, post-literate viewers will be interested in his life and work is anyone’s guess. But there it is: more than an hour and a half of one newspaper cartoon after another, with voiceovers from one Washington swell after another, testifying to what the *Washington Post*, in its review, called Block’s “uncanny sense of moral clarity.”

The *Post* was Block’s professional home for 55 years, so its reviewers have to say stuff like that. It’s certainly true that the documentary itself possesses a kind of clarity, and it would be a shame if younger viewers kept away merely because the show is a boring treatment of a subject they don’t care about. *The Black & the White* is fit for a time capsule. It offers a pristine view of a phase of Washington culture that, we can hope, is slowly drawing to a close.

For many years the house style of TV documentarians was borrowed from Ken Burns. No matter the subject, a sensitive viewer would have to run to the bathroom and crouch in the tub to avoid the elegiac music, the slow fades to black, the experts opining in half light, the phlegmy rumble

of the narrator, the autumnal footage of sunsets and sunrises reflected in glistening lakes and streams. Who knew that we would come to miss it? Nowadays TV documentarians take the History Channel as their model. What this means, aside from the absence of the narrator and a jerkiness in pacing, is dramatization: hired actors recreating the kind of scenes that Burns was content to leave more or less to the viewers’ imagination.

And so, on HBO, we must have young Herbert and his pudgy pa—filmed in black and white, to make it look authentic—huddled in the streets of 1920s Chicago; then Herb, still in black and white, as a young cartoonist-on-the-make at the *Chicago Daily News*; and finally, aged Herb in his office at the *Post*, in color at last. Aged Herb is acted by a man called Adam Mandell. He recites lines transcribed from Block’s books and press interviews. He looks a lot like Block, but not as much as Block did. The rules for the new house style must be strict indeed if the documentarians had to hire an actor rather than just use readily available footage from the cartoonist’s many C-SPAN interviews. And it doesn’t help that Mandell reads his lines from a teleprompter. He looks like he’s following the bouncing ball on *Sing Along with Mitch*.

But Mandell isn’t the star of this show anyway. Neither, oddly, is Herblock. The stars are the real-life personages who pop up to attest to Block’s greatness—his irreverence, his bottomless imagination, his moral courage in taking on the powerful and damn the consequences. They make quite a gallery, these personages. Aside from a pair of show-biz stars,

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Jon Stewart and the comedian Lewis Black, they are cave dwellers of the Washington/New York media racket, what's left of it. Most of them are face-famous, of course, and instantly recognizable, but you can also tell their stature from the things they actually make themselves say.

"It was as if Jesus himself were walking around the newsroom," says Hendrik Hertzberg of the *New Yorker*.

"He wasn't afraid of anybody," says CBS's Bob Schieffer. "He'd take all of 'em on."

"He was one of the most important journalists of our era," says the *Post*'s Eugene Robinson.

"He could see the future in a way that nobody else could," says Marilyn Berger, an old *Postie*.

A Herblock cartoon, says Tom Brokaw, "was like a punch in the face."

"You didn't want to be Herblock's enemy," says Ted Koppel. "He'd nail your hide to the wall."

"Herb exposed hypocrisy," says Bob Woodward.

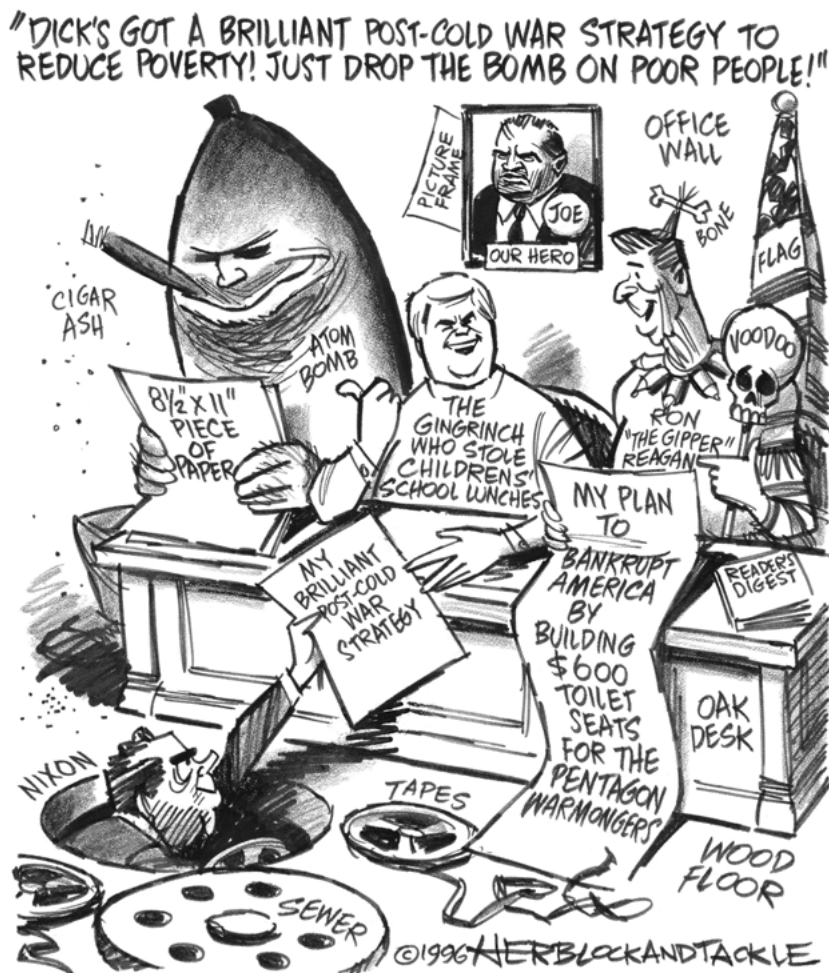
"Herb was the conscience of the country," says Roger Rosenblatt.

He was "irreverent," "fearless," "willing to offend"—so much a renegade indeed that he won three Pulitzer Prizes, got syndicated to 1,800 newspapers, mounted exhibitions of his work at the Library of Congress, and received the Presidential Medal of Freedom. This is a special kind of renegade.

But still they go on: "He gave voice to the voiceless . . . punctured pomposity . . . speaks to the best in us . . ." And here they keep coming: Ben Bradlee, Thomas Friedman, Jim Hoagland, Carl Bernstein, Richard Cohen, Mark Shields . . .

And just when you're thinking, Jeez, where the hell is Michael Bes—there he is! Michael Beschloss, talking about LBJ!

Herblock, Beschloss says, always drew Lyndon B. Johnson with large ears. Partly this was because LBJ had large ears. But the large ears were also what tipped you off that this was a cartoon about LBJ. Otherwise you might not have guessed. Block couldn't really make a drawing look



A January 1996 WEEKLY STANDARD parody of a Herblock cartoon, by Henry Payne

like a particular person; you learned to identify a Herblock caricature of, say, Gerald Ford, not because it resembled Gerald Ford but because it looked like Herblock's Gerald Ford caricature. He used a kind of shorthand: Richard Nixon was always unshaven, Ronald Reagan was wrinkly beneath a silly pompadour, Jimmy Carter had buck teeth, Truman had glasses . . . It must have made his job vastly easier.

This is a point that the documentarians and the cave dwellers conspicuously avoid, and sometimes deny outright: Block had only the most rudimentary talent for drawing. You'd think this would be a deal-killer for a cartoonist hoping to make a living, much less rise to the top of his trade, as Herblock did. But he found a couple ways around his deficiency. One

was prose: Since he couldn't capture things or ideas or persons through his draftsmanship, he would label them, with as much specificity and as many words as he thought were needed. A common gag from Block's prime—too subversive to catch the attention of the cave dwellers—went like this:

"Did you see Herblock today?"

"No, I was in a hurry. I only had time to skim it."

I think Joseph Sobran of *National Review* was the first to commit this joke to print. Sobran claimed to have counted an astonishing 87 words in a single Herblock cartoon, making it nearly a third as long as the Gettysburg Address. The number is perfectly plausible, even to judge by the cartoons the documentary itself shows as evidence of his skill.

Thick-lined, weighed down with

gray masses, the drawings lumber across the screen, and you have to hit the pause button if you want to read any one of them. Dickensian waifs get labeled “school needs” or “urban needs” or “needs of the poor” or “unmet needs.” Businessmen (“Big Business”) chomp cigars while four bandits appear labeled, respectively, “gun lobby,” “cigarette commercials,” “drug industry practices,” and “auto industry.” Vampire bats sweep across a skyline, their bellies covered in writing: “takeover tactics,” “raiders,” “greenmail specialists,” “junk bond finances,” and “stock manipulations.” (This must be Wall Street!) And there’s always a caption, too, another 15 or 20 words. “If you don’t get my meaning,” Block seems to be saying to his reader, “I’m going to make you sit here until you do.”

It was his politics, mostly, that lifted Herblock above his lack of technical skill to the Pulitzers and the medals and the honorary degrees. His ideas were as simple as his draftsmanship, and perfectly matched to the prejudices of the powerful journalists he hoped to please. The *Post* reviewer lists his big issues: “fascism, war, the bomb [presumably against], the environment, civil rights, lobbying reform [presumably for].” He didn’t get much more complicated than that. The crudity of his politics and the crudity of his draftsmanship were intimately connected.

“He was instructive by nature,” says Roger Rosenblatt, in one of the movie’s few instances of understatement. No one will doubt it. Why such a man would choose a trade that relies on subtlety and humor is another question the documentary can’t answer. He should have been a Wobbly, a sergeant in the Abraham Lincoln Brigade, a trade-union organizer, perhaps a professor of peace studies in a sweater vest, teaching junior college extension classes to immigrants and retirees.

Instead he became court jester to a class of complacent and powerful people who pretended to value the outrageous, the irreverent, the fearless. In the end Herblock’s only genuine qualification was that he hated the right people. Every court gets the Fool it deserves. ♦

In Iran We Trust?

If Tehran breaks its promises, we’re unlikely to know. BY GABRIEL SCHOENFELD

President Obama is rushing to implement the six-month interim agreement with the Islamic Republic of Iran that went into effect last week. Together with five other world powers, he is now working to negotiate a long-term agreement aimed at keeping Iran from developing a nuclear bomb. He regards his opening to Iran as a signature achievement of his presidency and has proudly declared that diplomacy opened

a path to “a future in which we can verify that Iran’s nuclear program is peaceful and that it cannot build a nuclear weapon.”

If we assume that negotiations do not collapse and some sort of long-term accord is struck, there will still be thorny questions. A preeminent one concerns Iranian compliance. How much confidence can we have that the ayatollahs will not press ahead with their nuclear program in clandestine facilities, as they have done in the past? And if they do press ahead, how much confidence can we have that our intelligence agencies will catch them?

Obama’s faith that “we can verify” Iranian compliance glides over the fact that the U.S. track record in unmasking covert nuclear programs is checkered at best. This is not because our intelligence agencies are incompetent—although sometimes they are—but

because the task is exceptionally hard. Just last week, a three-year study by a Pentagon subunit, the Defense Science Board, concluded that U.S. intelligence agencies “are not yet organized or fully equipped” to detect when foreign powers are constructing nuclear weapons or adding to existing arsenals. What is more, their ability to find “small nuclear enterprises designed to produce, store, and deploy only a small number of weapons” is “either inadequate, or “either inadequate, or more often, [does] not exist.”

Past intelligence lapses in the nuclear realm go back to the dawn of the atomic age and include a failure to foresee the first Soviet A-bomb test in 1949, the first Soviet H-bomb test in 1953, and the first Indian nuclear test in 1974. After the first Gulf war, the U.S. intelligence community was astonished to learn that Iraq was only months away from putting the final screw in a nuclear device. In the run-up to the second Gulf war, the CIA blundered in the opposite direction, declaring with high confidence—“a slam dunk” in CIA director George Tenet’s notorious phrase—that Saddam Hussein was developing nuclear weapons. He was not. More recently, North Korea constructed a uranium enrichment facility that, despite intense scrutiny by American intelligence, went unnoticed until the North itself chose to reveal it.

The case of Syria is especially pertinent to our efforts to monitor Iran. By the late 1990s, U.S. intelligence detected glimmerings that Syria might be embarking on some sort of nuclear project. But the agency had



Syria's camouflaged reactor

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trouble making sense of the evidence it was gathering. It perceived that North Korea was helping Syria with a joint venture involving North Korean nuclear experts, but as a senior U.S. intelligence official explained in a briefing, we “had no details on the nature or location of the cooperative projects.” By 2003, U.S. intelligence had concluded that the activity involved work at sites “probably within Syria,” but they “didn’t know exactly where.” The fog of intelligence had set in: “We had this body of evidence, kind of almost like a cloud of, boy, there is something going on here but we can’t get a whole lot of precision about it.”

By 2005, the United States had made more progress in determining what was transpiring. Satellite photos revealed a “large unidentified building under construction” set in a canyon in eastern Syria near the Euphrates River at a juncture called al Kibar. But American intelligence analysts could not say much more. All they had was images of a structure that was “externally complete,” but it was “hard to figure out, looking at that building, what its purpose is.”

One problem was that “it certainly didn’t have any observable, externally observable characteristics that would say, oh, yeah, you got yourself a nuclear reactor here—things like a massive electrical-supply system, massive ventilation, and most importantly a cooling system.” Another problem was that though the structure closely resembled North Korea’s plutonium reactor at Yongbyon, America’s highly skilled photo-interpreters could not connect the dots between the two facilities. The oversight was not their fault; the Syrians had erected curtain walls and a false roof to disguise the building’s shape and conceal typical features of a reactor. The multibillion-dollar, ultra-high-tech tools of U.S. intelligence were foiled by one of the most low-cost and ancient techniques of warfare: camouflage.

Only in 2007, just as the reactor was ready to be loaded with uranium fuel, did U.S. intelligence conclude that Syria had built a gas-cooled, graphite-moderated reactor. It reached this

judgment not by dint of its own collections efforts but thanks to incontrovertible evidence provided by Israel: photographs of the building’s interior. Under our eyes but without our seeing, the Syrians had come breathtakingly close to possessing an operational generator of the nuclear bomb ingredient plutonium.

“This was a significant failure on the part of U.S. intelligence agencies,” writes former defense secretary Robert Gates in his new memoir. Gates notes that “Syria for years had been a high-priority intelligence target for the United States” and that “early detection of a large nuclear reactor under construction in a place like Syria is supposedly the kind of intelligence collection that the United States does superbly well.” The failure clearly shook Gates and led him to ask President Bush: “How can we have any confidence at all in the estimates of the scope of the North Korean, Iranian, or other possible programs?” That was the right question to ask in 2007 and it remains the right question to ask about Iran today.

It is especially significant that the CIA was undaunted by its own lapse. After Israel presented the United States with photographs of the interior of the building at al Kibar, the CIA told President Bush that while it now had high confidence that the structure was a nuclear reactor, it still had low confidence that Syria was engaged in a project to develop nuclear weapons. The reason for the low confidence estimate: It had scoured Syria and not been able to locate or identify any other components of a Syrian nuclear program. This was not a conclusion without consequences. In the wake of the WMD intelligence fiasco that precipitated the second Gulf war, President Bush was reluctant to strike the Syrian reactor without a rock-solid CIA judgment behind him. Israel was not so reluctant. It destroyed the reactor in an air raid on September 6, 2007.

What does all this mean for our dealings with Tehran? “With respect to Iran, the Syrian episode reminds us of the ability of states to

obtain nuclear capability covertly,” is what U.S. intelligence itself has said about its own failure. But President Obama does not appear to take the reminder all that seriously. Even if inspectors were free to roam Iran at will, the ability of American intelligence to monitor a country whose territory is nearly 10 times larger than Syria’s would be in doubt. But under the preliminary agreement with Iran struck by President Obama in November, International Atomic Energy Agency inspectors are not free to roam at will; it appears they will be confined to those nuclear facilities that the IAEA already knows about.

In any longer term agreement with Iran, far-reaching and highly intrusive verification provisions are going to remain crucial. But even in the unlikely event that the United States and its negotiating partners persuade Iran to grant inspectors unlimited access to all potential nuclear sites on its territory, our ability to detect violations will still be limited. It may be difficult to conceal a large structure like a nuclear reactor from the lenses of American satellites (although Syria found it easy enough for a time). It is far easier to conceal facilities housing centrifuges for uranium enrichment, which can be underground and do not require the kinds of cooling facilities that reactors demand. The leaders of our spy agencies may boast of the kinds of intelligence collection that they have been reputed to do “superbly well.” But history shows that their tools are limited and their record spotty.

For more than 20 years, Iran has violated IAEA safeguard agreements, developed covert nuclear facilities, and sought to mislead the West about the scope and pace of its activities. As the American people weigh the value of an agreement with a regime that has a consistent record of cheating on international accords—not to mention lying, inciting hatred, terrorizing, and murdering—they would do well to understand that if the agreement is violated, we may not find out until it is far too late to rectify our oversight, for at that point, Iran will already have achieved its terrible goal. ♦

Top-down Parental Involvement

Another federal education boondoggle?

BY MARY GRABAR

Athens, Ga.
As the nation observed the 50th anniversary of President Johnson's War on Poverty in early January, the 2014 Georgia Family Engagement Conference here drew over 1,200 participants, up from 800 at the inaugural state conference in 2012. About a dozen states have held such confabs, pursuant to the "Parental Involvement" section of Title I of the Elementary and Secondary Education Act of 1965, an arm of the War on Poverty that sends federal funds to low-income-area schools in hopes of "equalizing" so-called educational outcomes.

About a third of the participants in the conference were parent volunteers; those I met were impressive in their dedication and length of service. Most in attendance, however, were professionals—state or local education officials, administrators of grant-funded nonprofits, education researchers, and so on.

An important thrust of the conference was to share strategies for fulfilling the federal mandates that go along with Title I money. Parental engagement receives 1 percent of the total Title I pot, which has risen from \$3.2 billion in 1980 to \$14.4 billion in the budget just passed. Naturally, that money comes with strings, many of them defined in legal jargon that is difficult for your average parent volunteer to understand.

Ken Banter, Title I director for the rural Peach County Schools, confirmed, "The monitoring piece with federal funds is humongous." A whole session—"What is a Title I School and What Does that Mean

Mary Grabar is a writer in Atlanta.

for My Child?"—was devoted to basic explanations from two Georgia Department of Education Title I specialists. Judy Alger asserted, "We know through research that poverty



Shouldn't the arrow be pointing down?

equals low performance" (though when I inquired about the research, she suggested Google). Therefore, Title I designation is "a good thing" for a school, sending it more teachers, more literacy and math coaches, more tutors, and more technology. But, Alger warned, "They give us money because they want to tell us how to do things." For instance, noted Kathy Pruett, under Targeted Assistance Programs, snacks are okay, meals not.

One string requires that parents be recruited to review the Comprehensive Local Education Agency Improvement Plan (CLIP). Ken Banter shared how he tried to make things easy for parents by dividing the 65-page CLIP into 2-page sections, preparing a 5-page handout on acronyms, and giving away donated book bags of school supplies to volunteers. As a result, he said,

participation in his 4,000-student district increased from 10 parents in 2012 to more than 150 in 2013.

CaDeisha Cooper, Title I director for the Candler County Schools, said of her summer leadership program, "What you do is what the law requires you to do." She makes a particular effort to translate the legal gobbledygook into simple language for parents.

The problem of parents' difficulty understanding government programs arose again at the only panel on the controversial new federally orchestrated education standards, "Giving Students a Chance: Understanding the Common Core Georgia Performance Standards." The panelists all represented organizations that support Common Core: Lisa-Marie Haygood and Donna Kosicki are president-elect and past president of the Georgia PTA, respectively, and Dana Rickman is director of policy and research at the Georgia Partnership for Excellence in Education. Kosicki led a word-association exercise on feel-good terms like "relevance." Haygood offered that "it is important to stop switching gears" and not abandon Common Core.

Rickman showed a number of slides demonstrating Georgia's lagging college readiness. When I asked how Common Core will help, Rickman replied, "It is *believed* that the new standards will lead to improvement" and directed me to the Fordham Foundation's website. Fordham, like the PTA, has received funds from the Gates Foundation, the biggest private funder of Common Core.

The conference drew dozens of vendors, many of them nonprofits. There was Building Positive Families, Watch D.O.G.S. (Dads of Great Students), and groups promoting health, art, and the prevention of drug abuse. Some paid a vendor fee to put on a workshop. At Family First's workshop, "Increasing Male Involvement and Engaging Dads in Schools," Andy Mayer described the group's services for schools, such as "All-Pro Dad" breakfasts and exercises that get dads (or father figures) "connecting," with prompts like, "I'm proud of you because. . ." Increased

MARY GRABAR

PTA membership is deemed a measure of success. The PTA is the primary booster of the Family Engagement in Education Act of 2013, which would provide no new funding but lots of new instructions for how to spend it—in the words of a PTA backgrounder, “a road-map for investment in sustainability of practice in family engagement in education” by schools, localities, and states.

The Athens conference was funded by nonprofit and for-profit vendors and exhibitors, as well as sponsors and registrants, according to Michelle Tarbutton Sandrock, parent engagement program manager for the Georgia Department of Education. Schools and districts, however, used Title I funds to send representatives to the gathering.

Georgia College economics professor Ben Scafidi says the costs to the public for parental engagement personnel and activities are difficult to isolate. What is clear, as he noted in his 2012 report “The School Staffing Surge,” is that the United States spends more than other nations on nonteaching staff. Between 1970 and 2010, nonteaching staff positions increased 138 percent nationally, while teaching positions increased 60 percent and student enrollment rose only 7.8 percent, according to the Heritage Foundation. How much did it help? Between 1992 and 2008, math scores for 17-year-olds remained constant, and reading performance declined.

Amid all the presentations and exhibits, conspicuously lacking was research establishing that government-sponsored parental involvement improves learning. When I asked Tarbutton Sandrock about this, she referred me to Karen Mapp of the Harvard Family Research Project and Anne Henderson, senior consultant for community organizing and engagement at the Annenberg Institute for School Reform at Brown University. Both are advocates for government-funded parental engagement.

Fifty years into the War on Poverty, a vastly expanded, federally funded bureaucracy works to manage parents’ involvement in their own children’s schools. Meanwhile, educational attainment stagnates and poverty grows. ♦

Let’s Move

A better approach to poverty.

BY ELI LEHRER & LORI SANDERS

President Obama’s State of the Union speech brimmed with ideas to increase upward mobility and spur job creation—most of which have been tried previously, without good results. From calling on Congress to raise the minimum wage to announcing the creation of six new “high-tech manufacturing hubs” centered around research universities, too many of these ideas flow from misplaced confidence in the ability of top-



Off to the Promise Zone—giddyup.

down government policy to steer the economy and lift the circumstances of those in poverty.

The same is true for another of the president’s initiatives: his newly unveiled “promise zones.” In designated areas with persistently high poverty rates, the president has pledged to offer more federal money, special attention, and streamlined regulations. Five communities have been targeted as the first zones with the possibility of up to 20 by the time Obama leaves office.

It’s an idea that some Republicans seem to like, and it recalls similar efforts launched by nearly every president of the past 50 years. And like those earlier efforts, it appears almost certain to fail. Whether it was Dwight Eisenhower’s “slum clearance,” Lyndon B. Johnson’s “model cities,” Ronald Reagan’s “enterprise zones,” or Bill Clinton’s “renewal communities,” the end

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result has nearly always been programs that most social scientists agree produced little net benefit. No matter how they are packaged, sold, or created and no matter who oversees them, what you might call “place-based relief” simply has not worked.

Successful cities and neighborhoods emerge from an interplay of cultural, human, and physical attributes that simply can’t be replicated by central planners. Neither the right’s approach of slashing taxes and regulation nor the left’s approach of creating a host of new social programs can remedy the fundamental causes of social ills. Even when such policies successfully foment change, the revitalization often displaces the poor individuals it was intended to help.

While some efforts to fix troubled areas—even those along the lines of the president’s promise zones—might be worth trying, we shouldn’t expect much of them. But one area where government has proven itself adept is in helping people to move. Public policy that aimed to help residents of shrinking, economically moribund communities with high rates of unemployment to relocate to growing, economically vibrant ones that face labor shortages would be far more productive.

Throughout most of American history, the down-and-out have proven remarkably willing to move in search of opportunity. In the mid-19th century, many easterners loaded wagons and headed west to establish homesteads. In the early 20th century, African Americans from the South fled bigotry and crop failures to make new lives in the industrial North.

While deep aspects of the national character may make Americans a foot-loose people, there’s little doubt that government policies often encouraged migration. President Abraham

Lincoln's 1862 Homestead Act (and amendments that modified the program through 1916) encouraged westward migration. Mandates on freight shippers that forced them to cross-subsidize railroad passenger tickets made it easier for northern factory owners to advance money to African Americans looking to come North. Even the Sunbelt's growth resulted in no small measure from the development of the Interstate Highway System and flood control efforts that were paid for with federal tax dollars.

But current policies don't promote mobility. In 2012, the U.S. Census Bureau found internal migration had hit its lowest levels since record keeping began in the 1940s. This decreased mobility hurts the country.

A wealth of research shows that people who move in search of work earn more money and find better opportunities. The Moving to Opportunity Program, championed by Jack Kemp and the Clinton administration, produced good results when it helped move people from lower-income to higher-income neighborhoods. A recent study from Harvard and the University of California, Berkeley, likewise finds certain cities allow for far more income mobility than others. Moving really can provide better opportunities than staying put.

Rather than continuing efforts at place-based relief, the federal government ought to do what it can to encourage people to move from places that lack opportunities to those that offer them in abundance.

Efforts should begin with the most obvious incentive: direct cash grants to help people move. Moving a four-member household to a different part of the country generally costs about \$5,000, presenting a significant barrier to mobility. Using "mobility grants" paid through the unemployment system, states could allow unemployed people with modest resources to take a lump-sum distribution of future unemployment benefits to help pay moving expenses. Since many dependents of the unemployed receive costly benefits like Medicaid, this sort of program could provide a net savings even

if the relocation grants cost slightly more than the unemployment benefits would have.

Encouraging relocation also offers an alternative to making the supposedly temporary extension of unemployment benefits (from 26 to 99 weeks) permanent federal policy. Since skills tend to atrophy during long periods of unemployment, such a system would serve the unemployed themselves better than Democrats' desired course.

There's reason to believe a well-structured relocation voucher could work. In a limited experiment in the 1970s, 40 unemployment offices across the South offered cash assistance as well as help to those willing to search for work in other states. The program didn't force anyone to relocate but allowed individuals to indicate their willingness to relocate when signing up for benefits. Different offices offered varying levels of assistance; those with the most thorough counseling and benefits experienced the highest success rates. The program worked well for the young, the less educated, and for African-American males, groups that often have the hardest times finding jobs in the current economy.

In the longer run, we should consider restructuring policies that currently provide powerful incentives to stay in place. In particular, since nearly all social assistance programs are administered at the state level, the proliferation of more and more programs provides greater and greater incentives not to move.

Even the mostly federal Medicaid and the Supplemental Nutrition Assistance Program (better known as food stamps) have different eligibility criteria and application processes in every state, making the decision to move, and the need to reapply for each, very expensive. Making these benefits simpler and more portable would encourage mobility. Obviously, the aim of taking work in a new location is to no longer need such benefits. But for some, the risk of a temporary loss in benefits is a high hurdle.

The best solution might be to "cash out" as many of these benefits as possible into an expanded version of what's

already the largest antipoverty program: the Earned Income Tax Credit. The EITC, which rebates employer and employee payroll taxes to people with modest incomes, has virtually perfect incentives. Because it is administered through the federal tax code, it's also entirely portable. That said, it remains quite modest. A single person with no dependents gets less than \$500 in EITC. Making the credit larger—even expanding it into a full-fledged "negative income tax"—could promote mobility.

Finally, housing policy should move away from prioritizing homeownership as strongly as it does currently. Moving people into homes they cannot afford does no good for anyone. Even worse, it discourages mobility. In all but the hottest real estate markets, selling a house or apartment is much more difficult than moving out of a rental. In many distressed areas, individuals now find themselves trapped "upside down" by loans with balances that exceed their home's resale value. This makes moving impossible.

Instead, housing policy could do more to help people find good, affordable rental properties. High housing costs in areas with rapid job growth are a major barrier to individuals relocating there. Programs that can mitigate those costs would be a step in the right direction.

Evidence continues to mount that the mortgage interest deduction does little to increase homeownership rates. Capping the deduction at \$400,000 in home value (about twice the U.S. average) would free up billions of dollars that could be used to make rental costs deductible for low-income people.

President Obama's latest effort at place-based poverty relief is unlikely to work any better than similar programs liberals and conservatives alike have already tried. Government simply cannot create successful communities. But government policies can encourage people to move. To help lift the poor who are trapped in failing communities, conservatives and liberals alike can return to America's roots: an antipoverty agenda founded on geographic mobility. ♦

'Kelo' Revisited

Properties were seized and a neighborhood razed in the name of 'economic development' that never came

BY CHARLOTTE ALLEN

New London, Conn.

“See that pole with the transformer hanging from it?” Michael Cristofaro asked me. “That was where my family’s home was.”

I looked up at a line of high telephone poles marching diagonally against a blanced winter sky across a vast, empty field—90 acres—that was entirely uninhabited and looked as though it had always been that way. New London, population 27,000, a rundown onetime whaling port on the Atlantic coast that never recovered after the whaling industry died at the end of the 19th century, is a desolate-looking city. Cristofaro, a 52-year-old New London-born computer network engineer, and I were in its most desolate neighborhood—actually, ex-neighborhood, for there was not a residential property left standing on the entire tract. Just below us lay the mouth of Connecticut’s Thames River (unlike in London, “Thames” rhymes with “James,” and the “th” is pronounced as in “thumb”) where it joins the northerly end of the Long Island Sound. An icy New England January wind—cold enough to freeze the ink in my ballpoint pen into a gray, spidery scrawl as I scribbled notes—ripped across the only signs of life, actually former life, on the deserted incline: waist-high dead weeds, probably the remains of the goldenrod, yarrow, pokeweed, and high grass that grow everywhere during warm months on the North Atlantic coast.

Cristofaro and I were walking through a section of

Charlotte Allen, a frequent contributor to THE WEEKLY STANDARD, last wrote on Silicon Valley.

New London called Fort Trumbull, a fist-shaped peninsula jutting out into the Thames. It is the battleground of what must be the most universally loathed Supreme Court ruling of the new millennium, *Kelo v. City of New London* (2005). The case is named after its lead plaintiff, Susette Kelo, a nurse who had owned a home a few blocks away from the Cristofaro house. The Supreme Court voted 5-4 to uphold a Connecticut Supreme Court ruling that the city of New London and a nonprofit quasi-public entity

that the city had set up, then called the New London Development Corporation (NLDC), were entitled to seize, in a process known as eminent domain, the homes and businesses of Kelo, the Cristofaros, and five other nearby property owners in the name of “economic development” that would generate “new jobs and increased revenue,” in the words of since-retired Justice John Paul Stevens, author of the majority opinion.

That is, the city and the NLDC were entitled

to condemn and then bulldoze people’s homes solely in order to have something else built on the land that would produce higher property taxes—such as the office buildings, luxury condos, five-star hotel, spacious conference center, a “river walk” to a brand-new marina, and high-end retail stores that were part of an elaborate “economic development” plan for Fort Trumbull that the NLDC had launched in 1997. The Constitution’s Fifth Amendment bars governments from taking private property unless the taking is for a “public use.” Historically “public use,” as courts had interpreted it, meant a road, a bridge, a public school, or some other government structure. But in the *Kelo* decision, the High Court majority declared that “economic development” that would involve using eminent domain to transfer the property of one private owner



Fort Trumbull (at right) and neighborhood before the razing of houses

to a different but more economically ambitious private owner—such as a hotel—qualified as a public use just as much as, say, a new city library.

The nationwide outrage that followed in the wake of the *Kelo* decision spanned from left to right and back again on the political spectrum. It didn't help that one of the chief beneficiaries of the NLDC's economic development plan would have been the pharmaceutical giant Pfizer, Inc., which New London had lured into the city via an 80-percent, 10-year property-tax abatement for a \$300 million research facility—an expansion of the company's research operations in Groton, Connecticut, across the Thames. The properties seized from Kelo, the Cristofaros, and others would be adjacent to Pfizer's facility. It also didn't help that Susette Kelo, a feisty working-class woman who had raised five sons and put herself through nursing school by working as an emergency medical technician, was an appealing lead plaintiff, and that her 900-square-foot Victorian house, lovingly refurbished by Kelo and painted a vintage shade of salmon pink with white trim, was a showplace of devoted homeownership.

Nor did it help that the Fort Trumbull tract where the razed homes once stood never did get built on, despite a \$78 million incentive package from the state of Connecticut. In 2008, after the nationwide real-estate bubble burst, the construction company, Boston-based Corcoran Jennison, that the NLDC had engaged to develop the site announced that it couldn't obtain enough financing for the ambitious enterprise and pulled out. In 2009 Pfizer itself left New London, abandoning its new digs only eight years after the building had been completed. In 2010 Pfizer sold the New London facility for a reported \$55 million—a small fraction of what it had spent to build it—to General Dynamics's Groton-based Electric Boat division, a submarine manufacturer. Few of the 1,400 or so Pfizer employees who worked there had chosen to live in New London, so its contribution to the city's economic base had always been questionable.

After *Kelo*, more than 40 state legislatures passed laws

that banned or restricted the use of eminent domain for the purpose of economic rejuvenation, especially when it meant displacing homeowners. At least seven states amended their constitutions to ban the use of eminent domain for economic development, and some state courts explicitly rejected the *Kelo* ruling as precedent for interpreting those states' own taking laws.

The *Kelo* decision inspired ideological mass confusion, as when then-Democratic National Committee chairman Howard Dean declared in 2005 that the *Kelo* ruling had been all the fault of President George W. Bush. "The president and his right-wing Supreme Court think it is 'okay'

to have the government take your house if they feel like putting a hotel where your house is," Dean announced at a college rally.

In fact, the Supreme Court's conservative bloc—the late Chief Justice William Rehnquist, the now-retired Justice Sandra Day O'Connor, and Justices Antonin Scalia and Clarence Thomas (none of whom was a Bush appointee)—had *dissented* from Stevens's majority opinion. It was the High Court's liberal faction—Stephen Breyer, Ruth Bader Ginsburg, and the since-retired David Souter—along with swing-voter Anthony Kennedy—who had formed the narrow majority. O'Connor's dissenting opinion was particularly scathing.

"Today the Court abandons [the Fifth Amendment's] long-held, basic limitation on government power," she wrote. "Under the banner of economic development, all private property is now vulnerable to being taken and transferred to another private owner, so long as it might be upgraded, *i.e.*, given to an owner who will use it in a way that the legislature deems more beneficial to the public—in the process."

Susette Kelo and the other plaintiffs had been represented by the Institute for Justice, a libertarian public-interest law firm headquartered in Arlington, Virginia. The city of New London and the NLDC were represented by Wesley W. Horton, a prominent civil-rights lawyer in Hartford, Connecticut, who had some years earlier won a landmark ruling from the Connecticut Supreme Court



The 'after' shot, September 2013

that de facto racial segregation in Hartford-area schools violated the state constitution.

The *Kelo* decision did not come out of the blue, constitutionally speaking. In a 1954 decision, *Berman v. Parker*, the High Court had ruled unanimously, in an opinion written by William O. Douglas, perhaps the most liberal justice ever to sit on the Supreme Court, to uphold the power of a redevelopment agency created by Congress to seize and demolish almost the entire Southwest quadrant of Washington, D.C., on the ground that it was a “blighted area” and “blighted areas . . . tend to produce slums.” Blight removal was a “public use,” according to Douglas—and from there it was only a short step to economic development as a public use. The *Berman* and *Kelo* rulings affirmed a particular kind of liberal vision: that large-scale and intricate government plans trump individuals’ property rights. The *Berman* case involved a thriving department store in Southwest that could not in any way have been said to be a slum property and whose owners wanted it to stay where it was—just as Susette Kelo and the Cristofaros wanted to stay where they were. The only thing to be said for the *Berman* decision is that Southwest did eventually get rebuilt—although in a blockish, Brutalist fashion that made many architectural critics nostalgic for the old days of “blight.”

Still, my visit to New London on two subfreezing days in January revealed that the story of the *Kelo* case was something more than the story of a particularly nasty and overbearing abuse of either eminent domain or government power in general. It was also a tragedy, with all the classical Greek elements: hubris, turn of fortune, cathartic downfall, and possibly the “learning through suffering” that Aristotle in his *Poetics* argued was the point of tragic drama. Possibly but perhaps not likely: During the five years since Pfizer left New London, the city has placed its hopes in two more grandiose plans for Fort Trumbull and its environs that never materialized, and it may be poised to embark on still another. The story of the *Kelo* case is in part the story of a city so desperate, so economically beleaguered, that it was willing to try anything to bring a few more residents, a few more revenue dollars into its boundaries.

‘**Y**ou have to understand that the case was seen in a very different way on the local level from the way it was seen on a nationwide level,’ Daryl J. Finizio, 36, Democratic mayor of New London since 2011,

told me in an interview in his office in New London’s City Hall. The Beaux-Arts City Hall, completed in 1912, was, like most of the other buildings along State Street, New London’s main commercial strip leading downhill to the Thames, opulent in conception and almost irredeemably decrepit after more than a century of straitened finances and daily wear. The four elegant Corinthian columns that rose to span most of its meticulously carved three-story granite façade contrasted with cracked tile floors, chipped wall-paint, and stained marble moldings inside.

“On the local level the case was about taxation and corporate development,” Finizio, a lawyer who taught at Boston’s Northeastern University, said. “Then, when it got to court, it became a matter of constitutional law, of limits on government power. There, it was not a debate about what was debated about here: economic development, lower taxes, and corporate growth. There were a lot of people on the south side of the city who were tired of paying high property taxes, and they felt that something had to be done. My response to that has always been: If your taxes are too high, you need a smaller house. You don’t have a right to bulldoze someone else’s house.”

All of Connecticut’s larger cities—not just New London but New Haven, Bridgeport, and Hartford as well—have serious economic problems, but New

London may well be the worst off of them all. Its very geography seems to have conspired against it. It is only 11 square miles in area, and almost half of that is water. Settled in 1646, it lost all its potential for suburban expansion in 1801, when the farmers on its outskirts voted to form their own 33-square-mile town, Waterford, which now, with a population of 19,000, surrounds New London on all landward sides. Thanks to its natural deepwater harbor, New London boomed during the 19th century, when it was America’s second-largest whaling port after New Bedford, Massachusetts. Whale-oil wealth shaped the city. Its Latin motto, blazoned in a vivid mosaic on the vestibule floor of City Hall, was *Mare Liberum* (“the free sea”), accompanied by an image of a proud Yankee clipper in full sail. The whaling captains and the merchants and manufacturers who prospered alongside them crammed New London with oversize, often magnificent Victorian houses. The cone-shaped Gothic Revival spires and finials of some 33 stone churches built during that seagoing century still pierce the sky. The imposing Episcopal church downtown,

The story of the ‘Kelo’ case was also a tragedy, with all the classical Greek elements: hubris, turn of fortune, cathartic downfall, and possibly the ‘learning through suffering’ that Aristotle in his ‘Poetics’ argued was the point of tragic drama.

St. James, constructed in 1853 out of sienna-colored rusticated freestone, boasts glorious Tiffany-glass windows.

The last whaling ship sailed out of New London in 1909. After that, the city had a brief flourishing as a manufacturing center, but most of the mills closed down during the Depression. Following World War II serious decline set in. The postwar construction of the I-95 expressway along the East Coast split New London in two. In another postwar demographic trend, homeowners began moving out to the suburbs, which often meant Waterford. Retail shopping followed them, to newly constructed malls alongside I-95, mostly outside the city limits, eroding the downtown tax base and killing off downtown stores. Swaths of stately Victorian houses turned into peeling-paint rentals.

The city's low-income minority population surged; the city is now 28 percent Hispanic and 17 percent black. The median household income in New London is \$44,000, 38 percent lower than the state average of \$70,000. The unemployment rate is a sky-high 12 percent, and the percentage of poverty-level households is more than double the state average. The public schools are regarded as some of the worst in Connecticut. As if that weren't enough, New London's prime location astride I-95 has made it a regional base for narcotics traffickers ferrying their wares to New York City some 120 miles south and to Rhode Island and Massachusetts up north. Police raids on heroin and cocaine rings run by Dominican immigrants are a staple of New London news. NeighborhoodScout, a housing-search firm, has listed New London as the 35th most dangerous city in America because of its high crime rate.

By 1990 the state of Connecticut had declared New London a "distressed municipality," and the intervening 24 years have done little to change that image. State Street downtown is a long row of handsome and mostly empty storefronts. The once-luxurious Mohican Hotel, designed in 1898 by William H. Tuthill, the architect of New York's Carnegie Hall, closed in 1971 and is now apartments for senior citizens. The main thriving businesses in downtown New London seem to be taverns, tattoo parlors, and, because a Connecticut Superior Court district is headquartered in New London, law offices. The city has no lack of prestigious institutions: historic churches, three colleges including the U.S. Coast Guard Academy, and the Lawrence+Memorial Hospital, affiliated with Yale.

All are nonprofits, however, meaning that they pay no property taxes. Indeed, more than 50 percent of the land in New London isn't on the tax rolls. That has tended to concentrate the city's tax base into its single upscale residential neighborhood, the blocks of spacious and spiffily landscaped 19th-century houses clustered around Ocean Park Beach at New London's far southern tip. As might be expected, many of those residents have long resented having to pay for the operations, including massive social services, of a city they believe has been poorly managed and runs perpetual budget deficits.

Since the 1970s New London has struggled, usually futilely, to bring in new business ventures—or failing that, federal and state subventions—to shore up its precarious balance sheet. Because there has always been

a paucity of vacant land in this tiny, thoroughly built-up city, the new ventures have often involved using eminent domain to seize and demolish existing Victorian-house neighborhoods. Several blocks' worth of Victorians just east of downtown New London met the bulldozer during the early '70s to make way for a large-scale federally subsidized housing project. The visually unattractive apartments quickly became a crime-infested no-man's

land whose violence spilled over into downtown streets. Another group of felled Victorians made way for a failed industrial park. Michael Cristofaro's parents, Pasquale and Margherita Cristofaro, who had emigrated to New London from Italy just before their son's birth in 1962, saw their first house and all its neighbors leveled via eminent domain in 1971 because the city of New London had plans to build a seawall on their properties. The land sat vacant for five years and now houses a nondescript office building. So desperate for revenue was New London in 2010 that the city council voted to sell half of the city's attractively designed but indifferently maintained 18-acre Riverside Park on the banks of the Thames to the Coast Guard Academy next door in order to raise a badly needed \$2.9 million. Only a citywide referendum in November 2011 managed to save the park by a hair's-breadth 19 votes.

It was in this context—this mix of fiscal and economic destitution, hopes of somehow turning New London around at last, and a tradition of trigger-happiness when it came to eminent domain—that the city latched upon Fort



Susette Kelo and attorney Scott Bullock, February 2005

Trumbull during the late 1990s as the site that could produce its salvation. When I called Wesley Horton, the Hartford lawyer who represented both the city and the NLDC before the Supreme Court, he directed me to a concurring opinion in the *Kelo* case by Justice Kennedy, which described “a comprehensive development plan meant to address a serious city-wide depression.” Horton said, “This was a poor city. It was desperately poor. The plan wasn’t developer-driven. The city didn’t even have a developer until it came up with the plan. New London was trapped in a problem that’s peculiar to New England. There aren’t any suburbs in New England.”

Fort Trumbull is physically separated from the rest of New London not just by geography but by a railroad line, part of the Amtrak and freight routes from New York to Boston, that marks its western boundary. The “Fort” of Fort Trumbull, on the southern end of the peninsula, had been a Revolutionary War site, sacked by British troops led by Benedict Arnold in a bloody battle in 1781 that burnt down most of the city. A headquarters for Union troops during the Civil War, the fort was ideally positioned with a stereoscopic view of the Thames mouth and the city of Groton right across the river. Much later, after World War II, Fort Trumbull served as the site of the Naval Undersea Warfare Center until that base was closed in 1996.

Even during its heyday—probably the 1920s, when more than 150 families lived there, and it was a close-knit Italian neighborhood—the Fort Trumbull area was never much to look at. “Working-class” was the delicate way that Cristofaro phrased it to me. The fort itself had been a tumbledown ruin for decades, and much of the rest of the peninsula was marred by defunct manufacturing operations that had despoiled their grounds with rubble and pollutants. The 24 waterfront acres where Pfizer built its research facility in 2001 had been a demolished linoleum plant. Nearby was the Calamari Brothers Co., an equally unaesthetic scrap-metal junkyard. The city of New London had placed its sewage-treatment plant on the peninsula, a cess-pool-level facility that smelled like . . . raw sewage.

Still, even though the Fort Trumbull neighborhood had dwindled to about 75 families by the late 1990s, they were poor but proud, and their properties could scarcely be called “blighted.” Many of the houses had been in the families that owned them for generations, and their elderly owners kept tidy lawns and gardens. Pasquale Cristofaro had lovingly landscaped his yard with rhododendrons and other ornamental shrubs and plantings. The elder Cristofaros eventually moved while retaining title to the house, but “my oldest brother raised his three kids in that house,” said Michael Cristofaro. “And then my second-oldest brother lived there with his two kids. It was a kind of starter house for my family.” Susette Kelo bought and fixed

up her pink house directly across the street from the fort in 1997 because she was enthralled by its majestic view of the Thames. There were solid neighborhood businesses: a bakery, a market, a deli, a grinder shop and restaurant (owned by another of the *Kelo* plaintiffs, Billy Von Winkle), a body shop. There was also a church.

The plan to convert this unprepossessing patchwork into an upmarket venue for tourists and condo-dwellers was a three-way operation involving the city of New London, the NLDC, created by the city in 1978 but mostly dormant until the late 1990s, and the state of Connecticut. The governor at the time, John Rowland, was a Chris Christie type: a Republican with the common touch who had succeeded politically in an overwhelmingly Democratic state. (Rowland’s political career came abruptly to an end when he went to federal prison in 2005 for having state contractors do free work on his home.) Rowland was an enthusiast for redevelopment, and it was he who pushed through the state’s \$78 million worth of support for the Fort Trumbull project. Veteran investigative reporter Jeff Benedict, in a thoroughly researched 2009 book about the *Kelo* case, *Little Pink House: A True Story of Defiance and Courage*, argues that there was a fourth shadow player: Pfizer, which implicitly exacted the total transformation of Fort Trumbull as a condition for moving into New London. The idea was that Pfizer executives and the scientists who would be visiting the research facility would be the primary beneficiaries of the hotel, the conference center, the condos, and the generally upgraded neighborhood.

In a footnote to his majority opinion in *Kelo*, Justice Stevens rejected this contention, reiterating that the “development plan was not intended to serve the interests of Pfizer, Inc., or any other private entity, but rather to revitalize the local economy by creating temporary and permanent jobs, encouraging spin-off economic activities and maximizing public access to the waterfront.” Still, it couldn’t help but be noticed that a Pfizer executive, George Milne Jr., head of the company’s research operations, was a board member of the NLDC. Or that David Burnett, husband of the NLDC’s chairman, Claire Gaudiani, then the president of Connecticut College, one of New London’s three institutions of higher learning, worked under Milne at Pfizer. In a 2001 interview with the Hartford *Courant* that he undoubtedly later regretted, Burnett said, “Pfizer wants a nice place to operate. We don’t want to be surrounded by tenements.”

Using the state funding supplied at Rowland’s behest, the city of New London modernized its sewage-treatment plant to remove the stench and did a thorough cleanup of the linoleum-plant site. The fort got restored and its site turned into an attractive state park. The Calamari junkyard sold out in 1998 and moved to Essex, Connecticut. “It’s a

gorgeous piece of property,” Tony Sheridan, president of the Chamber of Commerce of Eastern Connecticut, pointed out during an interview in his office in Waterford. Sheridan believes that New London made the right decision in accommodating Pfizer “despite all the mistakes that were made in the past—the public wasn’t given sufficient time to raise a lot of issues. New London is the biggest winner of all. That property was highly polluted, with the scrapyard and the old linoleum plant. Between Pfizer and the state government, they made it clean and usable.”

New London’s City Council had voted to grant to the NLDC the power of eminent domain, and the NLDC began to wield it as a reserve club for Fort Trumbull property owners who did not wish to sell at the prices it was offering for their homes and businesses. (The Fifth Amendment requires that owners be paid “just compensation” for government-seized property, but that can be at the low end of the market.)

The NLDC might have won its case in the courts of law, but it did everything to lose it in the court of public opinion, its critics alleged: having real estate agents harass elderly Fort Trumbull owners on the telephone; showing up on their front porches waving contracts as they were sitting down to their Italian Sunday lunches; in the case of Billy Von Winkle, locking the tenants out of a Fort Trumbull apartment house he owned; trying to extract “rent” from those who resisted on the theory that the NLDC already had title to their properties; and immediately bulldozing the homes of everyone who sold, so as to isolate the seven holdouts psychologically and physically. All these tactics were reported gleefully in the *Courant* and the *Day*, New London’s daily newspaper. Cars reportedly started sporting bumper stickers reading “The City of New London took my house, and all I got was this lousy bumper sticker.”

Most galling of all, in Cristofaro’s opinion, the city and the NLDC, while insisting that nearly all of the 90 acres be clear-cut, agreed to spare one property from the wrecking ball: a worn 1922 magenta structure perched on one edge of the tract that hosts the Italian Dramatic Club, a private social club for eastern Connecticut’s political elite. “How about that?” Cristofaro said bitterly as we drove past it. “I call it the ugly pink Quonset hut.”

“The Italian Dramatic Club got to stay, but all the Italians had to go,” Scott Bullock, the lead lawyer from the Institute for Justice in the *Kelo* case, said in a telephone

interview. “These people weren’t NIMBY people. They said: We need redevelopment, but we just want to be part of it. It would have been easy just to incorporate what was already there. They could have built around them. Those properties were on tiny lots—one and a half acres in total in two small sections of 90 acres. That’s the trend these days: infill. In the old days you tore down everything, but then planners recognized: Let’s not destroy history. Let’s blend the old with the new. Why did New London stick to the old model? The answer is: They wanted something big and grand.”

After the Supreme Court ruling and the cyclone of negative publicity that whirled about all things New London in its aftermath, a rift grew between the city council and the NLDC and also between the city and Connecticut’s new Republican governor, Jodi Rell, who had succeeded Rowland and didn’t approve of the way eminent domain had been used in Fort Trumbull. At Rell’s prodding and with \$4.1 million in state funds, the city paid settlements to the *Kelo* plaintiffs to get them off their properties without having to undergo another round of nationwide embarrassment by having marshals drag them from their homes. Susette Kelo and the Cristofaros, who held out the longest, got nearly half a million dollars apiece. Kelo



The relocated Kelo house

was allowed to have her pink house disassembled and then reassembled on a lot in downtown New London as a monument to her struggle. She moved to Groton. The Cristofaro house was bulldozed in 2007, but New London, at Michael Cristofaro’s insistence, placed a plaque on a bluff overlooking the Thames in memory of his mother, Margherita, who had died in 2003, while the lawsuit was pending (Pasquale Cristofaro died in 2009). Michael Cristofaro, who had lived in New London all his life, moved to Waterford.

In the end, though, it is hard to say exactly what the universal denunciation of the *Kelo* ruling accomplished over the long run. Eminent domain in the name of economic development ought to be dead letter, but it is in fact alive and well. In 2006, a year after *Kelo*, New York City mayor Michael Bloomberg unveiled the Atlantic Yards Project, a massive mixed commercial/residential/recreational use project, including 16 high-rise buildings, for 22 acres in Brooklyn’s Prospect Heights, an already gentrifying neighborhood that needs no public boost—all to be financed in part with some \$2 billion in taxpayer aid. The city used eminent domain to demolish well-maintained condominiums

over the protests of their residents. Thanks to the real estate collapse, ground was not broken until 2012, and large portions of the project may never be built. In California two measures—a ballot initiative and a pending bill in the state senate—would, among other things, broaden the definition of “blight” for eminent domain purposes and revive in altered form the state’s local redevelopment agencies, which used to receive up to 12 percent of state tax revenues until California governor Jerry Brown abolished them in 2011. The redevelopment agencies were notorious for their failure to generate actual economic improvement.

As for New London itself, it seems to be back to something big and grand. The NLDC changed its name at Mayor Finizio’s instigation to the more upbeat Renaissance City Development Association (RCDA), and some members from the *Kelo* era resigned. In July 2010 the Yale Design Workshop, at the city’s request, unveiled an elaborate schema for Fort Trumbull that included restaurants, offices, art galleries, artists’ studios, a resort hotel, a visitors’ center, a heritage trail, a seafood market, an “entertainment zone,” an indoor athletic facility, and an unnamed “cultural institution,” plus bicycle lanes, water taxis, and a pedestrian bridge to downtown New London. The money for all this was to come from “Private, Local, State, and Federal funds,” according to the Yale team. In July 2012 a development firm, River Bank, selected for Fort Trumbull in 2009, unveiled its proposed “Village on the Thames,” a \$24 million, 103-unit townhouse development. As with Pfizer, the city council granted River Bank a substantial tax abatement. In May 2013 Mayor Finizio’s office announced that a scheduled groundbreaking for the Village on the Thames would be postponed, because River Bank had failed to obtain adequate financing. A few days later the RCDA declared that River Bank was in default on its development contract. No more has been heard about the Village on the Thames.

Meanwhile New London’s financial problems have continued unabated. Finizio swept into office in 2011 in a nearly 2-1 victory over his Republican opponent, on the promise of bringing a fresh start to the beleaguered city (he apologized to all the *Kelo* plaintiffs, calling the decision a “black stain”). But in 2012

voters soundly defeated his first major measure: a 20 percent property tax increase. Recently the *Day* reported that New London faces a \$1.4 million deficit in its current \$40.8 million general budget, coupled with further dilapidation in City Hall: a broken steam pipe on the first floor, a five-foot hole in the ceiling of a second-floor office where a sewer pipe ruptured, and lack of hot water in some of the bathrooms, moisture in the basement, and mold growing over some interior walls.

Finizio’s plans for saving New London seem to be lifted from the pages of Richard Florida’s 2002 “New Urbanism” classic, *The Rise of the Creative Class*. One of Florida’s theories is that decaying urban cores can turn themselves

around by rebranding themselves as magnets for “the creative core”: the hip, the artistic, the poetic, the tech-savvy, and the gay, on the theory that those types generate prosperity by making urban centers fun to live in. A few months ago Finizio endorsed New London’s first-ever gay pride festival, scheduled for sometime later this year, telling the *Courant* that it would be an “economic boon” to the city. I also

noticed that downtown New London’s Bank Street, running along the Thames waterfront, seemed to be defining itself as a Florida-inspired arts district, with puffy installations filling the windows of the aging storefronts.

For Fort Trumbull, Finizio also has creative-class visions: “tiny houses”—those grass-hut-size dwellings on micro-lots that are currently the rage among green types and simplicity buffs. “There are a lot of people concerned with environmental self-sufficiency,” he told me when I interviewed him. “You’re looking at a neighborhood that’s been destroyed in order to satisfy someone’s expensive vision—condos, hotels. What hasn’t been tried is a real neighborhood. This would be an opportunity to redo Fort Trumbull as a national first—a green, integrated mid-rise community. There would be green tech, LEED-certified buildings, solar power. It would be a green, self-sustaining neighborhood.” Finizio also expressed the hope that the city of New London could ultimately take over title to Fort Trumbull from the RCDA, with its quasi-private status. “There should be direct public ownership of that property,” he said.

More big and grand, I thought. Another New London adventure in eminent domain. *Mare liberum*. The sea is free. But not Fort Trumbull.



The ultimate in green-friendly development?

DANIEL DRES



Thomas Eagleton, Hubert Humphrey, George McGovern, Edmund Muskie (1972)

Opiate of the Elites

The gentrification of the American left. BY VINCENT J. CANNATO

After the 2012 election, Mitt Romney's loss prompted questions about the future of conservatism. A year later, the ongoing drama of Obamacare's failures has seen similar concerns voiced regarding the future of liberalism. So what, exactly, do we mean when we talk about "liberalism"? Conservatives used to equate it with the New Deal and Great Society, with the social and cultural liberalism of the late 1960s mixed

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The Revolt Against the Masses
How Liberalism Has Undermined the Middle Class
 by Fred Siegel
 Encounter, 240 pp., \$23.99

in. Recently, conservatives have dug deeper and found a different foundation for modern liberalism: the Progressive movement of the late 19th and early 20th centuries.

The assault on progressivism started with the writings of people associated with the Claremont Institute, like political scientist Ronald Pestritto, and reached a wider audience with Jonah Goldberg's *Liberal Fascism* (2007). These

writers explain how "progressives" turned away from older notions of individualism and believed that the Constitution was an increasingly archaic document in a modern industrial world. Progressives looked admiringly at Germany and other strong European states and built up an increasingly unaccountable administrative state to run the federal government. According to the Claremont school, liberalism does not consist of the stereotypically touchy-feely brand of politics we usually associate with it. Rather, it is more a corporatist alliance of big government and big business than a movement for reform and social justice.

The great contribution of the Clare-

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most writers has been reminding people that state power and social control are at the heart of modern liberal thought and that such power is too often dismissive of constitutional restraint and sometimes veers into authoritarianism. However, they miss a turn in liberal progressivism after World War I: The scars of war disabused many Americans of their positive feelings for government. For liberals, the disillusionment was even more pronounced. It was they who had built the state, who hoped to use it to counteract the power of corporations and provide protections for workers and the American consumer. The government, run by educated, middle-class professionals, was supposed to rescue America from an orgy of commercialism and ignorance; instead, it bumbled into a bloody European war, stirred up ethnic hatred at home against German-Americans, and used its new police powers to quash dissent.

No one felt this disillusionment more than Frederick Howe, a noted progressive reformer and Woodrow Wilson's choice to run the immigration station at Ellis Island. He wrote in his autobiography:

I hated the new state that had arisen, hated its brutalities, its ignorance, its unpatriotic patriotism, that made profit from our sacrifices and used its power to suppress criticism of its acts. I became distrustful of the state, and I think I lost interest in it, just as did thousands of other persons . . . who were turned from love into fear of the state and all that it signified.

This postwar turn against progressivism on the left can be seen in the creation of the American Civil Liberties Union, born as a reaction against wartime repression of free speech. The so-called First Red Scare also soured liberals on the state, while the arrest and trial of the Italian anarchists Sacco and Vanzetti would become a *cause célèbre* on the liberal left.

This is where Fred Siegel comes in. In *The Revolt Against the Masses*, he traces modern liberalism not to progressivism, but, rather, to the “rejection of Progressivism” and middle-class norms by a group of writers and intellectuals in the wake of World War I. Siegel sees

prewar progressivism in a more benign way than do the Claremont folks, as a movement of middle-class reformers “committed to the purification of politics.” He argues that modern “liberalism was created by intellectuals and writers who were rebelling against the failings of the rising middle class” and who were critical of “mass democracy and middle-class capitalism.”

Siegel presents an intellectual history—or, rather, a history of intellectuals. He deals very little with public policy, economics, or the law, instead choosing to concentrate on the writings of Herbert Croly, Randolph Bourne, H.L. Mencken, and Sinclair Lewis. (Siegel's classification of Mencken as a liberal intellect will surely raise eyebrows.) Bourne was one of the first intellectuals in America to see the roots of left-liberalism in the revolt of youth against their elders. Lewis, in *Main Street* (1920) and *Babbitt* (1922), skewered what he saw as the banalities of middle-class America. Siegel locates much of what animates modern liberalism in the contempt in which it holds bourgeois society and its norms.

So which of these interpretations is correct? One problem is that most historians have long since given up trying to define “progressivism” as a coherent theory. There is just too much variety of beliefs. Conservatives who have recently turned their attentions toward progressivism should also be cautious about creating a grand unitary theory of it.

Having said that, Siegel and the Claremont group are each describing one thread of modern American liberal progressivism, which is at once aggressively focused on the expansion of state power to regulate the economy and provide “social justice” (often at the expense of individual liberty), while at the same time being radically civil-libertarian when it comes to personal freedoms, especially those related to speech and sex, and dismissive of bourgeois conventions that might limit individual expression or lifestyle choices. Siegel notes the contradiction when he writes that liberals are “anarchic when allies of the middle class are in power, authoritarian

when their own allies are in power.” It is this contradiction that both defines modern liberalism and explains much of its incoherence.

Siegel downplays the policy implications of progressivism and the continuities of liberal policies from the progressive era to Barack Obama, for which the Claremont school is exceedingly helpful. Yet his analysis complements the Claremont school's assault on progressivism by reminding us of the turn against progressivism after World War I and the schizophrenia it caused as 20th-century liberalism developed. As much as liberalism is a political or economic theory, it is also an attitude or pose, a way of thinking about the world and one's fellow citizens. As Siegel notes, the liberal attitude increasingly became opposed to middle-class, bourgeois norms.

In this sense, Siegel's analysis is reminiscent of Christopher Lasch's *The New Radicalism in America* (1965), which saw early-20th-century liberal progressives as suffering from an “estrangement from the middle class” and “the dominant values of American culture.” It was not just that liberals empathized with those less fortunate and more unconventional, but well-educated and middle-class intellectuals began to see *themselves* as outsiders from mainstream society.

Franklin Roosevelt managed to rein in the various strands of liberalism and forge a successful political coalition that tamped down some of the antibourgeois temperament on the left—while strengthening the corporatist side of liberalism. As Siegel writes, FDR “temporarily reconciled elitism and majoritarianism.” This continued after FDR's death, with a consensus accommodation of liberals with the moderate right—and the purging of the fellow-traveling left, as symbolized by Henry Wallace.

In this new arrangement, Republicans would not seek to roll back the New Deal, while liberals fought communism abroad with containment. Both sides agreed that the way forward economically was through economic growth, not redistribution. Growth liberalism would expand the middle class and create enough tax revenues to fuel government spending, which,

in turn, would continue the growth in a Keynesian cycle and would help the less fortunate with a modestly expanded safety net.

During the 1950s, American society saw a great expansion of the middle class, with rising incomes and rates of home ownership. Rather than rejoicing over the large number of Americans who had escaped poverty, many liberals were torn. These days, there is a wave of nostalgia for the 1950s, but many commentators of the time saw it as a soul-deadening period of homogenization and middlebrow culture, of men in “flannel suits” who lived in tacky-tacky houses. Consumerism ran rampant while middle-class Americans were busy keeping up with the Joneses. A raft of clichés belittled the lives of middle-class Americans and tried to denigrate this era of economic progress.

Liberals like Arthur Schlesinger Jr. were busy pumping up the myth of Adlai Stevenson as some kind of intellectual and political powerhouse. They were “egghead” intellectuals, trying to survive during the conformist Eisenhower years. To Siegel, it was John Kenneth Galbraith who “was able to meld two of the central strands of 1920s liberalism: a Menckenesque contempt for the burghers and an undue regard for technocrats who cloaked their prejudices in the language of social science.”

The social and cultural revolutions of the 1960s put forward both the radical libertarian and antibourgeois aspects of liberalism, while the economic problems of the 1970s undermined Keynesianism and diminished the attractiveness of central planning. Politically, this was problematic for American liberalism, yet the outlines of future successes appeared. New York mayor John Lindsay would craft a “top-down” political coalition out of affluent white liberals and blacks and Hispanics, while the concerns of middle-class New Yorkers were ignored. It would take 40 years for that political coalition (and an economic collapse in 2008) to put Barack Obama in the White House.

Siegel loses focus a bit when he gets to recent political history. The book could have done more to dissect modern liber-

alism’s uneasy alliance of upscale whites with postgraduate degrees, public-sector unions who provide millions of dollars to Democratic campaigns, and lower-income minorities. Siegel also fails to try to make sense of the liberal economic populism peddled by the likes of Senator Elizabeth Warren, a “gentry liberal” if there ever was one.

President Obama often speaks of the need to strengthen the middle class, and his administration even created a “Middle Class Task Force” chaired by Vice President Joseph Biden. (Perhaps to show the true importance the administration places on the project, the last activity listed on the task force’s website was in July 2012.) Such plans usually call for expansions of government spending

and programs to (supposedly) help the middle class; but, rhetorically at least, liberals like Obama and Warren realize they cannot completely forsake the middle class.

Which brings us back to Obamacare. Its success or failure will ultimately hinge on whether middle-class Americans either benefit or are hurt by the new law. If the latter occurs, popular support will continue to plummet, and Democrats will suffer. Modern liberalism makes claims to technocratic superiority, believing that enlightened elites can make choices in a planned economy on behalf of the benighted. That proposition is being tested in the health care debate, but its fate will ultimately be in the hands of middle-class Americans. ♦



Social Animals

Pondering the limits of anthropomorphism.

BY WRAY HERBERT

I could, if I chose to, make this sentence go on and on and on—forever, really. Don’t worry: I’m not going to do that, but it’s noteworthy that I could. In fact, I have the ability to write a sentence that’s longer than the longest sentence previously written, just by adding another relative clause, then another, and so on.

That may seem like a cheesy way to play the longest-sentence game, but it’s actually linguistically clever—very clever. The longest sentence game is not just a parlor trick. It demonstrates an important linguistic principle. The fact that I can think to do this, and that you can understand what I am doing, reveals characteristics of language and of mind that are unique to humans. With a finite store of symbols, I am generating one novel combination after another, all of which you can

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The Gap

The Science of What Separates Us from Other Animals
by Thomas Suddendorf
Basic Books, 368 pp., \$29.99

more or less comprehend. I’m counting on you to understand what I’ve written here, which is in itself remarkable. My idea is now in your head, and, importantly, that pleases me.

I, in turn, am taking these ideas from the mind of Thomas Suddendorf, a psychologist at the University of Queensland, Australia, and author of this fine new book. Even though I have never met Suddendorf, and have never been even close to Australia, I can nevertheless comprehend his thinking and share it with you. Suddendorf’s main idea is that we humans are capable of cognitive feats to which no other animal—not even our impressive cousin the ape—comes close. We are able to imagine endless situations, to create

scenarios and narratives about distant places, including the past and future. And, equally important, we have an insatiable drive to share those imaginings with other scenario-building minds. Our uniqueness, the author argues, rests on these two fundamental traits, but plays out in various domains of the human mind.

Language is one of those domains. A lot has been written about the abilities of other species to communicate, and those skills are indeed impressive. Bees signal the whereabouts of food, and birds have elaborate courtship dances. My dog clearly (and effectively) signals that it's dinnertime by starting. But none of this adds up to language—not as I illustrated it above. Even humpback whales, with their very large brains, show only a narrow repertoire of communication skills, devoid of the flexibility and generative power that allow us to utter and comprehend novel expressions. Suddendorf systematically dismantles the claims of other species on language, arguing that even the great apes—the ones we have spent years trying to teach our language—fall far short of full-fledged language. What's lacking, in the end, is the motivation to create symbols and grammar to share what's on their minds.

Some readers, including some scientists, will not agree with this conclusion. Some believe that other animals—especially pets and lab animals—have all sorts of complex mental characteristics, that they are basically “little people in furry suits.” Since we lack verbal self-reports from the animals themselves, they cannot confirm or refute this opinion. Suddendorf labels such readers and scientists “romantics,” meaning that they favor a “rich” interpretation of the existing data. Romantics stand in contrast to “killjoys,” who prefer a “lean” interpretation. Killjoys are reluctant to ascribe *any* humanlike abilities to animals, and at the extreme, they view other

creatures as “mindless bio-machines.”

Suddendorf places himself firmly in the middle, neither an extreme romantic nor an extreme killjoy. His goal is to go beyond opinions and preconceptions and apply the methods of science, especially comparative psychology, to questions about animal capabilities. Only by such prudent and careful analysis of animal abilities is it possible to understand the nature of the gap that separates us from them. Suddendorf's lofty goal here is to kickstart a “science of the gap” that will define human peculiarity trait by trait.



'A Friend in Need' (1900) by Cassius Marcellus Coolidge

Consider time travel. Psychological scientists are in agreement that humans have different forms of memory, including episodic memory, or memory for events. When we say that we remember “the good old days,” we're talking about this capacity. But episodic memory is not comprehensive or reliable—in fact, it's notoriously unreliable. We recall the gist of something, and then we elaborate it in our mind, and it's exactly this open-ended cognitive creativity that sets us apart. We are able to use fragments of old information not only to predict the future, but to imagine infinite other futures. This cognitive time machine has been crucial to our success as a species, because it allows us to make plans and decisions about what's to come. We can anticipate and prepare and reevaluate and change course as needed. And, crucially, we can share our plans with others.

There is no evidence that any other animal has this talent. A few years ago, scientists became very excited when it was found that scrub jays cache food that they retrieve later on. This was taken as evidence of rudimentary prediction and planning; but on closer analysis, Suddendorf sees no convincing evidence of actual episodic memory, much less any true planning, with the jays. Not even the great apes have shown evidence of truly thoughtful planning—carrying an emergency tool kit, for example, as we know primitive humans did. And they fall

far short of the sort of long-range planning that sets us aside: devising strategies to reach distant goals, choosing a career, and so forth.

Romantic readers will be racking their brains right about now, trying to recall anecdotes that elevate chimps and dogs and cats. For some people, for some reason, it's important to be connected to other members of the animal kingdom on an emotional level. You need look only as far as the Internet, where

there are entire websites devoted to “dog shaming”—that is, displaying photos of dogs with written “confessions” of their household sins. There are also videos of dogs, caught in the act of this or that, slinking away, their heads downcast in the face of human disapproval. The appeal of these images is presumably a deep-seated desire for dogs to have human emotions like shame and guilt.

But do they? Not according to Suddendorf's thorough survey of the current evidence. Emotions like guilt and shame require a sense of right and wrong—in a word, morality. Suddendorf borrows primatologist Frans de Waal's three-level moral hierarchy to deconstruct the moral claims of other animals. According to de Waal, morality requires, at a minimum, empathy and reciprocity, and there is fairly good evidence of such compassion and cooperation in other animals. But

beyond that, the evidence is much thinner. There is scant evidence that even our closest relatives establish and enforce social norms (de Waal's second level of morality), and there is zero evidence that any nonhuman animal engages in true, self-reflective moral reasoning. This is the capacity to contemplate what "ought" to be and to act according to these moral assessments; it is a distinctly human capacity.

Those dogs on the Internet? They may arouse empathy and other emotions in us, but the hounds themselves are most likely feeling and exhibiting a simple fear of punishment. Chihuahuas and gorillas are incapable of high-level moral reflection because their minds cannot build flexible mental scenarios, as our minds routinely do. We alone can reason about past, present, and future motives, beliefs, and actions—and, based on this reasoning, make deliberate decisions about how we will act. No nonhuman comes remotely close to this moral capacity.

So our ability to play the longest-sentence game is profound, and underlies everything from language to time travel to morality—indeed, all human culture. But this exceptionalism comes with daunting responsibilities, Suddendorf believes. This is an important leitmotif that runs throughout the author's arguments. Because we—and we alone—can anticipate the future and plan our actions, it follows that we have a moral responsibility to do what we can to avert disaster and create a sustainable future. Our future depends on how well we imagine the possibilities of what is to come and our willingness to link our minds cooperatively to solve global problems.

For Thomas Suddendorf, those problems include the extinction of many of the world's species, even our closest ape relatives, many of which are in danger. If the gap between us and all other animals seems wide, it is because other *hominin* species that once walked the earth have perished. We weren't always so special, and it's good to remind ourselves of that. If these other cousins perish, the gap will widen even further. ♦

BCA

A Second Moses

Maimonides, philosopher and Jew.

BY MARK BLITZ

“One spring Martin Buber came to Chicago,” Seth Benardete tells us in his *Encounters and Reflections*, “and [Leo] Strauss was asked to introduce him. . . . ‘I have the great pleasure to introduce Martin Buber,’ Strauss began, ‘who is probably the greatest Jewish thinker since Mmm . . .’ And after a long time it finally came out ‘Moses.’ Then he went on, ‘since Moses Mmm . . .’ Everybody thought—”

“Maimonides at least,” Benardete’s student Ronna Burger interjects.

“Right,” Benardete goes on. “But Strauss continued, ‘Mmm . . .’ and at last, ‘Mendelssohn.’ . . . What happened was—you could see from Buber’s face—when Strauss said ‘Moses,’ he blew up like a frog, and then he was slightly deflated when Strauss said ‘Moses Mmm . . .’ and completely so by the end.”

From Moses ben Maimon (Maimonides) to Moses Mendelssohn to Martin Buber—a veritable mosaic of spiritual decline. And we have not even descended on this list to Freud’s *Moses and Monotheism* (1939). Yet the lowest hill on this range is a daunting peak for today’s small minds and souls.

Maimonides wrote a guide for those perplexed about how to square the philosophic or Aristotelian understanding that the cosmos is eternal with the revelation that it was created *ex nihilo*. Today, Yeshiva students worry about how to resolve some problem in Maimonides’ *Mishneh Torah*, a difficult Rambam (the Hebrew acronym for Maimonides), as they say in the trade.

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Maimonides
Life and Thought
by Moshe Halbertal
Princeton, 400 pp., \$35

Our Ph.D. hopefuls are taught to begin from a “puzzle” that is often a pointless concoction to which they and everyone else (at least before and after dissertation-derangement) already know the commonsensical answer. From perplexity to *pilpul* to pretense: Our predicament is our lack of predicament.

Maimonides is Judaism’s most significant thinker. What praise could be higher, even in our age, when both Judaism and thought are apparently in decline? Perhaps attention to his methods and achievements, to his passions and concerns, can remind us of the sanctity beyond our vulgarity and the light above our darkness. Examples of excellence breed dissatisfaction with the oppression of the ordinary.

Moshe Halbertal’s *Maimonides* is a useful guide to the man and his work, with something to offer both novice and scholar. Halbertal, a professor at NYU and the Hebrew University of Jerusalem, begins biographically and then details the goals and much of the substance of Maimonides’ *The Guide of the Perplexed*, *Mishneh Torah*, and other works. This book is a good introduction to what is at stake in these efforts.

Maimonides’ immediate purpose was to save Jewish law and, thus, Judaism’s heart, by organizing it coherently. The Jewish diaspora meant the disappearance of any center of political authority. Maimonides belonged to this diaspora. He was born in Córdoba in 1138 and left with his family once the Almohads—“a radical Muslim movement that shattered the Judeo-Arabic culture

of Andalusia”—gained power. “After years of wandering and persecution,” he settled in Egypt, where he resided until he died in 1204.

Halbertal suggests that Maimonides meant especially to distinguish the accretion of rabbinical interpretations and counterinterpretations of the law from Judaism’s unimpeachable core: namely, what was given to Moses. He also intended to make the law congruous with classic, or Aristotelian, thought, as transmitted through Alfarabi (in the 9th century) and other Arabs. Halbertal discerns this intention as early as Maimonides’ first major work, the *Commentary on the Mishnah*. He does not doubt that, for Maimonides, the demands of faith must be judged rationally.

The pinnacle of religious life is the understanding of God to the extent of a person’s ability, and it can be achieved only through knowledge of physics and metaphysics. . . . For Maimonides, engaging in science is the pinnacle of religious existence.

Maimonides writes of matters in *The Guide of the Perplexed* that, legally, he should have presented only orally and individually, if at all. He did so because he believed that Jewry’s fragmentation meant that deep and significant material would be lost forever if he did not put in writing what he had discovered. But he makes it available only to those who can follow his clues. He writes esoterically, and says so. This mode allows him to save what he believes will be lost, but not lose it in a new way through vulgar misinterpretation borne from easy access. So, while Maimonides rescued this material, it remains difficult to find.

Although Halbertal is clear in his rationalistic interpretation of *Mishneh Torah*, he is less direct in his claims about the *Guide*. He argues that there are four major ways in which the *Guide* has been interpreted—skeptical, mystical, conservative, and philosophical—and does not directly adjudicate among them. He indicates that Maimonides’ thought may have changed to some degree between *Mishneh Torah* and the *Guide*. Nonetheless, he affirms the dominance of the rational standpoint in each of these possibilities.

Prophecy, miracles, revelation, the afterlife, and God’s providence apparently support the notion that our rational ability to grasp God is limited, that God may act willfully, and that there is irreducible mystery at the core of His actions. Halbertal shows us how Maimonides meets these challenges. The Torah is revealed directly to Moses; other “revelations” are naturally caused, or the products of imagination, which, as such, cannot distinguish the possible from the impossible. True prophets are not inspired remnants from a divine visit, but those with sufficient virtue, wisdom, and experience to see and speak intelligently. The afterlife is not a bodily afterlife; rather, it is the continuation of the thinking soul.

What remains of a person after his death is the knowledge he acquired during his life. . . . Rather than being a reward for observing the

commandments, the world to come is the result of a life devoted to apprehension of the intelligibles.

Miracles have concluded with Moses, and, indeed, Maimonides claims that “all the wonders performed by Moses in the desert were performed by necessity, not to demonstrate prophecy.”

Scholars will dispute some of Halbertal’s understanding, and he sometimes unconvincingly employs contemporary linguistic and psychological analysis. But these issues do not detract significantly from his book. In any event, this admirable work invites us to study Moses Maimonides’ writings on our own. Perhaps we might even, in the small ways allowed us, follow the light of this man who took time to perfect the law, who recognized and did not try to ignore necessity, and who never ceased to think and to reflect. ♦



How Do We Know?

The politics of the post-9/11 reforms.

BY ALVIN S. FELZENBERG

Of the thousands of books on Congress and the legislative process that adorn the shelves of libraries, few tell the story of how bills actually become laws—least of all in a way sure to capture the attention of both practitioners and curious laypeople. Here, Michael Allen does precisely this, and along the way he provides readers with an additional gift: a deep understanding of the issues and controversies that beset the American intelligence-gathering community in the days preceding and following the 9/11 attacks.

Allen is uniquely poised to tell this

Alvin S. Felzenberg, former spokesman for the 9/11 Commission, is the author of The Leaders We Deserved and a Few We Didn't: Rethinking the Presidential Rating Game.

Blinking Red
*Crisis and Compromise
in American Intelligence after 9/11*
by Michael Allen
Potomac Books, 256 pp., \$29.95

story. He was senior director of legislative affairs for the National Security Council during the Bush administration, while the Intelligence Reform and Terrorism Prevention Act of 2004 was being cobbled together. Later on, he served as majority staff director for the House Permanent Committee on Intelligence. As such, he brings the perspectives of all who had a hand in shaping the final product.

To call Allen’s study of the passage of the first major reform of the U.S. intelligence-gathering apparatus since 1947 “exhaustive” would be an

understatement. To term it a “page-turner” would not be. And although readers who pick up *Blinking Red* are aware of how the story ends, Allen injects a welcome ingredient of suspense. None of the events he describes was inevitable.

In the National Security Act of 1947, Congress established the Department of Defense, the National Security Council, and the Central Intelligence Agency. The CIA had not been of central concern to its architects. It began its life with a dual mandate. Its director was made responsible for running the nation’s principal spying agency *and* for “coordinating, evaluating, and disseminating intelligence” throughout the government. In executing this second role, the director of central intelligence had no budgetary authority over other agencies housed across the government (15 in all, 8 in the Defense Department), no final say over personnel beyond the CIA, and no exclusive access to the president to force interagency collaboration.

After the 9/11 attacks, a consensus emerged within the intelligence community that decentralization of intelligence-gathering, along with actual and perceived legal barriers, had prevented the United States from aborting the attacks. Clues had come in from various sources. Agencies did not always follow up. In the language of those times, “dots were not connected” within or across agencies.

Among its 41 recommendations, the National Commission on Terrorist Attacks Upon the United States (also known as the 9/11 Commission) suggested centralizing intelligence-gathering capabilities in the person of a director of national intelligence. That person would oversee all of the nation’s intelligence operations and would function (as one of its promoters suggested) as the nation’s intelligence “quarterback,” with complete budgetary authority and full hiring and firing authority for all intelligence personnel.

Allen attributes the speed with which Congress and the administration took up the proposal to the vision

of the commission chairman, former New Jersey governor Thomas Kean. Mindful that dozens, if not hundreds, of reports of previous commissions were gathering dust in archives and libraries, Kean wanted to see his recommendations enacted, and soon. He kept the commission in the public eye through well-attended, well-covered hearings and other events; he insisted that the report be written in a style that differentiated it from other government reports; and he relied on the families of 9/11 victims to keep the pressure on. That the report was released at the height of the 2004 presidential elec-



Thomas Kean presents the 9/11 Commission report to George W. Bush (2004). Lee Hamilton, right.

tion did it no harm, Allen suggests, as both candidates responded with a “bidding war.” In a departure from precedent, Congress held dozens of hearings during its traditional August recess, and Senate majority leader Bill Frist assigned the bill to the Homeland Security and Governmental Affairs Committee rather than the Armed Services or Intelligence committees.

Not to be missed is Allen’s account of how, after steering the bill through the committee, Chairman Susan Collins successfully fought back crippling floor amendments from powerful senators—a tale of persistence, patience, and hard work trumping perceived clout in the Senate. Over in the House, however, Majority Leader Tom DeLay took the opposite approach to Frist’s. He invited as many as 13 committees to offer suggestions and was open to recommendations the commission had not considered. Armed Services Committee chairman Duncan Hunter proved a

skillful opponent to the commission’s primary recommendation. Concerned that the centralization of intelligence posed a threat to the chain of command between combat forces and their military superiors, he secured endorsements for his view from the chairman of the Joint Chiefs and the commission’s executive director. Meanwhile, Chairman James Sensenbrenner of the Judiciary Committee wanted a federal ban on the issuance of driver’s licenses to undocumented aliens.

The opposition of Chairmen Hunter and Sensenbrenner, and their capacity to hold committee Republicans behind them, threatened to undermine Speaker Dennis Hastert’s leadership; Hastert’s decision to put the bill on hold until a majority of the majority party endorsed it gave rise to the so-called Hastert Rule.

With all sides eager to move on, staff at both ends of Pennsylvania Avenue finally hammered out a compromise. Not surprisingly, they agreed to language that left it to the White House to issue guidelines for the new director of national intelligence, especially with regard to the chain of command. With Congress largely out of the picture, what Allen terms “bureaucratic black arts” took over, as interested parties shifted their lobbying efforts to the executive branch.

It is Allen’s contention that the legislation left things better than they had been before, but only by so much: In the words of Senator Pat Roberts, it was “not the best possible bill, but rather the best bill possible.”

At the time, National Security Council director Stephen Hadley suggested that, after the legislation had been allowed to work for a while, policymakers “go to the next level of reform.” It is now a decade since Kean and his colleagues pressed their case. With cyber-related security issues commanding increased attention, the safeguarding of classified materials a rising national security concern, and Americans worrying more about protecting their civil liberties, might that time now be at hand? ◆

NEWS.COM

Monuments Men

The battle to rescue Europe's art from the Nazis.

BY BRUCE COLE

HISTORICAL TREASURE. DO NOT ENTER.”

Why, I wondered as a young student in Florence, was this tattered sign attached to the door of a Renaissance palazzo? Not until years later did I learn that it had been posted by the Monuments Men, a small group of men and women, mainly American and British soldiers, tasked with saving the vast treasure house of Italian art as the Allies clawed their way up the Italian peninsula, from Anzio to the Alps, in 1944.

Robert M. Edsel's *Saving Italy* rescues the important work of that improbable little band of museum directors, curators, art historians, and artists from the murky corner of history into which it had slipped. This month, their story will reach an international audience as a star-studded movie, adapted from Edsel's 2009 book *The Monuments Men* and directed by and starring George Clooney, opens in cinemas.

Edsel first encountered the Monuments Men serendipitously. After a successful career in the oil-drilling business, he retired early and moved to Florence, where he bought and rehabilitated a villa on the slopes of Bellosguardo, overlooking the city. There, while crossing the Ponte Vecchio, he began to wonder how “so many of Europe's great works of art survived . . . and who saved them.”

Bruce Cole, former chairman of the National Endowment for the Humanities, is a senior fellow at the Ethics and Public Policy Center.

Saving Italy

The Race to Rescue a Nation's Treasures from the Nazis

by Robert M. Edsel
W.W. Norton, 480 pp., \$28.95



German troops transporting Signorelli's 'Crucifixion' from Florence to San Leonardo (1944)

He then learned about the work of the Monuments Men from Lynn Nicholas's *The Rape of Europa* (1994), the definitive study of Nazi looting and the subject of an excellent documentary of the same name.

Edsel has since dedicated his life to telling the story of the Monuments Men. To ensure that his cause would be sustained, he established the Monuments Men Foundation, which in 2007 received a National Humanities Medal from President George W. Bush in a moving East Room ceremony that reunited four surviving members of the band of brothers.

Their story begins when, just after the invasion of Sicily by the British and American armies in 1943, the State Department formed a working

group with the cumbersome title of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe—now better known as the Roberts Commission, after its chairman, Supreme Court justice Owen Roberts. Members included a number of distinguished museum directors and high-ranking government officials. Its mission was “to furnish museum officials and art historians to the General Staff of the Army, so far as is consistent with military necessity,” to protect “works of cultural value” in Europe.

The Roberts Commission was concerned about potential damage to

Europe's artistic treasures not only from ground combat, but particularly from the increasing Allied aerial bombardment in Italy and other European countries. There was also a diplomatic objective to the committee's efforts intended to counter German propaganda depicting the invading Allied armies as barbaric defilers of European life and culture. In 1944, the Germans made much of the controversial bombing of the ancient Abbey of Monte Cassino by American aircraft; yet before the bom-

bardment began, 15 cases of art that had been sent to the Abbey for safekeeping were on their way to Hermann Göring as a birthday present.

But this was, comparatively speaking, petty theft. From the invasion of Poland onward, it was the Germans who had brutally and systematically looted art on a scale unsurpassed in history. As official Nazi policy, millions of paintings (especially those from Jewish dealers and collectors), sculptures, libraries, and just about anything else of cultural value that could be uprooted were sent by the trainload to the Reich for the collections of Nazi overlords. Göring, Adolf Hitler, Heinrich Himmler, and scores of other high-up Nazi officials were worshippers of *Kultur*, which makes one wonder about its role as a civilizing force.

To give teeth to the Roberts Commission's charge, General Eisenhower issued a directive, in December 1943, making the military hierarchy responsible for the protection of cultural monuments in Italy. These, Eisenhower wrote, were an important part of Western civilization. (But if there were a choice between destroying a building and saving a soldier's life, then "the building must go.") He added that monuments should be destroyed only for "military necessity," not "military convenience." His directive ended with an order to the "higher commanders to determine through A.M.G. Officers [the Monuments Men] the locations of historical monuments whether they be immediately ahead of our front lines or in areas occupied by us."

The Monuments Men worked closely with the Army Air Force, helping bomber crews avoid important cultural treasures. (One of my professors, an 18-year-old bombardier at the time, told me how his bombs narrowly missed the Leaning Tower of Pisa.)

Bombing in World War II was notoriously inexact, and despite the Army Air Force's best efforts, major monuments were damaged throughout the Italian peninsula. But there were also remarkable successes, such as the U.S. attack on the rail yards of Florence, which spared historic churches and buildings located nearby. (Tragically, nothing could save the city's ancient bridges, which were destroyed on Hitler's direct orders—except for the Ponte Vecchio, for which he had a soft spot.)

Saving Italy focuses more on salvation than destruction, as it skillfully brings the Monuments Men to life by vividly narrating the often-perilous work of several soldiers, particularly Deane Keller and Frederick Hartt, who struggled to keep many of the treasures of Italian museums, including those of the Vatican and Uffizi, out of German hands.

Before the war, Keller was teaching art at Yale; Hartt was a promising young art historian just beginning his professional career. Both had visited Italy in the 1930s, but nothing prepared them, or the other Monuments Men, for the rigors, privation, and death they encountered in the pro-

tracted and brutal Italian campaign. One wonders if present-day denizens of the faculty lounge would be as willing to risk their lives.

As the Allies slowly chewed up the German defenses, Keller and Hartt, aided by several Italian art officials, played an elaborate cat-and-mouse game to keep the looted treasures of museums and private collections from being shipped north of the Alps.

Their nemesis was the suave SS colonel Alexander Langsdorff, head of the *Kunstschutz*, the "art protection" unit of German forces in Italy. An archaeologist and early adherent of Nazism, he had served as "personal artistic and cultural consultant" to Himmler. Langsdorff was also a member of Himmler's infamous *Ahnenerbe*, the pseudoscientific unit tasked with finding lost Aryan civilizations worldwide. Fortunately, and thanks to the Monuments Men, Langsdorff and his henchmen were arrested before making off

with some of Italy's most significant art.

As the war was ending in Italy, the Allies landed in Normandy and went on to defeat the Third Reich. But the task of the Monuments Men was far from complete: Allied troops pushing through conquered territory and into Germany and Austria uncovered hoards of stolen goods hidden in salt mines, castles, and other secret repositories. With each discovery, the Monuments Men were faced with the enormous job of identifying the looted objects and determining their original owners.

The Russians kept much of what they found, and the recent discovery of a trove of stolen art in a Munich apartment demonstrates that the Monuments Men did not get everything. Unlike past wars, in which the victors kept the spoils, at the end of the Second World War, the United States and Great Britain, in an unparalleled act of democratic beneficence, returned a multitude of objects to their rightful owners. ♦

BCA

The Red Warbler

Pete Seeger, 1919-2014.

BY RONALD RADOSH

Pete Seeger's death at the age of 94 has brought forth scores of celebratory tributes. America had long ago showered him with honors, which all but made up for the scorn with which he was once held in the age of the blacklist. Seeger received the National Medal of the Arts from President Bill Clinton and the Kennedy Center Honors in 1994, as well as multiple Grammys. He was named one of America's "living legends" by the Library of Congress, was asked to sing at the 2009 inauguration of President Obama,

Ronald Radosh has written widely on folk music and politics, and is the author, with Allis Radosh, of A Safe Haven: Harry S. Truman and the Founding of Israel.

and was inducted into the Rock and Roll Hall of Fame. He had become, as a *Washington Post* story once put it, "America's Best Loved Commie."

Without Seeger's influence and sponsorship of folk music, from traditional Appalachian ballads to slave songs of the Old South, many would never have appreciated folk music, nor would it have become a genre whose influence has spread far and wide. He experimented with "world music" long before anyone had used that term; when abroad, he collected songs and brought them back to the United States. "Wimoweh (The Lion Sleeps Tonight)," written by Solomon Linda and used in *The Lion King*, is a major example of a South African song Seeger brought here generations before Paul Simon.

What other artist would receive a statement from the president of the United States honoring him, not to speak of the scores of senators and members of Congress who found inspiration in his voice and his singing?

Yet, an honest appreciation of Pete Seeger cannot be left at what most accolades have done. Indeed, since his political vision, his service over the decades to the brutality of Soviet-era Stalinism and to all of the post-Cold War leftist tyrannies, was inseparable from the music he made, it simply cannot be overlooked. For, more often than not, Seeger's voice was heard in defense of causes in which only fools could still believe. As Paul Berman put it, "Let us sing 'If I Had a Hammer,' then, and, at every third verse, let our hammers bop Pete Seeger on the head for having been a fool and an idiot."

And calling him a fool and an idiot is, indeed, not too harsh a judgment to make about Pete Seeger. I say that sadly, as a person for whom Pete was a childhood hero. I studied banjo with him, got to know him, and visited him at the legendary home he built from scrap in Beacon, New York.

For years, all that Pete Seeger said about Joseph Stalin, whose regime he served without a blink for decades, was that the Soviet leader was a "hard driver." Only half a century after Stalin's death, and after the fall of the Soviet Union (when I personally called him out on his views and wrote a column for the *New York Sun* entitled "Time for Pete Seeger to Repent") did Pete send me a letter in response, writing: "I think you're right—I should have asked to see the gulags when I was in [the] USSR." Seeger also enclosed a blues song that he had just written titled "Big Joe Blues," a Jimmie Rodgers-type yodel that said, in effect, that Joe Stalin was the real threat and not, as he once thought, Joe McCarthy.

I'm singing about old Joe, cruel Joe,
the lyrics read.

*He ruled with an iron hand
He put an end to the dreams
Of so many in every land
He had a chance to make*

*A brand new start for the human race
Instead he set it back
Right in the same nasty place
I got the Big Joe Blues
(Keep your mouth shut or you will die fast)
I got the Big Joe Blues
(Do this job, no questions asked)
I got the Big Joe Blues.*

It was, I think, hard for Seeger to write. Still, he only sang it privately, for trusted friends—and it came too late in the game, a half-century too late; by the time he wrote those verses, in 2007, it no longer mattered.

One had to wonder: What if he had dared to sing that song in the



1940s, '50s, and '60s, when the Soviet Union still existed—when the old apparatchiks who ruled after Stalin's death still oppressed the people of the USSR, and their waging of Cold War threatened the world?

Instead, in the late 1950s and early '60s, he sang songs like "Hey Zhankoye," a paean to Soviet collective farms run by Jews in the Crimea, heralding Stalin's supposed freeing of Soviet Jews—at a time when he was preparing for the murder of the Jews of Russia and had arrested and murdered famous Jewish poets as American spies and Zionist agents.

During the Nazi-Soviet Pact (1939-41), Seeger sang antiwar songs that, in effect, called for the support of Hitler. When the Nazis invaded the Soviet Union, he withdrew the songs he had just recorded and suddenly supported the "antifascist alliance" between the

United States and the Soviets. During the Cold War, he supported unilateral American disarmament and backed one Soviet propaganda campaign after the other. "Put My Name Down, Brother, Where Do I Sign?" he sang, calling for signatures on the Stockholm Peace Petition developed by KGB fronts in Europe.

During the Vietnam war, Seeger not only helped lead the antiwar movement, he also sang in praise of the brutal Ho Chi Minh. Lyndon B. Johnson was called "a big fool" in one of his most famous songs, while he sang of Ho Chi Minh: *He educated all the people, / He demonstrated to the world, / If a man will stand for his own land, / He's got the strength of ten.*

In 1999, Seeger traveled to Cuba to receive an award from the Castro regime. The fading Cuban tyrants honored him with their highest cultural award, given for "humanistic and artistic work in defense of the environment and against racism," which was in and of itself a travesty. Accepting an award from Fidel Castro should make it clear that Seeger's would-be humanism and protest was aimed at one side only: his own country, which he clearly thought was led by the world's sole oppressors.

One cannot hope to be thought of as a defender of human rights and also accept an award from the Cuban police state. That, too, must be taken into consideration when evaluating what Pete Seeger really learned from his own Stalinist past.

In his last years, Seeger, who, in the period when the Soviet Union was briefly pro-Israel, sang songs in both Hebrew and Yiddish (including Israeli songs), gave his support to boycott-divestment-sanctions (BDS) against Israel, even to the extent that he handed over royalties from "Turn, Turn, Turn" to the movement.

A great folk singer who contributed much to the American story, he was fatally flawed by the leftism he imbibed with his mother's milk. How telling that a man who sought social justice, peace, and a livable world could, at the same time, believe that serving leftist tyrants was somehow compatible with his dream of universality and solidarity. ♦

SOVIET LIFE

I've all my life felt friendly to the idea basic to this country's economy, that is, that you could create a society without having to have a class of rich people to run it. On the other hand, of course, certain things may seem strange to me because, perhaps, I see them from the viewpoint of an American who lives a relatively comfortable life with plenty of food and money in his pocket to buy anything necessary, living near New York with its multitude of stores chock full of things to buy—if you have the money. These things must be taken into consideration. Also, remember we've only been in the Soviet Union for a few weeks, and you couldn't possibly get more than a glimpse of it in that time.

... I was surprised by the bright-colored clothing that Soviet people wore. In America I was often told that Russia is a drab country, that everybody dresses in browns and blacks because they're scared of wearing anything bright. Walking down the average Soviet street, you see the brightest colors you ever saw: reds, yellows, greens, blues, purples, pinks, sometimes all on top of each other. We saw a young man in the Frunze airport with a green hat, a purple jacket, and a red suitcase—bright, all of them, bright.

Now it's perfectly true that the average Soviet citizen can't, as yet, afford the many luxuries the average American can. The average food on their table is not as fancy. So I was happy to note that even though Russia doesn't have the stores overflowing with different commodities that American cities have, neither does it have the slums. This is important to me because, while I love my own country, I must confess that there's not a city I can go to where, in parts of the town, the streets are not littered with trash, the houses are unpainted and dilapidated, and the people live with a sense of demoralization and lack of hope because they think there's no chance for them ever to get ahead.

I was amazed at the number of bookstores everywhere. My gosh, it sure is a book-reading country. I was startled by the huge editions that are printed. John Cheever, whose novels in the states

have probably sold no more than around 100,000 copies, was translated into Russian—the minimum edition, 100,000 copies. Yes, it's a book-reading country, and I hope it stays that way, because no matter how fine TV, radio and movies are, books are such a flexible medium of communication. You can read a book slowly or fast, you can come to a page you want to stay on, you can read it over and over again, or, if you're bored, you can skip a few pages. That's just not possible with movies or TV. Of course, you can overdo book reading, too, but that's another question.

... Probably the best things I've seen in the Soviet Union are the things that have truly been developed on their own. Some of the less good things are, I think, imitations. Like, say, the design of cars. The same thing probably goes for other parts of the country's life.

Well, I'll close this little attempted discourse with something that I talked about with a young lady interpreter the other day. I've been giving concerts here with the help of a film projector to flash the words on a screen while I'm singing so the audience can understand a little more of the meaning of the songs without having to pause for a translation. Now, the projector was an idea I worked up myself, but there are some details that didn't work out quite right. The lens did not stay quite in focus, the picture wasn't bright enough. I said to this young lady, "The basic principles of the machine are good, but there are still some bugs in it." She said "Bugs? What do you mean?" I said: "Well, that's an American term we use. Whenever you invent a machine, there are a lot of little details that may not work quite right. The basic principles of the machine are good, but little parts don't fit together. All the little details have to be worked out. Supposing you have a new car model that comes out. When it's just off the assembly line, it's liable to have lots of bugs in it. You better iron out the bugs—the doors may not close right, something may fall off."

She said, "Could this be true of a social system, as well as of a machine?"

I said, "Yea, yea, you're right."