

**THE NEXT  
GOVERNOR OF TEXAS**  
MICHAEL WARREN

the weekly

# Standard

APRIL 14, 2014

\$4.95

Express Lanes

TODAY'S SPECIAL:  
ONLY \$3.55  
TO DALE CITY

Riff-Raff

## HOT & Bothered

Another nightmare  
from the suburbs-hating  
traffic planners

BY JONATHAN V. LAST



# Contents

April 14, 2014 • Volume 19, Number 29



- 4 The Scrapbook *Portents of the Hillary campaign, correction of the week, & more*
- 7 Casual *Philip Terzian, Muzak man*
- 8 Editorial  
*What's the Alternative?* **BY WILLIAM KRISTOL & JEFFREY H. ANDERSON**

## Articles

- 10 'Legitimate Concerns'  
*Why cooperate with Putin's propaganda?* **BY STEPHEN F. HAYES**
- 11 Who Are You Calling Fascist?  
*Putin's Russia is in no position to criticize Ukraine* **BY CATHY YOUNG**
- 13 Ukraine's Odious Debts  
*A case for repudiation* **BY IRWIN M. STELZER**
- 15 Balkan Lessons  
*Only Putin learned them* **BY STEPHEN SCHWARTZ**
- 17 Counting by States  
*The Democrats' Senate problem* **BY JAY COST**
- 18 Being and Naziness  
*The authentic Heidegger* **BY LEE SMITH**



- 20 HOT & Bothered  
*High-Occupancy Toll lanes: another nightmare from the suburbs-hating traffic planners* **BY JONATHAN V. LAST**
- 26 The Next Governor of Texas?  
*On the campaign trail with Greg Abbott* **BY MICHAEL WARREN**

## Books & Arts

- 30 Big Blue Machine  
*The rise and fall of New York's Tammany Hall* **BY VINCENT J. CANNATO**
- 33 The Middle Way  
*Recognizing a neglected landscape in American history* **BY JAMES SEATON**
- 34 Yesterday's Future  
*A World's Fair in Queens for a nation in transition* **BY LAUREN ZELT**
- 35 From the Inside Out  
*A lawyer-spy makes the case for the CIA* **BY GABRIEL SCHOENFELD**
- 37 Must the Show Go On?  
*A postscript to the golden age of movie musicals* **BY PETER TONGUETTE**
- 39 Flood the Zone  
*Noah meets the Book of Enoch, rock monsters, and a ravenous Eve* **BY JOHN PODHORETZ**
- 40 Parody *I pity the fools*



COVER BY DAVE CLEGG

# Portents of the Hillary Campaign

THE SCRAPBOOK has an announcement to make: Hillary Clinton will run for president in 2016. She may not necessarily win the election, but she will definitely run. And THE SCRAPBOOK is absolutely confident about this. How do we know? By a complicated process of induction, deduction, instinct, and experience, triggered by a traumatic event.

The traumatic event took place on the morning of March 26, when THE SCRAPBOOK turned the front page of the *Washington Post* to find, on the second page, the face of David Brock spread across four columns. “A converted man,” read the headline over the story: “Onetime adversary David Brock returns to Arkansas as one of Hillary Clinton’s biggest backers.”

For the uninitiated, David Brock is the slightly peculiar—or creepy, depending on your point of view—ex-*American Spectator*/Heritage Foundation staffer who became briefly famous—or notorious, depending on your point of view—in the early 1990s for his hostile coverage of Anita Hill, but who, a few years later, wrote a sympathetic book about Hillary Clinton that seems to have pulled him leftward. Where he remains today, running a Soros-financed (or “liberal-leaning,” in *Postspeak*) media watchdog website and a new site, called Correct the Record, “which has become a rapid-response war room operating on Clinton’s behalf” (*Postspeak* again).

THE SCRAPBOOK was alternately horrified and mystified by the *Post* story. Brock, it seems, had been invited to speak at the Clinton School of Public Service at the University of Arkansas, where he described his brief period as

a right-wing polemicist and subsequent crusade “to ‘blow the whistle’ on what he sees as the right-wing’s ‘obsession’ with the Clintons.” In the audience were veteran Clinton functionaries, all of whom remembered the old Brock with dismay but were gratified by his present incarnation. Ex-White House lawyer Bruce Lindsey, for example, told the *Post* that he “completely agreed” with David Brock’s analysis of the vast right-wing conspiracy.

Yet what mystified THE SCRAPBOOK was the story itself. Brock’s “conversion” from right to left took place in the mid-1990s, and as readers might guess, was closely chronicled at the time in the pages of the *Washington Post*. And Brock himself has been discussing it publicly, sometimes at considerable length, since the previous century as well. In 1998, for example, he was photographed by *Esquire* bare-chested and lashed to a tree, to represent his martyrdom at the hands of indignant conservatives.

Which is all very interesting, and no doubt pertinent to full understanding of David Brock’s psychology. But the story is 18 years old! At first, THE SCRAPBOOK concluded that the reporter, Philip Rucker, might not be old enough to remember Brock’s book, *The Seduction of Hillary Rodham* (1996), or stories in the *Post* about Brock’s ideological switch (see, for example, “David Brock: The Genuine Article?” by Howard Kurtz, March 10, 1998). THE SCRAPBOOK considered, as well, the *Post*’s institutional tendency to revisit favorite stories for indefinite periods of time. (Friendly warning: The 42nd anniversary of the Watergate break-in

arrives in June, and Ben Bradlee, Bob Woodward, and Carl Bernstein are available for interviews.)

Then we took a second look at David Brock. Up until very recently, the 51-year-old Brock combed his hair in a kind of retro *Mad Men* style: Not too long, carefully parted on the left, heavily brilliantined and matted down. But standing behind the lecturer at the Clinton School last week, he presented a vision from a stylist’s catalogue: The hair, now silvery gray, had been blown into a glorious bouffant, the part subtly migrated from left to right, the slicked-down strands now a vertical wave. It was as if David Brock’s close identification with the Clintons—especially Hillary’s husband—is more than political.

Which takes us back three decades to 1980, and Jimmy Carter. It is nearly forgotten now, but when Carter was elected president in 1976, his tousled hair was carelessly parted on the right, and slightly longer than usual for national politicians. But in early 1980, when he was fighting off Edward Kennedy for the Democratic nomination, and girding himself for the fall reelection campaign, he abruptly changed the part in his hair from right to left, cut it shorter, and smoothed it down for a slick, authoritative, presidential look.

It didn’t work, of course—but it signaled to the world he meant business. So what else can Brock’s makeover portend? If your mission is to dedicate your new life to the Clintons, and command a “rapid-response war room” for candidate Hillary, then David Brock’s new camouflage can only mean one thing. ♦

## Criticism, Self-Criticism

Whenever the topic is broached, proponents of same-sex marriage assert that people who have res-

ervations about redefining the primary building block of civilization are simply on the “wrong side of history.” Now, no one would deny that the political crusade for same-sex marriage is on the march. But it must not ac-

tually be historically inevitable. If it were, its advocates could relax and enjoy watching the grand chronological process unfold, like waves eating away at a barrier island. That’s hardly what we’re seeing. Instead, pressure

is being cranked up on any person of influence or standing who dares to disagree, with an insistence that the recalcitrant oddball buckle under and begin displaying a Maoist degree of political conformity.

The latest case in point: A few weeks ago, tech company Mozilla, which makes the popular Firefox web browser, appointed Brendan Eich CEO. Eich's qualifications for the job are not in doubt; the man invented the JavaScript language which is foundational to modern-day web programming. But as soon as Eich was appointed CEO he made a preemptive statement that he would allocate additional resources to a project to bring more gay people into the tech industry and reaffirmed the company's policy of offering benefits to same-sex partners. The statement was necessary because of the revelation in 2012 that Eich had donated \$1,000 to the campaign for Proposition 8—a 2008 ballot measure (approved by voters, coincidentally) which attempted to add a line to the state constitution asserting that “only marriage between a man and a woman is valid or recognized in California.”

We know that Eich made this donation only because someone at the IRS—where President Obama assures us there's not a “smidgen of corruption”—leaked the National Organization for Marriage's tax documents to the press. At the time Eich was “outed,” so to speak, he made a statement on his blog saying that the donation was not motivated by animosity or hatred. He further explained, “not only [is] insisting on ideological uniformity impractical, it is counter-productive. So I do not insist that anyone agree with me on a great many things, including political issues, and I refrain from putting my personal beliefs in others' way in all matters Mozilla, JS, and Web.”

Eich's plea for respectful disagreement hardly put the matter to rest. Indeed, an outcry began immediately upon his being named CEO. In a short-lived publicity stunt, dating service OkCupid blocked users from accessing their website with Firefox



browsers. Within the tech industry, a column from Owen Thomas, the managing editor of tech gossip website *Valleywag*, began making the rounds. Thomas made the following demands of Eich:

*Stop saying that this was merely a private matter that won't affect your work as Mozilla's CEO. That's disingenuous and beneath a leader of your stature.*

*Say that whatever chain of logic led you to conclude that your personal views required you to support Proposition 8 was flawed, erroneous, incorrect. You may well maintain those same views—that's your prerogative—but you don't have to draw the same conclusions from them today as you did six years ago.*

*Go further. Say that you support the*

*rights of people to enter into same-sex marriages everywhere. Say that you will not only support employees in the United States who are in same-sex marriages, but that you will also fight for the civil rights of Mozilla employees who work in societies with less progressive views.*

*Finally, make a donation equal in amount to the money you gave to Proposition 8 and candidates who supported it to the Human Rights Campaign or another organization that fights for the civil rights of LGBT people.*

Writing at *First Things*, an anonymous member of the tech industry sympathetic to Eich observed, “One of the most striking things about this passage is its tone, or perhaps

we should say its genre. The remedies demanded (public recantation, propitiatory sacrifice) are of the sort necessitated by ritual defilement, rather than the giving of offense.” In any event, the angry zealots were appeased. Eich resigned last Thursday.

In light of this, the statement from the Gay & Lesbian Alliance Against Defamation (GLAAD) greeting Eich’s resignation was ironic, to say the least: “Mozilla’s strong statement in favor of equality today reflects where corporate America is: inclusive, safe, and welcoming to all.” ♦

## Must Reading

THE SCRAPBOOK is a Johnny-one-note when it comes to our favorite quarterly, *National Affairs*: It’s great. The Spring 2014 issue arrived on our desk this week, and as usual editor Yuval Levin has assembled a winning lineup. Jim Manzi’s essay on what he calls “the new American system of innovation” is alone worth the price of admission. Diana Schaub writes beautifully on “Lincoln at Gettysburg.” And in between these two masterful essays are an assortment

of policy articles that will more than repay your time and attention. Visit [nationalaffairs.com](http://nationalaffairs.com) early and often. ♦

## Correction of the Week

From the journalists of the *Mumbai Mirror* (with acknowledgments to *HuffPost*, which drew the clarification to the attention of THE SCRAPBOOK): “For the last 12 years we have been writing about the chief minister of Gujarat [Narendra Modi, likely India’s next prime minister] as being responsible for the happenings in his state. We called him a communitarian with no grip on his administration. A man unable to curb violence against thousands of citizens, and who showed laxity in prosecuting its perpetrators. Now that he is clearly ahead in the polls we realise that we have been utterly mistaken. He is in fact a visionary with total grip on his administration. His revolutionary view on development has made life better for thousands of citizens. We are shocked by our misidentification and we offer Mr Modi our most sincere and unconditional hypocrisy.” ♦



**You’ve read them, you’ve watched them—now listen to their podcasts.**

**Browse the complete list of our free podcasts at <http://www.weeklystandard.com/keyword/Podcast>**

# the weekly Standard

[www.weeklystandard.com](http://www.weeklystandard.com)

William Kristol, *Editor*

Fred Barnes, Terry Eastland, *Executive Editors*

Richard Starr, *Deputy Editor*

Claudia Anderson, *Managing Editor*

Christopher Caldwell, Andrew Ferguson, Victorino Matus, Lee Smith, *Senior Editors*

Philip Terzian, *Literary Editor*

Stephen F. Hayes, Mark Hemingway,

Matt Labash, Jonathan V. Last,

John McCormack, *Senior Writers*

Jay Cost, Michael Warren, *Staff Writers*

Daniel Halper, *Online Editor*

Kelly Jane Torrance, *Assistant Managing Editor*

Julianne Dudley, Ethan Epstein, Jim Swift,

*Assistant Editors*

Maria Santos, *Editorial Assistant*

Philip Chalk, *Design Director*

Barbara Kytte, *Design Assistant*

Teri Perry, *Executive Assistant*

Max Boot, Joseph Bottum,

Tucker Carlson, Matthew Continetti,

Noemie Emery, Joseph Epstein,

David Frum, David Gelernter,

Reuel Marc Gerecht, Michael Goldfarb,

Mary Katharine Ham, Brit Hume,

Frederick W. Kagan, Charles Krauthammer,

Yuval Levin, Tod Lindberg,

Robert Messenger, P.J. O’Rourke,

John Podhoretz, Irwin M. Stelzer,

*Contributing Editors*

### MediaDC

Lou Ann Sabatier, *Chief Executive Officer*

Joe Guerriero, *Chief Revenue Officer*

Grace Paine Terzian, *Chief Communications Officer*

Steve Sparks, *Chief Operating Officer*

Kathy Schaffhauser, *Chief Financial Officer*

Catherine Lowe, *Integrated Marketing Director*

Nicholas H. B. Swezey, *V.P. Advertising*

T. Barry Davis, Peter Dunn,

Andrew Kaumeier, Mark Krawiec,

Brooke McIngvale, Chasie Powell, Jason Roberts

*Advertising Sales*

**Advertising inquiries: 202-293-4900**

**Subscriptions: 1-800-274-7293**

The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, second week in July, and fourth week in August) at 1150 17th St., NW, Suite 505, Washington D.C. 20036. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-274-7293. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$4.95. Back issues, \$4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. For a copy of The Weekly Standard Privacy Policy, visit [www.weeklystandard.com](http://www.weeklystandard.com) or write to Customer Service, The Weekly Standard, 1150 17th St., NW, Suite 505, Washington, D.C. 20036. Copyright 2014, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.



## The Elevator Blues

Once lived for a year in a small town in Alabama. Like many small towns in the mid-20th century, Anniston was worried about its long-term prospects, and kept thinking of ways to keep the town, especially the downtown, vital. If this had been New England, the town fathers would have closed off one avenue to automobile traffic and created a pedestrian mall; but because it was the Deep South, they'd chosen to cover the sidewalks on the main drag with an awning and have Muzak piped in.

I arrived in Anniston in high summer, when the awning made a certain sense: Humidity or no, the midday sun could be brutally intense. As a patronizing Yankee, however, I could hardly contain my merriment about the Muzak. I had never seen, or heard, such a thing. The outdoor piped-in music was not only discordant—shag carpeting in a gothic cathedral—but incongruous as well: There was nothing especially pastoral or Southern in its dulcet tones; we might just as well have been in Michigan.

But then, that was the point of Muzak, wasn't it? I use the past tense because I came to the realization a few years ago that Muzak—or elevator music, to use the generic term—as we had come to know it no longer exists. Whether this is due to economics, changing demographics, or the evolution of popular taste, I cannot say; but the background music of the past half-century is no longer in the background.

Muzak, I should explain, is in fact a commercial term, and the eponymous company (Muzak LLC) that produces it still thrives. But the nature of the product has changed. Muzak was originally conceived as “mood music” designed to soothe and comfort

people in work spaces or retail outlets, airplanes, and elevators. Contented humans, I presume, are less inclined to complain, more likely to buy. The notion that silence, or ambient noise, is somehow discomforting seems to be a peculiarly American conceit. Yet so ubiquitous is Muzak that it is difficult to imagine the interior of a shopping mall, or an airport terminal, or dentist's waiting room, without it.



During the golden age of Muzak it was instantly recognizable: Popular tunes of the earlier 20th century—“Marie,” for example, or “My Blue Heaven”—would be slowed down in tempo, heavily orchestrated with an emphasis on strings, and minor chords would be softly transposed. Call it the Lawrence Welk effect. Muzak even had political applications: In later decades, when my grocery shopping was accompanied by a 1,001-string version of, say, Bob Dylan’s “The Times They Are a-Changin’,” I would cite this to demonstrate Herbert Marcuse’s notion of “repressive tolerance,” in which capitalism neutralizes radicalism by taming it.

My problem with Muzak, however, was a matter of substance, not style. I happen to possess a three-LP album of *Background Music*, produced by Capitol Records in the 1950s, which features “music blended to mix

graciously with social gatherings.” The cover photographs look like stills from a Rock Hudson/Doris Day comedy, and the liner notes inform us that “this music is unique. It will never dominate, yet always be pleasant and listenable. Early in the evening, when the hostess is struggling to get the party off the ground, the music will fill those embarrassing lulls.”

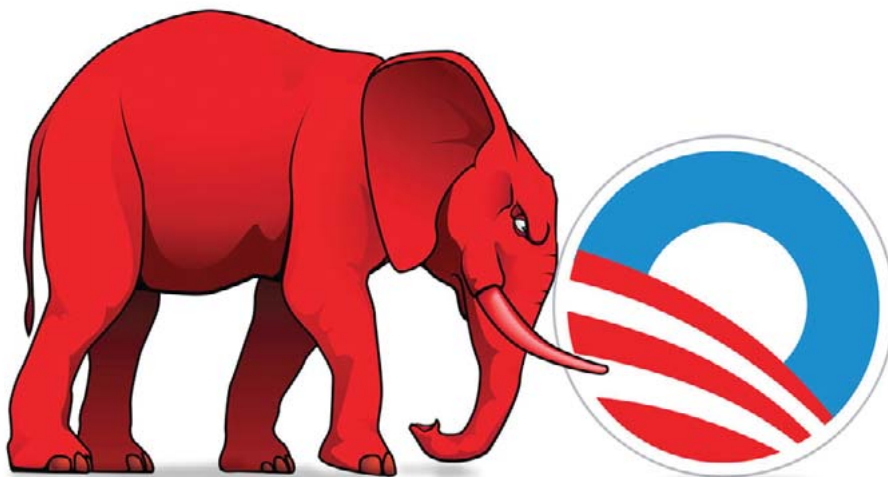
Of course, for anyone remotely possessing a musical ear, there is no such thing as background music. In the old days, when I would step into an elevator, or walk down the street in Anniston, the background music would be in the foreground, front and center, and I could no more escape those adulterated versions of Disney tunes, or songs from *My Fair Lady*, than I could fail to hear thunder or feel rain.

Which brings us to the moment of irony. A few years ago, while standing in line at the drugstore, I noticed that the Muzak was unlike any I had heard before: Instead of sleepy woodwinds and monotonous strings, from out of the ceiling came the voice of Beyoncé. She sounded, of course, as if she had stuck one of her fingers into an electrical socket; but the point is that the sound was Beyoncé herself, not some watered-down, low-volume, orchestrated version. I was suffering, I confess, as I awaited my prescription; but everybody else looked perfectly content, the Muzak safely and demonstrably in the background.

And with that, or so it seemed, the sound of Muzak was transformed. The studio musicians who once fed their families by recording long hours of schmaltz have been replaced by the simple (and presumably less expensive) expedient of familiar pop stars: Buy a gallon of milk, board the escalator, or wait for your oil change, and it’s Taylor Swift, One Direction, Justin Bieber assaulting your ears—unfiltered, unedited, and, as always, inescapable.

PHILIP TERZIAN

# What's the Alternative?



The crowing by the Obama administration over getting 7 million people to sign up for mandatory health insurance—with some portion actually paying for it—will soon fade. The big picture will remain clear: Obamacare isn't working. And Americans, who didn't like Obamacare when the Democrats passed it four years ago, don't like it now, don't want it to remain, and doubt it can be fixed. But they also don't much want to go back to the pre-Obamacare world.

According to *Real Clear Politics*, a recent ABC News/*Washington Post* poll of registered voters was the 111th consecutive poll to find more opposition to Obamacare than support for it. That poll—which was more favorable to Obamacare than most—found 48 percent support for Obamacare, 50 percent opposition to it, and a 12-point deficit for it among those who feel “strongly” (27 to 39 percent). A recent *Wall Street Journal*/NBC News survey found that, by a tally of 49 to 35 percent, respondents judged Obamacare a “bad idea” rather than a “good idea.”

That same *WSJ*/NBC News poll, however, also asked whether people would vote for a Democratic congressional candidate “who supports fixing and keeping” Obamacare or a Republican candidate “who supports repealing and eliminating it.” By artfully joining “keeping” and “fixing,” while combining “repealing” not with “replacing” but with the redundant “eliminating,” the question suggested that repeal would mean a return to the pre-Obamacare status quo. In response, Americans were essentially split (48 to 47 percent, with the Democrat up 1 point).

So Americans are ambivalent about whether to try to “fix” this “bad idea” or simply eliminate it. But what they really

want is for Obamacare to be replaced by something better.

Recent polling conducted by McLaughlin & Associates for the 2017 Project, with which we're associated, substantiates this notion. The poll, in line with party affiliation nationally, included more Democrats than Republicans—37 to 32 percent—and it showed Obama's approval rating at 44 percent, similar to other current polls. Its results for Obamacare were similar to the *WSJ*/NBC poll (41 percent approving, 54 percent disapproving).

But it also asked the following question:

Which comes closest to your view of the Patient Protection and Affordable Care Act, commonly known as Obamacare?

1. It should remain the law of the land, either in its current form or in amended form.
2. It should be repealed and replaced with a conservative alternative that aims to lower health costs and help people get insurance.
3. It should be repealed but not replaced with an alternative.

The responses show how important it is for Republicans to join repeal with replace: 32 percent preferred to keep Obamacare as the law of the land, whether in its current or amended form; 44 percent preferred repeal and the passage of a conservative alternative; and 16 percent preferred repeal alone. With an alternative—a conservative alternative—put into play, a clear plurality favored repeal and replace. And since the 16 percent who favored repeal alone would presumably easily accept a message of repeal and replace, it's safe to say that “repeal and replace” commands the support of a large majority of Americans.

In other words, when Americans are given a choice between (a) keeping or “fixing” Obamacare and (b) repeal-

ing it in the absence of an alternative, repeal splits the electorate evenly. When they are given a choice between (a) keeping or “fixing” Obamacare and (b) repealing it in the context of a conservative alternative, repeal becomes a nearly 2-to-1 winning proposition.

Moreover, this is a Main Street majority. Among those who make under \$40,000, Obama beat Mitt Romney by about 20 points (according to exit polling). Yet that same group favors repeal and replace by a 29-point margin (60 to 31 percent)—slightly more than the 27-point margin (60 to 33 percent) among those who make over \$40,000.

All of this suggests that the key to ending Obamacare is for Republicans to advance a well-conceived alternative. It's not enough to have House Republicans pass a smattering of piecemeal health bills. Americans want to know what the conservative alternative to Obamacare would look like in all.

Nor is it enough for Republicans to advance an alternative that (to quote the poll question) “aims to lower health costs” but otherwise doesn't do much of anything to “help people get insurance.” In other words, a winning conservative alternative is unlikely to be one that relies on a tax deduction that offers very little to the near-poor who are almost the sole beneficiaries of Obamacare's taxpayer-funded subsidies—and offers even less to those whom Obamacare has now added to the Medicaid rolls. Such

an alternative would do little to help—it might actually make more difficult—the repeal of Obamacare.

The 2017 Project has advanced an alternative that is designed to bring about full repeal. It would end the unfairness in the tax code by offering a refundable tax credit for buying health insurance in the individual market—thereby providing a tax break that's much like the one available to everyone in the employer-based market. It would solve the problem of expensive preexisting conditions by funding state-run high-risk pools and including a few commonsense regulations that would allow those, for example, who move from the employer market to the individual market to do so without getting charged more for a condition that was previously covered. It would save taxpayers money and make it possible for any American who wants to buy health insurance to do so. It would lower health costs by limiting the role of middlemen (whether insurers or the government) and by letting people shop for value. It would let Americans keep their plans if they like them, and in general respect their liberty. And it would repeal every last letter of Obamacare.

Polling shows Americans reject Obamacare. It shows they would prefer a conservative alternative to Obamacare. That preference should cause conservatives to take heart. Now they just need to take action.

—William Kristol & Jeffrey H. Anderson

## The Power of One or the Power of Government?

**By Thomas J. Donohue**

President and CEO  
U.S. Chamber of Commerce

Our nation is confronted with the challenges of a slow economic recovery; persistent joblessness; stagnant incomes; a generation of students at risk of falling behind the world; and the fear that the American Dream is out of reach for too many. Solutions to these challenges lie not in an all-powerful government, but in the ideas and efforts of individuals empowered by free enterprise.

The free enterprise system is built on the power of one. It enables individuals from all walks of life—regardless of their educational, financial, or ethnic background—to take risks, work hard, and make a better life for themselves. If at first they don't succeed, they can dust themselves off and try again.

It's a system that rewards personal responsibility and perseverance. It's a system not concerned about who a person

is, but by what he or she can accomplish. Though individuals may get help along the way from parents, teachers, mentors, and investors, their achievements are based on their own ideas and initiative.

We see them at work around our country in the small businesses and startups that contribute richly to their communities and our economy. Their successes mean opportunity and success for others. It's this virtuous cycle that has built the greatest economy in the world—and one that can thrive again if we let it.

If small businesses and entrepreneurs are given the freedom, flexibility, and certainty to expand and hire, they can be the difference between a so-so recovery and a strong one. They can help drive down unemployment and put more jobs and opportunities within reach for more Americans.

The alternative is the power of government—it's the view that a sweeping bureaucracy should distribute wealth, keep its hand around the throat of business through taxes and regulations, and exert

a growing influence in the affairs of both individuals and employers through big government policies.

Few of us would argue with the need for government to provide a safety net for those who truly need help. And government must play a role in education, infrastructure, and national defense. But government never has been—and never will be—a substitute for the millions of entrepreneurs and small businesses with the freedom to make their dreams a reality.

We should never think that the government is responsible for providing us with a living. We should go out there and make it on our own and tell government to get out of the way.

The answers to our nation's problems can be found in our entrepreneurial spirit—as long as we remember that, there's no obstacle or threat we can't overcome.



U.S. CHAMBER OF COMMERCE  
[www.uschamber.com/blog](http://www.uschamber.com/blog)

# ‘Legitimate Concerns’

Why cooperate with Putin’s propaganda?

BY STEPHEN F. HAYES



*Crimean Ukrainians protest their annexation by Russia, March 13, 2014.*

A new Gallup poll of Ukrainians undermines the main rationale for Russia’s aggression towards its neighbor and calls into question the U.S. approach to diplomacy with the Russians, which treats some of the Russian claims as legitimate. The findings of the

*Stephen F. Hayes is a senior writer at THE WEEKLY STANDARD.*

national survey also cast further doubt on the results of the recent referendum on Russia’s annexation of the Crimean peninsula.

Ukrainians of all backgrounds and from every corner of the country reject Vladimir Putin’s decision to send Russian troops to Ukraine to protect Russian-speaking Ukrainians, with 81 percent of those surveyed expressing opposition to the

move and 13 percent in favor. The skepticism is largely explained by the fact that Ukrainians don’t buy Putin’s claim that ethnic Russians need protection at all. Eighty-five percent of Ukrainians said that Russian-speaking citizens are not threatened, an opinion shared by 66 percent of ethnic Russians themselves. Seventy-four percent of Ukrainians living in both the south and the east, regions where Russians claim protection is most needed, responded that Russian-speaking Ukrainians were not under threat because of their language.

The survey of 1,200 Ukrainians from all regions of the country, including Crimea, was conducted March 14-26 by Gallup and Baltic Surveys for the International Republican Institute. IRI—which describes itself as a “nonprofit organization dedicated to advancing democracy worldwide”—has extensive experience polling overseas, and U.S. policymakers often rely on its findings. The interviews were conducted in person at respondents’ homes.

“These results show that east and west Ukraine are not as divided as Moscow would like you to think,” says Ambassador Mark Green, president and CEO of IRI. “Ukrainians across the country, including Russian speakers, believe in democracy and want closer ties to Europe.”

Indeed, the poll suggests that Russian aggression may have the opposite effect from what Putin intended, pushing Ukraine further away from Russia and closer to the West. In a poll taken in February, 41 percent of Ukrainians said they favored joining the European Union. That number jumped to 53 percent in the latest poll. At the same time, just 28 percent of Ukrainians said they favored joining the Customs Union backed by Russia.

The results of the survey, funded by the U.S. Agency for International Development, also complicate the Obama administration’s diplomacy with Russia. Top administration officials, including Barack Obama and Secretary of State John Kerry, have

NEWS.COM

often validated Putin's stated concerns about discrimination against ethnic Russians, even when they rejected his response to them. From the earliest days of the crisis, administration officials have offered to work with Russia to address what they've described as Putin's "legitimate concerns." Kerry, in an appearance on ABC's *This Week* on March 2, vowed that the United States would stand with the Russians to protect their interests in Ukraine. "We are prepared to stand up against any hooligans, any thuggery, any individual efforts with Russians in order to create stability in Ukraine and allow the people of Ukraine to make their choices for the future."

Recognizing the valid concerns of your adversary in an effort to resolve disputes is, of course, a standard negotiating tactic, whether in marital counseling, business, or diplomacy. But recognizing invalid, made-up concerns is likely to be counterproductive. Administration critics have argued from the beginning that Putin's alleged eagerness to protect ethnic Russians was merely a pretext for his aggression. They were right. And if most Russian-speaking Ukrainians don't take Putin's claims seriously, why should the United States or its European partners?

Among the most interesting findings of the IRI poll is the response to a question echoing the one posed in the referendum held in Crimea on March 16. That vote, eagerly sought and arranged by the Kremlin, was supposedly decisive, with 96.8 percent of Crimeans voting to separate themselves from Ukraine and join Russia. But the IRI poll found that a majority of Ukrainians in each of the four regions believed Crimea should remain part of Ukraine, with 57 percent in the south and 52 percent in the east supporting the status quo ante. Just 23 percent of Ukrainians surveyed thought the referendum was a legitimate expression of the views of Crimeans.

As Green said, "These results are in stark contrast to the alleged 97 percent of the voters in Crimea who 'voted' to join Russia." ♦

# Who Are You Calling Fascist?

Putin's Russia is in no position to criticize Ukraine. BY CATHY YOUNG

Throughout the Ukraine crisis, Moscow has insisted that the Euromaidan protests against the pro-Russian regime of Viktor Yanukovich were driven by far-right groups, fascists, or even "neo-Nazis" and that Yanukovich's downfall has brought these dark forces into the corridors of power. These claims are echoed by Kremlin-friendly Western commentators on the left (the *Nation's* Stephen Cohen) and the paleocon right (*Antiwar.com's* Justin Raimondo). Far-right extremism in Ukraine is indeed a worrisome problem. But the alarmist narrative of "neofascists in Kiev" is vastly exaggerated, more often than not with the blatant goal of discrediting a pro-democracy, pro-Western government—a bias all the more glaring when the alarmists ignore the rise of de facto fascism in Vladimir Putin's Russia and its startling connections to ultra-right nationalism in Europe.

Concerns about the political ascendancy of militant Ukrainian nationalism generally focus on two groups: Svoboda (Freedom), a far-right party which advocates some patently illiberal policies—including a ban on what it deems anti-Ukrainian hate speech—and whose leaders have a history of xenophobic comments; and Right Sector, an armed militia that gained prominence in the Maidan protesters' defense against government riot squads. (Vyacheslav Likhachev, a Russian-Jewish journalist and monitor for the Euro-Asian Jewish Congress, has estimated that only about 1 percent of the demonstrators were "radical nationalists.")

*Cathy Young is a columnist for Newsday and Real Clear Politics and a contributing editor to Reason magazine.*

As a result of the political deal brokered by Germany and France before Yanukovich's ouster, Svoboda got several appointments in Ukraine's interim government; Right Sector leader Dmitry Yarosh was offered the post of deputy chair of the national security and defense council but declined, choosing instead to run for president.

Both groups have tried to shed their bad reputation, moderating their rhetoric and reaching out to the Jewish community. These image-improvement efforts have not been entirely successful. Last month, three Svoboda MPs were caught on video intimidating and assaulting a television editor whom they accused of a pro-Russian slant; Right Sector was recently involved in clashes with police and a near-riotous rally outside parliament, leading the government to order the group disarmed.

The encouraging news is that popular support for the far right is negligible; in a March 26 poll, 2.5 percent of likely voters in the May 25 presidential election said they would vote for Svoboda leader Oleg Tyahnibok and just 1.4 percent for Yarosh. Moreover, Ukraine's current leadership is clearly determined to curb its influence. A Svoboda-driven bill that would have effectively made Ukrainian the country's sole official language was promptly vetoed by interim president Oleksandr Turchynov (a fact ignored in several subsequent articles in the American press that cited the language law as a Svoboda success). In late March, one of the top Svoboda-affiliated cabinet members, Defense Minister Ihor Tenyukh, resigned under pressure and was replaced with a nonpartisan career military man. It should be noted that

Ukraine's Jewish leaders are strongly supportive of the new government, in which several key posts are held by Jewish politicians.

Writing in *Novaya Gazeta*, one of Russia's surviving dissident media outlets, journalist Alexander Lipsky has pointed out that smearing opponents as "fascist" was a standard Soviet propaganda ploy. Its revival is particularly ironic today, when some Russians using this slur may fit it far better than their targets do. Take Deputy Prime Minister Dmitry Rogozin, who recently lamented on Twitter that Ukrainians, his Soviet-era compatriots, had turned to "Nazis all around." Rogozin first entered politics as a leader of the nationalist bloc Rodina (Motherland), which got booted from local Moscow elections in 2005 over an ad—featuring Rogozin himself—that used blatantly racist caricatures of Azerbaijani migrants. In 2011, he was the subject of a glowing tribute on the American "white identity" site *Occidental Observer*.

A far more sinister figure is Alexander Dugin, founder of the "Eurasian movement," which defines its mission as opposing "liberal hegemony" and modernity. In the 1990s, Dugin, a college dropout active in marginal ultranationalist groups, wrote essays openly advocating fascism as a "third way" alternative to communism and capitalism. Dugin argued that real fascism had never been properly tried (an argument usually made on behalf of communism) and would eventually emerge in Russia; while disavowing the racist "excesses" of Nazism, he also praised the SS as an "intellectual oasis" in the Third Reich and fantasized about the rise of "a race of Nordic warrior priests."

All this would make Dugin merely an odious crank if, by the mid-2000s, he had not emerged as a leading "intellectual" in Russia's Putin-era political establishment, with ties to top politicians and members of the official media. Dropping the word "fascist," he began to style himself a "traditionalist"; he also procured a Ph.D. and became the head of the Center for Conservative Studies at Moscow State

University. In 2009, his International Eurasian Movement counted among its board members Alexander Torshin, Duma vice speaker and a leading figure in the ruling United Russia party, and Nikolai Yefimov, editor in chief of the army newspaper *Krasnaya Zvezda* (*Red Star*). Dugin was cited as an intellectual guru by Ivan Demidov, who headed United Russia's ideology section in 2008, and currently serves as an adviser to the chairman of the State Duma, Sergei Naryshkin.

Dugin has long been a staunch foe of Ukraine's independence and a champion of reclaiming Crimea for Rus-



A pro-Putin 'Brotherhood and Civil Resistance March' in Moscow, March 15, 2014

sia. New evidence points to his direct involvement in fomenting unrest elsewhere in Ukraine. On March 31, a Eurasian Youth Movement leader, Oleg Bakhtiarov, was arrested in Kiev on charges of plotting attacks on the parliament; two days earlier, a video turned up online that showed Dugin giving tactical advice to Ekaterina Gubareva, a separatist activist in Donetsk, in an intercepted Skype conversation. (Gubareva's husband, Pavel Gubarev, in detention after leading the takeover of a local government building, is an ex-member of Russian National Unity, a militant group with black uniforms and a swastika-like symbol.)

Amidst Russia's current patriotic fervor, rhetoric with scarily fascistic overtones has gone increasingly mainstream. In his speech on the Crimea annexation, Putin called antiwar dissenters not only a "fifth column" but "national traitors," a phrase that sounds as odd in Russian as it does in English and that some bloggers traced

directly to Hitler's "*National-Verräter*" in *Mein Kampf*. At times, this rhetoric has specifically singled out Jewish dissidents. In one eyebrow-raising moment, TV talk-show guest writer Alexander Prokhanov (a notorious peddler of anti-Semitic "journalism") voiced bafflement at the Ukrainian revolution's Jewish supporters who could be "bringing on a second Holocaust"—to which host Evelina Zakamskaya replied, "They brought on the first one, too."

The Putin regime's flirtation with fascism is not just domestic. A recent article by Northeastern University political scientist Mitchell Orenstein in *Foreign Affairs* documented extensive ties between the Kremlin and the nationalist extreme right in Europe, including Hungary's Jobbik and Greece's Golden Dawn. The "international observers" Moscow invited to the referendum in Crimea included Belgian neo-Nazi Luc Michel and former Polish MP Mateusz Piskorski, currently head of the European Center for Geopolitical Analysis, identified in a 2006 Anti-Defamation League report as a former "translator and publisher of hardcore Nazi material." According to an exposé in a leading Polish newspaper, *Gazeta Wyborcza*, Piskorski's magazine *Odala*, published in the late 1990s and early 2000s, openly praised Nazi Germany, featured Holocaust deniers, and called for a united Slavic empire as "the only hope for the White Race."

In a particularly bizarre twist, Piskorski—a member of Dugin's Eurasian movement—showed up as a speaker at a March 30 St. Petersburg international conference called "Neo-Fascism in Europe: 70 Years Later," which, *Novaya Gazeta* reports, had a transparent agenda of promoting the myth of a neofascist takeover in Ukraine. Presumably with a straight face, he declared that "fascism is rearing its head worldwide."

If Ukraine's fledgling democracy survives the Russian threat, its extremist problem will likely be contained. Not so in Russia, where the rot of far-right nationalism currently starts at the top.

NEWS.COM

# Ukraine's Odious Debts

A case for repudiation. BY IRWIN M. STELZER

It is a decade since America confronted the question of just how much financial assistance to provide Iraq, then burdened with billions in debt incurred by the Saddam Hussein regime. Now we face a similar problem in Ukraine, the important difference being that Iraq's huge but mismanaged oil reserves gave it some prospect of repaying loans sooner rather than later, whereas the tapped-out Ukrainian economy has a long way to go before it will be financially viable. That day will be hastened if the government elected in May takes one giant step towards financial solvency and repudiates the billions in debt incurred by ousted president Viktor Yanukovich and the kleptocratic regimes preceding his—among the most corrupt in the world according to Transparency International—that have brought Ukraine to the edge of ruin. Debt repudiation will have to be part of any sensible program to reconstruct Ukraine's economy.

Well over 2,000 years ago Aristotle wrote what might serve as the opening line for any policymaker wrestling with the question of financing Ukraine. "At the time when a democracy replaces an oligarchy or a tyranny . . . some do not want to fulfill [public] agreements on the grounds that it was not the city [i.e., the government] but the tyrant who entered into them, . . . the assumption being that some regimes exist through domination and not because they are to the common advantage."

So would a current-day policy wonk,

*Irwin M. Stelzer is a contributing editor to THE WEEKLY STANDARD, director of economic policy studies at the Hudson Institute, and a columnist for the Sunday Times (London).*

his copy of *The Politics* tucked under his arm, tell the president of the new, democratic Ukraine government that Aristotle advises that he forget about past debts and devote the country's current cash flow to meeting the needs of



*White House protester, February 2014*

its impoverished masses and to reconstruction? Not quite. My Hudson Institute colleague Ken Weinstein, whose understanding of philosophers' musings far exceeds that of this mere economist, tells me that Aristotle intended to provoke a discussion, rather than provide a clear guide to policy.

That discussion must include an inclination to support the sanctity of contract, while coping with the feeling that Ukraine's 44 million people should not have their futures blighted by debts incurred by kleptocrats. In a sense, the case for repudiation is weaker than it was with Iraq, which did not elect the crowd that drowned the country in red ink, as did Ukrainian voters. Still, the case for repudiation, for wiping away the debts that funded the lifestyles of a handful of government officials and their private-sector counterparts, seems overwhelming, at least to American taxpayers who are being asked to fund repayment of the cost of palaces, zoos, and whatever else struck the fancies of

the now-deposed gang of public- and private-sector cronies.

Such debts are known by students of the subject as "*dettes odieuses*"—odious debts, a concept developed by Alexander Nahum Sack, a minister in czarist Russia and, after the revolution, a professor of law in Paris. Sack argued (and I draw heavily here on my earlier piece in these pages, "Forgive Them His Debts," April 21, 2003) that when a government changes hands, the liability for public debt remains intact, with one important exception:

If a despotic power incurs a debt not for the needs or in the interest of the State, but to strengthen its despotic regime, to repress the population that fights against it, etc., this debt is odious for the population of all the State. This debt is not an obligation for the nation; it is a regime's debt, a personal debt of the power that has incurred it, consequently it falls with the fall of this power.

I leave to the lawyers the question of the current validity of this thesis, but confess that this economist finds the argument persuasive. The pile of Ukraine's IOUs, "*dettes de régime*" Sack would call them, should not be repaid by the U.S. taxpayer, or allowed to interfere with the reconstruction of Ukraine's economy. Needless to say, the eraser should be applied to the nation's balance sheet simultaneously with an all-out effort to recapture the assets stolen by past regimes and their friendly oligarchs. That will require the cooperation of what we like to call our international partners, some of whom are less concerned than we are as to the origin of the deposits and investments that are squirreled away in their banks or invested in their real estate and companies. Equally important, it will be up to the new government in Kiev to set up a growth-friendly tax system, establish the rule of law and the sanctity of private property, and welcome investment capital from entrepreneurs around the world that are desperate for new opportunities and would be delighted to develop Ukraine's vast mineral deposits.

Ukraine is faced with the following

NEWS.COM

## When a New York synagogue is destroyed...

From the author of EAST WIND

Jack Winnick

DEVIL  
AMONG  
US

The FBI and the Mossad are enlisted to smash an anti-Zionist plot in the United States. The team who foiled a Hezbollah scheme in the US, Lara Edmond and Uri Levin, take on the Muslim extremists again in an action-packed, international chase.

### Praise for Jack Winnick's DEVIL AMONG US:



"Winnick's fine thriller displays his expert knowledge of the Middle East and his laudable skill as a storyteller."

-- Kirkus Reviews

"Jack Winnick has done it again with his second novel, the fast paced international thriller, "Devil Among Us," demonstrating his vast knowledge of Middle East history and politics, with an all-too plausible and scary scenario involving FBI agents, the Mossad, Christian Zionists, fundamentalists, oil tycoons, politicians against the backdrop of Arab-Muslim-based militants, which starts out with a shocking bombing of a New York synagogue on the High Holidays. Too real, just hope the bad guys don't get any ideas here."

-- Lee Bender, Philadelphia Jewish Voice

Now available at  
Amazon.com & Kindle.com

choices. It can use some of the proceeds of the \$27 billion bailout the IMF is organizing to pay its creditors, including the \$3 billion it owes Russia. Or it can repudiate the "odious debt" left behind by previous regimes. After all, the nation's citizens never had an opportunity to approve the use of the proceeds, and the creditors had to know that they were lending to a regime that just might not be around when its IOUs came due.

Repudiation might make it a bit more difficult for the new government to borrow on international capital markets, but access to international capital markets should not be out of the question for a reform-minded government. International lenders have in the past made funds available to governments that have hardly demonstrated overwhelming concern for honoring their past obligations. A tabulation of defaults and restructurings (wiping out debts by negotiation) between 1976 and 2004 by Federico Sturzenegger and Jeromin Zettelmeyer, of the Kennedy School and the International Monetary Fund respectively, shows 8 in Europe, including Ukraine in 2000, 23 in Latin America, 27 in Africa, and 7 in Asia and the Middle East. There have been more such renegings since 2004.

Perhaps now is the time for Ukraine's creditors to consider the policy prescription that John Maynard Keynes offered over 80 years ago when advocating revisions to the Treaty of Versailles. After advising Germany's creditors that their "prospects of securing more than a fraction of this . . . [debt] are remote" (a view since challenged by some historians), he argued that Britain "will gain more in honour, prestige, and wealth by employing a prudent generosity to preserve the equilibrium of commerce and the well-being of Europe, than by attempting to exact a hateful and crushing tribute." If ever there were a time when the equilibrium and well-being of Europe could use some preserving, now is that time.

American voters have made it clear that they believe Ukraine is none of our business, that they do not care to pay for infrastructure construction in a far-away country of which we know

nothing when our own country is overburdened with debt and in need of some infrastructure upgrading of its own, not to mention facing the burgeoning costs of Obamacare. The European Union will come to Ukraine's rescue with cash rather than rhetoric only if each member country agrees to a bailout, and many are not in search of another Greece. The International Monetary Fund is demanding reforms that will result in further depreciation of the hryvna, which will increase the burden of dollar-denominated debt, and an end to the huge subsidies natural gas consumers receive—suffering to follow. That makes the case for the "three Rs" compelling: repudiate odious debt, repatriate stolen funds, and reform the economy, with special attention to paring the pervasive, meddling, and corrupt bureaucracy.

That just might enable it to have some cash available for its defense, not a bad thing given that its putative allies are so frightened of antagonizing Vladimir Putin that America won't make arms available to the ill-equipped Ukrainian military (Obama offered MREs, Meals Ready to Eat); Great Britain, Ukraine's sovereignty co-guarantor, is reluctant to frighten off oligarch cash; and Germany, the de facto leader of the EU, worries about its energy supplies and export markets. By one estimate Ukraine has 6,000 battle-ready but ill-equipped ground troops to match against Russia's 845,000 soldiers equipped with outdated weapons, but lots of them.

Shorn of the world's third-largest strategic nuclear arsenal and other weapons it surrendered in return for a treaty in which we, Britain, and Russia seemed to guarantee its territorial integrity (Obama reaffirmed the 1994 Budapest Memorandum in 2009), Ukraine is reduced to depending on the kindness of strangers. If nervous nations, noting the tenderness with which North Korea, Iran, Pakistan, and Russia are treated by what is called "the international community," need another reason to consider arming themselves with nukes rather than relying on America & Co., they have it in Ukraine. ♦

# Balkan Lessons

Only Putin learned them. **BY STEPHEN SCHWARTZ**



*Newly identified remains from the 1995 massacre of Muslims in Srebrenica, Bosnia, July 2013*

Vladimir Putin learned lessons from the Balkan wars of the 1990s that the rest of the world ignored or has forgotten. He invokes an obviously false parallel between the NATO bombing of Serbia and liberation of Kosovo in 1999, and his own annexation of Crimea. In his speech of March 18, Putin sought to justify the Crimean “referendum” for unification with Russia on “the well-known Kosovo precedent—a precedent our Western colleagues created with their own hands in a very similar situation, when they agreed that the unilateral separation of Kosovo from Serbia, exactly what Crimea is doing now, was legitimate and did not require any permission from the country’s central authorities.”

Numerous Western commentators have refuted the alleged similarity between the seizure of Crimea and

the separation of Kosovo from Serbia. But there is a wider context to Putin’s use of the Balkan bloodshed.

First, Putin has taken from the Balkan wars an understanding that the West is easily distracted and neglectful of details. Especially after September 11, 2001, when Balkan Muslims, particularly Albanian Muslims, rallied to the side of the United States, the Balkans were relegated to their usual secondary or even irrelevant status in global affairs.

Having ripped apart Yugoslavia, killed hundreds of thousands of people, and undermined the regional transition away from communism—a process a reformed Yugoslavia could have led—Serbian demagogue Slobodan Milosevic was consigned to the United Nations International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, where he died in 2006, unrepentant and unpunished. At The Hague, the West sought “closure” from the Balkan wars.

Nobody, it seemed, imagined that the events between 1991 and 2000 in Slovenia, Croatia, Bosnia-Herzegovina, Kosovo, and Macedonia foretold a pattern to be followed by Moscow, the enabler of Serbia, in years to come. When Russia invaded and partitioned Georgia in 2008, no one mentioned the failed division of Croatia and the successful split of Bosnia-Herzegovina between a “Republic of Serbs” and a “Federation of Bosnia-Herzegovina” grouping Bosnian Muslims and Croats.

Putin’s education from the Balkan wars may extend further. He apparently remembers what others choose not to recall: that the West did not aid Slovenia militarily, although the Slovenes defended themselves successfully; that Croatia was provided only with sub-rosa military assistance during its struggle; that Bill Clinton hesitated for three years, from 1992 to 1995, before acting in Bosnia-Herzegovina; that a vast crowd of Western media and political apologists recycled Serbian propaganda throughout the Balkan wars; that foreign political and military officials on the ground were prone to sympathize with the Serbs, allowing their atrocities to proceed unchecked.

The ignominy of the West in the Balkans was epitomized by the acquiescence of Dutch “peacekeepers” to the Serbian detention and massacre of some 8,000 Bosnian Muslim men and boys in Srebrenica in eastern Bosnia in 1995. Srebrenica today remains under Serbian control. Srebrenica was a “teachable moment,” but only the Russians appear to have studied it.

Although wholesale slaughter has not occurred so far, Putin has otherwise followed the Serbian manual in his assault on Ukraine. At the end of March, Russian foreign minister Sergei Lavrov pressed a demand to the increasingly feckless John Kerry that Ukraine be forced to “federalize,” meaning that it be compelled to accept partition of its territory, and that it establish the Russian language as a second official idiom alongside Ukrainian.

*Stephen Schwartz is a frequent contributor.*

This strategy, including the occupation of Crimea, replicates exactly the proclamation of Serbian “border republics” within the historic lands of Croatia beginning in 1991. So does the hysterical agitation over the status of the Russian language. In Croatia, Serbs alleged that they were victims of Croatian discrimination against the Serbian dialect of the language once called “Serbo-Croatian” because of its mutual intelligibility, and now called “Bosnian-Croatian-Serbian.”

In addition, Milosevic, like Putin on Ukraine, branded the Croatian Republic proclaimed in 1991 a nest of Jew-hating fascists, bent on massacring Serbs and reviving the Axis-aligned Ustasha regime that ruled during World War II. On March 18, Putin said, “those who stood behind the latest events in Ukraine . . . resorted to terror, murder, and riots. Nationalists, neo-Nazis, Rus-sophobes, and anti-Semites executed this coup. They continue to set the tone in Ukraine to this day.” Lavrov has insisted to Kerry that Ukraine must “disarm irregular forces and provocateurs.” These are the constant themes of Russian propaganda.

Serbia, according to Milosevic and his clique, could not forget the crimes enacted against Serbs in Croatia a half-century before. Those horrors warranted vengeance on all Croats, including the great-grandchildren of those alive during the Ustasha period. Correspondingly, Putin smears the Ukrainians as “ideological heirs of [Ukrainian nationalist Stepan] Bander, Hitler’s accomplice during World War II.” In reality, Croatia has no anti-Jewish party or newspaper today, but was delayed in its admission to the European Union while Romania, where Jew-hatred remains a visible force, was welcomed into membership. Analogous accusations against the Ukrainian revolutionaries remain unsubstantiated.

Putin in Crimea employed “irregulars” out of uniform as a preliminary strike force, as Milosevic summoned Serbian guerrillas in Croatia and Bosnia-Herzegovina to kill and expel non-Serbian residents.

Above all, Putin disdains recollection of the events in 1987-97 in Kosovo that led to the NATO intervention. The Kosovar Albanians were thrown out of their jobs, as well as the education and health systems, by Milosevic beginning in 1989. The Kosovars pursued a campaign of nonviolent resistance until 1997, under the leadership of a conservative philosopher, Ibrahim Rugova. They organized unofficial schools and medical services, paid for by parents and patients, and kept themselves fed thanks to the hard work of peasants, most of whom had family members living in towns.

In 1997, Albanian patience ran out. The Kosovo Liberation Army (KLA) challenged Serbian police and military tyranny. Putin lies when he says NATO intervention in Kosovo was carried out without “any permission from [Serbia’s] central authorities.” In 1998-99, the Kosovo Verification Mission and two prior iterations, subsidized by the West, attempted to settle the Kosovo disaster. The KLA went to Rambouillet in France to negotiate with Serbia. Belgrade rebuffed these efforts.

Serbia had massacred Kosovar civilians, and it continued large-scale killings. Only then, fearing a flood of refugees into Greece and Italy, did the West act on a promise made by president George H.W. Bush in 1992, when he warned Milosevic that crossing a “red line” by attacking Kosovo violently could bring about unilateral American military action. Serbia attempted the expulsion of the whole Kosovar Albanian population to neighboring Macedonia and Albania.

No Russians ever pursued a non-violent alternative to Ukrainian governance in Crimea, and no Russians have been threatened with mass homicide by Ukrainians. Yet Putin claims impudently the right to “save” Russians in Crimea and elsewhere inside the borders of Ukraine and, it would seem, anywhere else Russians are to be found, including in the pseudo-state of Transnistria, carved away from Moldova. Agitation about

local Russian grievances is already heard in Latvia, a NATO member.

There is a correlation between Russian conduct today and the Balkan wars, but it doesn’t have to do with Kosovo. Rather, it is the adventurism of Milosevic and that of Putin that are analogous, the vocabulary and political habits of both autocrats, and the threatened partition of Ukraine and that of Bosnia-Herzegovina, which was made permanent by the unfortunate Dayton Accords of 1995. The leader of the “Republic of Serbs” inside Bosnia-Herzegovina, Milorad Dodik, supports Putin. At the same time, Serbian “parallel structures” like those that appeared in Crimea have pushed since 1999 to lop off northern Kosovo as a “Serbian Republic.”

Unfortunately, the most significant commonalities between Russian aggression against Ukraine and the Balkan wars are found in the venality of Western apologists for Putin, and in the debility of the West in standing up to him.

Slovenia and Croatia beat Milosevic because they had economic assets and unity that Ukraine lacks. His reverses in those countries did not discourage Milosevic from proceeding to devastate Bosnia-Herzegovina and Kosovo. We may presume Putin will repeat such a course. And finally, Ukraine loves Europe the way Bosnia-Herzegovina and Kosovo love Europe. But the European Union, the United Nations, and the international agencies responsible for administration of these wounded lands, except for the U.S. forces in the NATO contingents, have grossly disappointed the Bosnians and Kosovars.

For both those peoples, economic life has been left unreformed, the rehabilitation of education is neglected, politics is corrupt, unemployment is steep, and the brain drain from Bosnia-Herzegovina is among the highest in the world. America and Western Europe failed the Balkan states and disregarded Georgia. Will Ukraine, even if it repels Russian aggression and grows closer to Europe, meet the same fate? If it does, Putin may have his final revenge. ♦

# Counting by States

The Democrats' Senate problem.

BY JAY COST

What do Alaska, Arkansas, Louisiana, Montana, South Dakota, and West Virginia have in common? For one, none has a city larger than 400,000 people. For another, they all voted for John McCain in 2008 and Mitt Romney in 2012. For yet another, they are the most likely places for Republicans to pick up Senate seats, thus taking control of the upper chamber, in 2014.

These three facts are related.

Much ink has been spilled about the “coalition of the ascendant” that the Democrats have formed, which essentially consists of young professionals, nonwhite voters, and gentry liberals. The claim is that this coalition will make it well-nigh impossible for the Republican party ever to win the White House again.

Perhaps, but this Democratic coalition will struggle mightily to keep control of the Senate, let alone wield a working, liberal majority ever again. That's because the Democrats, with this new coalition, have left behind the rural voters who used to be the party's bread and butter.

For generations, the Democratic party was built on an alliance between rural and urban voters. It was often uneasy. At 1924's Democratic National Convention, for instance, the two factions bickered over Prohibition and took more than 100 ballots to settle on a nominee. Even so, successful Democratic candidates from Woodrow Wilson to Bill Clinton found various ways to unite the blocs. Wilson, Lyndon Johnson, Jimmy Carter, and Clinton

all were born in the South, Harry Truman came from a border state and could speak with a distinctive Southern twang, and Franklin Roosevelt had personal ties to the region. Barack Obama, on the other hand, relied more



Ready to lead the minority: Harry Reid

heavily than ever on the urban vote for victory in 2008 and 2012, making his coalition notably different from those that came before it.

This strategy can work on a presidential level—assuming Democrats can sustain turnout and support at the lofty heights that Obama enjoyed—but it is a problem in Congress, especially the Senate, where rural states play a uniquely strong role. This gives the Republican party a structural advantage in the battle for majority control. When he won the popular vote by just two points in 2004, George W. Bush carried 31 states, amounting to 62 Senate seats. Though he lost the popular vote by four points in 2012, Mitt Romney still carried 24 states, amounting to 48 Senate seats. The road to the White House might now run through Las Vegas, Nev., and Denver, Colo., but the road to a Senate majority still runs through Pierre, S.D., and Charleston, W.Va.

So why has the Democratic party

managed to control the Senate for the last three election cycles? There are two reasons. The first is Republican incompetence. States with large rural populations, no overwhelmingly large cities, and conservative suburbs are prime targets for the GOP, but bad Republican candidates forced unnecessary losses dating back to 2006 in Alaska, Indiana, Louisiana, Missouri, Montana, and North Dakota. Second, and related, is the capacity of Democrats in these states to carve out identities independent of the national party, to emphasize the old rural (some would say “Jacksonian”) strands that still exist on the subnational level.

In 2014, neither of these reasons appears to be much of a factor. Republicans seem to be attracting better-quality recruits than they have had in previous cycles. There will be no Todd Akin-style gaffes coming from Tom Cotton in Arkansas or Bill Cassidy in Louisiana.

Second, Obama has rebranded the Democratic party as heavily partial to the values and interests of urban voters. Arkansas Democrat Marion Berry recounted in 2010 that Obama assured him that the big difference between the upcoming midterms and 1994 was “You’ve got me.” He was correct, but not in the way he meant to imply: The GOP swept the field in the House elections that year, doing particularly well in the rural districts of the South and Midwest. Something similar is set to happen in the Senate, as a huge swath of Democrats from rural, red states will pay the price for consistently supporting Obama's agenda.

This is often the way coalitions evolve: Change starts at the top and works its way down, slowly but surely. For a time, the local politicians left stranded by a national rebranding can last on their own, carving out independent identities and relying on the incompetence of the competition. But, sooner or later, the party's national reputation seeps through, and the other side figures out how to run a decent campaign. This is why, though the Republicanization of the South started

Jay Cost is a staff writer  
at THE WEEKLY STANDARD.

in earnest on the presidential level in 1952, the GOP did not win a majority of Southern House seats until 1994. Since then, the Democrats have never reclaimed that Southern majority.

What about the elections after this fall? There can be no doubt that the Republican party has problems putting together a national coalition to win the presidency. The GOP needs to win more Latino voters, more African-American voters, and more young voters. It also needs to drive better turnout among its core vote in critical swing states like Florida and Ohio.

But our government is a separated system in which the power to enact law is split between a presidency and a bicameral legislature. In the latter, the Republicans have the structural advantages. In 2012, Obama won 70 percent of the vote in the big cities, but less than 40 percent of the vote in rural areas. His political coalition may be favored to win the White House, but Republicans will be favored to win the Senate and, thanks to the concentration of Democratic voters into federally mandated minority-majority districts, the House of Representatives as well.

This development will likely be immune to demographic changes sweeping through the Southwest. No doubt immigration has redrawn the political landscape of California over the last 30 years, but California still has only two senators, just like Arkansas, Idaho, North Dakota, and Louisiana, whose demographic shifts have not altered their political balance.

Thus, the outsized majority that Obama enjoyed in Congress after the 2008 election appears in retrospect to be more of an artifact of the previous age, when the party brand was not so heavily dependent upon the “coalition of the ascendant.” Now, six years into the Obama administration, Democratic senators will have to deal with the “descendant” voters the Obama administration has ignored. And it’s those voters that may well hold the balance of power in the Senate, and it is looking increasingly as if they intend to wield it mercilessly come November. ♦

# Being and Naziness

The authentic Heidegger. BY LEE SMITH

The literary and intellectual world was up in arms last week with the publication in Germany of Martin Heidegger’s private philosophical notebooks. The first three volumes of the diaries, from the years 1931-1941, bring conclusive evidence that the man who is arguably the greatest philosopher of the 20th century was an anti-Semite.

“World Jewry,” Heidegger wrote in one 1941 entry while Hitler’s armies were well on their way to overrunning Europe, “is ungraspable everywhere and doesn’t need to get involved in military action while continuing to unfurl its influence, whereas we are left to sacrifice the best blood of the best of our people.” In another passage, Heidegger wrote that the Jews, with their “talent for calculation,” were opposed to the Nazis’ racial theories because “they themselves have lived according to the race principle for longest.”

In spite of all the media attention—not only in Europe, where Heidegger’s influence is still felt strongly in philosophy departments, but also in the United States and Israel—the publication of the “black books,” so-called because of the color of the oil-cloth covers of the diaries, hardly amounts to a revelation. Heidegger’s pro-Nazi, pro-Hitler positions have been known for more than 80 years to anyone who cared to pay attention. He joined the Nazi party in 1933, and in a 1935 lecture notoriously spoke of the “inner truth and greatness” of national socialism, a passage he saw fit to include in

a collection of his work published in 1953. Heidegger never resigned his party membership during the war, and after it never publicly repudiated his pro-Nazi statements.

The question then is not whether Heidegger was a Nazi sympathizer, or an anti-Semite, for he was clearly both.

As the public response to the publication of the “black books” makes clear, the question is how Heidegger’s ethical and political positions should affect, if at all, our understanding of him as one of modernity’s great thinkers.

This isn’t the first time that Heidegger disciples and defenders have struggled with critics over the philosopher’s vicious political history. In 1987, the French scholar Victor Farias published *Heidegger et le nazisme*, which split the intellectual world on both sides of the Atlantic between those who believed that his Nazism could not help but color his work and those, like Jacques Derrida, who drew a clear distinction between the philosophy and the politics.

At the time, another French philosopher, Vincent Descombes, cautioned against making too quick a judgment in either direction. Descombes, who was sharply critical of the German thinker’s philosophy, observed that “it may well be that those readers who claim to have no difficulty making the transition from Heideggerian metaphysics to politics are really only too happy to find themselves on more familiar ground.” In other words, Descombes was warning against the easy moves afforded by what Hoover Institution scholar and WEEKLY STANDARD contributor Peter Berkowitz has called “tabloid scholarship.”



Martin Heidegger

Lee Smith is a senior editor at THE WEEKLY STANDARD.

Berkowitz coined the phrase in 2004 while reviewing a sensationalist and mendacious book by Anne Norton, *Leo Strauss and the Politics of American Empire*. It may be difficult now, a decade later, to recall some of the outrageous claims being made back then regarding Strauss's sinister hold on figures working in the George W. Bush administration, or for instance, that journalists from prestige publications, like the *New Yorker's* Seymour Hersh, thought the seeds of the Iraq war had been planted decades before in Strauss's seminars on the history of political philosophy at the University of Chicago. And the fact that Bush had taken the country to war to rid Saddam Hussein of his weapons of mass destruction, weapons that would never be found—well, this was a calculated executive branch deception plotted precisely along the lines of Plato's concept (supposedly endorsed by Strauss for use in practical politics) of the "noble lie."

The problem was that this was a fanciful, indeed fallacious, reading of Strauss. Far from being, as many of his critics claimed, an anti-liberal, Strauss, as Berkowitz wrote elsewhere, "found liberal democracy superior to all its realistic rivals." His complicated philosophical judgments were consistent with and even supported a practical preference for liberal, constitutional democracy.

Consider, in contrast, one of Heidegger's notorious statements, in which he compared industrialized agriculture to the Holocaust. "Agriculture is now a motorized food industry," Heidegger said in 1949, "the same thing in its essence as the production of corpses in the gas chambers and the extermination camps, the same thing as blockades and the reduction of countries to famine, the same thing as the manufacture of hydrogen bombs." Heidegger's philosophy apparently led to an incapacity or unwillingness to distinguish the mechanized slaughter of six million Jews from the mechanized harvesting of industrial amounts of food. Heidegger's philosophy seems to provide no sound basis for distinguishing, as Strauss does, between good regimes and bad ones.

And indeed Heidegger saw no difference between Nazism, communism, and what he called Americanism—all of them, from his point of view, were virtually identical forms of nihilism.

Still, Strauss himself thought that Heidegger was perhaps the most important philosopher of the 20th century and a great reader and teacher of philosophical texts—texts that Heidegger taught his students to read as living sources of wisdom.

For Heidegger, to do philosophy is to ask the question, what is Being? Or, why is there something rather than nothing? From his point of view, philosophy took a wrong turn with Plato, who was not merely content to ask the question but attempted an answer, too. For Plato, according to Heidegger's interpretation, Being is the immutable and eternal presence. This, argues Heidegger, is where metaphysics goes astray, leading Western civilization down a rabbit hole and away from Being, from authenticity. That there is no ground for Plato's answer, no way to discern such a presence and thus the immutable truth, leads finally to nihilism, or the view, in Nietzsche's words, that nothing is true and everything is permitted. But Heidegger seems to have thought that nihilism opened up a new horizon, once again offering man the opportunity to ask again authentically, what is Being? Heidegger's attack on the Socratic philosophical tradition that led man down the wrong path seemed to open the possibility of a necessary and radical restructuring of Western civilization.

Here Heidegger was little different from many of his 20th-century peers in literature and the arts, like the poet Ezra Pound, a supporter of Mussolini who wrote that Western civilization was "an old bitch gone in the teeth." The problem with modernity as they saw it was that it was nothing but a great leveling. The lawmakers, poets, and artists that any sane society would beg to rule over it were pushed aside in favor of the mobs. To the aristocrats of spirit like Heidegger, liberal democracy was aesthetically offensive and fundamentally corrupt. The only solution was to bring it down and start

again, with the philosophers and poets in charge. Thus, for close to a century now, some of the West's greatest minds have taught that the privilege, and duty, of the Western intellectual is to unmask and unmake the West, even—or especially—through violence.

For Heidegger the necessary agent of apocalypse and rebirth was the Nazis. For one of his French apostles it was Iran's Islamic Revolution. "Industrial capitalism," said Michel Foucault, had emerged as "the harshest, most savage, most selfish, most dishonest, oppressive society one could possibly imagine." It leveled the playing field with the result that everyone was mediocre. It stripped the world of its primordial magic. The authentic life was to be found in the charisma of the great leader and his stark displays of power, the superman who transcended liberal democratic values.

In 1978 Foucault went to Tehran to cover the revolution for an Italian newspaper. "It is perhaps the first great insurrection against global systems," wrote Foucault, who was later disappointed by the Iranian Revolution—as Heidegger eventually was disenchanted with Nazism. But what he found in the bright blood spilled in the streets of Tehran was a fulfillment of the orgiastic violence his work seemed to anticipate and celebrate.

The Heidegger debate matters because even 80 years after the German philosopher announced his political affiliation, and 70 years after the concentration camps were liberated, generations of Western Europeans and Americans, much of our cultural elite, have been shaped by an intellectual current that despises liberalism and dismisses as mediocre a politics based on individual freedom and committed to equality before the law. Instead, the Heideggerian spirit welcomes the return of magic, of blood and power, the violence of the strongman. In the end, the Heidegger debate is not about his thought as a philosopher but about his message as a false prophet, one who heralded the end of the liberal democratic order and the birth of something new, something terrible, something unknown. ♦

---

# HOT & Bothered

*High-Occupancy Toll lanes: another nightmare  
from the suburbs-hating traffic planners*

---

BY JONATHAN V. LAST

*Springfield, Va.*

**E**ven the mighty GPS cannot save you from the Springfield mixing bowl. Located seven miles south of Washington, D.C., this is the confluence of three major highways—I-95, I-395, and I-495—along with several smaller county roads. A hideous tangle of cloverleaves, bridges, and flyovers, the mixing bowl is a traffic factory with so many lanes, exits, and merges that its dysfunction has earned it a Wikipedia page. Trying to make your way through with GPS guidance alone offers perhaps a 50-50 chance of success; the only sure means of navigation is hard-won experience.

Part of the confusion stems from the fact that the intersecting highways have both normal lanes and special lanes. The north-south axis (I-95 and I-395) consists of an eight-lane divided highway, with four normal lanes flowing in each direction. Between them sit two special lanes, which are sometimes reserved for High-Occupancy Vehicles (HOV), carrying three or more people, and sometimes open to everyone. The special lanes reverse direction depending on the time and day. Sometimes they flow north, and sometimes south.

The east-west highway (the I-495 loop, or Capital Beltway) has its own special lanes, too. They are designated High-Occupancy Toll (HOT) lanes. If your vehicle has three or more passengers and you've leased a special kind of E-ZPass transponder, you may use these lanes for free. HOT lane cars with fewer than three passengers or only a regular E-ZPass must pay a toll. This toll varies depending on traffic. You never know how much it will be until you get to the on-ramp.

As I said, it's all quite confusing. The mixing bowl confronts drivers with any number of what transportation engineers call "decision nodes." Do you have the right E-ZPass? Which way is the traffic moving? How much is the toll today? Will the special lanes have an exit at the place where

you want to get off? (Not all exits are available from both the main and special lanes, and the omissions are nowhere marked for drivers.) And all of this excludes the question of the traffic, which, by the numbers, is as heavy as anything you'll find east of California.

The heavy traffic is the reason all of those "special" lanes were built in the first place. And more of them are coming. In the next few months, the north-south HOV lanes will be expanded and converted to HOT.

HOT lanes are all the rage in transportation engineering. Over the last few years, they've mushroomed across the country: from I-85 in Georgia to I-95 north of Miami; from I-394 and I-35 in Minnesota to I-15 in Utah. California is lousy with them, of course: The I-10, the I-15, and the I-110 all have HOT lanes. There's even a HOT lane on a lowly state road in California, SR-237. That's outside of San Jose, and the toll there fluctuates between 30 cents and \$6.00 for the privilege of driving a four-mile stretch of road. All told, there are 21 HOT lane projects up and running in America today. More are in the works.

HOT lanes have a small, but potent, constituency. Progressives, who reflexively support any measure that makes living in the suburbs more costly—their ultimate aim being to nudge people into dense, urban cores—see HOT lanes as a check on suburban sprawl. On the other side, libertarians view HOT lanes as a perfect instrument of free-market economics, allowing consumers to put a dollar value on their time by choosing to pay their way out of traffic—and in turn fostering smaller government by offloading public responsibility for roadways onto private companies. Both sides are, to a certain extent, correct. HOT lanes are wondrously useful to divergent ideological agendas.

The question of whether or not they work is another matter.

**T**raffic has been confounding American transportation planners for better than half a century, ever since the interstate highway system was born under Dwight D. Eisenhower. Interstates not only connected distant urban areas, but made the creation of outer-ring suburbs (and later exurbs) possible. Highways had

---

*Jonathan V. Last is a senior writer at THE WEEKLY STANDARD and the author of What to Expect When No One's Expecting: America's Coming Demographic Disaster.*

the effect of making high concentrations of jobs (in the cities) accessible to lower-cost housing (in the suburbs). You could plausibly argue that as much as the birth control pill or television, it was highways that—for both good and ill—made the American way of life possible in the late twentieth century.

As people migrated to the suburbs, some highways became congested. Under optimal conditions, a lane of freeway can move roughly 1,800 cars per hour. In places like metropolitan Los Angeles—which combines sprawl with the hard geographic limits of a bounding ocean and a bisecting mountain range—this rate of throughput, as the traffic engineers call it, on the existing freeway lanes proved inadequate. The obvious solution was to add lanes, increasing carrying capacity. But over time, economists and engineers came to believe that adding capacity to the system only made the traffic worse. They contended that adding lanes “induced demand.” Which is to say that building extra lanes only encouraged more people to drive, with the end-state of gridlock being a permanent condition, no matter how many lanes you had.

There was never a solid scientific basis for induced-demand theory—in fact, a great deal of research has subsequently rendered it dubious, at best. But that’s beside the point. The specter of “induced demand” was a good excuse to not build more highways, which has been the prime directive of environmentalists, urban planners, and other *bien pensants* of the administrative state for the last 35 years.

At the same time induced-demand theory was making the rounds, conservative economists proposed that the real answer to traffic was pricing. Roadways, they argued, are a classic tragedy of the commons. Because highway travel is free, so many people take advantage of it that it gets ruined for everyone. The economists contended that if use of the highways were priced, people would be forced to put a value on driving and the invisible hand of the market would regulate traffic.

At first the economists fixated on “peak pricing,” that is, charging a toll during rush hour. But flat tolls were a crude mechanism. What they longed for was a dynamic system that would always reflect the “true” cost of usage. In 1993, two economists at the Reason Foundation, Gordon Fielding and Daniel Klein, proposed a regime of variable pricing: When traffic was light, the toll might be 50 cents; when traffic was heavy, it might jump to \$8. Dynamic pricing would force drivers to pay a true price to avoid traffic. The market would then cause *driver economicus*

to regulate his behavior in the most efficient manner.

The creation of cheap, passive Radio Frequency Identification transponders in the early 1990s made dynamic pricing possible. Drivers registered for transponders (such as the E-ZPass system in the northeast, or SunPass in Florida) that were tied to a credit card. Tolls could be collected electronically while the car was moving. With the problem of collection solved, adjusting prices on the fly was easy. All that was needed was a system of sensors at on-ramps and exits to track the movement of vehicles within the network and a computer algorithm that could raise or lower prices so that traffic volume in the HOT lanes was kept moving at some predetermined minimum speed, say, 50 mph. The first HOT lanes in America, on SR-91 in Orange County, California, opened in 1995.



Look on my works, ye Mighty, and despair: Springfield, Virginia's mixing bowl.

Six years after Fielding and Klein launched the HOT lane concept, Robert W. Poole Jr. and C. Kenneth Orski became its most formidable intellectual advocates with a piece in the journal *Regulation* that still serves as the definitive argument for HOT lanes. Poole and Orski began by attacking the HOV concept: HOV lanes, they said, were problematic. Drivers didn’t like them; the environmentalists who’d agitated for them in the first place during the 1970s were having buyer’s remorse; and academic studies suggested they didn’t relieve congestion.

Poole and Orski suggested that the big problem with HOV lanes was that they were underused: A freeway lane that could be moving 1,800 vehicles per hour, when marked for HOV, might be moving 400. If those cars held an average of 3 people, HOV lanes were less efficient than general purpose lanes. Further, even if HOV lanes were moving 1,200 cars an hour, they still had latent capacity that was going unused. So Poole and Orski proposed converting HOV lanes to HOT.

The appeal of their proposal was simple: In addition to carpooling riders, the express lanes would attract single drivers willing to pay a toll. This would soak up excess capacity in the express lanes, relieve congestion on the main lanes, move all riders faster—and generate revenue to boot.

To cover the costs of conversion (or new construction), states could form partnerships with private-sector companies, which meant that the improvements could be made with a minimal tax burden. It was win-win-win.

The market would solve everything.

**H**ere is how the market solved the Springfield mixing bowl: In 2002 the state of Virginia decided to get into the HOT lane business. It solicited bids to add HOT lanes to the Virginia portion of the Capital Beltway and in 2005 entered into a deal with an Australian company, Transurban, to build HOT lanes along a 14-mile stretch of I-495. The cost was estimated to be \$900 million, and the project was to be completed by 2010. At the time of the agreement, the sources of funding for this public-private partnership were, as they say in baseball trades, to be named later. This omission made it difficult to tell whether the Transurban proposal was any good. But then, there wasn't much basis for comparison anyway: The Australian company was the only bidder.

By 2007, when Democrat Tim Kaine was governor, the launch date had been pushed back to 2013 and the project cost had almost doubled, to \$1.7 billion. Even so, the private partners generously committed to providing \$1.3 billion of the necessary funds. In return, they would be granted a 75-year concession to operate the lanes and would share 30 percent of toll revenues with the state of Virginia.

There was, however, some fine print. Revenues would be shared with the state only after all operating costs and project debt had been repaid. The budgetary math suggested this moment would arrive roughly the third Sunday after Never.

And it turned out that most of the "private" money would be coming from the public, too. By the end of 2007, the projected cost was up to \$1.9 billion—these deals rarely get better as they go along—and Transurban announced that it had secured \$1.2 billion in sweetheart loans and "private activity bonds" from the U.S. Department of Transportation and the state of Virginia in addition to the \$409 million Virginia had already committed to spending for the cause. In the end, Transurban plunked down just \$350 million of its own money.

As this game of financial Twister was playing out on the I-495 project, Transurban signed another deal with the Virginia Department of Transportation to begin work on converting the HOV lanes on I-95/I-395 into HOT lanes,

too. Your average consumer might have waited to see how the vendor performed on one project before signing on for another. But then, government is not the average consumer, and the singular joy of public-private partnerships is that all money can be seen, after a turn, as other people's money.

In 2009, the I-95/I-395 proposal was shelved for a spell because of the Great Recession. But just three Recovery Summers later it was back. This time the HOT lanes were signed into being by a Republican governor, Bob McDonnell. (One of the important drivers of HOT lane projects is that they tend to fall under the purview of the executive branch—meaning that legislatures are not involved, and the governors who sign them into being are always long gone by the time they're built. There is no obvious political recourse for citizens who do not want them.)

The projected price tag for I-95/I-395 looked like a bargain: just \$940 million for 29 miles of HOT lanes. And this time Transurban committed to paying a huge chunk of it, \$843 million, with Virginia on the hook for only \$97 million. Except that nearly \$600 million of Trans-

urban's contribution again came in the form of government bonds and loans. And again, no other companies bid on the project. The I-95/I-395 HOT lanes are being built at this very moment.

Mind you, when we talk about the state being "on the hook" for a certain share of costs, that doesn't really tell the whole story because the state also gave away the land underneath the HOT lanes. And then, buried in the 172-page final agreement for the Beltway project was a peculiar clause. You'll recall that on Virginia's HOT lanes, vehicles carrying three or more people are allowed to travel toll-free. (They signal that they're in HOV compliance by flipping a switch on their special E-ZPass transponder. This transponder costs \$12 a year to rent. So even if you never pay to use the HOT lanes, you have to pay for the ability to signal that you're not paying.)

In any event, Transurban was concerned that these carpooling freeloaders would eat into its profits. So the stipulation was inserted that if HOV traffic exceeds a certain percentage of total drivership (24 percent) then the state of Virginia will have to pay Transurban for the carpoolers. How much? Up to 70 percent of the prevailing toll rate for each HOV vehicle. And this provision isn't just to keep Transurban from going out of business: It doesn't sunset until Transurban clears more than a 12.98 percent profit from the project. The arrangement is every capitalist's

---

**It turned out that most of the 'private' money for Virginia's HOT lanes would be coming from the public, too. In the end, Transurban plunked down just \$350 million of its own money.**

dream: free land, developed with taxpayer money, for privatized profits and socialized losses.

Thus far, the HOT lane experiment on the Beltway has had poor results. The lanes officially opened on November 7, 2012. The original Transurban proposal projected that 66,000 cars a day would use the express lanes; during the first six weeks they averaged 23,308 vehicles per day. Transurban said not to worry—this was just a “ramp up” period. By the close of 2013, a full year into the project, the average number of daily trips was up to 41,327—still nearly 40 percent off the projected pace. On the HOT lanes’ single biggest day ever, only 46,975 vehicles used them. What this means, practically speaking, is that most of the time the HOT lanes sit relatively empty while traffic crawls along in the main lanes. Traffic engineers call this excess capacity. Drivers call it a waste.

The intellectual defense of HOT lanes begins with the observation that paying for the use of roads is nothing new. HOT lanes actually represent the third era of American tolling. Back in colonial days, nearly all “pikes” were privately owned toll roads. Then in the 1930s and ’40s, there was a wave of construction of big, state-owned toll roads—the Pennsylvania Turnpike, the Massachusetts Turnpike, the New York Thruway, the glorious New Jersey Turnpike. Seen in this light, HOT lanes and other forms of “congestion pricing” are merely the latest attempt to apply market principles to roadways in order to meet the needs of the moment.

And it’s not as if we don’t need more highways. As Reihan Salam noted in a 2013 paper for the libertarian think tank R Street, the cost of maintaining and upgrading roadways to handle their current load in the United States runs to the hundreds of billions of dollars—which most state governments are at present unable or unwilling to pay themselves. Salam argues that road pricing (including both HOT lanes and other schemes) holds some promise. Yet Salam is careful to note that road pricing is no panacea.

The Reason Foundation’s Robert Poole—who’s more or less the godfather of HOT lanes in the United States—is equally careful and honest in his advocacy. Poole never claims that HOT lanes are the solution to traffic. Instead, his most persistent argument is that HOV lanes have proven to be wasteful and that research suggests that converting

HOV to HOT moves more people more efficiently. There are enough studies to suggest that, in the abstract, this is probably true. Tolls beat carpools.

The question is whether in practice HOT lanes are superior to general purpose lanes. The evidence on this score is mixed, and the anemic ridership on the Capital Beltway in Washington, D.C., isn’t unique. Washington state, for instance, began a pilot HOT program with 10 miles of lanes on SR-167, outside Seattle, in 2008. After four years, revenue was less than a third of initial projections. The best that can be said about HOT lanes is that they may work, in some configurations, in some places—

provided the government drives a hard enough bargain and the planning and modeling for the project are sound.

Which is fine, so far as it goes. The catch is, adding basic, general-purpose lanes works 100 percent of the time. This is particularly important in the case of the I-95/I-395 project, where the state is giving away two lanes that are open to the general public for 19 hours a day and turning them into HOT lanes full time. The problem with general-purpose lanes isn’t practical, it’s political:

Environmentalists and progressives hate them; politicians don’t want to pay for them; and there’s no way for sharp-eyed private companies to extract money from them.

HOT lanes are often derisively referred to as “Lexus lanes”—that is, special roads where Richie Rich can speed along in his roadster, a monocle in one eye and hundred-dollar bills flying out the window. The defenders of HOT lanes don’t like this term. After a *Washington Post* columnist questioned the Beltway’s HOT lane project in 2012 using the L-word, *Toll Roads News*, the industry’s bible, ran an editorial calling the columnist a “lame-brained lefty.” It defended HOT lanes thus:

Of course the toll express lanes will be used more by those with more money. Only a simple-minded leftist sees that as an argument against them. For a start the wealthy are often very productive people, and if they are prepared to pay their way to avoid congestion then both they and society benefit.

Even by the standards of libertarian money-worship, this is strong stuff. Yet populist concerns about HOT lanes aren’t specious. For one thing, citizens should always be



*Dynamic signage for Virginia’s HOT lanes:  
But how much time will it save you?*

wary when the government conveys public land to a private entity. They should be doubly so when the private party gets the land free. And triply so when the private party has no competition for the gift.

HOT lane advocates are quick to point out that surveys suggest a wide spread of income among users. Indeed, it seems that most drivers use HOT lanes only occasionally and that “regular” customers are a minority. Even so, the income of HOT lane users does tend to be higher than average, which makes it hard not to see the lanes as a transfer of wealth up the economic ladder. The government gives away public land. It funds the public portion of the construction costs. It provides loans and bonds to the private construction company. And then, once the HOT lanes are operational, it pays for the state troopers who patrol them and the crews who keep the snow off of them. That’s an awful lot of public resources being lavished on a good designed for folks at the higher end of the earnings scale in the name of some nebulous public benefit. It’s a bit like the massive government hand-outs to electric car manufacturers, such as Tesla, which have had the effect of subsidizing luxury cars for the rich and famous. Only it’s more obnoxious, because when Ben Affleck drives around in his Tesla, he has to sit in the same traffic as you do in your Ford. That is, unless he hops on a HOT lane. In which case your tax dollars will have made his drive both nicer *and* faster.

Yet what makes HOT lanes truly unfair is that they discriminate on price, not value. Think about the economic choice offered to a driver as he approaches a HOT lane on-ramp at the Springfield mixing bowl. At the moment he arrives, both the HOT and main lanes look clear. The HOT sign flashes a price at him. Perhaps it’s \$3.85. The key to understanding the nature of HOT lanes is that at that moment the driver has no idea what the price represents.

In order to make an informed decision about whether to pay the toll, our driver would need to be able to compare travel times to his destination in both the main and HOT lanes. Obtaining this information isn’t difficult; highway administrators do it all the time. Drive down any stretch of freeway in America these days and you’re likely to see signs estimating travel times to points in the medium distance: Exit 160: 13 miles, 14 minutes. And yet the signs for HOT lanes in Virginia won’t tell you anything about travel times.

Withholding this information gives away the game. After all, for a price to communicate useful information, it must be attached to a good. Yet HOT lanes are deliberately opaque as to what they are offering for purchase. In reply,

---

**In reality, the new Virginia HOT lanes will function something like Obamacare’s individual mandate: You either sign up to use them and pay the cost of doing so, or you pay a penalty in the form of increased traffic.**

apologists will tell you that what HOT lanes are really selling isn’t saved time but a guarantee that, no matter what, traffic will move at some minimum speed. As Poole and Orski put it, “Saving time is only one of several reasons for using [HOT] lanes. Other perceived benefits include increased reliability, greater safety, and superior predictability of arrival time.”

That “perceived” seems important. What with the no-competition contracts, the government loans and bonds, and the HOV subsidies, HOT lanes have meandered far, far away from free-market principles. And by admitting that they’re not actually selling a good—time—but rather a panoply of intangible benefits, the advocates have gone farther still. In fact, we’ve reached the point where you can see why progressives like HOT lanes as much as libertarians do.

For all the talk of pricing and value decisions, in reality, the new Virginia HOT lanes will function something like Obamacare’s individual mandate: You either sign up to use them and pay the cost of doing so, or you pay a penalty in the form of increased traffic.

And the function of this mandate is to discourage a lifestyle—suburban, middle-class living—that both progressives and libertarians find distasteful.

Consider a commuter making his way north on I-95 toward Washington at 9:30 in the morning. With the HOV restrictions lifted—they run from 6:00 A.M. to 9:00 A.M. and from 3:30 P.M. to 6:00 P.M.—he can cruise along in the open express lanes. Yet the traffic in the main lanes will continue to crawl slowly until close to noon on most days—because there are relatively few points at which drivers can enter the express lanes.

Once the HOT project is complete, however, our suburbanite who has diligently arranged his commute to off-peak hours will no longer be able to use the express lanes for free. Instead, he’ll have a choice: move into the morass of traffic on the main lanes, adding perhaps an hour a day to his commute, or pay the toll for the HOT lanes, which is likely to run somewhere between \$1,500 and \$2,000 a year.

For some people—specifically the kind for whom that sort of money is merely the cost of doing business—this might turn out to be an improvement. For the median household, it will be the imposition of either a financial or a temporal burden. But of course, that’s the point.

Because like everything else the government does these days, the HOT lane project is ultimately about picking winners and losers. ♦

---

# The Next Governor of Texas?

*On the campaign trail with Greg Abbott*

---

By MICHAEL WARREN

*Edinburg, Texas*

There's a small crowd munching on tacos and tortilla chips here at El Pato, a local chain restaurant in Texas's Rio Grande Valley. We're a short drive from the Mexican border, in a part of the state that's nearly 90 percent Hispanic. The folks here are noticeably whiter (or more Anglo, as Texans would say) than that, but plenty of Hispanics have shown up, too. Fifty-six-year-old Greg Abbott, the powerful attorney general and Republican nominee for governor, is discussing how years of incredible economic growth are transforming Texas. He makes sure to mention the state's fastest-growing demographic group.

"People are streaming across the border every single day," he says. "And you know who they are." The room falls uncomfortably quiet. Where's he going with this? "They are Californians," he deadpans, breaking out into a big smile.

The tension releases, and everyone laughs. It's a carefully planned joke, part of a carefully planned campaign. Abbott tells me that he likes to make jokes that disarm voters, to make them think he's going one way before he veers off in a different direction. He's got another one he tells often, and it definitely doesn't start off funny.

It was 1984, and Abbott had just graduated from Vanderbilt Law School. He and his young wife Cecilia had moved back to Texas, where Abbott was about to start a plum job at a firm in Houston. On a jog with a friend one day, he ran slightly ahead down a leafy street. Abbott heard a crack, and he was suddenly pinned down to the ground by a fallen tree. The tree had crushed a car parked nearby. It had also crushed his back.

The accident left him paralyzed from the waist down, in a wheelchair for the rest of his life. He'll tell crowds about his recovery. "The doctors helped me piece my life back together by literally piecing the fragments of my vertebrae together, gluing them together, and then fusing them

together and then inserting steel rods in my back," he says.

Voters may have heard politicians say when it comes to the tough decisions, they'll have a spine of steel. "I really do have a steel spine," Abbott counters with a grin.

The jokes reveal how assured Abbott is in his bid to become the first new governor of Texas in 14 years. And why shouldn't he be? The state has become increasingly Republican over the last few decades. The GOP has held the governorship for 27 of the last 35 years, and without interruption since George W. Bush defeated Ann Richards in 1994. Most polls show Abbott with a double-digit lead over the Democratic nominee, state senator Wendy Davis. "He's gonna win," says the incumbent, Rick Perry, the longest-serving governor in state history.

Even the act of coming down to the Rio Grande Valley, just two days after winning the GOP nomination, is a sign of confidence from Abbott. The Valley remains the Democrats' strongest nonurban redoubt in Texas, thanks to the overwhelmingly Hispanic population. In Hidalgo County, where Edinburg is located and the largest of the four-county region, George W. Bush won 53 percent of the vote in his 1998 landslide reelection win. Like the rest of Texas, Hidalgo County has grown incredibly since then, but unlike the rest of Texas, Hidalgo's grown more Democratic. In 2010, Perry earned about the same number of raw votes in Hidalgo as Bush had, but by then that was just 32 percent of the electorate.

Bush and Perry didn't need those votes in the valley to win in Texas, and neither will Abbott. Still, an interesting thing happened in the March 4 primary. Both Abbott and Davis sailed easily through their respective contests, but the buzz among reporters and political types alike was how poorly Davis performed in the valley. She lost three of the four counties, including Hidalgo, to a perennial also-ran Democratic candidate. The Fort Worth-based Davis had all but secured the Democratic nomination after a headline-grabbing filibuster last year of a bill that included a ban on most abortions after 20 weeks of gestation. (The bill later passed in a special session and was signed into law.) Davis's filibuster earned her a great deal of fawning media coverage from national outlets, who wondered if she might be the one

---

*Michael Warren is a staff writer at THE WEEKLY STANDARD.*

to finally “turn Texas blue.” The message just didn’t seem to make it down to the border.

Or maybe it did. One Abbott supporter in Edinburg, former state representative Aaron Peña, is a Democrat-turned-Republican with strong ties to the valley. He says his fellow Hispanic Texans may vote Democratic, but they are traditionalists on cultural issues, including abortion. Davis may be popular with the liberal set in Austin, but she doesn’t offer much to Peña’s constituents, he says. And that’s what makes Abbott’s bold pronouncement in Edinburg sound almost plausible.

“I am going to strive to set an all-time historical record for the number of votes a Republican garners in the Rio Grande Valley,” he tells the crowd.

A more realistic hope may be that conservative Hispanic Democrats stay home in November. Davis herself doesn’t appear to be making much effort to court the Valley vote, or any vote for that matter. She’s noticeably inconspicuous on the trail, and even friendly media have a hard time finding her. During the final weeks of the primary, one desperate MSNBC employee actually called up the Abbott campaign to find where Davis would be stumping.

Abbott mostly ignores his opponent. In his primary night victory party in San Antonio, he doesn’t mention Davis at all. With some coaxing in our interview, he simply notes that she’s too liberal for Texas.

“After Senator Davis got into the race, she realized, wait a second, Texas is a little bit different than the narrow focus that she had,” he says. “As a conservative who has been involved in running the state of Texas for more than a decade, I know where Texans stand on issues. Where they stand is where I stand on issues.”

**A** big theme for Abbott is that he’s an embodiment of the Texas spirit. He was born in Wichita Falls in 1957, just a few years before a local professor named John Tower became the first Republican senator from Texas since Reconstruction. His parents were Republicans, unusual in midcentury Texas, and he distinctly remembers a Goldwater bumper sticker on their car when native son Lyndon Johnson was running for president. Abbott spent his youth in Longview, in deep East Texas, and then went to high school in Duncanville, outside of Dallas.

For college, it was the University of Texas in Austin, which would make him the first Longhorn governor since Dolph Briscoe in the 1970s. There, he met Cecilia Phalen, with whom he started attending Catholic Mass. It wasn’t

long before they were a couple, and they soon married in her hometown of San Antonio. Abbott would later formally convert to his wife’s faith, which would make him the first Catholic governor of Texas. And, as he frequently notes on the trail, Cecilia is the granddaughter of Mexican immigrants and would be the state’s first ever Latina first lady.

“My family is like so many others across the entire state of Texas. We are multicultural. We’re Anglo. We’re Irish. We’re Hispanic,” he says in San Antonio. “But we’re all one family. Well, the blending of cultures in the Lone Star State works. We are one people. We are all Texans. And we unite on the common ground of faith, of family, and of freedom.”

Abbott even sees his accident in terms of his Texan identity. He says parents of the physically and mentally handicapped frequently tell him how his example inspires them and their children. “It’s a way of empowering people, knowing that we’re not strapped down by our circumstances, that we can rise above our circumstances,” he tells me. “That’s quintessential Texas right there.”

Throughout our conversation, Abbott opens up more about that day in Houston 30 years ago. He remembers lying on the ground, hearing the ambulance approach, and wondering: Would he work again? What would happen to his marriage? Would he even survive?

“I felt completely uncertain for the first time in my life about what I would ever be able to do,” he says.

“Uncertain” isn’t a word anyone would use to describe Abbott now. He talks and acts with a sense of purpose that sometimes comes across as arrogant. I asked him if all his time on the campaign trail over the years had changed his mind about an issue or made him see something in a different light. He pauses, turns his head to think, and shakes the question away. “Nothing strikes me, right now,” he says. “It’s more been a reaffirmation.”

Like most successful politicians in Texas, Abbott has his own brand of swagger. Physically, Abbott can’t replicate, say, the Lyndon Johnson style of invading a political adversary’s personal space. And he’s not really one for backslapping and deal-making either, like Rick Perry. Abbott’s manner is quieter and more deliberate. The swagger is in his command and knowledge.

“He’s a lawyer,” says Perry. “And, you know, lawyers just think different.”

Abbott worked for a few years as a trial lawyer in Houston, but he says he became fed up with judges who came to court unprepared. “I grew increasingly frustrated as I spent a



*Greg Abbott at a rally in Austin, July 2013*

lot of my clients' money getting very well prepared for cases, only to find that these judges were making decisions and they hadn't even read the briefs," he says. So he ran for a district judgeship in Harris County and won. Abbott's reputation grew such that in 1995, Governor Bush appointed him to the Texas supreme court. The next year, Abbott won election to the seat outright and was reelected in 1998.

After returning briefly to private practice, Abbott ran successfully for attorney general in 2002, 2006, and 2010. Abbott may have started his political career as a judge, but it was in the AG's office that he came into his own. He became known within the Texas legal community as a whip-smart conservative with an eye for talented young lawyers. One of those lawyers was Don Willett, who was Abbott's deputy attorney general and now sits on the state supreme court. Another was an Ivy League-educated former U.S. Supreme Court law clerk named Ted Cruz, who served as Abbott's solicitor general from 2003 to 2008.

"He brings a humility to the job each and every day," says Cruz of his former boss. "But he's also a man of considerable courage." He notes Abbott's decision—not an unpopular one in Texas—to challenge the Bush administration's order that states revisit convictions of foreign nationals who had not been made aware of certain rights under international law. The related case, *Medellin v. Texas*, went to the U.S. Supreme Court, which found international law alone is not binding U.S. law.

"Greg Abbott made the decision that Texas would stand up and go to the U.S. Supreme Court and argue that President Bush's order was unconstitutional," Cruz says, despite the fact that Bush was "a Republican, a Texan, and a friend."

As attorney general, Abbott had a "tremendous opportunity to play offense and advance some personal priorities," says Don Willett. One opportunity came in the form of a lawsuit against the state over the constitutionality of a monument depicting the Ten Commandments erected on the grounds of the state capitol in Austin. The Fifth U.S. Circuit Court of Appeals ruled the monument's placement was constitutional, but the plaintiff appealed to the Supreme Court. When the Court took it up in 2005, Abbott himself argued the case—and won. The Ten Commandments case makes a regular appearance in his stump speech.

So does Abbott's recent role as unofficial leader of the state attorneys general battle against Obamacare. In December 2009, he joined other AGs in co-signing a letter to congressional leaders raising constitutional questions about the bill before it had even been passed and signed into law. A week later, on January 5, 2010, Abbott also wrote to Texas senators Kay Bailey Hutchison and John Cornyn detailing the constitutional problems with the Senate bill that would eventually become Obamacare. That letter was an early public argument against the constitutionality of the individual

mandate with respect to the Commerce Clause—the same argument that was affirmed when the Supreme Court ruled the mandate would have to be enforced as a tax.

Abbott's conservative legal victories as attorney general—he boasts that he's sued the Obama administration more than 25 times—make good talking points on the campaign trail in Texas, but they don't quite constitute a governing agenda. His message about the future of Texas is practically indistinguishable from that of incumbent governor Rick Perry's: low taxes, less regulation, more freedom. It's what Perry and Abbott both call the Texas model, and there's no question it's working. While other states have struggled through the recession, the Lone Star State is booming. It has one of the country's lowest unemployment rates (5.7 percent), aided in part by technological developments in resource extraction that's shifted Texas's energy industry into overdrive. The low-tax regime means lots of companies are relocating or expanding in Texas, including tech firms like Facebook and Dropbox. When Abbott talks about those Californians streaming across the border to Texas, he's including plenty from Silicon Valley.

One statistic Abbott cites is that up to 1,400 people are moving to Texas every day. "That's adding several Wacos a year, several Tylers a year, several Lubbocks a year," says Abbott. "That's almost incomprehensible." And that amount of growth has side effects. Stretches of Interstate 35, which runs north to south through big urban areas like Laredo, San Antonio, Austin, and Dallas-Fort Worth, are increasingly backed up with traffic. Even in smaller cities like Edinburg, people feel the strain of outdated infrastructure. In a state where almost everything's going right, that's given Abbott something to actually campaign on.

"Are your roads getting crowded here in the Rio Grande Valley?" he asks the group at El Pato, who nod their heads. "Are you waiting in line longer than ever before? Well, I have an answer to that growing problem." The answer, he says, is four to five billion dollars more toward road construction. The money will come chiefly from the state's rainy-day fund and oil and gas royalties.

He asks them to imagine what is likely a future Abbott campaign commercial. There's footage of a congested highway, with Texans stuck in unending traffic. "The camera pans in closer to show the bumper-to-bumper traffic, and you are moving no faster than you are right now," he says.

Then he turns himself in his wheelchair to the side and mimes moving his wheels. "And then it shows, on the shoulder of the roadway, a guy rolling up in a wheelchair, passing all these cars, showing a guy in a wheelchair can move faster than traffic in Texas. Elect me governor and I will get Texas moving again."

There's more laughter, and plenty of applause. Abbott turns forward again and smiles. ♦



Tammany Hall, 1914

# Big Blue Machine

*The rise and fall of New York's Tammany Hall.* BY VINCENT J. CANNATO

**T**he modern Democratic party has a bit of a history problem. The oldest political party in the world regularly celebrates Jefferson-Jackson Day dinners, yet both men are hardly taken as role models by today's left-leaning Democratic party. Both were slaveholders, with Thomas Jefferson possibly fathering children with one of his slaves. Andrew Jackson, meanwhile,

*Vincent J. Cannato, who teaches history at the University of Massachusetts, Boston, is the author of The Ungovernable City: John Lindsay and His Struggle to Save New York.*

**Machine Made**  
*Tammany Hall and  
the Creation of Modern American Politics*  
by Terry Golway  
Liveright, 400 pp., \$27.95

is further tarnished by his policies of Indian removal and forced relocation.

They are an uncomfortable reminder that, for much of its history, the Democratic party was the party of slavery, racial segregation, and white supremacy. That both Jefferson and Jackson were also skeptical of a strong centralized federal government only adds to the awkward position of these two flawed

politicians in the Democratic pantheon.

Another black mark on the historical Democratic party has been the various corrupt political machines that governed American cities in the 19th and early 20th centuries (although, to be fair, there were some Republican machines as well). None is more famous than New York's Tammany Hall—specifically, the Democratic party machine of Manhattan. And no Tammany figure is more notorious than William M. Tweed. Boss Tweed and Tammany have long been synonymous with graft, corruption, kickbacks, vice, stolen elections, and even violence. Tweed is still defined by the carica-

tures of him as an overweight, greedy schemer, as drawn by Thomas Nast.

There has been a wave of Tammany revisionism in recent decades. Leo Hershkowitz's 1977 biography of Tweed saw him as a misunderstood figure, "more a victim than a scoundrel or thief." Daniel P. Moynihan argued that the machines provided a legitimate social function to the city, representing the interests of previously excluded Irish Catholics and giving some semblance of order to the often chaotic nature of urban affairs. Others have noted that, despite the corruption of Tammany Hall and other political machines, cities under their political control still managed to produce an amazing number of public works.

Now comes Terry Golway's lively and thoughtful new book, which joins this long parade of Tammany revisionism. Golway subtly blends the political history of these machines with the larger story of the post-famine Irish Catholic migration and the growth of the Roman Catholic church in America.

The story of Tammany is not just the story of Irish immigrants, but also of how American Catholics gained acceptance in a Protestant America in which anti-Catholicism was a driving force. Golway credits Tammany's success to its role as a defender of the interests of newly arrived Irish Catholics, who were despised by Anglo-Saxon Protestant Americans for both their ethnicity and their religion. Scarred by the Great Famine as well as the oppressive colonization of Ireland by the British, American Irish Catholics continued the fight on this side of the Atlantic.

Golway dismisses one of the sillier academic theories of recent years: that Irish immigrants were not considered "white," and fought to prove their "whiteness" by viciously turning their backs on blacks. Irish immigrants were always legally considered whites; they could not have become naturalized citizens if they hadn't been. Their problem was not their color, but their Irishness, and, just as important, their religion.

To understand the growth of Tammany and the relationship between the Irish and African Americans, one has

to wrap one's mind around one of the bigger ironies in American history: Many northern antislavery types were also bitterly anti-Catholic and anti-immigrant. The Know Nothing party was deeply opposed to immigration; however, many members were also antislavery: When the Know Nothings took control of the Massachusetts state government in the 1850s, one major piece of legislation the party enacted was the desegregation of the state's public schools.

It is perfectly understandable that Irish Americans resented this and found it difficult to square a concern for slaves with antipathy for Irish Catholics. The only American organization that paid any heed to Irish Catholics was the Democratic party, to which the Irish flocked and remained stoutly loyal. But this was the same Democratic party of the Southern "slavocracy," leading most Irish Catholics toward, at best, a strained relationship with blacks and little sympathy for abolitionism.

After the Civil War, Tweed and Tammany gained political strength, thanks to the votes of Irish immigrants. Tweed's run would end in the mid-1870s, thanks to a corruption scandal related to the construction of a new courthouse building behind City Hall. (Today, the building is widely known as the Tweed Courthouse and houses the offices of the Board of Education.) In the wake of Tweed's downfall, there was even a serious move to restrict the voting rights of New Yorkers to property owners and taxpayers, hoping to water down Tammany's voter base. The bill ultimately failed.

All of the interest in Boss Tweed is a bit of a red herring. Tweed was Irish Protestant, not Catholic, and Tammany's great growth and power would occur after Tweed's death in 1878. It was Tweed's three, lesser-known successors—Honest John Kelly, Richard Croker, and Charles Francis Murphy—who would govern Tammany for the next half-century and turn it into a political powerhouse.

The idea of the political "boss" is also a bit misleading. It implies a man with unlimited power, when, in reality,

the boss sat atop a complex hierarchical organization, from block leaders to district leaders to war leaders. The organization was designed to get out the vote in support of Tammany-approved candidates, but it also provided a network that was responsive to the needs of those at the bottom rung of society. If Democratic voters owed loyalty to the machine, the machine repaid them by providing services—everything from jobs, to help with the city bureaucracy, to free food and clothing for those in need. Political clubs were a form of civic participation, a way to integrate newcomers and others on the margins. It could be argued that the machines helped facilitate upward mobility for recent immigrants. In the case of Tammany, the machine proved a potent force in pushing back against anti-Catholic laws and politicians.

Golway also argues that Tammany "prepared the way for modern liberalism," opposing "laissez-faire capitalism" and pushing a "new social contract in New York, one that served as a model for a more aggressive role for government in 20th-century American society."

The real heroes of the book are Charles Francis Murphy and the "Tammany Twins," future governor and failed presidential candidate Al Smith and future U.S. senator Robert Wagner. The oft-told tale is that the tragic 1911 Triangle Shirtwaist Factory fire finally opened the eyes of Tammany Hall and forced it into an alliance with progressive reformers to push for more government regulation. However, though Smith and Wagner did serve on the commission to investigate the fire, which recommended reforms, the story is not completely accurate. Golway rightly notes that Tammany, under Charlie Murphy, had been pushing for minimum wage laws, workers' compensation, and other progressive legislation for years before the Triangle fire.

Golway is careful not to push the argument too far. Tammany might have supported some social welfare legislation, but they were hardly anticapitalists and often found themselves fending off challenges from those who presented less prosperous New Yorkers with more radical plans for social change, such

as the radical utopian Henry George, who ran for mayor in 1886, or William Randolph Hearst, who ran for mayor on the Municipal Ownership League line in 1905. Tammany men often made common cause with city businessmen and had no trouble making money for themselves. The sainted Charlie Murphy made enough money through his family's contracting business (no doubt helped by city and state contracts) to buy a Long Island mansion with a nine-hole golf course.

Tammany politicians came to their liberalism not through a desire for radical change or social engineering; for them, supporting the minimum wage was a form of self-interested politics, a way to help out their political constituents. Golway also perceptively notes that Tammany's more liberal views were well within Catholic doctrine. Pope Leo XIII's 1891 encyclical *Rerum Novarum* laid out the case for the protection of workers and a basic social welfare system. A devout Catholic like Murphy would no doubt have been more influenced by that message than by the writings of any progressive muckraker.

After the Triangle fire, Tammany did begin to strengthen its bonds with some progressive reformers, including future labor secretary Frances Perkins.

But the influence worked both ways: If Tammany under Murphy tried to smooth out its rough edges, the reformers also put aside some of their prejudices and learned the value of working with people different from themselves.

Golway makes a persuasive case that it was Franklin D. Roosevelt's budding relationship with Al Smith in the 1920s that turned FDR from a supercilious and somewhat frivolous young man into a more humble, empathetic, and ultimately more successful politician. His adult-onset polio certainly helped in that transition, but so did the humble politician from the Lower East Side.

FDR and Smith would have a famous falling-out over the 1932 presidential

race, however, and Smith would bitterly turn against FDR and the New Deal, going so far as to join the Liberty League. It is at this point that Golway chooses to wind down his story. In doing so, he misses one of the more interesting parts: the decline and fall of Tammany. Yet if he had gone into more detail about Tammany's decline, it would have severely complicated his thesis.

What ultimately killed Tammany Hall was modern liberalism itself. With

attack from upper-middle-class reformers, like a young Edward Koch and the *Village Voice*. They saw DeSapio and his machine as reactionary and corrupt. Similar fights went on in the Bronx and in Brooklyn. If Tammany was truly the great fount of liberalism that Golway paints it as, it would have come as news to the reformers of the 1960s and '70s. The Democratic party would now be the party of Bella Abzug, Robert Abrams, and Elizabeth Holtzman. (Ironically, Ed Koch would later, as mayor, align himself with the remnants of the outer borough political machines, something that would almost bring down his mayoralty in scandal during his third term in the late 1980s.)

*Machine Made* probably represents the end point of Tammany revisionism. There is not much more that can be said on Tammany's behalf. Golway does not ignore the flaws and corruption of the machine, but he doesn't dwell on them. For every Al Smith, there was a corrupt Jimmy Walker. Tammany might have supported public works, but it also neglected Central Park in the early 20th century, to the point that the city's crown jewel wallowed for decades in decay. Whatever benefit Tammany provided, our contemporary conception of politics is still more reminiscent of the reformers' idea of public service

for the common good than Tammany's self-interested and transactional politics. And that's probably for the best.

Today's Democratic party has inherited the worst of the political worlds of both reformers and bosses: the smugness and elitism of reformers who think they know best how to arrange the lives of their inferiors and the political hackery, voter fraud, and dysfunctional city governments of machine rule. What is missing from today's Democratic party is what ultimately redeems the historic Tammany Hall: a sense of giving average individuals a stake in their societies, an outlet for their concerns and needs, and a basic respect for their beliefs. ♦



Charles F. Murphy, Franklin D. Roosevelt, 1917

the New Deal and the expansion of the social welfare state, the federal government began to take over some of the functions of the political machines. This expansion turned beneficiaries into *clients* of the welfare state, which asked for little or nothing in return. For all of its faults, Tammany Hall at least made its beneficiaries *participants* in the larger political drama, not clients of the state.

By the early 1960s, Tammany Hall and the political machines of the other boroughs came under continual attack from liberal Democratic reformers. The takedown of Carmine DeSapio, the last boss of Tammany, gets only a paragraph's mention here. In reality, the Greenwich Village boss came under

# The Middle Way

*Recognizing a neglected landscape  
in American history.* BY JAMES SEATON

The importance of the Midwest to American and even world history is, one would think, obvious and uncontroversial. Jon Lauck points out that in the decades after the American Revolution, the Midwest “proved to those who were skeptical that this republic could expand and that republican sentiments could persist and intensify.” Later, “the Midwest tipped the scales in the Civil War, preventing the early demise of the American republic that skeptics had anticipated, and proved essential to the Anglo-American cooperation that stanch the spread of appalling forms of twentieth-century tyranny.”

If the United States has grown “large, rich, and powerful,” it is in large part because of the agricultural and industrial development of the Midwest.

Despite the region’s evident significance, all too many academic historians have treated the Midwest as a sort of “lost region,” Lauck observes, seemingly considering it inconsequential to American history except as the home of anti-intellectualism, anti-Semitism, and general xenophobia. This dismissal of the Midwest can be traced back at least to H.L. Mencken’s condemnation of the “boobosie” in the 1920s, but it found new life in the influential writings of Richard Hofstadter (*Anti-intellectualism in American Life*, *The Paranoid Style in American Politics*) and in the works of practitioners of “New Western History, cultural Marxism, and other related modes of historical interpretation prominent in recent decades.”

*James Seaton, professor of English at Michigan State, is the editor of George Santayana’s The Genteel Tradition in American Philosophy and Character and Opinion in the United States.*

## The Lost Region

*Toward a Revival of Midwestern History*

by Jon Lauck

Iowa, 206 pp., \$35



*Irwin, Nebraska*

In reply, Lauck makes a case for the nearly forgotten “Prairie Historians” of the first half of the 20th century. Many of the Prairie Historians were inspired by Frederick Jackson Turner, whose famous “frontier thesis” asserted the importance of the West for the development of American democracy. Lauck emphasizes, however, that recognition of the significance of the Midwest for American history has little or nothing to do with the validity of the frontier thesis itself. The Prairie Historians were not ideologues seeking to advance sweeping interpretations of world or national history, but rather students of local and state chronicles who “planted themselves in the archives and worked hard” in the “pursuit of facts and evidence in order to advance an objective interpretation of the past.” They founded scholarly organizations such as the Mississippi Valley Historical Association to further the study of Midwestern history, and founded or aided Midwestern state historical societies.

The group included figures such as Clarence Alvord (1868-1928) from the University of Illinois; Benjamin Shambaugh (1871-1940) from the University of Iowa; Orrin Libby (1864-1952) at the University of North Dakota; and Solon Buck (1884-1962), who taught at several Midwestern universities and served as the longtime superintendent of the Minnesota Historical Society. In the 21st century, the Prairie Historians would likely be classified as conservative or right-wing, since they believed that the “progress of American democratic institutions and thought” combined with American “capitalism and economic growth . . . to create the exceptional nature of American development.” Today it seems to be conservatives who accept the notion of American exceptionalism, but Lauck points out that, in their day, the Prairie Historians themselves were generally on the political left. In the 1930s, they were “mostly liberal and supportive of the New Deal.”

Lauck does not attempt to glorify the group, observing that they were “not immune to the pettiness of academic politics,” and pointing out that by 21st-century standards, the Prairie Historians gave too little attention “to the role of women, African Americans, and workers.” He also notes, however, that they were well aware of the problem of bias in writing history and did their best to combat it by eschewing large-scale historical theorizing and, instead, relying as much as possible on “hard work and exhaustive archival digging” while adopting “a posture of prairie pragmatism toward the obvious limits of objectivity and historical knowledge.”

Such pursuits may seem old-fashioned to postmodernists, but Lauck insists that

The Prairie Historians’ focus on collecting evidence and attempting to interpret that evidence as fairly and objectively as possible still constitutes the best organizational model for the discipline of history.

In making an explicit argument on behalf of the Prairie Historians, Jon Lauck also makes a largely implicit, low-key argument on behalf of the Midwest,

ANDREW FILER

Midwesterners, and the middle-class values whose prevalence in the region has been noted by both friendly and hostile observers at least since 1838, when Abraham Lincoln contrasted “the order loving citizens of the land of steady habits” with “the pleasure hunting masters of Southern slaves” in his *Address Before the Young Men’s Lyceum of Springfield, Illinois*. For the Prairie Historians, and for Lauck, the Midwest is the region “where the democratic gains of the Revolution were consolidated and extended, where slavery was prohibited, where settlers balked at the continuing power of the coastal elites, and where forms of populism sprouted.”

Lauck avoids polemics while still staking out his own position. Taking note of David Brown’s left-leaning interpretation of Midwestern history and historians *Beyond the Frontier: The Midwestern Voice in American Historical Writing* (2009), Lauck goes out of his way to praise the book as a “wonderfully rendered portrait of one strain of the midwestern historical mind.” Brown’s work is commendable, but it “is best seen as an account of a prominent midwestern tradition of leftist historical writing” that presents “a midwestern historical tradition, not *the* midwestern historical tradition.” Lauck does not claim that he himself is presenting *the* voice of the Midwest, only that the Prairie Historians represent “another tradition . . . which also brought a genuinely midwestern voice to history.”

Lauck carefully avoids connecting his defense of the Prairie Historians and the Midwest with current cultural/political debates; but some of the possible implications of his argument are made explicit by Fred Siegel in his *Revolt Against the Masses*, published last year (see “Opiate of the Elites,” *THE WEEKLY STANDARD*, Feb. 10, 2014). Like Siegel’s polemic, *The Lost Region* affirms (in its own understated way) the sort of attitudes and ideas that most American intellectuals, whether they style themselves Marxists, Freudians, or members of the literary-cultural vanguard, have reflexively dismissed as “bourgeois.” As Frederick Crews once observed in explaining the pantheon of *Partisan Review*, the longtime house journal

of the New York intellectuals, “What united Marx and Proust, Nietzsche and Joyce, Freud and Camus, was their equidistance from Iowa.”

Siegel argues at length that modern liberalism, despite its claim to support the average American against the alleged predations of 1-percenters like the Koch brothers, is defined by its “antipathy to conventional, middle-class America.” Lauck, in contrast, is not much interested in criticizing, let alone condemning, the sources of the contempt for the Midwest that his book quietly opposes.

Lauck is content simply to affirm the focus of the Prairie Historians on “the development of democracy and small-scale capitalism in the Midwest.”

For Lauck, the Midwest provides an example that speaks for itself. An unbiased study of the history of the region, he suggests, demonstrates the ways in which middle-class values, democracy, and the market can reinforce and nourish one another. If the Midwest is a “lost region” for today’s academic historians, it may be because the lessons its history teaches are only too obvious. ♦

BCA

# Yesterday’s Future

*A World’s Fair in Queens for a nation in transition.*

BY LAUREN ZELT

**D**uring the summers of 1964 and 1965, more than 51 million people—beatniks, squares, and international tourists alike—packed their bags and traveled to the World’s Fair in Flushing Meadows, Queens. Just in time for the 50th anniversary of opening day, Joseph Tirella, in this carefully detailed account, explores the fair itself and, perhaps more important, uses that extraordinary event as a lens through which to view one of the more critical junctures in American history.

Tirella uses the World’s Fair to examine the biggest forces shaping American life during the early 1960s: the civil rights movement, the cultural revolution, post-Kennedy-assassination politics, America’s changing relationships with other nations. He also employs the storytelling style that made Erik Larson’s study of the 1893 Chicago World’s Fair, *The Devil in the White City* (2002), so compelling. The result is a fascinating trip back to what the fair’s mastermind, Robert Moses, dreamed would be the “greatest single event in human history,”

*Lauren Zelt is a campaign adviser and communications consultant in Washington.*

**Tomorrow-Land**  
*The 1964-65 World’s Fair and the Transformation of America*  
 by Joseph Tirella  
 Lyons, 360 pp., \$26.95



Robert Moses

during one of the most tumultuous periods in recent memory.

Much of *Tomorrow-Land* focuses on the civil rights movement, using the well-publicized threat of an opening-day “stall-in”—which could have been a disaster if executed as planned by civil rights activists—as a jumping-off

ASSOCIATED PRESS

point for a discussion of race relations in America. One of the most impressive things about the book is Tirella's skill in drawing a virtual map of the movement, then at its height: We travel from the 1963 March on Washington to the 1964 murder of three civil rights workers in Mississippi and the Harlem riots that threatened to scare tourists away from the fair. The "stall-in" never materialized, but the World's Fair was marked by the movement in a variety of ways, and Tirella neatly ties events outside the gates to the goings-on inside.

Tirella takes a more lighthearted approach to the cultural revolution just getting underway. Many of the teenage girls who attended the fair in the summer of 1964 had already flocked to Queens in February to catch a glimpse of the Beatles as they touched down at the newly renamed Kennedy Airport. Thanks, in part, to Beatlemania, rock 'n' roll was alive and well in America, and Tirella describes the connection between the Fab Four and New York-based folk artists such as Bob Dylan. Robert Moses had initially rejected the notion of inviting the Beatles to perform at Shea Stadium—built in conjunction with the fair—but he changed his mind to entice larger audiences to the second summer. (There were, of course, some things about which Moses never did change his mind, including the decision to remove, at the request of Nelson Rockefeller, Andy Warhol's *Thirteen Most Wanted Men* from the exterior of the New York Pavilion.)

Moses is *Tomorrow-Land's* main character—the powerbroker who built a legacy in New York's infrastructure, shaping the city and state like no one else before or after. Nor would any account be complete without a discussion of politics, domestic and foreign, during the Cold War's middle phase. Ronald Reagan may have won a second presidential term in 1984 by telling Americans that it was "morning in America," but in the political landscape of 1964, it was mourning in America. Still grieving over the assassination of John F. Kennedy, which had occurred just months before the opening of the World's Fair, Americans had much to worry about in the

mid-'60s: the battle over civil rights, an escalating conflict in South Vietnam, the continuing global influence of the Soviet Union. Tirella describes how politics and world events affected the fair, which was visited by the American president, Lyndon Johnson, innumerable foreign leaders, and even Pope Paul VI, on the first-ever papal trip to the Western hemisphere.

Some features of the churning culture go unmentioned. Betty Friedan's *Feminine Mystique* was published the

year before the fair opened (although the zenith of the women's movement came in the years after the fair closed). For that matter, Moses changed his mind about the Beatles, but did he ever consider featuring one of Berry Gordy's Motown groups? These are minor quibbles, however: *Tomorrow-Land* reminds us how a single event can epitomize and encapsulate a phase in our collective history, a time when the fair's motto—"Peace through Understanding"—might even have seemed possible. ♦

BCA

## From the Inside Out

*A lawyer-spy makes the case for the CIA.*

BY GABRIEL SCHOENFELD

It was time for the CIA to lawyer up. In 1974, then-*New York Times* reporter Seymour Hersh broke a story exposing illegal covert actions conducted by the agency over a quarter of a century. Congressional investigations followed. The CIA emerged from the organizational ordeal wrapped in a dense web of new laws and regulations. A young, freshly minted attorney by the name of John Rizzo, working for the U.S. Customs Service in his first job, recognized that the newly reformed spy agency might need lawyers—lots of them. He signed up.

After the obligatory background check, the polygraph, and some training, a three-decade career began. It brought Rizzo to a wide variety of law-related assignments inside America's lead intelligence agency, culminating in his service as acting general counsel—the CIA's highest legal slot (when a presidentially appointed general counsel is not in place).

*Gabriel Schoenfeld is the author of Necessary Secrets: National Security, the Media, and the Rule of Law and, most recently, A Bad Day on the Romney Campaign: An Insider's Account.*

**Company Man**  
*Thirty Years of Controversy  
and Crisis in the CIA*  
by John Rizzo  
Scribner, 336 pp., \$28

Serving under a parade of directors, Rizzo saw and heard a lot. The astonishing roster of his bosses begins with William Colby, followed by George H. W. Bush, Stansfield Turner, William Casey, William Webster, Robert Gates, James Woolsey, John Deutch, George Tenet, Porter Goss, and Leon Panetta. Rizzo's portraits of these individuals in action—some of them legendary figures in the history of American espionage—make this memoir worth the price of admission. But *Company Man* also holds interest for the light it sheds on a variety of quasi-secret subjects, some of them highly controversial. It also gives us insight into the set of problems that plague all democracies, and has hit America particularly hard: the human and bureaucratic difficulties that arise when an agency whose primary function is to break laws strives to operate under the rule of law.

A variety of tasks fell to Rizzo in his early days in the agency. These included:

handling the continuing legal needs of defectors, who had been resettled in the United States under false names and with new life histories; providing benefits to the relatives of CIA “assets” who perished in its abortive 1961 Bay of Pigs invasion of Cuba; and touring CIA stations out in the field, to answer legal questions from those actually doing the dirty work. More challenging assignments came next.

One of them was overseeing the CIA’s contribution to the 1978 espionage prosecution of William Kampiles, a 23-year-old CIA employee who sold a top-secret KH-11 satellite manual to the Soviets for a paltry \$3,000, thereby blowing a multimillion-dollar reconnaissance program. The prosecution’s case had some significant holes; it turned out that a dozen other copies of the manual were unaccounted for, a fact that might have vividly demonstrated to a jury that the document was not regarded as particularly sensitive. A far more serious danger lurked: The CIA had learned of Kampiles’s crime from a mole inside the KGB. Rizzo and his colleagues had to exercise extraordinary care to ensure that no evidence in the case pointed in the mole’s direction, lest the Soviets reassign this invaluable asset to a coffin.

In the end, Kampiles was convicted of espionage and sentenced to 40 years of hard time, of which he served 19. The mole survived.

As Rizzo gained experience, he assumed greater responsibilities in the realm of policy-making. Drawing up rules for dealing with journalists, clergymen, and academics was one such responsibility. The phrase “no operational use on an unwitting basis” summed up part of the CIA’s post-Church Committee approach to recruitment: No one in those three professions was to be duped into collaborating with the spy agency. Even though public trust of the CIA had fallen to a postwar nadir, Rizzo found himself surprised by how many academics and journalists “were willing, and sometimes downright eager, to get into bed with us.”

Yet even so, institutions that had

long helped the CIA to understand the world around them were shrinking back. Harvard was typical. Its then-president, Derek Bok, issued a rule requiring all staff to clear any CIA associations with senior deans; he then asked the CIA to pledge not to work with any Harvard employees who had not first cleared their assignment with the university. Stansfield Turner, Jimmy Carter’s CIA director, may have had his faults, but in this instance, he pressed back. His sensible view, as summarized by Rizzo, was that “if a



John Rizzo (2008)

U.S. citizen is willing to enter into a confidential relationship with the CIA because he/she wants to help the country, that is between the Agency and the individual, and no one else.”

Success in this and other work brought Rizzo to what he calls his “career-making job assignment.” In 1979, just as the world was beginning to crash down on the Carter administration in Afghanistan and Iran, Rizzo was detailed to be the legal adviser to the Directorate of Operations (DO), the CIA’s undercover arm. Part of this position entailed giving guidance to the clandestine operatives as they brushed up against the law. It also entailed drafting “findings” and “memorandums of notification” that went back to the president for signature as the official (and sometimes

highly specific) presidential instructions for CIA covert action. After Carter departed from office, this function thrust Rizzo into the center of the most serious crisis of Ronald Reagan’s presidency: the Iran-contra affair.

Reagan’s CIA director, William Casey, had kept Rizzo in the dark about the intertwined operations in Iran and Nicaragua; but nevertheless, it fell to Rizzo to serve as point man in responding to the multiplying investigations of the CIA role in the arms-for-hostages deal. Rizzo offers a bird’s-eye view of the full imbroglio, as seen from his Langley perch.

Among the questions he takes up is the veracity of Bob Woodward’s account of his last meeting with Casey. In his 1987 book *Veil*, Woodward claimed that he interviewed Casey as Casey lay on his deathbed, having suffered a stroke just as Iran-contra was coming to a boil. Rizzo scrutinizes the evidence that Woodward fictionalized this part of the book, and finds it convincing. In plain words, Rizzo calls the esteemed Pulitzer Prize-winning chronicler of Washington an out-and-out fabricator.

By the 1990s, as Osama bin Laden began to appear on the scene, and when the World Trade Center was first attacked in 1993, Rizzo was drawn into the counterterrorism battles of that decade. Should the leader of al Qaeda be captured or killed? That was the question the Clinton team agonized over, time and again. In the end, neither happened: It was only after September 11, 2001, that the United States began to combat terrorism with genuine resolution.

The CIA was in the cockpit of this new global war, and Rizzo was the attorney overseeing its most controversial programs: black sites abroad, where high-value terrorists were held; “renditions” to countries that practiced torture; “enhanced interrogation” by CIA employees. Although Rizzo is not reticent about pointing to CIA blunders here and there, he makes no apologies for basic agency policy, and he is a fierce defender of the rank-and-file operatives who carried out their sometimes-gruesome

KEVIN DIETSCH / UPI / NEWS.COM

tasks—only to be investigated, first by career prosecutors in the Bush Justice Department and then by the current attorney general, Eric Holder. Rizzo gives an in-depth account of the circumstances surrounding the destruction of the videotapes showing the waterboarding of Abu Zubaydah; Rizzo himself opposed the destruction of the tapes and was taken completely by surprise when it occurred.

The debate over these matters—including, especially, whether the CIA engaged in torture—is not going to be settled by this book. Rizzo, who does not shrink from calling himself an “architect” of the enhanced interrogation program, rests his case on the claim that the program generated “significant, reliable, otherwise unobtainable intelligence about al Qaeda.” As such, he maintains that it was a major contributor to the agency’s success in preventing a second 9/11.

Given what was feared on 9/12, and in the days, weeks, and months afterward, the CIA’s accomplishment is nothing to deprecate. There is something morally repellent in the ease with which critics today slam those like Rizzo and Justice Department attorney John Yoo for making hard decisions in the midst of a crisis—even if one believes that some of their decisions were mistaken, or just plain wrong. There is something even more repellent in the ease with which figures like Nancy Pelosi—who was briefed on, and was therefore party to, key CIA decisions, including the use of waterboarding—have denied the truth and engaged in moral preening at the expense of more courageous individuals who have not run from their difficult choices.

I happen to believe that the enhanced interrogation program was a mistake that tarnished the image of our country, and I say that with full awareness that it might have saved American lives. We did not use such measures to extract information from prisoners in any of our previous wars, including World War II, when our homeland was struck in a surprise attack, entire armies were on the move, and the future of civilization itself was at stake.

We did not use such measures during the wars in Korea and Vietnam, when every day our soldiers were dying by the scores. The CIA should not have pushed the Justice Department into the business of writing highly detailed memos explaining, for example, whether prisoners could, or could not, be legally

placed in boxes filled with insects to make them talk.

But I make my judgment from the comfort of hindsight, and with a keen awareness that I was not in the fight, except as a writer on the sidelines. John Rizzo was in the fight. And for that he deserves our respect and gratitude. ♦



# Must the Show Go On?

*A postscript to the golden age of movie musicals.*

BY PETER TONGUETTE

If this absorbing, but imperfect, history of the waxing and waning of large-scale film musicals teaches us nothing else, it is that critical tastes from the 1960s bear a striking resemblance to those of today: The edgy is nearly always esteemed over the innocuous.

Consider the criticism dished out at two adaptations, made nearly 50 years apart, of Rodgers and Hammerstein’s *The Sound of Music*. When Twentieth-Century Fox released their film version, starring Julie Andrews and Christopher Plummer, in 1965, *New York Times* critic Bosley Crowther angrily excoriated the “romantic nonsense and sentiment” of the heroine, Maria, later claiming that the film musical had been set back 20 years. Crowther died over three decades ago, but NBC’s December 2013 broadcast of a live iteration of *The Sound of Music* proved that his spirit endures in the hearts of the many critics who caviled at the show’s “saccharine” and “corny” qualities.

But equally unchanged are the audiences who tune all of this out. Just as the live version of *The Sound of Music* was a sensation with viewers, moviegoers’ enthusiasm turned the film into one of the biggest grossers of all time. But Matthew Kennedy argues in *Roadshow! The Fall of Film Musical*

## Roadshow!

*The Fall of Film Musical in the 1960s*

by Matthew Kennedy

Oxford, 320 pp., \$35

in the 1960s that the genre was dealt a death blow when studios, listening to their pocketbooks, all wanted their own *Sound of Music*. This brought about a series of underperforming, or outright disastrous, musical films, including *Camelot* (1967), *The Happiest Millionaire* (1967), *Star!* (1968), and *Paint Your Wagon* (1969).

Kennedy suggests that the studios erred in following the earlier film’s example in terms of scale and grandeur, and *Roadshow!* chronicles production excesses with finger-wagging thoroughness. The filming of the “Before the Parade Passes By” number in *Hello, Dolly!* (1969) required the services of 4,000 extras, “and cost \$200,000 a day for four days shooting”—arguably making it more, not less, stultifying. Here, Kennedy is at his most bitingly convincing: “Production documents for *Camelot* read like planning notes for an East Hampton lawn party,” he writes. This argument also rings true because *The Sound of Music*—while by no means a low-budget affair—was relatively unostentatious by comparison and almost completely devoid of stars.

*Peter Tonguette is at work on a book about Peter Bogdanovich.*

(Andrews's *Mary Poppins* had not yet been released when she won the role of Maria in *The Sound of Music*.)

Even more damning, as Kennedy sees it, the sons of *The Sound of Music* were set on imitating its pleasingly Pollyanna-ish disposition and celebration of old-fashioned notions: The lines *Bachelor dandies / Drinkers of brandies— / What do I know of those?* in "Sixteen Going on Seventeen" make it a tune a prohibitionist could love.

You'll never regret it. Greatest country in the world. There are certain things I believe in, John. God and the United States of America are at the top of my list.

But scenes such as these must be what Kennedy has in mind when he damns *The Happiest Millionaire* for its "awkward points of ideology incongruent with the 21st century." Also deplorable, from Kennedy's perspective, is a subplot featuring Biddle's daughter's



Rock Hudson, Julie Andrews in 'Darling Lili' (1970)

Those involved in these films knew they were bucking a trend. Speaking approvingly of the 1910s setting of *The Happiest Millionaire*, costar Geraldine Page said, "World wars had not upset standards, people were polite, women were feminine, they moved with grace and talked softly. We have to re-examine elegance today." That film, a Walt Disney gloss on the real-life exploits of Colonel Anthony J. Drexel Biddle, starred Fred MacMurray as a Philadelphia aristocrat who fills his day with Bible classes and mixes vigorous aerobics with equally hale and hearty singing from the hymnody. The sight of MacMurray proudly strutting around in a gray sweatshirt emblazoned with "Biddle Bible Class" is humorous but also genuinely vivifying. Biddle does not cower from religious faith, or love of country, as evidenced in a pep talk he gives to Tommy Steele's Irish butler, John, extolling American citizenship:

significant other, who has the temerity to aspire to enter Detroit's automobile trade, the subject of a thoroughly hummable song by Richard and Robert Sherman. In fairness, its references to "the land where golden chariots are molded out of dreams" are dated, but so what? Like Mitt Romney's much-derided praise of his birthplace's trees, lakes, and cars—had he seen *The Happiest Millionaire*?—the song reflects a nostalgia that is appealing in itself, apart from its relation to reality.

In fact, the question of these films' correlation to real life is one that vexes Kennedy throughout. *Camelot* may have flaws, but is its "maintenance and glorification of monarchy" among them? In spite of his obvious knowledge of the genre, Kennedy continually asks musical films to do things they were never intended to do. He bemoans that Blake Edwards's underappreciated Great War love story *Darling Lili* (1970)

only hints at the realities of the conflict. The film failed with the public, but not because audiences walked in expecting another *Paths of Glory* from a frothy film starring Julie Andrews and Rock Hudson.

Just as ill-considered are Kennedy's attempts to juxtapose events from the late 1960s with the carefree goings-on in musical films of the time. This book contains possibly the only analysis of *Paint Your Wagon* that seems to pin its status as a flop not just on Clint Eastwood's singing voice but the death of Judy Garland, the moon landing, and the war in Vietnam, among other things.

That is not to say that the makers of these films were unaware of the culture war in which they found themselves. One of the most instructive things about *Roadshow!* is the wealth of quotes Kennedy has unearthed revealing Hollywood's agitation about the changes occurring within. "Easy Rider is a marvelous film, but you can't make all films *Easy Riders*," said producer Arthur P. Jacobs of his 1969 musical remix of *Goodbye, Mr. Chips* (which receives relatively kind treatment from Kennedy, and which is as ripe for rediscovery as *The Happiest Millionaire*). Others took bolder stands: "We've never written a line that we would be ashamed to have our parents or our children hear," said Robert Sherman. "The smut being worked into the lyrics of many popular songs today is bad for the kids who listen to them, bad for the writers . . . [and] bad for the publishers except those out for an occasional quick dollar and nothing else."

Such utterances sound as anachronistic as the sentiment that movies, on some level, ought to reflect good morals—a common feature of the films described here. Kennedy uses the 1969 Academy Awards as an indicator of the growing disconnect between the old Hollywood and the new: Carol Reed's *Oliver!* won Best Picture, but Kennedy observes that the more sophisticated *Rosemary's Baby* and 2001: *A Space Odyssey* "age better." Few would argue with that judgment, but it is worth wondering whether we are the loser in trading the wholesome dullness of *Oliver!* for what followed. ♦

# Flood the Zone

*Noah meets the Book of Enoch, rock monsters, and a ravenous Eve.* BY JOHN PODHORETZ

First and foremost, *Noah* is a movie, and the first question about a movie is whether it is good or bad as a movie. That turns out to be a difficult one to answer.

On the one hand, *Noah* is ridiculous in every sense of the word. It is entirely possible that you will get the giggles about 30 seconds in—specifically, at the moment when cowriter/director Darren Aronofsky dubs in the sound of a hearty crunch and slurp as he shows a silhouette of Eve biting into the forbidden fruit—and you may never stop giggling until the closing titles.

Pauline Kael once wrote about an inadvertently hilarious exchange in a terrible movie called *Slow Dancing in the Big City* (1978). A man tells his girlfriend he's flying to Europe, and she responds by asking, "On a plane?" Kael observed that the director must have heard this exchange a thousand times as his movie was being edited: Did he never think to cut her line? Similarly, one has to wonder about Aronofsky and that crunch-and-slurp. Didn't he have a friend to whom he showed an early cut who could have told him to take the sound out?

If you do get the giggles, you will roar with laughter a few minutes later when you meet the fallen angels who end up helping Noah build the ark, for God has sent them to earth and encrusted them with mud and turned them into computer-generated ROCK MONSTERS! The campy guffaws will just keep coming, as when one of Noah's sons meets the girl of his dreams . . . in an open pit full of corpses.

But here's the thing: If you *don't* start giggling, you might well find yourself gripped by *Noah*. I have to admit I was. It

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

## Noah

Directed by Darren Aronofsky



Jennifer Connelly, Russell Crowe

is a deadly serious portrait of the burdens that moral responsibility places on a good man, particularly as enacted by a magnificent Russell Crowe, in the best performance he has given in more than a decade. He is once again teamed with Jennifer Connelly, with whom he made *A Beautiful Mind* (2001) and who has been brought back to life as an actress just as *Noah* brings Crowe back to life as an actor.

The movie has generated some controversy because it strays significantly from the biblical account; indeed, it seems to be based less on Genesis than on a work of ancient apocrypha called the Book of Enoch—from which Aronofsky and cowriter Ari Handel derived Noah's relationship with the fallen angels, called Watchers.

The Book of Enoch describes how the corruption of man rendered the earth barren and lifeless, and Aronofsky uses this as the source material for an explicitly environmentalist message. But *Noah* is no simple tract; indeed, if you take it seriously, it is also a portrait of the spiritual danger of environmentalist extremism. (Spoilers from here on out.)

Halfway through the movie, Noah becomes convinced that God wants to wipe all of mankind from the earth because of humanity's foulness, and that he only wants Noah and his family to survive to shepherd the innocent animals safely through the flood. Noah declares that his youngest son, Japheth, is to be "the last man," and he is prepared to commit infanticide to achieve his aim. And not merely infanticide, but the murder of his own grandchildren.

It's ludicrous to have a debate about how faithful *Noah* is to the original Genesis story; after all, according to the old song taught at countless Bible camps, the Lord told Noah to make the ark out of hickory "barky-barky," while the King James version says "gopher wood." There is no requirement for absolute fidelity to the text when trying to turn a biblical tale into a full-blown narrative.

Those upset about *Noah* supposedly playing fast-and-loose with the Bible should actually be more deeply offended by the movie's truly anti-religious core: It depicts a God who is nothing less than demonic in his cruelty. He punishes the fallen angels in horrific ways for taking pity on Adam and Eve. He then deserts mankind entirely and leaves humans to their own devices, yet has the nerve to blame them for not behaving as he wishes they would. And, as Noah was right about the opaque messages he received from "the Creator" (as God is known here) about the coming end of the world and the need for an ark, so he is presumably also right that he is supposed to kill his grandchildren and end the human race.

Even more audaciously, it is not the Almighty who ultimately tells Noah's descendants to be fruitful and multiply, but Noah. Thus, at the very beginning of civilization itself, man, not God, is placed at the center of the moral universe—for it is Noah writing the rules, not the Creator. Darren Aronofsky then blesses his own astonishing inversion of the moral frame of Western civilization with a 360-degree special-effects rainbow.

Directors are always accused of playing God, but this is ridiculous—whether or not you get the giggles. ♦

“*[T]here is no such thing as Obamacare.*”  
—Sen. Angus King (I-ME), March 30, 2014

**PARODY**

MD DC VA M2 V1

DAY, APRIL 2, 2014

washingtonpost.com • \$1.25

# White House: Obamacare just ‘elaborate April Fools’ prank’

**MASSIVE REFORM  
WAS ALL A JOKE**

*Republicans:  
‘Oh, it’s on!’*

BY ALLISON KLEIN  
AND JASON WEIL

President Obama, speaking in the Rose Garden on April Fools’ Day, shocked the nation by announcing that the Affordable Care Act, from the moment of its conception, was nothing more than an elaborate prank designed to frustrate Republicans and “punk all you haters out there.”

“About four years ago, I got together with my inner circle and a handful of congressional Democrats and hatched a prank so complex and so ridiculous that we never dreamed we’d actually pull it off: to ‘pass’ a ‘bill’ that was not only impossible to understand, but was likely to upend the American economy and would fundamentally alter the relationship of the American government to its citizenry. And you guys all fell for it! April Fools, suckers!” the president crowed, before breaking into a prolonged and uncontrollable fit of laughter. “Ahhh, oh, man. Man, haha, *whooh*. Oh, man. *Totally* worth it,” he continued.

After his opening remarks, President Obama took questions



After his announcement, President Obama joins fellow pranksters and comedian Jimmy Fallon for a laugh at the HealthCare.gov site.

from incredulous reporters, many of whom expressed the suspicion that the announcement itself, rather than the administration’s only significant legislative accomplishment in five years, must have been the actual prank. But the president was resolute.

“Listen. I mean, seriously, folks, do you really think we would write a 2,700-page bill, the social and economic implications of which would surely—except in some childish fantasy world—be disastrous, then force this bill through Congress before anyone even had a chance to read it, then, after years of fighting about it with Republicans, after fighting a legal battle all the way to the Supreme Court, and after deciding, willy-nilly and with no constitutional authority,

to alter the ‘law’ to suit our whims, after all of that, *THEN* we would fail to properly construct and operate the website—the [expletive] *WEBSITE*—the very foundation upon which this vast, tremulous, Jenga-like monument to fiscal absurdity was to stand?!?!” the president inquired, panting a little bit. “Well, *do ya?*!”

Shortly after the president’s remarks, congressional Republicans met to begin planning a comeback prank, and sources indicate that Senator Ted Cruz was seen walking toward the White House with a clown hat, a whoopee cushion, and a

**PUNKED CONTINUED ON A6**

the weekly  
**Standard**

APRIL 14, 2014