the weekly Standard

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$4.95

NOVEMBER 24, 2014

Put Not Your Trust in Glitz

NOEMIE EMERY on Democratic hero worship, from Gary Hart to Barack Obama

WEEKLYSTANDARD.COM

Contents

November 24, 2014 • Volume 20, Number 11

COVER BY GARY LOCKE

The Guilty Project

For years the "Innocence Project" at Northwestern University's Medill School of Journalism was "the most celebrated university program in America," as the *Chicago Reader* put it. It's also one of the most emulated, spawning imitators at law and journalism schools from Maine to Maui. And who could be surprised? Under the tutelage of a left-wing professor who was invariably valorized in news reports as "charismatic" and "inspirational," Medill's students reopened the cases of selected death-row inmates, declared them innocent, and then agitated for their release. Occasionally they succeeded, freeing in the process several men whose convictions rested on shaky evidence.

The public image was of a plucky platoon of college-age Encyclopedia Browns and Nancy Drews setting out to right wrongs. But the real value of the Innocence Project—and the reason it was the object of such tender attentions from Hollywood and the mainstream media—has been ideological. Its mission was to confirm the assumptions dearly held in the upper ranks of American journalism and higher education: the basic unfairness of our criminal justice system, the barbarism of the death penalty, and the public's bovine complacency in the face of murderous institutional racism.

This narrative—if you'll forgive the expression—was greatly complicated late last month when prosecutors in Chicago concluded that the Innocence Project had railroaded a man into prison for a double murder he didn't commit. Needless to say, that's not how the project is supposed to work.

The case involved the project's signal triumph. In 1999, Medill's student investigators won the release of a convicted murderer, Anthony Porter, after another man, Alstory Simon, confessed to the 1982 crime. Porter had once been only days away from his appointment with the executioner, and upon his release he became the poster child for the anti-death-penalty movement. Porter's close call led Illinois's then-governor, George Ryan, to commute the capital sentence of every inmate on the state's death row.

Simon's confession—the only evidence presented against him—was made to investigators from the Innocence Project. He retracted it after his conviction, claiming that the charismatic professor, two of the project's junior G-men, and a pair of private investigators had combined to bully the confession out of him. Their tactics, prosecutors found, included showing Simon videotaped testimony from an alleged eyewitness, who was in fact an actor hired by the investigators. Simon was led to believe he would benefit from a movie deal and be released within a few years. He was also shown testimony from his wife, obtained by the project, placing him at the scene of the crime; she later recanted. And when it came time for Simon to hire legal counsel, the investigators brought in a lawyer associated with the project's effort to spring Porter from death row. The lawyer advised him to confess.

"The bottom line," the prosecutor concluded last month, "is that the investigation . . . as well as the subsequent legal representation of Mr. Simon were so flawed that it's clear the constitutional rights of Mr. Simon were not scrupulously protected as our law requires." A judge agreed, and Simon walked out of prison a few hours later.

The 1982 murder remains unsolved. But the tactics of the Innocence Project in their rush to reassign guilt for a capital crime—to take upon themselves the roles of judge, prosecutor, and jury, by virtue of their own righteous indignation—is a case study in the dangers of ideological zeal, and of journalistic gullibility. ♦

Meet John Doar

The Scrapbook, ever mindful of the passage of time, couldn't help but notice the obituary for John Doar in a recent edition of the *Washington Post*. Doar, who died last week at the age of 92, had been one of Bobby Kennedy's associates at the Justice Department, serving for seven years in its civil rights division. Those were interesting times (1960-67) to be in the civil rights division, and the *Post* had much to say about Doar's work in the long, sometimes violent, struggle to end racial segregation.

But in newspaper obituaries, as with many things in life, it is often what isn't mentioned—as opposed to what is pounded relentlessly into the ground—that piques our curiosity. For the fact is that, if the common reader has any knowledge whatsoever of the late John Doar, it is probably not from his Justice Department days but from his year's service as special counsel to the House Judiciary Committee (1973-74) during the Nixon impeachment inquiry. Alas, that dramatic episode rates only six brief sentences in an otherwise voluminous, six-column, full-page article, and includes this intriguing detail: "One of the lawyers working for him at the time was Hillary Rodham Clinton."

Here The Scrapbook pauses for breath, imagining the editors at the *Washington Post* pondering that one. Presumably they were aware of the fact that an urban legend exists (not hard to find on the Internet) to the effect that young Hillary Rodham somehow ran afoul of another committee staffer and was "fired" for unspecified "unethical" behavior. There is no evidence that any of this is true; but it is interesting nonetheless that the first big, and manifestly delicate, political job held by the presumptive 2016 Democratic presidential nomi-

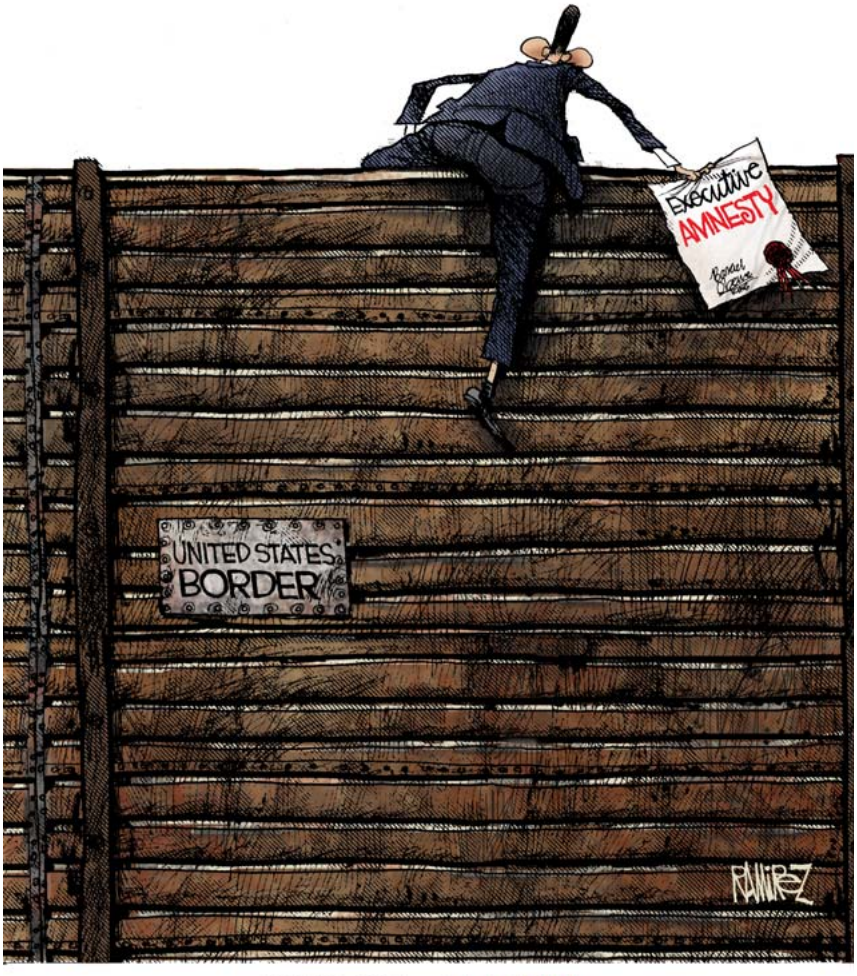
nee is—well, just kind of slipped in there without comment.

There may be a reason for this, having nothing whatsoever to do with Hillary Rodham's 40-years-ago job performance. For John Doar's appointment is a story in itself, to wit: Democratic dominance of Congress, in 1974, was so permanent, so absolute, so overwhelming, and had been for so long, that nobody seems to have batted an eye when a longtime Kennedy family apparatchik was appointed to run the House investigation charged with impeaching Richard Nixon. Indeed, the *Post* even quotes an especially disingenuous statement from Doar at the time—which The Scrapbook has never forgotten: "As an individual, I have not the slightest bias against President Nixon. I would hope that I would not do him the smallest, slightest injury."

Oh, sure.

We mention all this not because John Doar was capable of saying such things with a straight face, or because pious declarations aren't a daily occurrence in Washington. No, we say it to remind readers that, once upon a time and not so long ago, the Republican party was so hopelessly outnumbered on Capitol Hill (and had been, in effect, since 1930) that the task of impartially inquiring into the impeachment of a Republican president was blithely entrusted to a lifelong, and deeply partisan, Democrat and his eager assistant, fresh from Yale Law School.

Sometimes things do change for the better. ♦



SPEAKING of ILLEGAL

Obamacare's Throne of Lies

The late William F. Buckley famously observed that he "would sooner be governed by the first two thousand names in the Boston telephone directory than by the two thousand members of the faculty of Harvard." Not only does this remain a sage observation, The Scrapbook would suggest extending Buckley's *cordon sanitaire* further down the Charles River basin to encompass the Massachusetts Institute of Technology, where economist and Obamacare architect Jonathan Gruber teaches.

A video of Gruber discussing Obamacare has recently emerged that explicitly confirms what critics have long known about the law, but did not expect anyone to say out loud. "This bill was written in a tortured way to make sure [the Congressional Budget Office] did not score the mandate as taxes," Gruber said. "Lack of transparency is a huge political advantage. And basically—call it 'the stupidity of the American voter' or whatever—but basically that was really, really critical to getting the thing to pass." This was damning enough, but then two more videos emerged of Gruber expounding upon how the law is purposefully deceptive.

Notably, none of these videos was unearthed by the media. They were found (in plain sight, on YouTube) by Rich Weinstein, an investment adviser in Philadelphia. Weinstein was angry that his insurance policy got canceled by Obamacare, so he started looking to document all the dishonest ways in which the law was sold to voters. It didn't take long for him to hit paydirt. "[I'm] just the average person who gets hacked off about something or has an interest about something. I think I'm a perfect lesson that any one person can make a difference," Weinstein told *Huffington Post*.

The discovery of the Gruber videos by an amateur is almost as much an indictment of the media as the videos themselves are of Obamacare. Even when forced to acknowledge Gruber's remarks, the media have focused not on their substance, but on the GOP's opposition to Obamacare. "'Stupidity' comments renew GOP vitriol on Obamacare," was the actual headline on the *Washington Post*'s website. Obamacare's architect calls voters stupid, and somehow it's Republicans who are accused of vitriol. You'd think the media might be less inclined to defend Gruber after the *New York Times* appended a correction to a 2012 op-ed he wrote, noting that they might not have published his article had he disclosed that he was being paid nearly $400,000 by the White House to promote Obamacare.

But no matter how much the media downplay them, the videos are extremely damaging. The White House has been forced to repudiate Gruber's comments. House minority leader Nancy Pelosi actually told the *Washington Post*, "I don't know who he is. He didn't help write our bill." Naturally, Pelosi is lying. Video of a press conference from a few years ago quickly surfaced, with Pelosi commending Gruber and his health care analysis by name.

There is at least one honest Democrat in America, however. Doctor and former Democratic National Committee head Howard Dean found himself echoing Buckley and diagnosing Obamacare's fundamental problem as elitism. "The problem is not that [Gruber] said it—the problem is that he thinks it," Dean told MSNBC. "The core problem under the damn law is it was put together by a bunch of elitists who don't fundamentally understand the American people. That's what the problem is."

Gruber is wrong about almost everything, by the way. Tellingly, he thinks Americans were successfully hoodwinked about the law. Unlike liberal elites, though, ordinary Americans weren't really fooled. They have never liked Obamacare or thought it workable. You have to be a politician, a member of the media, or have a Ph.D. in economics to be that stupid. ♦

Help Wanted

The Weekly Standard has two full-time positions available. The first is for a web producer with editorial skills and social media expertise. Duties will include assisting the online staff with editorial and production tasks across a variety of digital and social media platforms.

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

BPA WORLDWIDE

Everyone Has His Price

I just bought a bottle of Waterman's ink for $11.34, tax included. The bottle contains 50ml, or less than two ounces, of black ink. This makes ink far more expensive than wine, even quite superior wine. I would have complained—or at least exclaimed—about the price, but the man who sold it to me was so pleasant and so knowledgeable about fountain pens that he quite took the whine out of my sails.

I can remember when a bottle of ink cost 15 cents. Memories of much lower prices of an earlier day are a standard complaint of—shall we call them?—the no-longer young. I remember when this hit my father, a remarkably generous man but a man who, in old age, would be shocked at the price of a restaurant check, an item of clothing, downtown parking. One comes into one's maturity with a certain set of numbers prevailing, and when the numbers change, inevitably upwards, the phenomenon known in the car business as "sticker shock" hits hard.

I remember in my twenties buying excellent Brooks Brothers oxford-cloth, button-down shirts for $7.50. Those same shirts now sell for $92. One has to grimace and bear it—or, in the case of these shirts, go topless. I remember when candy bars were 5 cents and so were Cokes. Cigarettes, now something like $10 a pack in Chicago, were 25 cents when I began smoking at the age of 16. That I don't buy candy bars or drink Cokes and long ago quit smoking is beside the point. Gasoline when I began driving was around 30 cents a gallon. In 1970, I bought a new Volvo for $3,000. Today cars I wouldn't care to own are priced in the 20-grand range. It's not the principle, you understand, it's the money.

Everyone has his price, beyond which he cannot go. I remember having dinner with a friend in the Oak Room at the Plaza. We ordered a bottle of wine, salad, and Chateaubriand for our main course. When the waiter asked if I cared for a vegetable, I thought about peas, but glimpsing the menu, I noted that they were $8. I couldn't do it; I could go $4 for peas but not $8. I went without a vegetable.

DAVID CLARK

I wrote a short story in which my main character, a well-to-do physician, is taken by his lady friend and her circle to a restaurant in Los Angeles where his share of the check comes to $680, tip included. Afterwards he tells her: "I'm not a $680 dinner guy. It's not that I can't afford a dinner like that from time to time. It's just that I feel there's something intrinsically wrong about it. People lie and cheat and even kill for money. This being so, I've always felt that the least I can do is respect it. Spending that kind of money for a meal isn't, in my opinion, respecting it."

I steer clear of immensely expensive restaurants. My taste buds aren't worthy of them. A few years ago, though, I was taken to Daniel, then the restaurant of the moment in New York. My host remarked, "Didn't I read somewhere that you were opposed to expensive wine?" I corrected him: "Not at all. I am only opposed to paying for it. I'll have a bit more of the red, if you please." More recently I was taken to Charlie Trotter's in Chicago, a restaurant where the fixed-price dinner was $175. With a bottle of wine, tax, and tip, that makes for a $500 dinner for two. The next morning the man who took me sent me, via email, one of the most charming compliments I have ever received. He told me that he was angry with me because he enjoyed our conversation so much that he forgot what he ate.

Some people are of course much freer with money than others. These others, like the character in my story, like me, feel they mustn't blow it frivolously. Are we merely cheap, unsporting, or instead careful, responsible? In his poem "Money," Philip Larkin writes: *And however you bank your screw, the money you save / Won't in the end buy you more than a shave*. By that shave Larkin means the undertaker's shave of one's corpse. Which is a darker way of saying that you can't take it with you, the first and truest maxim about money.

Still, while alive, one doesn't want to leave it just anywhere. In money matters, lines must be drawn, proportion maintained, measure observed. "Only the gauche, the illiterate, the frightened and the pastless destroy money," says a character in *The Mansion*, the final novel in Faulkner's Snopes trilogy. I agree, and wonder if my new $11.34 bottle of Waterman's ink will see me out, so that, at these prices, I won't have to buy another.

Joseph Epstein

the weekly Standard

Caving to Iran

It's not clear when (or whether) the Obama White House will conclude a final agreement with Iran over its nuclear program. The extended deadline for the interim deal known as the Joint Plan of Action is set to expire November 24. And the president very much wants a deal that would cement his foreign policy legacy. On the other hand, there are still gaps on key issues, like how many centrifuges Iran gets to keep.

But here's the heart of the matter: The White House has caved on so much already that whether or not a final agreement is reached at the end of the month, American interests have already been damaged by the administration's pliant dealings with a state sponsor of terror. Its record on Iran—not only during nuclear negotiations, but also in its larger regional policy—is nothing but a chronicle of concessions to the Islamic Republic.

How long till Iran's missiles deliver nukes?

NEWSCOM

It's instructive to recall that very early in his presidency Obama promised that the military option was still on the table, if all else failed to stop the Iranians from building a bomb. The concern, as White House officials warned back then, was that strikes—American or Israeli—on Iranian nuclear facilities might cause Tehran to retaliate against American targets in the region, especially U.S. troops in Iraq and Afghanistan. Never mind that the Iranian regime was already responsible for thousands of American deaths, and tens of thousands of wounded, in those two theaters. What's telling is that the White House saw the U.S. military not as the guardian of American interests, the best friend of American allies, and the dread enemy of American adversaries, but as potential hostages.

In other words, Obama was keen to forfeit his advantages from the outset of his dealings with Iran. In due course, he would trade away American leverage and get nothing in return.

Last year in Geneva the administration agreed to ease sanctions, which, with the credible threat of military force already eroded, was the most powerful instrument the White House had left at its disposal. Prior to the de-escalation of new sanctions and the provision of sanctions relief as part of the Joint Plan of Action, explains Mark Dubowitz, executive director of the Foundation for Defense of Democracies, "the Iranian economy was on its back. Inflation was officially at 40 percent, and unofficially above 80 percent, and [there was] a severe recession. The JPOA triggered a change in expectations and psychology." The Iranian economy "was helped to its knees," says Dubowitz. "A final deal will stand it up again."

What did the Obama administration get in exchange for rescuing the Iranian economy and thereby saving the clerical regime from domestic turmoil that might have toppled it? Nothing.

Instead, the interim deal acknowledged Iran's right to enrich uranium. It ignored Iran's ballistic missile program (the most obvious delivery mechanism for a bomb), despite a U.N. Security Council resolution (1929) as well as several pieces of congressional legislation requiring Iran to cease such activities. It allowed Iran to continue building its heavy-water plutonium facility at Arak. The deal sought to limit Iran to research and development work on advanced centrifuges, but Tehran exploited that allowance and reportedly built up to 5,000 advanced centrifuges in the last year.

The issue is not just that Iran has repeatedly cheated, but that the administration keeps helping. When it became clear Iran was selling more than the million barrels of oil per month that sanctions relief permitted, White House spokesmen counseled patience: Maybe next month, they said, Iran would sell less and get under the cap. And when it didn't, all the administration could do was shrug.

It's the same now with inspectors from the International Atomic Energy Agency. The Iranians won't let the U.N. agency in to count and catalog the entirety of their program. It's a concern but not a deal-breaker, says the State Department. After all, any agreement will include a mechanism to monitor whether Iran is keeping up its side of the bargain. But if the IAEA can't get in to find out exactly what Iran has now, post-deal inspections to see if Iran is keeping its word are all but irrelevant.

Iran's nuclear weapons program is just one part of its expansionist regional project, which now boasts control of four Arab capitals—Baghdad, Beirut, Damascus, and Sanaa.

The administration has acquiesced to Iran's ambitions throughout the region by, among other things, coordinating policy with Iranian surrogates in Lebanon and Iraq, and forgoing the opportunity to help topple Iranian ally Bashar al-Assad, even though Obama had demanded the Syrian president step aside.

Odds are good the White House will strike a deal with Iran. All indications are that Obama wants a deal—any deal. As the president has explained in a number of interviews, he is aiming for a new geopolitical equilibrium balancing traditional American allies, like Israel and Saudi Arabia, against their longstanding adversary in Tehran.

From his perspective, we need to build up the Iranians' confidence. Sure, it would be better if they didn't have the bomb, but maybe having it will make them less paranoid. If the regime is no longer scared of being toppled, from within or without, it can become normal and real moderates might then come to power in Tehran. In short, Obama sees himself sowing the seeds of a Persian *perestroika*, and if the path to Middle East peace has to start with a nuclear-weapons-capable state sponsor of terror, so be it.

So much of this administration's Iran policy has been conducted in secret it's hard to know what they're thinking. Obama writes private letters to Ali Khamenei because Iran's supreme leader makes the final call. Perhaps the American president has come to imagine that he, too, is a supreme leader, who can circumvent the representatives of the American people.

Fortunately, Congress understands the stakes involved. The new Republican majority in the Senate wants oversight of any agreement with Iran, and it may be joined by Democrats like Robert Menendez in a bipartisan push. To date, the administration keeps telling its critics to wait and see what a final deal looks like—in other words, it's trying to keep them at bay until it's too late to do anything about a nuclear agreement. But the White House has already established a clear pattern of caving to Iran, on the nuclear file and elsewhere. There's no need to wait.

—Lee Smith

Let the People Decide

Let us now praise famous men, or at least one good federal judge, as some recent work of his demonstrates. Jeffrey Sutton is this judge, and he sits on the U.S. Court of Appeals for the Sixth Circuit, which includes the states of Michigan, Ohio, Kentucky, and Tennessee. Earlier this month he announced an opinion for his court in *DeBoer* v. *Snyder* (and three similar cases), in which he answered in the negative the question that continues to stir the body politic—whether the Constitution prohibits a state from defining marriage as a relationship between a man and a woman.

The Sixth Circuit is now the first federal appeals court to hold that the Constitution does not so forbid a state. Four other appeals courts—the Fourth, Seventh, Ninth, and Tenth—have reached the opposite conclusion. The circuits thus are "split" on the question, a development that makes it more likely that the Supreme Court will accept for review one or more of the Sixth Circuit cases, with arguments next spring and a decision in June.

Sutton's opinion deserves commendation on several grounds, starting with its criticism of the four circuits that have decided on same-sex marriage, in particular their treatment of Supreme Court precedent.

More than 40 years ago, a same-sex couple in Minnesota sued the state for violating the Constitution when it denied the couple's request for a marriage license. The couple lost in the Minnesota courts, and the Supreme Court declined to review the case, issuing a one-line order in *Baker* v. *Nelson* in 1972 stating that the appeal did not raise "a substantial federal question."

The four circuits that have constitutionalized same-sex marriage did not regard *Baker* as the stop sign they should have seen it as. After all, as Sutton pointed out, lower court judges are obligated to follow High Court precedent, only the Supreme Court may overrule its own cases, and nothing the Court has done since *Baker* has overruled it, whether explicitly or by implication.

Wrote Sutton: Circuit judges "remain bound even by [the Court's] summary decisions 'until such time as the Court informs [us] that [we] are not.' The Court has yet to inform us that we are not, and we have no license to engage in a guessing game about whether the Court will change its mind or, more aggressively, to assume authority to overrule *Baker* ourselves."

Sutton also reviewed thoroughly the rationales that have been offered for recognizing a constitutional right to same-sex marriage—among them original meaning, rational basis review, animus (toward gays), fundamental rights, suspect classifications, and "evolving meaning"—and he found each of them lacking. Commenting further on the four circuits that wrongly assumed the authority to decide the same-sex marriage question, he observed: "They agree on one thing: the result. But they reach that outcome in many ways, often more than one way in the same decision," failing to provide a compelling explanation as to why the people must be denied "suffrage over an issue long thought to be within their power"—since, indeed, "the founding of the Republic."

Here we see another reason to praise Sutton's opinion: The judge framed his treatment of the *Baker* case and

the various rationales for constitutionalizing same-sex marriage in terms of what the issue is ultimately about—"change and how best to handle it" under the Constitution.

"Since 2003, nineteen states and the District of Columbia have expanded the definition of marriage to include gay couples," Sutton noted, even as the aforementioned federal courts of appeals "have compelled several other states to permit same-sex marriage under the Fourteenth Amendment." What remains "is a debate about whether to allow the democratic processes begun in the states to continue in the four states of the Sixth Circuit or to end them now by requiring all states in the circuit to extend the definition of marriage to encompass gay couples." In sum, "Who decides? Is this a matter that the national Constitution commits to resolution by the federal courts or leaves to the less expedient, but usually reliable, work of the state democratic processes?"

Jeffrey Sutton

That, of course, is the question now headed to the Supreme Court, the resolution of which would affect not only the four states in the Sixth Circuit but all 50 in the union. And how might the Court see the issue?

A year and a half ago in *United States* v. *Windsor*, with Anthony Kennedy writing, a five-justice majority found unconstitutional the section of the federal Defense of Marriage Act that for purposes of federal benefits refused to recognize same-sex marriages sanctioned by New York state. Kennedy's opinion was poorly done and justly lambasted in a brilliant dissent by Antonin Scalia. As he was in *Windsor*, Kennedy is likely to be the deciding vote on same-sex marriage. But there may be hope for him yet, provided he absorbs Judge Sutton's opinion, in particular that part of it showing that a decision from the Sixth Circuit could acknowledge the same authority to define marriage—that of the states—that *Windsor* vindicated in denying the federal government the power to define marriage.

A ruling by the Court upholding the power of the states in this matter would permit change in the definition of marriage to occur—just as it would also allow the choice of no change at all. The choices made would please some people and upset others, but it is the people

AP PHOTO / EVAN VUCCI

of the states who would decide the matter, not federal judges: "Our judicial commissions," wrote Sutton, "did not come with such a sweeping grant of authority" as to define marriage.

May Kennedy read Sutton several times over and, when the time comes, as surely it will, defer to the "democratic processes begun in the states."

—Terry Eastland

Gehry's Ike: Not Dead Yet

After the U.S. Commission on Fine Arts approved a revised design for the Eisenhower memorial last month, a *New York Times* reporter asked Anne Eisenhower, Ike's granddaughter, whether the controversial design could now, at long last, get built, despite the objections of her own family and countless other appalled critics.

"There would be one more hurdle," she said, "and that's funds—unless [the commissioners] are going to build it themselves."

Anne Eisenhower, we can suppose, was being sardonic. Wise and learned though they may be, members of the Fine Arts Commission do not give off the burly vibe of a construction crew. (More like a wine-tasting class.) But the burden of her answer is correct. If the gaudy and ridiculous design for the Eisenhower memorial is to spring from the maquette table to its chosen site off the National Mall in downtown Washington, its construction must first be funded by someone. And by *someone* we mean, of course, the American taxpayer.

The taxpayer is in pretty deep with the Eisenhower memorial already. Since Congress approved the idea of a national tribute to Ike, in 1999, the Eisenhower Memorial Commission has spent at least $44 million. (We say "at least" because nobody, not even congressional investigators, has been able to give a precise accounting of the commission's finances.) Private fundraising efforts have, amazingly, lost money. And so far not a spadeful of earth has been turned. For the last two years, alarmed congressional Republicans have declined to approve the commission's request for tens of millions more in construction funds, choosing instead to allocate just enough to keep the commission's nine staffers off the breadline.

The source of this impasse is the design itself—a signature work of the overpraised architect Frank Gehry, whose whispered name is enough to raise goose pimples from the (wise and learned) hides of postmodernist aesthetes like the Fine Arts commissioners. It's worth noting that the laborers who are charged with actually building his designs have a rather different reaction, as across the globe one overpriced Gehry creation after another spouts leaks, shows sudden and mysterious stains, and sends loosened objects flying off his innovative surfaces onto innocent passersby. Maybe this accounts for the first stirrings of an overdue anti-Gehry consensus forming among international tastemakers. Facing a hostile question at a press conference in Spain recently, Gehry responded by raising his middle finger. Artists often speak in symbols.

As the bodies charged with approving his design have raised humble, incremental objections, very delicately—nobody wants to get flipped off by a starchitect!—Gehry has made the minimum adjustments necessary. But the design's essential absurdity remains: a vast urban rectangle dotted at the edges with 80-foot columns and enclosing great marble boxes of mysterious purpose. If anything, the absurdity may have increased with each revision. The too-high columns were silly enough when they served to hoist enormous metal scrims depicting scenes from Ike's home state of Kansas; now Gehry has eliminated two of the three screens but the columns are still there, standing lonely and functionless, like the ruins of an ancient temple blown up by art critics.

Now that the Fine Arts Commission has joined the National Capital Planning Commission in approving Gehry's most recent design, the Eisenhower Memorial Commission seems to believe its misbegotten project has gained a new lease on life. And the danger is real. The congressional budget process is a labyrinth (we are not the first to have noticed this) and money for projects long given up for dead can appear mysteriously at every turn, beyond the range of public scrutiny. The House members who have done so much to find an alternative to Gehry's design—Ken Calvert of California and Rob Bishop of Utah—will have to maintain eternal vigilance. Two seats on the commission, reserved for senators, are now vacant. The incoming Senate majority leader could do his part by filling one of them with an appointee publicly dedicated to creating a more appropriate—that is, less Gehry-like—tribute to Eisenhower.

If their spirits or ardor begin to flag, we suggest opponents on Capitol Hill recall Gehry's words from that recent press conference in Spain. (He doesn't always use sign language.)

"Ninety-eight percent of everything that is built today is pure s—," he opined. "Once in a while, a group of people do something special. Very few, but God, leave us alone."

At last we agree with Gehry, at least in part. We really should leave him alone. And Congress can start by killing off his design once and for all. And then start over, in a spirit more fitting to the great man we hope to remember.

—Andrew Ferguson

The GOP: King of the Hill

R.I.P., 'emerging Democratic majority.'

BY JAY COST

For years, liberal Democrats have haughtily explained to Republicans that the GOP is on the cusp of becoming a permanent minority. Even speaker of the House John Boehner can find himself on the receiving end of lectures by preening leftists. President Barack Obama warned Boehner of the GOP's impending presidential collapse just *two days* after the Republican party's midterm triumph!

For all the talk about Republican weakness on the presidential level, there has been virtually no discussion of Democratic weakness in Congress, especially the House of Representatives.

Liberals often point out that Republicans have lost five of the last six popular votes for president. This is true, but not very meaningful. After all, if Al Gore and not George W. Bush had been elected in 2000, subsequent political history would have been entirely different. It is equally true, and much less specious, to point out that the Republican party has won control of the House of Representatives in 9 of the last 11 elections and the Senate in 6 of the last 11.

That is an impressive run in the House. As for the Senate, Republican campaigns have been hampered by bad luck or bad choice of candidates. In the 2010 and 2012 cycles combined, Republican mistakes ceded as many as seven seats to the Democrats. If the GOP had performed better in these races, the party might have won control of the Senate outright in 2012 and gained a filibuster-proof majority this year.

What accounts for the GOP's success in the House and its potential in the Senate? The answers parallel the explanations for Democratic strength in the race for the presidency: It gets down to structure.

Democrats point out that, in presidential races starting in 1992, their party has consistently carried states totaling 242 electoral votes. That puts them well within striking distance of the 270 votes required to win. Moreover, states totaling 206 electoral votes are typically *uncontested by Republicans*. The last time a Republican presidential candidate campaigned in California, for instance, was 2000, when George W. Bush toured the Golden State late in the cycle. Analysts have largely deemed this a mistake, and no subsequent Republican nominee has repeated it. This cedes 55 electoral votes to the Democrats, an enormous number.

But something similar helps Republicans in the battle for Congress. In the House of Representatives, the GOP now unites white voters in the suburbs and rural areas; combined, these blocs are usually enough to yield a Republican House even when Democrats win the presidency, as happened in both 1996 and 2012. The problem for Democrats in the House is that their coalition, increasingly nonwhite and urban, is concentrated in deep blue districts. That gives the GOP a variety of paths to a House majority.

The problem for the Democrats is a combination of law and geography. The 1982 amendments to the Voting Rights Act require the creation of majority-minority districts whenever they can be drawn with reasonable lines. In effect, state legislatures are required to concentrate Democrats in a handful of districts, while dispersing GOP voters across the remainder. Meanwhile, the geographical distribution of the Democratic coalition reinforces the effect of the law. Outside the Deep South, Democratic voters tend to be densely packed into urban areas, making it harder to distribute them across many districts, even in cases where the law does not require a majority-minority district.

To see how this plays out, take Pennsylvania. It regularly votes Democratic for president, but not overwhelmingly so. More and more these days, the deciding votes come from Philadelphia County, whose Democratic margin is so great it overwhelms the increasingly GOP tilt of the rest of the state. And yet Keystone State Republicans still won 13 of 18 House seats in 2012 and 2014. The reason? The Democratic vote in the Philadelphia area is concentrated in just three congressional districts, which went at least 2-to-1 for Obama. Democrats also win the Scranton district and the Pittsburgh district, while Republicans get everything else. Statewide, it amounts to a Democratic presidential victory combined with a strongly Republican House delegation. If state Democrats were to take

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control of the gerrymandering process, they could mitigate the problem, but they would still be constrained by the Voting Rights Act and geography. It is just too hard for them to spread their votes around.

In the Senate, the story is different. Since the boundaries for Senate elections are the boundaries of the states themselves, neither the Voting Rights Act nor urban/rural political geography applies. Still, Republicans have an edge because they now dominate rural voters, who hold immense power in the upper chamber.

If "safe Democratic" states yield 204 electoral votes, they are only good for 32 senators. Meanwhile, "safe Republican" states are only good for 182 electoral votes, but provide 44 senators. That leaves 24 senators from 12 states that either side may win in presidential years. If both parties won all their safe seats, and they split the seats in contested states, we would see a GOP majority in the Senate of 56-44.

The advantage the GOP enjoys in the Senate is not as decisive as its edge in the House, as Democratic senators in red states have done a better job of holding on than their House counterparts. Still, liberal policy breakthroughs inevitably depend on Democratic senators' going against their own constituents and running the risk of defeat. Obamacare would not have been passed by the Senate without the support of Democrats from states that have voted Republican for president since 1964; many Democratic senators who voted for it have since been tossed from office. And even now, after a decisive Republican victory that has snatched the majority from Harry Reid, he will still have to convince five Democrats from strongly Republican states to stick with him rather than defect to the GOP on issues like Obamacare and the Keystone pipeline.

Surely this must be bad for our government, some say. The Framers could never have intended our elections to produce such a muddle. Gridlock—as the Beltway pundit class assures us—is dangerous and un-American.

But this is not true! In fact, the Framers might celebrate these mixed electoral messages if they were with us today.

Before the American Revolution, many political philosophers held up Britain as a nearly ideal system of government. The British system balanced power among the monarch, the nobility, and the people. The idea was to prevent any one faction from upending another for its own gain. The Americans did away with this idea in 1776, when they declared it self-evidently true that all men are equal and that all power derives from the people alone.

After the failure of the Articles of Confederation, the Framers wanted the people to rule without any majority controlling all the mechanisms of government at once. That is not so far from what we have now: The rules of the game favor the Republican coalition for the House and Senate; they favor the Democratic coalition for the White House. Far from being a distortion of the constitutional vision, this is a realization of it.

The problem was that the American governing experience in the decade after the Declaration of Independence was disastrous. State governments were exquisitely democratic and utterly atrocious: Fractious majorities often controlled them, punishing political minorities, squabbling with other states, violating the treaty rights of loyalists, failing to support the federal government, and making a wreck of public finances.

After the failure of the Articles of Confederation, the Framers sought to retain the egalitarianism of the Declaration, but to inject the notion of balance. They did not empower a landed gentry to check the masses; all power would continue to flow from the people as a whole. Yet by dividing power among the branches of government—and within the legislative branch, between an upper and a lower chamber—and designing a different selection system for each, they created artificial distinctions within society. Power would still flow from the people, but it would travel to different branches of government, by different routes, at different intervals. Thus, the government would be balanced—like the British system—yet at the same time radically egalitarian. The people would rule, but no fleeting majority could get its hands on all the mechanisms of government at once.

That is not so far from what we have now. The rules of the game favor the Republican coalition for the House and Senate; they favor the Democratic coalition for the White House. Far from being a distortion of the constitutional vision, this is a realization of it.

And, indeed, we have seen this play out many times. The 30 years after the Civil War are often remembered as an era of Republican dominance, but Democrats almost always held one chamber of Congress. Republicans may have had an edge in pursuit of the White House, winning six of eight contests between 1868 and 1896, but Democrats had a corresponding edge in Congress. Even the New Deal era, from 1932 to 1952, has wrongly been remembered as a triumph for liberal Democrats. A conservative coalition in Congress decisively checked the liberals from 1938 onwards and sometimes had such an outsized majority that it passed bills over presidential vetoes.

To put it simply, our country is not a radical democracy run on a straightforward popular vote. The people experimented with something like that in the 1780s, and the Framers thought it an unmitigated disaster. So they built a republic in which, to acquire all the levers of governmental power, a party must build a big, broad, and durable majority, one vast enough to sweep up control of all the federal institutions, each with its own peculiar rhythms.

Right now, it appears no party is able to do that. ♦

The Truth About Interrogation

The enhanced techniques work.

BY STEPHEN F. HAYES

The Central Intelligence Agency repeatedly tortured suspected terrorists, regularly lied about it to Congress and the White House, and, for all the pain and trouble this caused the agency and the United States, didn't end up extracting a single piece of valuable information not readily available by other means.

That, at least, is the conclusion of the forthcoming Feinstein report, a long and, in certain quarters, much-anticipated review of the CIA's detainee and interrogation programs during the Bush administration. A steady stream of leaks in news stories over several months has provided the public a preview of its contents.

The goal of those leaks, and the report itself, is not hard to discern: to ensure that the coming debate over enhanced interrogation isn't so much a debate but a public condemnation of those who conceived and participated in the program.

There are certainly parts of the program that deserve criticism. There were major problems with the way it was conceived, approved, and carried out. There were troubling abuses in the early years, and later some misleading briefings about the enhanced interrogation techniques used. There were conflicts of interest and questionable accounting practices. Some of the public claims about the intelligence derived from enhanced techniques were clearly exaggerated, and at least one of those claims was patently false.

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Such matters should be subject to tough, dispassionate, fact-based investigation. Actual failings should be condemned by both Republicans and Democrats, by supporters of the program as well as opponents.

That's not what happened here.

Instead, the report was produced by the Democratic staff of the Senate Select Committee on Intelligence, chaired by Dianne Feinstein. Republicans declined to participate.

Michael Hayden meets the press, January 2009.

Feinstein required former CIA directors and deputy directors to sign nondisclosure agreements in order even to see the accusations made against them. Despite the fact that virtually all of the 500-plus-page report has been declassified for release, the Feinstein committee also imposed, as a condition of access to the report, severe restrictions on what those officials may say in their own defense. Michael Hayden, former director of the CIA, told The Weekly Standard: "Based on the nondisclosure agreement I signed, I cannot talk to you about the details of the Feinstein report, the Republican rebuttal, or the agency response—all as a condition of my being able to see it."

In the clearest evidence that the committee was interested in blame rather than truth, the staffers did not seek to interview those involved in the interrogations.

Now, for the first time, one of the lead interrogators is attempting to tell the other side of the story. Writing under the pseudonym Jason Beale, he has produced a provocative 39-page document in an effort to counter the narrative pushed by Democrats and amplified by journalists eager to discredit the program. The document—which Beale says was reviewed, redacted, and cleared by a U.S. government agency—does not reveal Beale's precise role in the program. A spokesman for the Central Intelligence Agency would not confirm that the CIA was the agency that reviewed Beale's document. And in an email interview, Beale refused even to acknowledge that he conducted interrogations in the CIA program. "The opinions I expressed on interrogations in the document I sent you," he wrote, "are representative of the insight I've gained during my career as an interrogator. While I am aware that you and others may draw some inference from the approved portion of the text as to the basis of my arguments regarding enhanced techniques, I am not presently in a position to elaborate on how I formed those opinions."

Sources familiar with the program independently confirm that Beale served as a senior interrogator beginning in 2004.

Beale's document covers many aspects of the debate over enhanced interrogation—the morality of enhanced interrogation techniques, the use of EITs on U.S. servicemen and women during their survival training, the hypocrisy of public officials who approved the program and later pretended that they opposed it, the unearned authority of several top critics of the program, and, most important, the effectiveness of the techniques.

News accounts of the forthcoming

AP / LUIS M. ALVAREZ

Feinstein report make clear that a central claim of that narrative will be its most contentious: The techniques didn't work. Beale challenges that contention on the basis of his experience in the U.S. military's Survival, Evasion, Resistance and Escape (SERE) course taken by intelligence and military personnel exposed to a high risk of capture. Tens of thousands of Americans have been subjected to EITs as part of their SERE training. Beale participated in the course first as a student, then as an interrogator.

> As a student, I learned that I could resist, and occasionally manipulate, a talented interrogator during my numerous "soft-sell" interrogations—the rapport-building, we-know-all, pride-and-ego up/down, do-the-right-thing approaches. I had my story relatively straight, and I simply stuck to it, regardless of how ridiculous or implausible the interrogator made it sound. He wasn't doing anything to me—there was no consequence to my lies, no matter how transparent.
>
> I then learned the difference between "soft-sell" and "hard-sell" by way of a large interrogator who applied enhanced techniques promptly upon the uttering of my first lie. I learned that it was infinitely more difficult for me to remember my lies and keep my story straight under pressure. I learned that it became difficult to repeat a lie if I received immediate and uncomfortable consequences for each iteration. It made me have to make snap decisions under intense pressure in real time—and fumble and stumble through rapid-fire follow-up questions designed to poke massive holes in my story.
>
> I learned that I needed to practically live my lie if I were to be questioned under duress, as the unrehearsed details are the wild-cards that bite you in the ass. I learned that I would rather sit across from the most talented interrogator on earth doing a soft-sell than any interrogator on earth doing a hard-sell—the information I had would be safer because the only consequences to my lies come in the form of words. I could handle words. Anyone could.
>
> Ask any SERE Level C graduate which method was more effective on him or her—their answer should tell you something about the effectiveness of enhanced techniques, whether you agree with them or not. In my case, I learned that enhanced techniques made me want to tell the truth to make it stop—not to compound my situation with more lies. The only thing that kept me from telling the truth was the knowledge that at some point it had to end—that there were more students to interrogate and only so many hours in a day. Absent that knowledge, I would have caved.
>
> As a TDY [temporary duty] interrogator in the SERE course, I learned that the toughest, meanest, most professional special operations soldiers on earth had a breaking point. Every one of them. And of all the soldiers I interrogated, all of the "breaks" came during hard-sell interrogations—using as many enhanced techniques as necessary to convince the soldier that continuing to lie would result in immediate consequences. It worked—time and again, it worked.

The techniques were effective, Beale claims, not only with U.S. soldiers being prepared for what they might encounter if captured by an enemy, but also with senior al Qaeda prisoners. Defenders of EITs point to the extraction of important information on al Qaeda's couriers to make their case. The information on one courier in particular—Abu Ahmed al-Kuwaiti—led to the location of Osama bin Laden's safe house in Abbottabad, Pakistan.

In a heavily redacted section of his document, Beale writes that the EITs were essential to obtaining that information. Others have reported that two high-value detainees subject to enhanced interrogation—Khalid Sheikh Mohammed and Abu Faraj al-Libi—went to great lengths to conceal information about the courier. That they did so after providing a steady stream of accurate and valuable information suggested to interrogators and analysts that the information about al-Kuwaiti was important. Beale writes:

> That high-level detainee would no more have voluntarily sat down across from a debriefer and provided his list of Al Qaeda couriers without having been conditioned to do so than he would have walked [redacted] and asked to speak to the CIA debriefer. It simply would not have happened without incentive, and his incentive was to not go back to enhanced techniques. Period. Love it or hate it, that's the way it worked.

Beale believes that Barack Obama and others briefed on the use of EITs understand that they worked. In support of this view, he notes a subtle but telling change in Obama's language:

> Go back and take a look at the difference between Candidate Obama's characterization of the efficacy of the interrogation program versus President Obama's version. Candidate Obama repeatedly stated that enhanced interrogation was not only immoral and un-American, but it didn't work. People will say anything to make it stop. Every leading interrogator and intelligence professional will tell you that "torture" never works—it produces bad intelligence. That was Candidate Obama.
>
> President Obama told a slightly different story. During his [100th]-day press conference in April 2009, President Obama used an entirely different construct when responding to a question about shutting down the interrogation program: "I am absolutely convinced it was the right thing to do—not because there might not have been information that was yielded by these various detainees who were subjected to this treatment, but because we could have gotten this information in other ways, in ways that were consistent with our values, in ways that were consistent with who we are."
>
> He went on to say, "But here's what I can tell you—that the public reports and the public justifications for these techniques—which is that we got information from these individuals that were subjected to these techniques—doesn't answer the core question, which is: Could we have gotten that same information without resorting to these techniques? And it doesn't answer the broader question: Are we safer as a consequence of having used these techniques?"
>
> Finally, this: "And so I will do whatever is required to keep the American people safe, but I am absolutely convinced that the best way I can do that is to make sure that we are not taking shortcuts that undermine who we are."
>
> Note the difference—it's important. After being briefed by serious people using actual intelligence information gained from the EIT interrogation program, President Obama

knew that he could not continue with the "it never works" campaign rhetoric as President—to do so would have been insulting and objectionable to the national security team who briefed him, and would be a lie. So . . . "we don't know if we could have collected the same information using standard techniques" became the talking point for every administration official on the subject of EITs.

I know. I know that we couldn't have collected the same information using standard techniques because I was an expert in using standard techniques—I used them thousands of times over two decades—and the notion that I could have convinced the detainees [redacted] to provide closely-held information (or any information at all) without the use of EITs is laughable. There is zero chance. Zero.

In an interview, I pointed out that much of the coming debate will be about the effectiveness of the techniques and asked Beale directly: Were they effective? He made a simple point that he hadn't made in his document. He noted that those subject to enhanced interrogation haven't boasted about their ability to withstand the techniques and to withhold valuable information.

That is probably a question best asked of the former detainees—did Abu Zubaydah, Abu Faraj al-Libi, Khalid Sheikh Mohammed, Ramsi bin al-Shib, Hambali, Nashiri, or any of their brethren give up protected information during their time in the custody of CIA? If they didn't they should be proud of their ability to withstand such torturous tactics—I would think they would mock the feeble and misguided efforts of the CIA interrogators to get them to talk, or to make a mistake, rather than claim that such treatment made them say things they later regret. That's the point of enhanced interrogation—at least from my perspective as a former TDY SERE interrogator—you hope that they say things they will later regret.

Beale wrote his document "to remind the American public that there are two sides to every story" and to make clear "that the upcoming [Senate] report should be read with an understanding that the outcome was predetermined by the political and ideological leanings of the majority, which produced the report."

He is concerned that the documentation included in the summary report was selected to make the argument that Senate Democrats wanted to make and that information complicating that narrative was deliberately excluded.

"I believe an objective reading of the documents would show that the program was effective," he wrote, "and I would urge the declassification and release of the entire report and all associated documents so that the American people can make their own decision." ♦

Collision Ahead

Congress ponders how to stop Obama's unilateral immigration moves. BY MICHAEL WARREN

The Aftermath: Obama and Harry Reid meet with Boehner and McConnell, November 7.

AP / EVAN VUCCI

Move over, Barack Obama. The Republicans are now the party of hope—at least when it comes to Obama's expected executive order on immigration.

"We hope the president isn't going to do that," Kentucky's Mitch McConnell, the soon-to-be Senate majority leader, said November 13, in his first postelection press conference at the Capitol.

McConnell's deputy, Texas senator John Cornyn, is also hopeful. "I hope he delays it permanently," Cornyn said. "But at least I hope the president will give us an adequate time to be able to work together to try to begin to build a bipartisan consensus on repairing our broken immigration system."

Renee Ellmers, North Carolina congresswoman and an ally of the House GOP leadership, likewise sounded a note of hope. "I wish that the president would pay more attention to what happened in the election, and use less rhetoric," she said.

Some Republicans are practically on bended knee. At a November 13 House

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GOP conference meeting, Speaker John Boehner told his colleagues that he entreated President Obama not to act unilaterally on immigration. "He told the president to just give us one more chance to pass an immigration bill," said one congressman.

Boehner and the House are unlikely to get that chance. For weeks, the White House hinted the president would take executive action on immigration after having its reform efforts blocked by the Republican-led House. There were clues the administration was preparing to expand its deferred action program for the children of illegal immigrants to those immigrants themselves. Last month, the AP reported that the feds made a large order of a certain stock of paper—the kind used to issue green cards to immigrants. When asked about the purchase, White House press secretary Josh Earnest just laughed. Then, November 12, Fox News reported Obama plans to sign an executive order that would protect from deportation up to five million illegal immigrants, giving them permits to work legally in the United States and even, yes, green cards.

Immigration hawks in the GOP are preparing for battle. In an op-ed for *Politico Magazine*, Alabama senator Jeff Sessions urged "no surrender" on the issue. "The President will arrogate to himself the sole and absolute power to decide who can work in the U.S., who can live in the U.S., and who can claim benefits in the U.S.—by the millions," Sessions wrote. "His actions will wipe out the immigration protections to which every single American citizen is lawfully entitled. And his actions will ensure—as law enforcement officers have cried out in repeated warnings—a 'tidal wave' of new illegal immigration."

How to stop an executive amnesty? "There are no answers right now," said a senior House GOP aide. "There are options, but there is no set path."

Here's one option: Target the money. Funding for the government runs out December 11, and House leaders are hoping to pass a long-term spending bill (with the lame-duck Democratic Senate) before then. But immigration hawks say Congress should instead pass a short-term continuing resolution that funds the government into early 2015. The united Republican Congress can then more effectively fight the Obama administration on funding the executive order.

Matt Salmon, a congressman from Arizona, has drafted a letter to the chairman and the ranking member of the House Appropriations Committee requesting that any upcoming spending bill include language that would block funding for the executive action. Fifty-nine House Republicans—not exactly a majority of the conference—signed it.

Republican David Vitter of Louisiana is pushing his colleagues in the Senate to back this idea. "I've taken the position, with a lot of folks—and I think it's far broader than some conservatives on immigration—that we can't do anything like a long-term spending bill," Vitter said in a phone interview. "That will give up opportunities to block any action." He also suggests a long-term spending bill that excludes homeland security alongside a short-term bill funding the department. That way, fighting over funding the executive order in early 2015 won't risk a shutdown of the entire government.

"Nobody wants a shutdown," said Salmon in the basement of the Capitol. "But I think that's where everybody's really jittery."

That's for sure. Mitch McConnell categorically ruled it out in his November 13 press conference. "We will not be shutting the government down or defaulting on the national debt," he declared. What if the president moves forward on his immigration action, a reporter pressed. "We will not be shutting the government down," McConnell repeated, punctuating his words.

"If we are fortunate to have both majorities, take away any cliff you can have hanging out there," House majority leader Kevin McCarthy told *Politico* last month. "Why put cliffs up that hold us back from doing bigger policy?"

The problem is that any funding bill would need a supermajority (i.e., Democratic support) in the Senate and Obama's signature—the former is possible but difficult, and the latter is virtually impossible. And it'd be a tall order to override a presidential veto.

Republican leaders in both houses are terrified of a repeat of their "defund Obamacare" fight in October 2013. Immigration hawks point out an important difference: Ted Cruz and his conservative allies in the Obamacare fight were trying to defund an existing law, passed by Congress and signed by the president. Blocking an executive action on immigration, they argue, is simply Congress using its constitutional power of the purse.

Senior House GOP aides believe there's no way to win a funding fight, no matter how it's framed, though they say the idea's not completely off the table. It all depends on where the House conference is on the issue.

Alabama congressman Mo Brooks suggests the funding battle isn't the only, or even the best, option. Brooks said in a phone interview the House could pass a resolution to request a "declaratory judgment" from a federal judge on the legality of Obama's executive action. If that's successful, the court could issue a writ requiring the president to stop executing the amnesty.

It's a strategy John Boehner's office has floated. Boehner spokesman Kevin Smith told *Politico* the speaker's proposed lawsuit against the administration's selective execution of Obamacare could be "broadened" to include language on an immigration executive action. That lawsuit hasn't yet been filed, and it's unclear it ever will be. There's as little political will among House leadership for suing the president as for battling him over funding.

For hawks like David Vitter, though, the politics are in the GOP's favor: "I don't think we just scored a big election victory to lay down in a moment of constitutional crisis." ♦

Media Myths About Republicans

The demise of the GOP has been greatly exaggerated. BY MARK HEMINGWAY

Ever since the Democrats were trounced in the midterm elections, they and the media have been trying to figure out how Republicans triumphed so thoroughly. Wasn't the GOP supposed to be in permanent decline, on the wrong side of history, demography, and the issues? So far the soul searching has been almost nonexistent. *National Journal*'s Ron Fournier, a weathervane for centrist Beltway journalists, tried to dismiss the GOP's triumph out of hand: "The Republican Party didn't win the overall election—not with numbers like that. The winners," he wrote, "were disgust, apathy, and a gnawing desire for a better choice."

The media probably won't do much better than that unless they are prepared to revise the clichés and myths about Republicans they've been propagating for years, namely:

The party is being dragged down by its extremist base. This is actually a more telling critique of Democrats. In August 2012, the *New York Times* commented on Mitt Romney's vice-presidential selection by noting that "a long history of social extremism makes Paul Ryan an emblem of the Republican tack to the far right." If Paul Ryan is emblematic of GOP extremism, you can say for sure that this alleged GOP handicap has been wildly oversold.

On the other hand, Democratic social extremism is very real but barely discussed. The party has no high-profile dissenters on abortion rights, and its fealty to the abortion lobby proved to be damaging in the election. After crowing for years about turning Texas blue, Democrats nominated state senator Wendy Davis to run for governor. Davis's chief recommendation as a candidate? She had become a media darling for launching a filibuster against proposed restrictions on late-term abortions (which later passed). Democrats bought into the hype, even though late-term abortion restrictions are broadly popular, well, everywhere. (Even Sweden has more late-term abortion restrictions than Texas.) Davis ran an embarrassing campaign and lost by 20 points, despite raising a staggering $30 million—money that might have tipped a few close races elsewhere had Democrats distributed their donations more wisely.

Not dead yet: immigration protest, July 2014

After the media unfairly pilloried the entire GOP for waging a "war on women" in 2012, this time around key Republicans came prepared. In Colorado and North Carolina, Senate candidates Cory Gardner and Thom Tillis blunted attacks by campaigning to make birth control available over the counter, as did Maryland's incoming Republican governor, Larry Hogan, who pulled off a stunning upset. Planned Parenthood, an organization whose foundational mission is expanding access to birth control, actually came out against these GOP over-the-counter proposals—probably because of its loyalty to Democrats and because over-the-counter birth control would cut down on use of its clinics. As a result, the Democrats' attempts to use contraception as a wedge issue looked preposterous.

Finally, the Democratic party's extreme stance on climate change and environmentalism hurt them at the ballot box. The White House's "war on coal" boosted Kentucky's Mitch McConnell, who won by 15 points in a supposedly close race. Coal voters were also a big factor in flipping West Virgina's legislature as well as the GOP's Senate pickup in the state. And they help explain why Ed Gillespie came within a point of picking off Senator Mark Warner in Virginia.

A Pew survey earlier this year found that Americans ranked climate change 19th out of 20 "top policy priorities." Yet, it was the number-one issue for Democratic megadonor Tom Steyer. The postelection headline at *Slate*: "Tom Steyer spent $57 million to get voters to care about climate change. It didn't work."

The "gender gap" is killing Republicans. There's been a lot of angst over the GOP's problem with female voters. While Republicans tend to carry married women, Democrats have made scaring single women, who vote largely Democratic, a regular part of their campaign toolbox (see the Obama 2012 campaign's

EPA / MICHAEL REYNOLDS

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touting of birth control activist Sandra Fluke and the "Life of Julia" talking points). But the effectiveness of this approach seems to be diminishing. Wendy Davis actually lost women voters by 9 points.

National Journal's Josh Kraushaar noted that in Colorado, Senator Mark Udall's war on women campaign succeeded in turning out single women—to no avail. Udall got 5 points more support from single women in Colorado than Romney in 2012, and single women made up a larger slice of the electorate in 2014. But Udall still lost by 2.5 points. What that reveals is that Udall—who ran such a female-oriented campaign he was dubbed "Mark Uterus"—had a real problem getting enough male voters. After years of anguishing over the GOP's lack of female voters, it seems high time to ask some questions about the Democrats' corresponding gender gap among men.

But don't hold your breath waiting for the mainstream media to weigh in. David Brock, perhaps the most obsequious of Hillary Clinton's supporters, commissioned a poll purporting to prove that her many campaign appearances helped boost female turnout. *Time* uncritically ran with it under the credulous headline "Exclusive: Women Turned Out for Hillary in the Midterms."

Demography dooms the GOP. In 2012, Democrats were crowing they had a lock on the "coalition of the ascendant"—young people, minorities, and college-educated whites—whose ranks would eventually overwhelm the aging, downmarket Republicans. However, Obama's winning coalition has so far turned out only for him.

Hispanic voters, for one group, are not single-issue immigration voters. They're quite open to a GOP pitch on jobs and economic opportunity. In Georgia, David Perdue and Governor Nathan Deal each won more than 40 percent of the Hispanic vote, despite tough positions on illegal immigration. In Texas, governor-elect Greg Abbott garnered 12 points more than Rick Perry in his last election. Arizona's incoming governor Doug Ducey captured 10 points more from Hispanic voters than his GOP predecessor. In Nevada, Hispanic governor Brian Sandoval was reelected and improved his standing with Hispanic voters from 33 to 47 percent. (The polling in Nevada isn't terribly reliable—Jon Ralston, the dean of Nevada's political press, thinks Sandoval's share of Hispanics was actually "much higher.") If the GOP can consistently get 35 percent or better of Hispanics, which is not unthinkable, it blows a big hole in the Democratic coalition.

In another stunning turnaround, the GOP captured a slim majority of Asian-American voters in the midterms. Asian Americans voted 73 percent for Obama just two years ago. Like Hispanics, Asian Americans don't fit neatly into Democratic identity politics and are primed for GOP outreach.

Finally, the election shows Democrats' "ascendant" coalition isn't ascendant enough to ignore working-class white voters. Despite the Clintons' campaigning especially heavily in their old stomping grounds, Arkansas senator Mark Pryor lost by an eye-popping 17 points—10 more than the final polls suggested. *FiveThirtyEight*'s Harry Enten observes that white voters in Iowa without college degrees didn't vote Democratic this time around. Democratic senatorial candidate Bruce Braley lost them by 14 points. Nationwide, white voters without college degrees break heavily for Republicans, but Iowa has been a stubborn, quirky exception. "If that [Iowa] shift persists, it could have a big effect on the presidential race in 2016, altering the White House math by eliminating the Democratic edge in the Electoral College," notes Enten.

Republicans are intellectually bankrupt. This is another case where the media myth about Republicans more accurately describes Democrats. Not only did Democrats have to run away from their own unpopular and unsuccessful policies such as Obamacare, they couldn't even capitalize on the improving economy. That's largely

because the Democratic economic policy agenda consisted of minimum wage increases and talking up inequality. To think that just a few years ago the liberal intelligentsia was bandying about the obnoxious phrase "epistemic closure" to indict the GOP's supposed insularity and lack of new ideas.

Josh Marshall, one of the few liberal writers to emerge from this election with a potent self-critique, blames the Democratic focus on income inequality. Fomenting zero-sum resentment toward the rich is an abstract concern. "What is driving the politics of the country to a mammoth degree is that the vast majority of people in the country no longer have a rising standard of living," notes Marshall.

Marshall's right—and it just so happens the GOP has done better than the Democrats at recognizing this. In a column on "reform conservatism" from May, the *New York Times*'s Ross Douthat lauded new GOP policy prescriptions for recognizing that "the core economic challenge facing the American experiment is not income inequality per se, but rather stratification and stagnation—weak mobility from the bottom of the income ladder and wage stagnation for the middle class." Two days after the election, one of reform conservatism's leading lights, Utah senator Mike Lee, had a lengthy article at the *Federalist* outlining a detailed GOP agenda along these lines that would increase transparency, fight crony capitalism, and orient tax policy to benefit families and the middle class. The media were not curious but dismissive. *National Journal*'s headline: "Mike Lee's 4,200-Word Plan to Fix Congress, Summed Up in Six Sentences."

The wave election is by no means a reason for Republicans to become overconfident, and recent talk of a "generational majority" is just silly. Progress with female and minority voters can't be taken for granted. Nor should Republicans rest on their laurels and avoid crafting and pursuing new policies.

It is, however, safe to say that the demise of the GOP has been greatly exaggerated. ♦

NEWSCOM

El Ganador

Rep. Mike Coffman's recipe for victory.

BY FRED BARNES

Republican representative Mike Coffman of Colorado was the No. 1 target for defeat by House Democrats in 2014. Making matters worse, he had been gerrymandered out of his solidly Republican district and was opposed by the most impressive candidate Democrats could recruit. His future as a congressman did not look bright. Yet he was reelected.

How did he do it? He learned to speak Spanish.

Coffman gave speeches in Spanish. Five days before the election, he debated his Democratic opponent in Spanish, an event carried nationally on the Spanish language television channel Univision. He held his own. Coffman won the election, 52-43 percent.

Mike Coffman

The Democratic obsession with ousting Coffman began in 2012 when his district in the suburbs to the south and east of Denver was transformed. It became 20 percent Hispanic, 9 percent black, and 5 percent Asian, along with a mélange of smaller minority communities. Coffman had won with 61 percent of the vote in 2008 and 66 percent in 2010. But in 2012, in the new swing district, he beat Democrat Joe Miklosi only 48 to 46 percent.

That narrow victory signaled his hold on the district was weak. It led to the major effort by Democrats this year. They recruited the candidate of their dreams, former state house speaker Andrew Romanoff, 48. He had made a strong bid for the Senate in 2010, losing in the Democratic primary to Michael Bennet, who went on to win the Senate seat.

Romanoff had to move into the district, but that was his only drawback. He's a Yale graduate, a tireless campaigner, a highly effective fundraiser, and fluent in Spanish from having taught school in Nicaragua and Costa Rica. "He was very formidable as an opponent," Coffman says.

Early in the two-year election cycle, Coffman, 59, learned that the tight communities of Asian (Koreans, Vietnamese, Chinese) and African immigrants (Somalis, Ethiopians) were easy to reach. "I worked the immigrant groups pretty hard," he says. But the larger Hispanic community—150,000 people—was not so easy. They had to be reached through the Spanish-speaking media. And that meant he needed to speak Spanish.

He hired a tutor and met her weekly for two hours and talked to her frequently on the phone. He used Rosetta Stone, a popular tool for learning languages. He read Spanish newspapers and watched Spanish-language television. He even tried keeping up with soap operas, but found them too ranting. He struck up conversations in Spanish with House colleagues.

Learning a language while serving in Congress isn't easy. It took discipline. Coffman is a former Marine who served in both Iraq wars. He does 500 pushups a day—"in 10 sets of 50," he says.

The climax of Coffman's effort was the debate on October 30. It's believed to be the first televised debate entirely in Spanish between two Anglo congressional candidates. They were

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given a list of questions beforehand. "I was well coached in preparation for the debate," he says. He had to look at notes occasionally before answering questions. Romanoff, more comfortable in Spanish, didn't.

Learning Spanish wasn't the only reason Coffman won. He's a conservative Republican who benefited from the GOP wave. He's known for making it possible for veterans to get private medical care in some cases. He favors opening federal land in Colorado to oil and natural gas production.

But something else happened to him on the way to reelection. He substantially softened his position on immigration reform. Or as he says, he "moderated" his view.

The House seat he captured in 2008 had been held by Tom Tancredo, a firm opponent of amnesty of any kind for illegal immigrants. Coffman had agreed with him for years. But spending time with immigrant families—and needing their votes—"influenced my position," he says. He's now a supporter of immigration reform.

"I clearly want to see something get done," Coffman told me. He opposes the "comprehensive" reform that passed the Senate last year. And he's critical of President Obama's plan to legalize illegal immigrants by executive order.

Coffman says overhauling the immigration system must be done in a series of legislative acts. And it must achieve three things: secure the border, spur economic growth, and act compassionately in keeping families together. He's proposed legislation to give adults who entered the United States illegally a path to legalization, but not to citizenship. Their children could seek to become citizens.

The U.S. Chamber of Commerce was impressed by Coffman's support for "meaningful immigration reform," says Scott Reed, the group's top political adviser. The chamber ran pro-Coffman TV ads in the spring and summer. Among House races, Reed says, "This was the heavyweight prize of the year."

Romanoff was quoted as saying: "I don't think his record sounds any better in Spanish." To Hispanics, it did. ♦

Up from the Ashes

A museum of the Arsenal of Democracy takes shape at Willow Run.

BY TED R. BROMUND

March 3, 1943: B-24 Liberators roll through Willow Run.

Willow Run Airport, Mich.

There aren't a lot of four-lane highways in rural Michigan. But the vast field a few miles east of Ypsilanti once needed a wide road. It was the site of Ford's Willow Run plant, the heart of the Arsenal of Democracy. And now it's becoming America's first museum dedicated to the World War II production miracle that armed and saved the free world.

At its peak in 1944, Willow Run produced a B-24 Liberator bomber every 55 minutes, for a wartime production run of 8,685 planes. Everything about Willow Run was big, including its problems. The biggest thing about the plant was the idea it embodied: that bombers could be built on an assembly line. As he started work on the project, Ford's production expert Charlie Sorenson realized that "to compare a Ford V-8 with a four-engine Liberator bomber was like matching a garage to a skyscraper." The project would produce what Charles Lindbergh called "the Grand Canyon of the mechanized world."

At 4.2 million square feet, Willow Run was the largest factory in the world. Designed by famed industrial architect Alfred Kahn, it produced its first bomber in September 1942, 18 months after ground was broken. The challenge of building that gigantic factory, with its 3,300-foot-long main line, was nothing compared with the challenge of building the B-24, which weighed over 36,000 pounds and was held together with 360,000 rivets. Those rivets meant that Willow Run

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needed lots of parts, and lots of labor to put them together. If the work wasn't done right, the bomber would disintegrate in midair.

Willow Run met the challenges. The Consolidated Aircraft Company, which was making B-24s at a rate of one per day in San Diego, had no blueprints suitable for mass production. So Ford drew them from scratch. After four months, there were 5.9 million square feet of plans. The 1,600 machine tools in the plant had to be designed, made, and installed, and the production and delivery of the B-24 parts had to be planned. With labor scarce and travel difficult because of rationing, 42,000 workers—including 18,000 women—were recruited and trained. Many came from the rural South, over 6,000 from Kentucky alone.

By February 1943, even as Willow Run's production was rising, the smart money still said it couldn't be done. The factory's labor and production difficulties were so notorious that it was investigated by the waste-hunting Truman Committee. Of course, Hitler had long since made his mind up about the United States: He described it as merely "beauty queens, millionaires, stupid records, and Hollywood." The committee, too, was skeptical: As A.J. Baime records in his history of the plant, *The Arsenal of Democracy*, the committee concluded that the "production line was set up similar to an automobile assembly line. . . . This was probably a mistake."

It wasn't a mistake. The factory's rise was indeed "agony," as historian Arthur Herman puts it, but inexorably, the principle of mass production proved its worth. Willow Run built half of the Liberators that entered service, and Ford reduced the time needed to build a bomber from 200,000 man-hours to 18,000. The B-24 was not an attractive plane, and pilots preferred the B-17. But no U.S. military aircraft has ever been produced in greater numbers than the B-24. Flying from the United States and Britain, the Very Long Range variant of the B-24 played a crucial role in winning the Battle of the Atlantic against Nazi U-boats.

After the war, the B-24, and then Willow Run, fell on hard times. The B-24 remained in service with the Indian Air Force into the 1960s, but in the United States it was rapidly scrapped. Today, only two flyable B-24s survive in the entire world, and only four planes from Willow Run exist in any condition anywhere. The Willow Run plant went from Ford to Kaiser-Frazer to General Motors, which built transmissions in an expanded factory until GM went bankrupt in 2010. By then the plant was outdated, condemned to obsolescence by its very size. In 2013, after efforts to repurpose it failed, most of Willow Run was demolished, leaving only the vast, empty concrete pad on which the great plant had rested.

A B-25 bomber in front of the remaining section, October 2014

AP / CARLOS OSORIO

But part of the factory still stands, and the Yankee Air Museum wants to make it stand for something. The museum itself is on the comeback trail. In 2004, its former home, a wooden hangar from the Willow Run era, burned to the ground. But its planes—including a B-17, a B-25, and a B-52—survived. In late October, after raising $5.5 million, the museum took ownership of the surviving portion of the factory, the 144,000-square-foot section at the end of the production line, including the great double doors through which the completed B-24s rolled on their way to their flight tests.

There are other, larger airplane museums in the United States—the Smithsonian, Seattle's Museum of Flight, the Air Force Museum at Wright-Patterson in Ohio, and the Pima Air & Space Museum in Arizona, to name four. What is unusual about the Yankee Air Museum is that most of its World War II-era planes still fly. Its B-17 is one of only nine that can still take to the air. But what it is planning for the preserved portion of the factory is better: not just a museum for its planes, but also exhibits honoring the men and women who made the planes and the production techniques they pioneered. When opened, it will be the only museum about the thing that America did better than anyone else in the war: build big machines fast.

The surviving section of Willow Run is less than 4 percent of the original plant. Even so, it's huge, all the more so because it's completely empty. When I visited the museum's future home with its founder, Dennis Norton, it was obvious that there was a lot of work still to be done. The fabric of the building will be restored with the aid of a $1.5 million grant from the state of Michigan, but the museum needs another $8.5 million in cash or donations in kind—if you have a spare infrared heating system for a building the size of a Costco warehouse, Norton would like to hear from you—before it can open in late 2017.

History hangs in the air at Willow Run. Better than any building I have ever visited, it conveys the magic of big machines and the engineering triumphs that made them. Today, small is magic; as Apple has realized, the smaller the device, the greater the magic. But before the 1970s, when small became beautiful, big machines gripped the American imagination.

It's remarkable that the United States doesn't already have a museum dedicated to the wartime industrial genius of its private enterprise. That museum belongs at Willow Run. The distance between us and the generation that built the bombers is already wide. A museum cannot close it. But when you step into Willow Run, the distance shrinks for a moment, dwarfed by the size of the great line where liberation was forged and the Liberators took flight. ♦

Hartache

Democratic hero worship then and now

By Noemie Emery

One month short of his 78th birthday, and 27 years after his self-immolation, Gary Hart has been given a present of sorts by writer Matt Bai, who in *All the Truth Is Out* recasts the past as Hart wants to see it, a great man brought low by a change (for the worse) in the national zeitgeist that deprived the United States of a truly great leader, and a great mind of its mission in life.

This isn't the first time that this take has been ventured—the late Richard Ben Cramer made Hart the hero of *What It Takes*, his 1992 door-stopping account of the 1988 presidential race and its many participants—but this is the first stand-alone effort, and also the first to be seen against the backdrop of the collapse of the presidency of Barack Obama, who is in some ways a Hart-like politician, though their failings are not all alike. Whatever his faults, Obama would have dropped dead many times over before he posed in a Monkey Business T-shirt with a blonde in his lap, but as political phenomena they share some points of contact: the phenomenal rise, the aspirational note, the appeal to the hopes of a new generation, and the claim to great brains plus the stylistic appeal of a pop culture icon, which played to the wish of a key demographic to be trendy and grave at one time. Each got his start in the Iowa caucuses, when he sandbagged an older and more baggy-eyed veteran presumed to be the frontrunner: Obama in 2008 when he stunned Hillary Clinton, and Hart in 1984 when he finished second to former vice president Walter F. Mondale and went on to savage him in New Hampshire only a few weeks after that. What else and what more may they have in common? Let us go back to that long-ago season, to look for what we can find.

Barack Obama in Berlin, July 2008

To begin with, each burst on the scene as a quasi-messiah, a sage and a rock star in one. "Hart is no longer simply a candidate. . . . He is a political phenomenon—in part a craze, but also something beyond that," wrote Elizabeth Drew in the *New Yorker* on April 12, 1984. "Nothing like what has happened in the past week has ever happened before in American politics. No candidate has ever been so quickly transformed into such a political force . . . or become the subject of so much excitement. . . . The very fact that numerous people now tell reporters they favor Hart even though they don't know much, or even anything, about him, is part of the phenomenon. He is young, good looking and fresh, and offers himself as someone who will change the 'old ways.'"

Does this sound familiar? Hart was the "ink blot candidate" onto whom people could project their own aspirations, and Obama would describe himself as a Rorschach test in which people could see what they wished. Hart was telegenic, and so was Obama, both slim and supple men who wore their clothes well. "His high cheekbones and lean face are just right for the cameras, and his cool demeanor is just right for the medium," Drew said of Hart. "Americans love something new—an attractive and articulate something new. . . . Americans are addicted to the idea that things can be better. . . . By condemning the old ways . . . he is suggesting that there is a . . . reason things have not gone better, and that he can change that." Does this sound familiar? It does.

"The coverage was fawning," wrote Paul Taylor, the reporter for the *Washington Post* who in May 1987 would ask Hart the famous adultery question. "Not since the Beatles," he wrote in *See How They Run*, "had any new face so quickly captivated the national culture. Indeed, the velocity of Hart's rise in the polls was unprecedented

NEWSCOM

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in American political history. . . . By one estimate, he was picking up a million new supporters a day, many of whom had no idea . . . why he had become their man." Obama inspired similar feelings. Each claimed to speak for a new day, a new age, and a new generation, and to represent not just a new kind of politics but a moral renewal that could cleanse and redeem the world. The coalitions were similar: Hart drew on the Atari Democrats, as Drew said, "the young and the upper-middle-class trendy," or as Hart put it, "The core group is in its twenties to forties, generally middle to upper middle income—teachers, paraprofessionals of all races. I'm beginning to inherit post-Great Society black and Hispanic leaders who have a feeling of political independence that hasn't yet been described." Each believed he was born to head a great movement, and to seize a key moment in time. If Obama said, "We are the ones we've been waiting for," Hart claimed to speak for a new generation. If Obama was "the One," referred to with almost biblical reverence, Hart had a strain of this, too. He talked "mystically about himself," Drew wrote in 1984, "saying that it was his 'destiny' to become president." If in 2008 Obama said, "I have become a symbol of the possibility of America returning to our best traditions," in 1987 Hart said, "This is not just a political race, it's really a cause," and three years before that he had been still more audacious: "The cause is the redemption of this land."

Gary Hart with wife Lee in Denver, April 1987

Hart and Obama each had an iron-clad faith in his own claim to genius, and many believed them, partly because they looked like the kind of people journalists thought should be intelligent, and partly because their sort of intelligence—glib, facile, and good at the right sort of patter—was the same sort that these journalists had. Thus presidential historian Michael Beschloss called Obama (before he took office) "the smartest man ever elected as president," and Bai takes Hart at his own self-estimation, as a "brilliant and serious man, perhaps the most visionary political mind of his generation . . . the flat-out smartest politician I had ever met." Hart's gift, as Bai put it, "was to connect politics and culture and theology and technology seamlessly and all at once—to draw from all available data points . . . a larger picture of where *everything* was headed. . . . Hart himself would tell me, 'I have only one talent. I can see farther ahead than most people. And I can put pieces together in constructive ways, both to avoid disaster and to capitalize on change.'"

Alas, as it happened, "avoiding disaster" was not one of Hart's strong points, and the man many thought capable of saving the world and the country proved a genius at destroying himself. Hart worshipped John Kennedy and imitated him down to his gestures and weakness for women, seeming to think he was back in the '50s and '60s, when presidents' affairs and those of their peers had gone unremarked on, or perhaps in the days of the 1940 election, when Wendell Willkie made campaign speeches from his girlfriend's apartment and Franklin Roosevelt's train would make stops in New Jersey so the president could see his old flame. Hart's first mistake was to ignore the extent to which Chappaquiddick and Watergate had collapsed the old walls between public and private, increasing suspicion of public officials and making dissembling seem the worst of all sins. His second mistake was to lie, which turned his private life into a public and character issue, into which the press felt entitled to dig. In *Whose Broad Stripes and Bright Stars*, their book on the 1988 contest, Jack Germond and Jules Witcover give a detailed list of the people Hart lied to, including reporters, old friends, and campaign consultants who had agreed to work for him only after being assured by him or his allies that the rumors about his many adventures with women were either false or else a thing of the past.

Nonetheless, one woman refused to join the campaign, saying, "Everybody here knows that he's fooling around with a woman in Florida, and that he came out of a bar a few nights ago with another guy and two other women. . . . I can't work for him." He assured aides that nothing was wrong even as he was arranging a weekend in Washington with the woman in Florida. Reporters from two different news organizations warned his campaign they were thinking of tailing him, which perhaps was in Hart's mind when he dared E. J. Dionne to "follow me around. I don't care. I'm serious . . . go ahead. They'll be very bored." The *New York Times* story with this quote in it hit the newsstands the day after the *Miami Herald*, on a tip from a reader, *had* put a tail on him and seen him entering his townhouse in Washington with a beautiful blonde. He seemed to be thunderstruck when this occurred, and, instead of refusing to answer

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questions, reeled off a series of answers that sounded insane. What was his relationship with the woman who came out of his townhouse? "I'm not involved in any relationship." Was the woman now in the townhouse? "She may or may not be." Why had Hart and the woman entered the townhouse? "The obvious reason is I'm being set up." This from the greatest political mind of his generation.

Hart never accepted responsibility, blaming insidious forces who feared him because he was a rebel. In a 1993 article in the *New Yorker*, David Remnick reported, "A prominent Washington journalist once told me that Hart, after a couple of drinks in an airplane five years ago, described his own fall in 1987 as a conspiracy of power elites: the military establishment, the energy industry—in short, all the institutions he intended to reform as president." An old friend would later tell Remnick, "I came to believe that Gary Hart felt that the fate of Gary Hart was that he was destined to be president of the United States, and he was not bound by the disciplines that impinge on the rest of us. . . . I believed he felt himself in a way to be divine."

Hart left the race on May 8, 1987, giving a speech in which he described himself as a leader stabbed in the back in the heat of the battle, and vowed that his cause would live on. Germond and Witcover saw it quite differently: "The Hart swan song was an incredible exercise in self-justification and . . . self-delusion [recalling] Nixon's infamous 'last press conference' in November 1962." And indeed, Hart did get an unwanted note of sympathy from the disgraced former president: "Nixon was congratulating Hart for behaving exactly as Nixon would have done." Hart looked at things differently, calling his fall "an accident, a car crash in history," in which the worst casualty was not his career but the country's loss. "Gary feels guilty, because he feels like he could have been a very good president," Hart's wife would tell Bai. "It's what he could have done for the country that I think bothers him." He told Remnick that he felt guilty during the Gulf war in 1991. Had he been president, he would have been less belligerent—"If thousands of American lives had been lost, I would have felt personally responsible." And he later told Bai he also felt responsible for the Iraq war launched by George W. Bush in 2003, because, if he, Hart, had defeated George H.W. Bush in 1988, Bush's son would have never gone into politics. The burden of this seemed to weigh on him heavily: "You have to live with that, you know?"

According to Bai, Hart didn't think much of Bill Clinton either, expressing contempt for his triangulation, which he believed was a "cynical strategy, a way of simply stealing the conservative argument that liberalism was dead, rather than breathing life back into the liberal ideal." But it turned out that there was a politician whom Hart did admire: In December 2006 he reviewed a new book by an aspiring candidate, saying, "In a very short time, Barack Obama has made himself into a figure of national interest, curiosity, and some undefined hope." Reading this, the *Economist* deduced Hart had seen his younger self in Obama, and it turned out that he had.

"Through some miracle of timing, luck, and good fortune, Barack Obama has seized the moment," Hart blogged on the *Huffington Post* on January 14, 2008. "He is not operating on the same plane as ordinary politicians. . . . His instinct for the moment and the times is orders of magnitude more powerful than the experience claimed by others. . . . Some see him as the walking embodiment of internationalism, ready to restore an honorable and respected place for America in the world. And they are right." The torch had been passed, and presumably Obama would now enact the Hart vision, sadly dormant in the wasted years since his embarrassment. Six years later, America was less respected everywhere in the world than when Obama took office, Democrats running for office were fleeing their leader, the threat from the Middle East was greater than ever, and all the gains made by the surge in the war in Iraq had been carelessly thrown away.

Is it fair to assume that the aborted Hart presidency would have become a similar train wreck? No, but it may be possible to look at traits the two men have in common, and draw some hints from those. "Hart's Senate record is not marked by a great deal of success," Elizabeth Drew wrote in her 1984 volume. "His lack of achievement . . . stems in part from his by now much discussed disinclination to work in concert with colleagues to form coalitions. Hart has often seemed more interested in making a point." Obama too showed no interest whatever in bargaining, and, like Hart, was better with words than with deeds. Like Hart, Obama scored poorly in "knows how to work and play well with others," and seemed to have only one technique for governing: He would give a big speech that created a groundswell for what he was selling, and Congress would fix the details. When the groundswell didn't occur, as in health care reform, he relied on his overwhelming majorities in both houses of Congress, along with a great many arms and rules twisted and broken, to ram the bill through. When this created the inevitable backlash and loss of the House, he turned to executive orders, which created still more opposition, and sulked. When he lost the Senate along with the House, he dug in still further, projecting the sense that it was beneath him to bargain, and that there were no ideas coming from others that were worth his attention and time. Would Hart, whose contempt for rivals was legend, have proceeded differently?

Another trait the two have in common is that they tend to lie. Hart, of course, lied about things that he thought

should be private (but which had a huge effect on the fortunes of others), while Obama lies about things that affect the public ("if you like your plan, you can keep your plan") or that involve life and death issues for the people involved (the attack in Benghazi was caused by a video). In these cases, it's hard to tell if Obama is lying on purpose, or if he is just misinformed, or talking about things that he thinks ought to happen, or making assessments and/or predictions (about ISIS being "junior varsity") that sadly just turn out not to be true. Whatever the reasons, these things pile up, and by 2014, after the catastrophic rollout of Obamacare and the chaos in the Middle East from his cut-and-run policy, the greatest orator of his generation found himself in a world where no one believed a word that he said. Obama would say, of course, that he meant well, as Hart would say he lied about things that were nobody else's business; but in that case the proper response is to simply say "none of your business," and not to embark on a series of whoppers that embarrass your backers and friends.

Is it fair to assume that the aborted Hart presidency would have become a train wreck like Obama's? No, but it may be possible to look at traits the two men have in common, and draw some hints from those.

Trait number three is an indifference to others, particularly those in their service or employ. Remnick cites a friend of Hart who went on the air to defend him at the height of the furor and later found out he was used: "So I went on television and got hung out to dry saying that I had known Gary Hart for seventeen years and I believed him. Now I think he did lie. I was very angry. What really made me angry was that he could let all those people pin their hopes on him and then not have the personal discipline to make his candidacy viable." Obama showed a similar lack of concern for the many members of Congress whom he forced into unplanned and unwanted early retirement as the price of pushing his very unpopular health care proposal through Congress. A party leader is supposed to care about those in his party, but Obama thought their careers a small price to pay for his legacy—which so far remains deeply unpopular and has caused staggering losses for his fellow Democrats in not one but two midterms, and which may yet be undone in the courts.

Trait number four, which relates to the others, is that nothing is ever their fault. Hart is on record several times tracing his fall to the machinations of various sinister forces, from the armed forces to the energy companies, to people who still were anti-McGovern (Hart had managed his 1972 campaign), to people in the campaigns of his rival Democrats, angry and jealous because he was just so darned much smarter than they. To Obama, bad things always seem to spring up for no reason related to him: The Tea Party movement that revived the Republicans' fortunes had nothing to do with the debt, the deficit, or the way he twisted the rules to push his health care proposals through Congress; the sudden appearance of ISIS had nothing to do with his Syria blunders, compounded by his careless decision to pull all of our troops from Iraq. But messiahs don't make mistakes, nor are they obliged to think about others, nor are they bound by the rules (such as those about lying) that serve to constrain lesser men.

Trait number five is the fact that for all of their vaunted intelligence, both frequently appeared not all that bright. In accounts of the time, Hart was perhaps the only person in the political world who failed to realize that posing in Bimini with a blonde in his lap was not the best move for a possible president; just as Obama was the only person in his administration who thought leaving Iraq when he did would not be catastrophic or that passing a huge bill with a consensus *against* it could be seen as a really smart move. The trouble they both had in dealing with common sense matters suggests their brilliance was not much more than a glib line of patter, a knack for addressing the world in the ways that elites found familiar, encased in a package of Style-page glamour, as fit the demands of the day. As Elizabeth Drew had seen in the moment, "Hart may have drawn young voters less by the summoning up of the social activists than by his cool, modern, hip demeanor, his non-old hat political style, and the fact that he was not Mondale." In short, it all came down to glitz.

Glitz is the downfall of some on the left who assess their worth, and that of others, by the measure of two different things: how much they appear to be saintly and wise in the way of the politically correct creed of the moment, and how cool they appear to be. Scratching one of these itches will take you far with some liberals ("Madly for Adlai"), but scratch both and you have the crowds and the frenzies that made the spring of 1984 and the entirety of 2008 so enthralling: the belief that the savior is here, and looks like a Ralph Lauren model, the man you wished you could be.

The problem is that the type turns out to not wear well in politics, whether in the six-year deflation of Barack Obama, or the six-day implosion of Hart. The next time another such messiah-cum-brain-cum-Condé Nast darling knocks on the door of the Democrats (and there will be a next time), they should, for the sake of themselves and the country, nod at him sweetly and show him the door. ♦

Obamacare's State of Crisis

Halbig, *but* King *bigger*

By Adam J. White

In their final push to enact Obamacare, Nancy Pelosi urged her fellow Democrats to "pass the bill so that you can find out what is in it." They probably should have found out first. Now they need the Supreme Court to "find" once again in their favor.

Last week, the Court announced that it will hear *King* v. *Burwell*, one of several challenges to the administration's interpretation of a key Obamacare provision regarding health insurance markets. Unlike the plaintiffs in the Court's last Obamacare case, *National Federation of Independent Business* v. *Sebelius* (2012), the *King* plaintiffs do not claim that the Constitution nullifies Obamacare. Rather, they claim that the Obama administration itself is nullifying one of Obamacare's key provisions. They ask the Court to require the administration to enforce the act's plain terms as written—and this, the law's critics hope, may cause Obamacare to collapse under its own weight.

The Miscalculator: Jonathan Gruber testifies in Congress, November 2009.

The case arises from Obamacare's provision for health insurance "exchanges"—statewide markets for health insurance designed to enable people to obtain health insurance from a source other than employers. While the House's version of health care legislation provided for a single nationwide exchange, the version of Obamacare that was enacted provides for the creation of an exchange for each state and the District of Columbia.

But the law does not require the states themselves to set up the exchanges—in fact, the Constitution prohibits the federal government from forcing states to administer a federal program. Instead, each state had the opportunity to set up its own exchange; and if it declined to do so, the federal Department of Health and Human Services would "establish and operate such [an] Exchange within the State."

President Obama long had urged that the federal government needed to subsidize health insurance purchased on exchanges to make it sufficiently attractive to poor and middle-class consumers. But the version of Obamacare signed by the president after a flurry of legislative gamesmanship was not written in such generous terms.

The act does provide expressly for federal tax subsidies, called "premium assistance," for health insurance purchased "through an Exchange established by the State." But that subsidy—and related penalties, for in Obamacare as in life there is no free lunch—finds no corresponding provision for health insurance purchased "through an Exchange established by the Federal Government." Absent such a provision, the federal government is left to argue that this provision must be construed broadly to cover all exchanges, not just state-created ones. Or, as the administration argues, the courts should treat federally created exchanges as actually state-created exchanges, with the secretary of health and human services "stand[ing] in the shoes of" the states.

Perhaps the act's differential treatment of state and federal exchanges was simply a case of shoddy legislative draftsmanship—the sort of thing that happens when Congress passes a law first and reads it later. Or perhaps it serves as an incentive for states to set up their own exchanges.

The latter is the view of Jonathan Gruber, a Massachusetts Institute of Technology economist widely credited as an "architect" of Obamacare (or, as the *New York Times* called him, "Health Care's Mr. Mandate"). At least it was Gruber's stated view until the moment that this interpretation became a legal and political threat to the act's own viability.

As the *New Republic* reported in its congratulatory account of Obamacare's enactment, "Gruber, one of the plan's architects, led a group of center-left intellectuals who hyped the [Massachusetts] experiment's success and touted it as a model for national action in articles, speeches, and consultation with prominent Democratic Party politicians." Gruber certainly has a way with words: In a video uncovered last week, he crowed that Obamacare's "lack of transparency" was "a huge political

IMAGES: NEWSCOM

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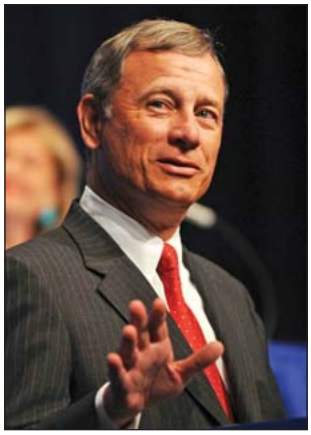
advantage," as was "the stupidity of the American voter," which "was really, really critical for the thing to pass."

But it was one particular line of Gruber's advocacy that now merits notice. In videos of 2012 addresses uncovered earlier this year, Gruber boasted that the act was structured to let the administration "squeeze the States to do it"—to set up exchanges themselves. "I think what's important to remember politically about this is, if you're a State and you don't set up an exchange, that means your citizens don't get their tax credits," he added. "I hope that's a blatant enough political reality that States will get their act together and realize there are billions of dollars at stake here in setting up these exchanges, and they'll do it."

But most states didn't "do it." As the D.C. Circuit court noted this summer, "only fourteen states and the District of Columbia have established Exchanges. The federal government has established Exchanges in the remaining thirty-six states, in some cases with state assistance but in most cases not." The states' decision not to set up their own exchanges upset the administration's expectations, since it was counting on states to do so and thus accept federal subsidies for their citizens' insurance. That unexpected development, the Obama administration recognized, undermined the program's workability, since the absence of subsidies would decrease individuals' willingness or ability to comply with the "individual mandate" and purchase insurance.



Back in the driver's seat: Roberts

And so the administration, in a regulation proposed in 2011 and finalized in 2012, announced that it would extend federal subsidies to all health insurance exchanges, whether established by a state or by the federal government in lieu of a state. In turn, a variety of state and private parties, spurred by an influential paper published by Case Western's Jonathan Adler and the Cato Institute's Michael Cannon in *Health Matrix*, a journal of law and medicine, filed federal lawsuits challenging the legality of the administration's refusal to distinguish between federal- and state-established exchanges.

Months later, on July 22, two federal courts of appeals issued decisions within mere hours of one another. In the first, *Halbig* v. *Burwell*, the D.C. Circuit held that "the statute's plain meaning . . . unambiguously forecloses the interpretation embodied in the IRS Rule and instead limits the availability of premium tax credits to state-established Exchanges." The three-judge panel was split 2-1; dissenting judge Harry Edwards would have ruled that the statute's terms are ambiguous, and thus that the court should defer to what he deemed the administration's "reasonable interpretations."

Hours later, and just an hour south on I-95, the U.S. Court of Appeals for the Fourth Circuit held in *King* v. *Burwell* that the statutory language "is ambiguous and subject to multiple interpretations," and therefore that the court should defer to the administration's interpretation "as a permissible exercise of the agency's discretion."

The instant appearance of a "circuit split" between the Fourth and D.C. Circuits gave the administration a brief moment of hope that a Supreme Court showdown could be averted: President Obama had appointed four new judges to the D.C. Circuit—three in the aftermath of Harry Reid's "nuclear option" ending Senate filibusters of judicial nominations—which had swung the court's nominal ideological alignment to the left. Seven of the court's active judges were appointed by Democratic presidents, four by Republicans. Immediately after the D.C. Circuit ruled, liberal pundits announced that Obama's appointees would save Obamacare from the court's initial three-judge decision by voting for the entire court to rehear the case "en banc."

Commentary from the left displayed surprisingly low regard for judicial independence. *Slate*'s Emily Bazelon, for example, stressed that "Obamacare is safe," because "the D.C. Circuit (finally!) has four Obama appointees on it," and "the split is seven Democrats to four Republicans." "Presto," she announced, "Harry Edwards' dissent today can be a winner tomorrow."

Senator Reid himself was, characteristically, no less blunt. Asked by a reporter whether the addition of newly appointed judges who could vote to reverse the court's initial ruling against the administration would "vindicate" the nuclear option, Reid answered, "Well, if you look at the simple math, it sure does." To hear such cynical descriptions of the newly appointed judges, one would have thought that Bazelon and Reid held the judges in even lower esteem than did the nominees' harshest Republican critics.

Obamacare's supporters breathed a deep sigh of relief on September 4, when the D.C. Circuit announced that it would rehear the case en banc later in the year. This development, supporters argued somewhat contradictorily, obviated the need for Supreme Court review: While the case was of such "exceptional importance" (to use the term of art) as to justify en banc rehearing by 11 D.C. Circuit judges, it apparently was of insufficient

importance for the 9 Supreme Court justices to hear it at all.

But the Supreme Court disagreed—or at least four justices did. For it takes four votes to grant review in a case, and the Court announced on November 7 that it was taking the case, preempting en banc review.

Upon the news that the Supreme Court will hear the case this term, all eyes turned to Chief Justice John Roberts. The chief, after all, proved to be the decisive vote in the 2012 challenge to Obamacare's individual mandate, supplying the fifth vote to hold that the individual mandate was a constitutional exercise of federal taxation power.

But to assume such a direct connection between Roberts's vote in the previous case and the new case has much more to do with politics, and politicking, than with law. The individual mandate case, *NFIB* v. *Sebelius*, raised deep issues of constitutional first principles; *King* v. *Burwell*'s challenge to the federal exchanges, by contrast, asks the justices to interpret a single sentence of statutory text in the nearly thousand-page Affordable Care Act. Even if Chief Justice Roberts's 2012 decision affirming Obamacare exemplified judicial restraint by granting Congress great leeway under a Constitution written in broad terms two centuries ago, it would be quite another thing for him now to grant regulators such leeway under a statute written in precise terms just four years ago.

Nevertheless, liberal analysts immediately called on Chief Justice Roberts to defer to the administration's policy. Emily Bazelon's colleague at *Slate*, Dahlia Lithwick, and coauthor Barry Friedman announced passive-aggressively that "Roberts is savvy enough to know how a ruling against the federal government in this case could be perceived"—namely, that it "would look like nothing but a political swipe." Similarly, Jeffrey Rosen, the *New Republic*'s longtime legal contributor and now also president of the National Constitution Center, said that the case could "pose a challenge to Chief Justice John Roberts's legacy," because to rule against the administration's broad interpretation would "drive a stake through the heart of the Affordable Care Act, which he had previously voted to uphold."

On that point, it is quite clear that the left, having already claimed Roberts's entire legacy hinged on the *NFIB* case, intends to do the same with *King*. Striking the same note as Rosen and others, Harvard's Noah Feldman warned on *Bloomberg* that Roberts might "go along with the conservative tide" because he has been "scarred" by the individual mandate case, although "to strike down Obamacare now, having upheld it before, might look like opportunism or wishy-washy-ness. Given how weak the law increasingly appears," Feldman added, "it would be a high price for Roberts to pay before the judgment of history if he now struck it down."

Poor John Roberts—the Constitution gives him life tenure, but liberals would have him spend the rest of it keeping Obamacare afloat.

Indeed, surveying the Court's recent decisions, the most direct analogy isn't *NFIB*'s constitutional decision, but rather the Court's decision last June in a statutory dispute arising from another of the Obama administration's landmark policies, the Environmental Protection Act's climate change rules. In *Utility Air Regulatory Group* v. *EPA*, states and private parties challenged the administration's interpretation of the Clean Air Act. As with Obamacare, the administration was attempting to construct and enforce a broad regulatory program that poorly fit the statutory text. In that case, the EPA recognized that to impose its climate change regulations, using the threshold emissions levels required by the Clean Air Act's plain terms, would have rendered the program ruinously expensive for the public, and thus politically and practically infeasible. To avoid such "absurd results," the EPA announced that it would not bind itself by the Clean Air Act's specific requirements.

The Supreme Court rejected that argument by a 5-4 vote—with, in case you are curious, Chief Justice Roberts joining the five-justice majority. "The power of executing the laws necessarily includes both authority and responsibility to resolve some questions left open by Congress that arise during the law's administration," the Court explained, "but it does not include a power to revise clear statutory terms that turn out not to work in practice."

Judicial deference is one thing, but judicial dereliction is quite another: "We are not willing to stand on the dock and wave goodbye as EPA embarks on this multiyear voyage of discovery," Justice Antonin Scalia wrote for the majority. "We reaffirm the core administrative-law principle that an agency may not rewrite clear statutory terms to suit its own sense of how the statute should operate."

And while conservative and liberal justices might hold different views about how these principles apply in a given case, the principles themselves are hardly partisan. In the other big EPA case decided by the Court this year, *EPA* v. *EME Homer City Generation*, Justice Ruth Bader Ginsburg wrote for the Court that "however sensible (or not)" a policy argument might be, "a reviewing court's 'task is to apply the text [of the statute], not to improve upon it.'" As it happens, the six-justice majority included the Court's usual "swing vote," Justice Anthony Kennedy, but also the chief justice.

To be sure, no case that reaches the Supreme Court is simple, and so Chief Justice Roberts and his colleagues will have their work cut out for them in *King*. But the job of interpreting laws is hard enough already; one wishes that liberals didn't expect the justices to write the laws, too. ♦

Berlin, 25 Years Later

As Germans celebrate reunification, they are reluctant to confront a Russia that is once again seeking to divide the continent

By James Kirchick

Berlin

On August 17, 1962—exactly one year after barbed-wire barricades began to be reinforced with the concrete that would become the Berlin Wall—Peter Fechter made an impetuous, and ultimately tragic, decision. The 18-year-old East Berliner had left school four years earlier to begin an apprenticeship as a bricklayer, an occupation to which he brought considerable talent and energy. "Colleague F. is a willing and hardworking craftsman," his work appraisal stated. "Loafing and absenteeism are not a problem with him." This was a far cry from the slurs German Democratic Republic officials would later utter.

Finding an unblocked window in a building next to the border, Fechter and a friend jumped into the "death strip" that ran between the wall's parallel fences. East German border guards, instructed to fire upon any of their fellow citizens attempting to scale the partition, shot Fechter in the pelvis as he rushed towards the wall on Zimmerstrasse, not far from the Checkpoint Charlie crossing. Noise from the gunfire attracted a crowd of West Germans, who watched in horror as the young man screamed for help. East German guards did nothing as he writhed in agony for nearly an hour, while West German guards remained at their posts, under orders not to do anything that might jeopardize the modus vivendi. Only when Fechter's cries ceased did East German border guards emerge to cart away his corpse.

The body of Peter Fechter is carried away by East German guards, August 1962.

AP / WOLFGANG BERA / PICTURE-ALLIANCE / DPA

Of all the events of the Berlin Wall's 28-year history, few illustrated the inhumanity of the GDR better than the murder of Peter Fechter. His legacy was one of many commemorated last week on the 25th anniversary of the wall's fall. A magnificent public art display memorialized its presence and destruction, with thousands of lighted white balloons lining part of the route of the 87-mile structure that had divided the once and future capital. The balloons were released into the night sky on November 9 at the precise moment East Germans began freely crossing a quarter-century ago. The city's promotional materials referred to the events of that night in 1989, which ushered in the reunification of Germany and the breakup of the Soviet Union, as "the only Peaceful Revolution in world history"—a claim to which the neighboring Czechs and Slovaks, whose Velvet Revolution soon followed, might take umbrage.

The fall of the Berlin Wall and the subsequent collapse of the Stasi state were "peaceful" in the sense that no overt acts of violence brought them about. But this understanding of events, central to Germany's conception of itself as a country that has learned all the appropriate lessons from its destructive past, leaves out several critical factors. First is the East German leadership's knowledge that a Tiananmen Square-style crackdown on peaceful protesters—which we now know they were prepared to execute—would not have received the crucial backing of the Soviet Union, whose leader had renounced the Brezhnev Doctrine the year before. A major reason Mikhail Gorbachev retreated from this pledge, which codified armed Soviet imperialism, was the full-frontal foreign policy of the Reagan administration, which was arming anti-Soviet insurgencies as far afield as Central America and Afghanistan and had deployed nuclear-tipped missiles on West German soil.

Revelers at last week's ceremonies in Berlin, however, might not know that anyone besides the Germans themselves had played a part in the wall's fall. Even more telling was the lack of attention given to the Soviet Union

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East and West Germans climb on the Berlin Wall at the Brandenburg Gate, 1989.

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dividing Germany and the continent in half and occupying it for over four decades. A British friend living in Berlin called the commemoration a "Grimm Brothers fairy tale without the witch." Gorbachev himself—affectionately known as "Gorbi" to his many German admirers—appeared near the Brandenburg Gate, delivering a speech that mixed the greatest hits of Pat Buchanan and Stephen F. Cohen: "[T]he West, and particularly the United States, declared victory in the Cold War. Euphoria and triumphalism went to the heads of Western leaders. Taking advantage of Russia's weakening and the lack of a counterweight, they claimed monopoly leadership and domination in the world."

Gorbachev's remarks should have surprised no one. Previously a critic of Vladimir Putin, he now defends the Russian president's expansionist adventure in Ukraine. And it was the ongoing crisis in Europe's east that hovered over the commemoration like one of the dark clouds that hang over Berlin most of the year. Hundreds of thousands of people flocked to the city whose reunification a quarter-century ago embodied the hopes of Europe's postwar integrationists, while the very power responsible for the division again attempts to divide the continent by force. The cruel irony was lost on nearly everyone. German chancellor Angela Merkel, dedicating a new memorial to the 138 people who died trying to cross the wall, was an anomaly. "We can change things for the better—that is the message of the fall of the Berlin Wall," she said, a lesson that applies "especially for the people in Ukraine, in Syria, and in Iraq, and in many other regions of the world where freedom and human rights are threatened or even trampled." These were the only remarks over the weekend hinting that there was anything ominous about the whole occasion, otherwise a spectacle of self-praise and overconfidence.

With the understandable exception of leaders in Poland and the Baltic states, Merkel has been the most vocal European critic of Putin's actions, which, she memorably said, hew to no legal or moral code but "the laws of the jungle." That this is the case speaks more to Europe's weakness than Merkel's strength. Germans I speak with routinely emphasize that Merkel, raised in East Germany and a committed transatlanticist, is the toughest leader Americans can hope for, and that it's fruitless to lament German reluctance to respond to Putin's aggression. German public opinion seems to bear this out. A poll conducted earlier this year found that 45 percent want Germany to support a unified Western stance on Russia, while 49 percent back a "middle position." This

latter view is precisely what Merkel's coalition partner, the Social Democrats, articulated in their 2013 election manifesto, which called on Germany to play the role of "mediator" between Washington and Moscow. Worryingly, this idea is popular among younger Germans, a majority of whom, according to the *Wall Street Journal*, "believe their country should play a neutral role between Russia and the West rather than stick firmly within the Western alliance." Such feelings are shared by most educated Germans and those from the former East, where years of anti-Western inculcation and lingering nostalgia for the GDR translate into sympathy for the Russian position.

Granted, that poll took place before the July downing of a Malaysia Airlines passenger plane by Russian-backed rebels. But the initial, shrugging response to Russia's annexation of Crimea earlier this year—which a majority of Germans considered justified, even as their political elites thundered on about how wrong it was—indicates that some basic lessons of 1989 have failed to sink in. A recent poll commissioned by the German foreign ministry found that 51 percent of Germans consider the maintenance of "world peace" to be their country's most important goal. Yet few of them appear interested in defending it. Only 13 percent believe the Bundeswehr should carry out more military missions; the same paltry 13 percent think the country should send more arms to allies.

Aside from the gradual imposition of financial sanctions on Russia, Berlin's stance has continued to be marked by feebleness, which, given Germany's role as the continent's preeminent economic and political power, basically dictates the European Union's position. Merkel, whose stewardship of the economy through the financial crisis and careful reading of public opinion polls have ensured high approval ratings for nearly a decade, has been hesitant to confront Putin. She has repeatedly stated there is "no military solution" to the conflict, attempting to coax the Ukrainians into signing a ceasefire in early July, when Kiev was making headway in its effort to regain rebel-held territory. She argues the 1997 NATO-Russia Founding Act prevents the alliance from permanently basing soldiers on the territory of former members of the Warsaw Pact, a questionable reading of the document—whose provisions on troop movements have been rendered null and void by Russia's actions—that has kept the West from sending a strong message to Moscow. When her finance minister compared Putin's actions in Ukraine to those of Hitler in the Sudetenland—a reasonable evaluation in view of the principle of ethnic comradeship that Putin used to justify the 21st century's first *Anschluss*—she reprimanded him. Two days after the Berlin Wall commemoration, she came out against harsher sanctions on Russia, even as Moscow sent more men and matériel into Ukraine.

How much does Germany's position on Ukraine owe to its economic relationship with Russia, which could be remade, and how much can be attributed to deeper, harder-to-change ideological or cultural attitudes? There's now a breed of journalists, regional experts, business leaders, and former politicians derided as *Russlandverstehers*, literally, "Russia understanders." Historian Heinrich Winkler speaks of an "irritating desire for equidistance" that many Germans feel vis-à-vis America and Russia. In the numerous apologias offered by influential German figures for Putin's behavior in Ukraine, one also senses a combination of the old Teutonic admiration for authority and a paternalistic view of Slavs: Putin is not the sort of leader under whose rule any German would want to live, but he's precisely the sort of man capable of governing a "wild" place like Russia.

Like most Westerners, Germans were shocked at the Putin regime's actions in Ukraine, says former U.S. ambassador to Germany John Kornblum, but a particular German stubbornness stops them from taking a stronger stand. The German foreign policy elite has focused for decades on the economic relationship with Russia, hoping that improved trade ties would lead to greater democracy. That approach, championed by foreign minister Frank-Walter Steinmeier, now lies in tatters. But the Germans' innate "fear of instability," Kornblum says, leads them "to stick to their ideas." Their preference for soft over hard power, while understandable, has led them astray. Kornblum compares the Germans, with their aversion to the use of force, to "a recovered alcoholic who berates other people for drinking a second martini. Not everybody goes on that road."

Another significant factor is anti-Americanism. That's nothing new in Germany, but it has become more salient since the Russians' masterful collaboration with Edward Snowden to disclose secrets about American intelligence practices, embarrassing the United States and driving a wedge between Berlin and Washington. "It is hardly credible to threaten Putin with consequences for breaking international law while ignoring Obama's own violation," *Der Spiegel* editorialized earlier this year, likening a little spying between friends to the first annexation of territory on the European continent since the aftermath of World War II. Snowden is widely admired in Germany, and not just by the usual suspects on the left. The German government, I hear, is preparing for a scenario in which Russia, having exhausted Snowden's usefulness, puts the fugitive leaker on a plane to Berlin. Would the Germans extradite him to the United States? It's an open question.

Most Germans seem to want their country to become a giant Switzerland, rich and peaceful at home and neutral

The 'Border of Lights' installation commemorating the 1989 fall of the Berlin Wall, November 2014

NEWSCOM

abroad. But Kornblum, who spent decades working on European affairs as a career Foreign Service officer, dismisses the idea of Germany as a nonaligned power in the center of Europe, as many feared it might become during the years of Chancellor Willy Brandt's *Ostpolitik*, which sought to decrease tensions between East and West by formally recognizing the legitimacy of the Soviet sphere of influence. If Kornblum is right, Germany will, at worst, be a weak partner rather than a neutral observer. The popular appraisal of Brandt's legacy hints at the country's future. As the commemoration of the fall of the Berlin Wall showed, many Germans subscribe to an interpretation of history that credits Brandt with ending the Cold War. According to this theory, it was Brandt's policy of nonconfrontation that led to the reunification of Europe. His *Ostpolitik* was the first real independent foreign policy initiative of the postwar Federal Republic, which had until that point essentially been an obedient charge of the victorious Allied powers. Many Germans today apply this misguided narrative to the Ukraine crisis, thinking that a new *Ostpolitik* between Berlin and Moscow (one that, once again, looks over the heads of the people caught in between) will bring peace back to Europe.

In the early years of his political career, Brandt could hardly be described as an accommodationist. Quite the opposite: As a Social Democrat, he was well acquainted with the depredations of the Communist regime. He made his peace with the division of Berlin and Germany, however, soon after the wall's creation, when the Western powers did nothing in response to this cardinal violation of the postwar Four Power Agreement. Like many European democrats of the time, he resigned himself to the reality of the Iron Curtain.

Germany's apparent spinelessness now can't be blamed, tempting as it is, solely on an immovable pacifism or other cultural factors; it is also a result of American restraint. The muddled Western response to Russian aggression in Europe, the starkest challenge the continent has faced in a generation, is the consequence of "leading from behind." When a great power adopts that as its foreign policy, it doesn't end up guiding a coalition committed to defending freedom; it ends up submitting to European pacifists and appeasers.

Peter Fechter died 52 years ago because he wanted freedom. Many in Ukraine are paying a similar price for acting upon the same desire. They are crying out for help in Europe's new death strip. This time, will somebody listen? ♦

Winston Churchill as prime minister (1945)

Winston Is Back

A smart, funny, timely tribute to the Great Man. BY PHILIP TERZIAN

A book about a statesman by a politician prompts two questions: Do we learn anything new about the statesman, and do we learn anything useful about the politician? In this case, the answer to both questions is yes.

First things first: *The Churchill Factor* is not intended for scholars, nor for readers with a detailed knowledge of Winston Churchill. But it is directed at two spacious segments of the reading population: those who know something about Churchill, and those who know nothing. A half-century after Churchill's death, Boris Johnson is rightly despairing about ignorance of his subject; but his evidence is almost wholly anecdotal—and to those who worry about such things, not a shock. The average Englishman knows as little about Admiral Nelson as the average American knows of General Grant.

The Churchill Factor
How One Man Made History
by Boris Johnson
Riverhead, 416 pp., $27.95

If the reader's knowledge of Churchill is a blank slate, this is a lively, and pertinent, introduction to him. Johnson makes the claim, and he is surely correct, that Churchill's historic influence is palpable, undeniable, almost wholly benign—and relevant to our times. Most readers are likely to know something, however, and they will benefit not only from this book's wealth of lore and information, but

POPPERFOTO / GETTY IMAGES

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from Johnson's corrective opinions and analysis. Some of what we know about Churchill is mythology; some of what we know is plainly wrong; and some of what we know derives from the distortions of ideology and journalism. Johnson believes that "the Churchill factor"—the difference one astonishing life can make in the progress of humanity and advancement of freedom—refutes the doctrine that history is a random series of events, pushed and pulled by abstractions. "There has been," declares Johnson, "no one remotely like him before or since."

There is, to begin with, the sheer quantitative sweep of Churchill's life and work. He was already famous when Queen Victoria was alive, and he died in the year the Beatles won the MBE. He started near the top—duke's grandson, moneyed family, wide social connections—but his life was a propulsive, one might say obsessive, march forward: He soldiered, he wrote, he traveled, he governed, he sought danger and knowledge and power with limitless energy. His appetites were exceeded only by his enterprise. In America, we tend to think of him as the pugnacious war leader who defied Hitler by inspiring his countrymen; but Churchill's long influence began with his architecture of the British welfare state and ended with his warnings about the postwar Soviet Union and nuclear conflict.

Nor was Churchill a stranger to contradiction. An instinctive man of action—a bust of Napoleon still stands in his study at Chartwell, his country estate—he wrote for a living, and for spiritual sustenance. He possessed many of the biases and presumptions of his time and place, but his lifelong allegiance to Britain's empire was tinctured with an empathetic view of its inhabitants. The physical embodiment of John Bull, his politics were the "Tory democracy" of his father, and his instincts were a Whiggish devotion to human progress. Churchill's comprehension of Hitler and the Nazis was intuitive, and his hostility was absolute; but he hated tyranny, not the Germans, and in his famous words, was magnanimous in victory. He had a policeman's view of the law but a clergyman's attitude toward justice. He was romantic, simultaneously, about Britain and Europe.

Then there is the qualitative scope of his career. Churchill had a genius for turning up at opportune moments, and making the most of them. He began at the last cavalry charge of the British Army (Sudan, 1898) and finished by pleading for the first Cold War summit (Geneva, 1955). He invented the notion of Britain's "special relationship" with America, promoted the development of the tank and Royal Flying Corps in the Great War, charted the map of the modern Middle East, introduced the concept of a united states

Boris Johnson

of Europe. His Nobel Prize for literature might be seen as more political than literary, but few statesmen have written influential volumes on their politician-father's reputation, on their ancestors' historic achievements, on the two world wars, on painting, on politics, on the idea of the "English-speaking peoples."

He was, in short, the personification of the Great Man in history—and in Johnson's view, the greatest in the history of Great Britain, certainly. Churchill dominated the world he inhabited, and he saved freedom from tyranny. But he enhanced that stricken world as well, influencing not just events but individual lives, and making Britain a more prosperous, just, and humane society. Indeed, Churchill's greatness is a tangible thing, not least in the way his life, and his life's example, have inspired the author's devotion.

Yet Boris Johnson is an advocate here, and while hardly blind to his subject's faults or occasional missteps, makes a vigorous, and sometimes argumentative, case. As one who shares his general estimate of Churchill, but not all his sentiments, I would make an observation or two. Of the ill-fated Dardanelles expedition, for example, I agree that Churchill deserves credit both for innovation and the instinct to relieve, by strategic thinking, the ghastly stalemate on the Western Front. But Gallipoli was also the kind of adventure, made more tragic by a grievous obstinance, that contributed to Churchill's reputation for recklessness. Johnson is also generous in his estimate of Churchill's behavior during the 1926 General Strike, in which the impasse between the unions and the Conservative government of the day was relieved not by Churchill's truculence as Chancellor of the Exchequer but by the calm, conciliatory posture of the prime minister, Stanley Baldwin.

Johnson tends also to underestimate the invaluable judgment and forbearance of the wartime chief of the Imperial General Staff, Sir Alan Brooke, in the face of Churchill's direction—sometimes inspired, sometimes not so inspired—of military tactics and strategy during World War II. American readers may agree, as well, that Johnson's valuation of the role played by Franklin Roosevelt, both before and after Pearl Harbor, is not as fair as Churchill's own. Context, for that matter, and a modicum of sympathy might qualify the views expressed here about the wartime performances of Lord Halifax, R. A. Butler, and others.

But a writer is entitled to his opinions, and Boris Johnson has earned the right. Journalist, wit, parliamentarian, mayor of London since 2008, Renaissance man, and prospective prime minister, Johnson has painted his portrait of Churchill with light, learning, and good sense, a wise aggregation of present and past. "Conservative in principle but liberal in sympathy"—Churchill's advice is reflected in his chronicler. ♦

WENN / NEWSCOM

B&A

Weekend Warriors

How the Cold War was fought in the salons and on the sidewalks. **BY MALCOLM FORBES**

In 2012, *The Columnist*, a play based on the life of Joseph Alsop, opened on Broadway. In their reviews, critics felt compelled to explain to readers who the main character was. One described him as "a once-feared political pundit," another as "the most powerful journalist that everyone's forgotten."

Readers who followed Alsop's trenchant, fact-fueled journalism at any point from the 1930s to 1974 might have been taken aback by this steep fall into obscurity. In his distinguished, decades-spanning career, Alsop didn't only report on American policy; he helped steer it. Furthermore, he was not alone. In *The Georgetown Set*, Gregg Herken reveals how, after World War II, that exclusive Washington enclave was home to a coterie of wealthy, well-educated, and well-connected diplomats, reporters, and spies who "inspired, promoted, and—in some cases—personally executed America's winning Cold War strategy." High-level discussions and resolutions took place at riotous cocktail parties and dinners. At one soirée, a prominent member of the set, *Washington Post* and *Newsweek* publisher Philip Graham, toasted his neighbors and made clear that "more political decisions get made at Georgetown suppers than anywhere else in the nation's capital, including the Oval Office."

Herken's book takes us through the Cold War and charts how this close-knit community contributed to winning it. From 1945, Joseph Alsop and his brother Stewart began writing their thrice-weekly column, "Matter of Fact," for the *New York Herald Tribune*; as early as their third column, they were warning readers about the dangers posed by former ally Russia and the atomic bomb. Herken argues that the Alsop brothers' early advocacy of the Marshall Plan, with the aim of a rebuilt Europe acting as a buffer against Soviet aggression, put them way ahead of their journalist rivals.

The Georgetown Set
Friends and Rivals in Cold War Washington
by Gregg Herken
Knopf, 512 pp., $30

Joseph and Stewart Alsop (1955)

Enter "cranky and controversial" Soviet expert George Kennan, who arrived at the State Department and became a regular at Alsop's Sunday night "zoo parties." Increasingly, though, Kennan found his host at loggerheads with him over his policy of containment. Then there was Frank Wisner, head of the CIA's Office of Policy Coordination, and his fellow spymaster and "Republican-in-exile" Allen Dulles, both of whom sought to stymie Russian expansionism with a covert war of propaganda, subversion, and a raft of dirtier tricks.

Those who were less discreet with their broadsides incurred Soviet wrath: In 1948, the vociferously outspoken Alsops were branded "warmongers and militarists" by *Pravda*. Four years later, after likening his Moscow diplomatic posting to his wartime internment in Nazi Germany, Ambassador Kennan was declared *persona non grata* by the Kremlin. Wisner escaped censure from the Soviet Union but discovered enemies on his own side.

There was further mudslinging when Alsop and Graham joined forces to unseat Senator Joseph McCarthy, with Alsop comparing him to Joseph Goebbels and Graham worrying that McCarthy's popularity might give rise to "something like a native fascist party." McCarthyism prospered, and as more milestones follow (the Kennedy assassination, Vietnam, Watergate), we note that, despite Herken's attempt to present all this as an ensemble piece—right down to a map indicating where his dramatis personae once dwelled—it is really Joe Alsop who is the star of the show. His type of elite journalism was, Herken writes, "almost wholly dependent on news leaks and privileged entrée to Washington policy makers," and, as a result, Herken's highlights center upon Alsop hobnobbing and copy-gathering. Indeed, Alsop was privy to so much insider information that J. Edgar Hoover kept a close watch on him.

Although Herken shows Alsop reporting from the fighting fronts in Korea and Vietnam, we get a more illuminating portrait when we witness him at play. He was the sort of person who refused to eat in certain Parisian restaurants for fear that the vibrations from the nearby Métro might impair the sediment of his vintage wine. In Moscow, his naïveté and recklessness led to his ensnarement in a KGB honeytrap. Only once do we catch a glimpse of him stunned, his unflappable guard down: With the Cuban missile crisis mounting in the back-

BETTMANN / CORBIS / AP IMAGES

Malcolm Forbes is a writer in Edinburgh.

ground, he smokes postprandial cigars under his loggia with John F. Kennedy, only for the president to casually drop into the conversation that the chances of a nuclear conflagration within the next decade are 50-50.

Herken studs his book with snippets of Alsop's journalism, which is at its best when critical. He dismisses Harry Truman as "an average man in a neat grey suit." Adlai Stevenson is too "genteel" to be president. Dwight D. Eisenhower's chief of staff, Sherman Adams, looks like "a frost-bitten quince." Following the famous televised debate between Kennedy and Richard Nixon, Alsop remarks that Nixon "looked like a suspect who was being questioned . . . in connection with a statutory rape case." Post-Watergate, Nixon is "the armpit of humanity."

Herken also emphasizes how difficult it could be for the Alsops to endear themselves to new administrations: After enjoying special freedoms during the Roosevelt era—the brothers were distant cousins of Eleanor Roosevelt—Alsop feared his standing with the Eisenhower White House would be "lower than a snake's belly."

If Herken allots Joe Alsop and his journalism top billing, then Frank Wisner and accounts of intrigue and derring-do come a close second. There are genuinely thrilling chapters devoted to Wisner's efforts to destabilize Communist Albania, as well as to CIA involvement in the war in Korea, the 1954 coup d'état in Guatemala, and the failed 1956 uprising against the Soviet Union in Hungary. When Herken returns to Georgetown and its cozy salons, it is something of a bathetic plunge to learn that "Wisner would be banished after complaining that a juniper-berry-stuffed chicken was too dry."

Such minutiae pop up from time to time, and there are pages given over to forensic descriptions of Georgetown houses and their décor. Fortunately, Herken realizes that the grand designs we hanker for are not of these buildings but their occupants, and he quickly gets back on track. More problematic is his erratic nomenclature. Philip Graham is always "Phil," but George Kennan is, every time, "Kennan." As befits a book about a select clique, we get a correspondingly clubbable tone, with Herken writing as a member of the gang. The younger Alsop is "Stewart" or "Stew," Frank Wisner is "Wisner," "Frank," or even "the Wiz." J. Robert Oppenheimer goes either by his surname or by "Oppie." None of this is inherently bad or incorrect, but when Herken's cast go by different names in the same sentence, the inconsistency jars: "Helping Wisner recruit new members for OPC was Allen Welsh Dulles, Frank's old OSS boss in Germany."

But these are minor infelicities. Towards the end, the pages become infused with a somber tone: Joseph Alsop's column shows him to be increasingly out of step with the country, and with his times. There are suicides, and careers die slow deaths. There are parties with lower-wattage luminaries in attendance, and then fewer parties. The handsome Georgetown mansions still stand today, but the "set"—one that could influence presidents and formulate stratagems over martinis and canapés—has long been consigned to history. ♦

B&A

North Toward Home

The Americanization of Canadian politics.

BY MICHAEL TAUBE

When John F. Kennedy addressed the Canadian parliament in 1961, he depicted relations between the two nations in beautiful prose: "Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies. Those whom nature hath so joined together, let no man put asunder. What unites us is far greater than what divides us."

Kennedy's assessment was, on the whole, correct. However, there have always been differences between Canada and the United States. Take the way in which Canadian campaigns and elections used to be conducted. Canada follows the Westminster model and has a multiparty system; it should have been the perfect political formula for all-out campaign wars. Yet, aside from rare moments of controversy, Canadian election campaigns were more genteel than American campaigns.

Michael Taube, a former speechwriter for Canadian prime minister Stephen Harper, writes a column for the Washington Times.

Shopping for Votes
How Politicians Choose Us and We Choose Them
by Susan Delacourt
Douglas & McIntyre, 320 pp., $32.95

Winning Power
Canadian Campaigning in the Twenty-First Century
by Tom Flanagan
McGill-Queen's University, 252 pp., $34.95

But that was then, and this is now. Canadians have gradually acquired a new appreciation for (or acceptance of) U.S.-style election strategies and tactics. Prime Minister Stephen Harper and the Conservatives have led this charge, using round-the-clock campaign techniques of attack ads, sound bites, literature drops, and social media postings. And it's worked well, leading to three straight election victories.

These two well-written studies explore some recent transformations in Canadian elections. While the authors

view certain ideas through different philosophical lenses, they both reach similar conclusions. Susan Delacourt, author and political writer for the *Toronto Star*, examines marketing and political culture in *Shopping for Votes*. While developing her book, she writes, she "started to recognize the creep of shopping language into the political marketplace: brands, products, selling and buying." Moreover, she noticed "that the parties paying the most attention to marketing trends were more successful than those resisting marketing's influence on politics."

Branding techniques aren't a new phenomenon in Canadian politics. In his quest to determine citizen needs in the 1970s and '80s, Tory pollster Allan Gregg believed, "Voter choice is really no different from consumer choice." Martin Goldfarb, a Liberal pollster of the same vintage, divided the "Canadian consumer-citizen market" into six groups in the 1990s, including "day-to-day watchers," "disinterested self-indulgents," and "aggressive achievers." Prime Minister Jean Chrétien's Liberals launched a "Brand Canada" strategy in 2000, directed at investment and tourism opportunities.

Stephen Harper pays for his coffee at a Tim Hortons (2006).

Yet it's been during Harper's tenure that the (mostly) elite-driven political branding has morphed into *vox* Canadian *populi*. The prime minister is an intellectual and policy wonk, but he's also "a baby boomer who had grown up with television images and characters," and Delacourt mentions that Harper was "struck by an old story about Ronald Reagan and his understanding of how images worked in politics." As Conservative strategist Patrick Muttart put it, "Stephen Harper was probably the first true, modern communications prime minister." He was ready to put this knowledge to good use.

Consider the rise of the Tim Hortons voter, as defined by the aforementioned Muttart's marketing technique to combine the popular coffee chain with a particular voting demographic. Customers were seen as "ordinary" Canadians who didn't "like fancy, foreign synonyms for their morning coffee and they like their politics to be predictable, beige." They were older, supported the military, and felt passionately about sports like hockey and curling.

Delacourt writes, "Canada's modern Conservatives, it's fair to say, were the first to figure this out." While Harper's "tastes didn't run to beer or coffee," he chose to "market himself as the kind of guy who would be happy to linger over a double-double at Tim Hortons or knock back a few ales after a hockey game." (Indeed, the prime minister wrote a book about hockey last year.) Parties such as the Liberals and left-wing New Democrats didn't pay much attention at first. When the branding strategy caught fire in the 2006 federal election, they scrambled to get their share of the pie; their shopping baskets were pretty bare, after all. But the Conservatives had already moved out in front, with one of Canada's smallest minority governments: just 124 out of 308 seats, and 36 percent of the popular vote.

Tom Flanagan, a distinguished fellow at the University of Calgary's School of Public Policy, is in a good position to analyze all this. He has advised and managed campaigns for various right-leaning political parties, including the Harper Conservatives. In *Winning Power*, he examines different aspects of "relatively permanent" political campaigning, including coalition building, rhetoric, and campaign strategy, Canadian-style, using the personal case study of managing Alberta's Wildrose party's 2012 campaign. Most important, he discusses the "rise of the permanent campaign."

Although the "permanent campaign" is commonly associated with the United States, it's new in Canada, leaving the impression that "political parties seem at all times to be as much preoccupied with campaigning as with government and opposition." More specifically, Harper's Conservatives have used it to redefine their political brand: "In today's Conservative model . . . everything is centralized. There is no campaign committee. The platform is developed by the leader's policy advisers, who report directly to him." Policy development, therefore, takes a back seat, and television ads, print advertising, and war rooms take precedence. In Flanagan's view, "permanent campaigning has caused the Conservative Party to merge with the campaign team, producing a garrison party." This has also led to the creation of a tightly controlled government at its very core.

> In this situation of always being prepared for political warfare, message discipline is naturally carried to great lengths. Conservative staffers and operatives almost never talk to the press, and risk loss of employment if they do. MPs religiously follow official talking points. Even—perhaps I should say especially—ministers are carefully controlled through the prime minister's office.

Suffice to say, the Conservative strategy—as outlined in detail here by Delacourt and Flanagan—has worked. Stephen Harper has been Canada's prime minister since 2006, and he presides over a majority government. Opposition parties are imitating his techniques, realizing that they'll be steamrolled in the future if they don't keep up. Canadians now live in an era of more aggressive, strategic, and tactical elections. There's no turning back, and there's no reason to do so. ♦

J.P. MOCZULSKI / REUTERS / NEWSCOM

B&A

‘Fire with Fire’

The Republican road to 2016?

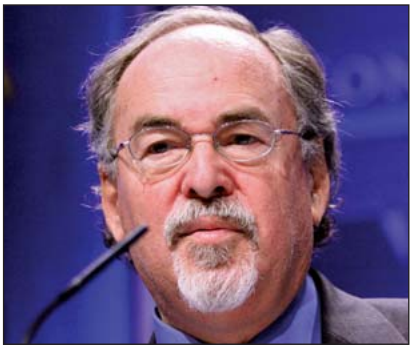
BY MAX EDEN

After Barack Obama’s reelection, the Republicans went through the familiar soul-searching motions. If they had only been true to their conservative principles, they would have won the argument, and thus the election. Or maybe if they had moderated here and there, they would have swayed more independents. Maybe their policy platform was too radical. Maybe it was too stale. The postmortems covered nearly every angle, but according to David Horowitz, they were all beside the point: Republicans lost because they didn’t fight like Democrats, and in *Take No Prisoners*, he proposes to teach them how.

To Horowitz, the most significant structural disadvantage Republicans face is ultimately rooted in ideology. The left believes that it can fundamentally reshape society and that anyone standing in the way must be against all that is good and just. The right harbors no such delusions of grandeur: It has more modest expectations from politics and takes disagreements to be good-faith attempts to arrive at the better policy. So when a Republican tries to explain the merits of his policy proposal, a Democrat will neutralize his argument every time by accusing him of greed, cruelty, or bad faith.

When a Democrat goes on the offensive, however, the Republican retort is invariably insipid and unpersuasive. Democrats say, “The Republicans are defending the rich at your expense.” Republicans respond, “The Democrats are trying to divide us.” Democrats accuse Republicans of being antiwoman, antipoor, antiminority; Republicans, if they are bold, say that Democrats are liberal. Republicans offer policy points or political theory; Democrats drape themselves in moral authority. Unless they break out of this mold, Republicans face bleak prospects.

Take No Prisoners
The Battle Plan for Defeating the Left
by David Horowitz
Regnery, 202 pp., $27.99



David Horowitz

The way to win, according to Horowitz, is to take the offensive, to “turn their guns around. Fight fire with fire.” So far, so good. But by flipping the script too literally, *Take No Prisoners* sometimes falls short as a useful guide. Consider its advice on foreign policy. Historically, Republicans have had the advantage on national security issues, but they lost the high ground in Iraq when Democratic senators (such as John Kerry and Hillary Clinton) turned against the war they had voted for. It became common currency on the left that the Bush administration “lied” while bringing America into war against Saddam Hussein. To turn the tables, according to Horowitz, Republicans should point out that Barack Obama “invaded Libya … unilaterally” and “lied about the cause.” Yet while Libya was certainly more than a “kinetic military action,” it was less than an invasion. The problem with President Obama’s foreign policy is not that he’s too unilateral but that he thinks he can lead from behind.

Horowitz devotes the most space to explaining how Republicans can go on the offensive on domestic issues. He’s on firmer ground here. Democrats have enjoyed one-party control of most major cities for the past half-century. So, Horowitz suggests, Republicans should make a moral case study out of places like Detroit: Put faces on the millions of schoolchildren trapped in failing schools by the alliance of teachers’ unions and Democratic politicians. Instead of criticizing welfare spending as “wasteful,” attack it as contributing to “morally repulsive, life-destroying programs that are inhuman and unjust.”

Are there land mines in this approach? The press is ready to use the thinnest pretense to portray Republicans as elitist or racist. “In a culture whose symbols have been defined by liberals,” Horowitz advised, “be careful when you go on the offensive.” It may well be impossible for Republicans to showcase the victims of liberal policies without implicitly condemning those victims. And while Horowitz’s prescription may not always pass the Hippocratic test, his diagnosis is sound: Republicans should set the terms and take the offensive; but rather than relitigate how Mitt Romney should have campaigned for the presidency, or try to flip timeworn Democratic tropes, Republicans should develop tropes of their own, specially designed for their likely opponents in 2016.

A Republican strategist would be well-advised to pair *Take No Prisoners* with Joel Kotkin’s newly released *The New Class Conflict*. Kotkin argues that the true class war is between the working class on one side, and the alliance of what he calls the Clerisy (media and government elites) and Oligarchs (tech billionaires) on the other. It would be interesting to see Republicans take up the cause of the oppressed against a self-interested, self-righteous elite. But to do that effectively, they’ll have to pick their targets with considerable prudence. ♦

GAGE SKIDMORE

Max Eden is a research associate at the American Enterprise Institute.

B&A

An Animated God

The sacred and profane meet in Springfield.

BY DANIEL ROSS GOODMAN

"Hey, Krusty!" says Bart, surprising his childhood idol while the clown is opening an animal shelter for animals put out of work by Cirque du Soleil. "Wha . . . have you been going to Temple?!" a bewildered Krusty the Clown asks Bart, wondering why this far-from-pious boy is suddenly sporting a black yarmulke. "Yeah!" answers Bart. "And I've learned that all religions are equally boring."

So opened the current season of *The Simpsons*, not with a whimper but with yet another subversive bang. This television institution recently became the longest-running American sitcom of all time. Now in its 26th season, *The Simpsons* is still going strong and shows no signs of relenting—not if its season premiere was any indication.

South Park kicked off its current (18th) season by satirizing the Washington ~~Redskins~~ Professional Football Team name controversy, and *Family Guy* began its 13th season with the timeless topic of—*The Simpsons*. And what about *The Simpsons* itself? True to its core spirit of focusing on eternal issues such as family and morality, the greatest animated sitcom of all time chose to focus on another topic that has stood the test of time, a subject that happens to be one of the few societal institutions that has actually lasted longer than the show: religion.

In the premiere episode, Krusty the Clown's father dies. Krusty's father is a rabbi, and not just any rabbi: He is a parody of an old-fashioned Lower-East-Side *shtetl* rabbi, and he is voiced by a venerable sage of Jewish comedy, Jackie Mason. The death of Krusty's father is doubly traumatic for poor Krusty: It occurs after yet another nadir in Krusty's career, an unforgiving cable television roast featuring, among other guest stars, another fellow comedian and member of the tribe (Sarah Silverman). After the roast causes him to reflect on his life and career, Krusty seeks the sage advice of his father, Rabbi Hyman Krustofski. As they meet in the rabbi's book-lined office, Krusty asks his father what he really thinks about his comedic career. Rabbi Krustofski leans back in his chair, begins to say something that sounds like "Eh," and dies.

Krusty is crestfallen, not only because his father has died, but because he cannot figure out what exactly his father was trying to say on his "deathbed"—shades of Nathan Zuckerman thinking that his dying father insulted him on his deathbed in Philip Roth's *Zuckerman Unbound*. Which can only lead one to wonder: What is it with Jews and their fathers and deathbeds? Did Sigmund Freud's father say something ambiguously insulting to him on *his* deathbed? Is this why Freud believed that Judaism, like all religions, started because of the guilt that sons felt over some primordial father-eating event? Because Freud, himself, wanted to destroy and consume *his* father?

As the episode proceeds, Krusty experiences yet another existential crisis, culminating in an apparent religious reawakening: He starts going to temple, performs good deeds, and has a vision of Jewish heaven.

The Simpsons and religion have been married for almost as long as Marge and Homer, so it may not be surprising that the show returned to the airwaves this season by returning to religion. The heart of *The Simpsons* is the family, and the heart of the family is often religion—especially in a country as religious as the United States. Religion has always been a major theme in *The Simpsons*: The family goes to church together (can you name one other sitcom whose main cast of characters regularly attends religious services?); they (occasionally) say bedtime prayers; and they boast an evangelical Christian as a neighbor (Ned Flanders). And Homer, in addition to his perilous stints as astronaut, boxer, plow-truck driver, and Denver Broncos owner, can lay claim to having been a radical free-thinking theologian.

One Sunday morning, Marge tries to wake up her sleeping husband, imploring him to get ready for church. "Homer!" she yells. "The Lord only asks for one hour a week!" Homer, rolling over in bed and still half asleep, musters a retort that is theologically courageous and talmudically logical: "Lousy God," he quips. "In that case,

Daniel Ross Goodman, a writer and rabbinical student in New York, is editor of Milin Havivin, *Yeshivat Chovevei Torah Rabbinical School's journal of Jewish studies.*

he should've made the week an hour longer." And with that, a victorious Homer ~~Spinoza~~ Simpson rolls back over in bed for some sweet, well-deserved slumber. In that episode, however, he does eventually make it to church; like most avant-garde theologians, he is more radical in theory than in action.

Some of the greatest *Simpsons* episodes revolve around religion. "Hurricane Neddy" is a modern retelling of the Job story: A hurricane hits Springfield but the only house that is destroyed is the home of the most righteous resident in town, Ned Flanders. In "Homer the Heretic," Homer plays hooky from church one Sunday. He calls it "the best day of my life," invents his own religion, and confronts God. Yet even though Homer meets God, he doesn't manage to discover the meaning of life. He does discover something almost as interesting, though: Unlike the famously four-fingered Simpsons, God's hand has five fingers. *The Simpsons* writers' conception of God is definitely neither matriarchal nor Maimonidean.

In "The Father, the Son, and the Holy Guest Star," the narcissism-of-small-differences phenomenon is dramatized when Bart's attraction to a charismatic Roman Catholic cleric (Liam Neeson) concerns his Protestant parents. Denominational differences are rarely touched on in *The Simpsons*, and this episode is a notable exception. In other *Simpsons*-and-religion episodes, Krusty rediscovers his Jewish heritage ("Like Father, Like Clown"), Krusty gets bar mitzvah'd ("Today I Am a Clown"), and Lisa converts to Buddhism ("She of Little Faith").

In an episode that should be required viewing for all seminary and divinity students for its pointed warning about the perils that await naïve, idealistic clergy out there in the real world ("In Marge We Trust"), we learn that the Reverend Lovejoy was once a passionate young pastor but has since become a disillusioned middle-aged clergyman whose ardor was defused by the doldrums of ministering to a difficult congregation in Springfield. (Marge fills in for the dispirited Lovejoy as Springfield's go-to religious counselor until the reverend rediscovers the religious spark that inspired him to become a clergyman in the first place.)

By continually casting a comedic light on matters of faith and the family, *The Simpsons* remains as relevant as religion itself. And by staying close to the timeless matters of the heart and soul in such a heartfelt yet humorous manner, *The Simpsons* also demonstrates that it has earned its berth in TV heaven.

If Bart can teach Jews like Krusty a thing or two about humor, maybe Krusty and other religionists will one day convince Bart that religion is (occasionally) not boring. But I doubt it. *The Simpsons* will be off the air before Bart believes that religion is not boring—in other words, never. And thank God for that. ♦

B&A

Art in Isolation

How to drain the color from Matisse's cut-outs.

BY DANIEL GELERNTER

New York

This new Matisse cut-outs show is odd, since you can see some of the greatest artworks of the 20th century and still leave feeling disappointed. Good curatorship, like good umpiring, is most obvious when it's not there: John Elderfield helped set the bar impossibly high with the Museum of Modern Art's 2011 Willem de Kooning retrospective, which remains, by a museum mile, the most extraordinary exhibition New York has seen in the last decade. But Elderfield has left MoMA, and we miss him.

The current show attempts a long-overdue examination of Matisse's last and most beautiful works, which often get short shrift in comparison with his earlier paintings. It features around 100 cut-outs, including several monumental works and every great piece you've ever dreamed of seeing.

Unfortunately, there are two serious problems. Matisse, like de Kooning and most great artists, benefits from high-density displays. His works amplify one another. The feat performed so brilliantly in the de Kooning retrospective was the inspired juxtaposition of independent masterpieces:

Henri Matisse
The Cut-Outs
Museum of Modern Art
Through February 8

The result was an explosion of intensity on every single wall. I left the show in a happy daze, feeling as though I'd seen something so great as to be almost beyond comprehending.

The current show, however, raises our hopes high in the first room and then dashes them to the ground. There is too much empty space in subsequent rooms, and the pieces are largely prevented from energizing one another. In a bizarre bit of self-flagellation, the exhibit includes several small photographs showing how Matisse himself displayed his cut-outs—and the comparison should have MoMA blushing. In the black-and-white photographs of Matisse's studio, you see surfaces chock-full and bursting with art. To hell with the boundaries of individual works, every square inch of the wall vibrates and pulsates, and the entire surface becomes a frenzied, chaotic masterpiece. Matisse's walls were jungles, oceans, menageries.

Here, works are set apart from one another and bounded by an astonishing helter-skelter of frames, most of

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

which are overstuffed with white matting. A child intuitively understands the relationship between volume and pressure, wreaking maximum destruction indoors, trying to escape outside where he can run around without bumping into anything. Matisse's high-energy cut-outs similarly want to explode in every direction. That's why it's so disappointing to see their vivacity fizzling off into empty space. The right thing would be to yank every piece out of its frame and squeeze the whole show into a single room.

The second problem is fundamental:

Installation view of 'The Swimming Pool' (1952)

Matisse's great cut-outs are dying. More precisely, they are fading away like old soldiers. The cut-outs are made from paper painted with gouache (opaque water-color) and then glued to paper or canvas backing. Matisse knew perfectly well that many of the pigments he was using—particularly the roses, reds, and the uniquely Matissian tangerine-orange—were fugitive and would gradually be destroyed by sunlight. He may or may not have known that other colors he used (especially his favorite, ultramarine blue) were susceptible to the acidity in paper, canvas, and glue. Some pieces are still in fine shape, through luck or careful preservation. *Les Velours* (1947) is so staggeringly beautiful that it would be worth moving to New York just to see it every day until the show closes.

Matisse also knew that the cut-outs' inherent problems wouldn't be visible for at least a few decades, by which time some clever young conservators would presumably have figured things out and could rescue the pieces for posterity. This challenge was taken up with relish by an expert MoMA team, which spent five years working on the show's centerpiece, *The Swimming Pool* (1952), and failed spectacularly. And yet the failure is of such a character as to be totally invisible to most curators, conservators, or anyone else who approaches art academically rather than aesthetically.

By 1952, Matisse couldn't go swimming anymore: A prolapsed stomach forced him to wear an iron belt that made it painful even to stand. So he decided to make himself a swimming pool for his mind, pinned on the walls of his dining room at the Hôtel Régina in Nice. The work contains graceful blue figures on a wide strip of white paper against a tan canvas. The conservators lavished their attention on the least important part—the discolored canvas—spending thousands of hours peeling, picking, and grinding the old material off the paper (and having the time of their lives, no doubt). They replaced the canvas with new material of the original color. So far, so good. They touched up certain areas of the discolored white paper, but not very many. The most important part—the ultramarine cut-outs—was left nearly unchanged. They filled in some abrasions, and that was it. Unfortunately, the blue has fared very badly, is now uneven, and, in many places, looks practically like it was dipped in brackish water.

The conservators enthuse over how "sculptural" the work has become, its mutability allowing it to do interesting things like curling off the walls. None of this would have been remotely interesting to Matisse—and to the extent that it was, he would have hated it. His extraordinary assistant Lydia Delectorskaya explained what he found important: "The contour, the composition, the tone of the gouache—are the components of the original work, they come from the art of the painter and must be sacred to the mounters." Since this is actually quoted in the MoMA catalogue, it's surprising they weren't listening.

Director Glenn Lowry has said that there was simply nothing the conservators could do about the faded blue without destroying the original work. This is probably true, and means that *The Swimming Pool* is now primarily of historical, rather than artistic, value. Similarly, the maquettes of *Jazz* on display in the first room are especially interesting because they are the originals. But their intellectual value is gradually surpassing their visual value. The 2004 Anthese reproduction of *Jazz*, now worth around $1,300 on the used-book market, is a greater artwork: It contains the images as Matisse wanted us to see them.

So the odd thing about this show turns out to be the odd thing about Matisse's cut-outs: Unlike almost any other type of artwork, there is no particular *artistic* value in the originals. If all these pieces were carefully and painstakingly re-created—preserving the "contour, composition, and tone" rather than the physical skeleton—the result would better honor the 20th century's greatest colorist. Of course, a show of nothing but reproductions would be a scandal. But as the art world is busy deciding whether it is really interested in art, or merely what it can say about art, it's a scandal we could all use. ♦

JONATHAN MUZIKAR / THE MUSEUM OF MODERN ART

B&A

Climate Change

What can we learn from decoding this message?

BY JOHN PODHORETZ

You want to like *Interstellar*. Why wouldn't you? It's a big, juicy, fancy, ambitious, emotional epic about the future of humankind. It has a killer lead performance by Matthew McConaughey. And for conservatives, the movie is full of surprising "Easter eggs" suggesting (as the blockbuster Batman movies, *The Dark Knight* and *The Dark Knight Rises*, did) that its cowriter/director Christopher Nolan is a quiet member of the right-wing tribe.

Interstellar is set some years in the future, after an unexplained phenomenon called the "blight" has destroyed much of the world's food supply and evidently killed all animals, save humans. Dust coats everything. But there's still time for Matthew McConaughey's Cooper—once an astronaut, now a farmer—to have a parent-teacher conference at school. And what happens there? He is given a lecture about teaching his daughter politically incorrect twaddle, like that America went to the moon in 1969. The textbooks have been corrected, he is told, to say the space program was a hoax designed to bankrupt the Soviet Union.

What? Some might look at this and say that Nolan (and his cowriter brother Jonathan) are parodying conspiracy theorists. But for those of us sunk deep into the roots of American conservatism, the signs are all there: the crunchy-granola teacher, the politically doctored textbooks, the anti-American theory, even Cooper's quietly enraged and knowing response. And what the signs say is this: *Christopher Nolan reads* THE WEEKLY STANDARD.

Or if not THE WEEKLY STANDARD, then *National Review*. Or *Reason*, even: The movie is anti-authority in a libertarian/Randian way. Government bureaucrats are bad; lionized experts are not deserving of their lionization. (There is one line about how it's better that government is using metal to build a spaceship rather than to make bullets, but it's a throwaway.) But—my God—he might even listen to Rush Limbaugh. Why do I say this? Well, Mark Steyn is one of Limbaugh's key guest hosts. And the name of the movie's villain is also the name of Mark Steyn's antagonist in a libel-and-slander war over climate change.

Interstellar
Directed by Christopher Nolan

That might be a coincidence, but I just don't know. It is notable that the terms "global warming" and "climate change" are not used to describe the environmental depredation of the Earth—notable because that would be the easiest cultural shorthand for Nolan to use. It feels like there's a reason for their absence.

According to the *New York Post*'s Kyle Smith:

> *Interstellar* is a vision of American guts and greatness and ingenuity that would have made John Wayne smile. Using technology, Nolan asserts, man can and should bend the environment to his will, not serve it. No matter what challenges we may face, Cooper states, in a stirring line that serves as the film's epigraph, "We'll find a way. We always have." What Cooper means is entrepreneurship, invention, exploration—not regulation, restriction and abnegation.

It's also the rare science-fiction movie that will make you cry, and trust me, it will. There wasn't a dry eye in the house during the last five minutes, very much including my own.

So I liked *Interstellar*. Very much. While I was watching it. Which is why I can justify recommending it to you. The problem is that, as you walk away from the theater, it begins to make less and less sense. The more of an impression it makes on you, the more it makes you think about it, the more it begins to fall apart.

It's impossible to lay out the problems with *Interstellar*'s plot without, as they say, spoiling it, and I don't want to do that. The most I can say is that there's time-travel involved, and, as is always the case with time-travel movies, the question is: Why didn't they go back further in time and stop the bad thing from happening before it really happens? Most of the movie's problems stem from that.

Even worse, from a storytelling point of view, there is a character (Cooper's son) whose presence is taken for granted in a very upsetting way at the movie's beginning: Cooper appears consumed with love for his daughter but barely acknowledges his son. The boy seems to be there only to serve as a major plot point in the movie's final act. But *Interstellar*'s initial cut must have run too long—as it is, the movie is 2 hours and 45 minutes—and Nolan must have had to eliminate the boy's storyline. So when he suddenly emerges again as a player at a crucial moment, the film's climax goes out of whack.

Nolan's movies have a pleasing gravity and earnestness, and those qualities are beautifully represented here by McConaughey—the often annoying ham whose recent embrace of intense restraint, here and in the HBO show *True Detective*, is a very welcome acting development.

So I liked *Interstellar*. I was thrilled by its politics. I loved Matthew McConaughey. I just wish I could have admired it more. ♦

PARAMOUNT PICTURES

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

"The October letter marked at least the fourth time Mr. Obama has written Iran's most powerful political and religious leader since taking office in 2009 and pledging to engage with Tehran's Islamist government."
—Wall Street Journal, November 6, 2014

from the desk of
The Supreme Leader of the Islamic Revolution
AYATOLLAH ALI KHAMENEI

The rial stops here

November 17, 2014

Barack Hussein Obama
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Barack:

Peace be with you, too! Thank you so much for your previous letters, emails, faxes, and the bouquet of roses on Imam Mahdi's birthday. I also appreciated the box of chocolates at the end of Ramadan—that really hit the spot! (I could have done without the candygram, though. The messenger started to sing, we panicked, and now the poor guy is unable even to hum. Or breathe.)

I do apologize for the late reply. My life is spinning faster than a centrifuge! Speaking of which, I want to thank you for understanding our nuclear predicament. As I have stated repeatedly, we merely want to generate our own nuclear energy. But the Zionists (your word, not mine!) do not trust us and seek to destroy our nuclear capability. This is why we so desperately need nuclear missiles—to stop this Israeli provocation! (I think if we launched first, they would stop provoking us, no?)

In any event, I am glad you have thus far been able to thwart Israeli aggression against our people. Good for you! And not so good for that chickens—t, Netanyahu (again, your word, not mine!). But I hope you understand for appearance's sake we must continue to condemn America as the Great Satan and burn you in effigy (although, to be honest, it doesn't *really* look like you).

If you have any other concerns or questions, please do not hesitate to contact my assistant or call the main line.

Yours in peace,
Sayyid

Sayyid Ali Khamenei
Supreme Leader of the Islamic Revolution

P.S. Thanks for the iPod preloaded with your speeches. Haven't had a chance to listen but planning on it this weekend. Also, would it be possible to get the iPhone 6 Plus?