the weekly Standard

OBAMA'S IRAN AGENDA
STEPHEN F. HAYES • LEE SMITH

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THE EDUCATION OF JEB BUSH

BY ANDREW FERGUSON

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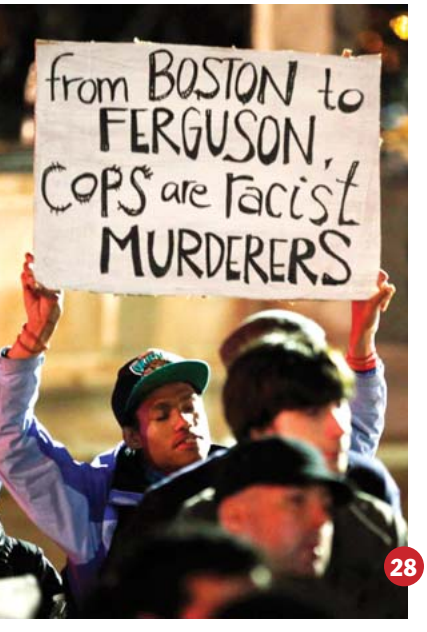

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COVER BY THOMAS FLUHARTY

Those Evil 'Conservatives'

If you harbor any doubts that "conservative" is an all-purpose epithet in the press, then Simon Denyer, the *Washington Post*'s China bureau chief, will happily erase those doubts. Writing last week about threats to freedom of speech and scholarly inquiry in the former British colony of Hong Kong ("In Hong Kong, fears of Chinese restrictions on academic freedom grow," March 15), he made it clear where the problem lies: It's the People's Republic of China "and its conservative backers in Hong Kong" who want to censor speech and shut down academic freedom.

Never mind, of course, that the People's Republic of China—or Red China, as we unreconstructed types used to call it—is stepping up its commitment to Marxist ideology, to Communist principles, and to the doctrines of its founder (and sometime left-wing hero) Mao Zedong. According to Denyer, the enemies of personal liberty, free speech, and intellectual inquiry in Hong Kong are on the right, not the left. He tells us that Hong Kong's Communist governor, Leung Chun-ying, "is accused of appointing supporters and conservative figures to university governing councils," and that "academics are concerned that China and its conservative backers in Hong Kong are trying to . . . rein in criticism and silence a source of unrest."

So many 'conservatives' in one room

The Scrapbook assumes that Denyer, the former Reuters bureau chief in Washington, is aware that "conservatives" are, in fact, the people who don't like Marxism, call themselves anti-Communist, are appalled by restrictions on freedom of speech on campus, were worried when Britain handed Hong Kong over to Beijing (1997)—and regard the People's Republic of China as a long-term threat to American freedom and security.

To our knowledge, the people who like Beijing and revile Taiwan are called liberals, and the people who think Hong Kong would have been better off under continued British rule are called conservatives. But not by Simon Denyer's reckoning, and he and his colleagues are consistent on the point.

For example, the hardline, anti-American Islamists who have governed Iran since 1979 are "conservatives" to the Simon Denyers of the world—even though "conservatives" are the Americans who oppose the Obama administration's appeasement of Iran. Indeed, this rhetorical sleight-of-hand is nothing new: In the days of the old Soviet Union, it was "conservatives" in the Kremlin who suppressed political freedom and opposed free markets, while liberals in America favored appeasing Moscow. A mirror image, as it were, of the truth.

But the point, then as now, was not to clarify meaning, or depict reality, but to enshrine political prejudice in journalism. Liberals are the Good Guys in the media serial, while conservatives, under any and all circumstances, are just plain Bad. And who cares if Truth must be twisted and turned? If the Beijing leftists/Communists/Marxists prevail in Hong Kong, it will be the fault of conservatives! ♦

What Is Killing the Restaurants of Seattle?

'Why Are So Many Seattle Restaurants Closing Lately?" asks a recent *Seattle* magazine headline. The Scrapbook is no restaurateur, let alone knowledgeable about the local economy, but we'll guess it has something to do with the fact that Seattle's new $15 minimum wage starts phasing in on April 1. However, the first rule of liberals confronting the laws of basic economics is deny, deny, deny.

A feature in the *Seattle Times* called the "Truth Needle" (we're guessing the *Times* didn't want to pony up to license PolitiFact's logo) declares the claim that minimum wage has anything to do with the undeniably large number of restaurant closings is "false."

Now, it's certainly the case that restaurant operators in liberal Seattle are *claiming* a higher minimum wage has nothing to do with their business decisions. This is likely somewhere between a delusion and a lie, so let's split the difference and call it public relations. Again, basic economics tells us that the typical restaurant operates on a slim profit margin, and wages typically run about 35 percent of operating costs.

Nonetheless, in very liberal and very wealthy Seattle, angering your customer base by proclaiming your opposition

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to redistributive social justice would be foolish. It would also be foolish to anger the local regulatory czars in a city that has proclaimed the new wage law a political triumph. "Restaurateurs are business people, not politicians, and angering the mayor over the law he signed is not a smart business move," notes the Washington Policy Center.

However, there's little doubt that the city's heralded food scene is running scared. A spokesman for the Washington Restaurant Association told the Washington Policy Center, "Every [restaurant] operator I'm talking to is in panic mode, trying to figure out what the new world will look like." We're fairly certain it will be a Brave New Seattle, where there are fewer great restaurants, to say nothing of all the other labor-intensive businesses that will be shutting down.

Naturally, this means fewer jobs for the poor. Worse, the increased wages will also amount to a regressive tax. Economist Tyler Cowen flags a new study in the *Journal of Political Economy* by Stanford's Thomas MaCurdy, concluding an increase in the "minimum wage produces a value-added tax effect on consumer prices that is more regressive than a typical state sales tax."

The study also points to another reason why cash-strapped municipal governments like artificially raising wages. "Unlike most public income support programs, increased earnings from the minimum wage are taxable," MaCurdy writes. "Over 25 percent of the increased earnings are collected back as income and payroll taxes. . . . Even after taxes, 27.6 percent of increased earnings go to families in the top 40 percent of the income distribution."

So minimum wage increases grow government, make the rich richer, and still allow liberal politicians to demagogue the hell out of poor voters by falsely claiming they're putting more money in their pockets. In the longer term, living wage laws and other *en vogue* liberal policies are likely to transform one of America's best cities into Detroit on the Puget Sound. It would be nice if there were a stronger political counterweight in our overwhelmingly Democratic cities, but the best hope for conservatives regaining a foothold in urban America might be simply to stand back and let liberal economic policies work their magic. ♦

The Bones of Miguel

The remains of Miguel de Cervantes were discovered this past week, having reposed under the crypt of the Convent for the Barefoot Trinitarians since 1616. While The Scrapbook is inclined to celebrate—if that is the word—the identification of literary remains, our excitement was tempered when we began to (ahem) scratch the surface of the news from Madrid.

As it turns out, excavators have not been able to positively identify the bones as belonging to Cervantes. In fact, the bones they contend are the great writer's were buried along with numerous decaying remains, rendering it nearly impossible to differentiate which are unique to the father of the modern novel and which belong to his fellow Madrileños. Undeterred, the forensic team is pushing forward, performing DNA tests even though genetic identification is a near impossibility.

There is an edifying scene near the beginning of *Don Quixote*, where our knight-errant is in prequest

mode, busily preparing a proper suit of armor for the adventures to come. After fashioning a makeshift helmet, he tests its durability with a few blows of the sword, undoing a week's worth of labor in a few seconds. As many scholars point out, upon completion of a second, seemingly more durable helmet, Quixote refrains from any more "tests," satisfied this new helmet is the "finest ever made." We might conclude that sometimes one ought to test, test, test away, and sometimes it is best to leave the simple enchantments of life undisturbed.

Shakespeare, who died within a day of Cervantes, wisely left nothing up to pesky modernity. On his gravestone, the epitaph reads:

Good friend for Jesus' sake forbear
To dig the dust enclosed here.
Blessed be the man that spares these stones
And cursed be he that moves my bones. ♦

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BPA WORLDWIDE

A Winter's Tale

It was the middle of January, and the ski school was full. The price of private lessons was much higher than we were willing to pay. Cynthia, my wife, was obviously frustrated.

She had that look—slack cheeks, lips thinning, every few minutes a concealing hand to the forehead. It was enough to make me think of how little I had contributed to the planning for this weekend.

Let's see. I had marked an X on my work calendar. And I had gotten out of bed, at a leisurely hour, thinking of the new skis I had bought during an end-of-season sale, while Cynthia packed food and gathered snow clothes for our three children—in addition to having coordinated with our friends, rented a house, and so on.

The one thing I could do, now that we were here without ski lessons, was volunteer for boy duty, so I did. Yet, I have to say, Cynthia did not seem overly impressed by this willingness of mine to spend a couple of hours, in a pinch, with our children.

After picking up rentals, the boys and I made our way to the beginners' area. To the side was a rubber conveyor belt called the Magic Carpet. It carried little people and the occasional adult up the modest incline and deposited them at the top, sometimes in an awkward pile that grew with each child until the operator pressed a big red button and brought the whole thing to a shuddering halt.

My 8-year-old headed up, snowboard in hand, ready to get to work. I barely saw him for the next three hours.

The 6-year-old and I were on our own: student and teacher.

Now, my preferred pedagogical style is indirect. For instance, to teach my kids how important reading is, I read a lot. And when they come to me with questions, I just say, "Not now, buddy, I'm reading." I wondered what the skiing equivalent would be, but nothing came to mind.

I knew Tommy had spent an hour in ski school last season, so I started by letting him show me what he had learned. He didn't fall, but he didn't have much control either as he sailed down this icy lump of a hill and straight into an orange mesh fence at the bottom.

DAVID CLARK

I have never had ski lessons, which made it harder to teach someone else, but I did remember being shown by a friend how to "snow plow" when I took up the sport maybe 15 years ago. This I tried to show Tommy.

Although he's strong, he couldn't seem to keep his legs pointed inward to achieve the desired slowing effect. As I pulled him out of the mesh for the third or fourth time, his usual good humor was fading.

I thought maybe some combination of plowing and parallel skiing with turns would work for him. I gave a little demonstration. He got it immediately, but completed only one turn before pointing his skis straight down the hill and, once more, into the orange mesh fence.

I decided then to try something I had seen some other parents do with their little skiers. Tommy and I went up the Magic Carpet and I gave him the other end of one of my poles. It felt silly, like we were about to do a soft shoe together. We turned left, we turned right, and so on, but I was doing all the work.

"You have to help us turn," I told him.

"Daddy," he replied, "I'm trying."

During our second run, I had to repeat myself. "Tommy, all of our weight is on me, you need to shift your weight, here to your right leg, now to your left."

"I'm trying," he said again. "I'm really trying so hard."

Then he took a fall. Helping him up, I saw that he was crying.

I wanted to explain so much to him at that moment, but you can't give a 6-year-old the perspective of a 40-year-old, not really, so I gave him the short course.

"Tommy, look at that hill by the chairlift. See all those people. You think they're all great athletes who just know how to ski. They are not. They all learned, just like you're doing. They all fell down, just like you. They all thought it was so hard that they weren't going to be able to do it. But they got up, over and over they got up, and now here they are, skiing like it's the easiest thing in the world."

At the bottom he said he wanted to ski without me. So I waited. The Magic Carpet took him up. He made his way around the other newbies and started to come down, a wide toothless smile on his face as he completed two big turns. Then he pointed his skis downhill, picked up speed, and narrowly missed the orange mesh fence.

David Skinner

the weekly Standard

Obama's Iran Agenda

Iran is an opportunity, not a threat; it's a potential partner, not an enemy.

For more than six years, this view of the Islamic Republic has guided the decisions made by Barack Obama. The president has repeatedly declared his eagerness to welcome Iran into the community of civilized nations. His words sometimes suggest that Iran has a choice to make, that their acceptance into this mythical community depends in some way on their behavior. But there's little over those six years to indicate that he means it. Instead, Obama has made clear that in his eagerness to salvage anything from his tattered foreign policy legacy he is willing to gamble the security of the United States on a blind and irrational hope that Iran will someday change for the better.

Desperately in search of a legacy

To this end, he has abandoned more than three decades of bipartisan U.S. policy towards Iran—on its nuclear weapons program, on its regional ambitions, and on its support for terrorism.

These are radical departures. The Obama administration's goal in nuclear talks is no longer preventing Iran from obtaining nuclear weapons at all costs, but managing the process by which Iran becomes a nuclear state. The Obama administration no longer seeks to thwart Iran's expansionist aims in the region and in many respects is now facilitating its aggression. On terrorism, the Obama administration has cast aside inconvenient realities about Iran's support for jihadists of all kinds and has chosen instead to pretend that to the extent there any longer exists a war on terror, Washington and Tehran are on the same side.

At one point, the Obama administration signaled that its eagerness for a nuclear deal with Iran would be tempered by its insistence on a few simple demands. Iran would have to dismantle all but a few hundred early-generation centrifuges and stop work on advanced centrifuge design; the heavy-water reactor at Arak would be shut down, and the fortified underground nuclear facility at Fordow would be shuttered; Iran's ballistic missile program would be frozen or perhaps even rolled back; and sanctions would only be lifted after intrusive inspections verified Iranian compliance with any agreements. If news accounts about details of an imminent deal are accurate, including an Associated Press report last week reportedly based on a draft agreement, the administration is poised to capitulate on all of these issues.

And what if Iran violates the terms of even this weak deal? There are good reasons to be concerned. When Iran signed the interim agreement (Joint Plan of Action) in November 2013, it agreed to freeze new centrifuge activities. Last fall, however, Iran started feeding hexafluoride gas (UF6) into the IR-5 centrifuge at the Pilot Fuel Enrichment Plant at Natanz—a new development. The International Atomic Energy Agency recorded the activity, the United States confronted Iran, and the feeding stopped. Despite this, President Obama has repeatedly declared Iran in compliance with the interim agreement. Then, last week, a senior administration official involved in the negotiations with Iran went even further to accommodate the Iranians. The violation was "probably a mistake," read a Bloomberg report sourced to "U.S. officials negotiating with Iran." According to the story, U.S. officials believe "Iran hadn't technically violated the interim accord, which allowed some research and development activities to continue. What's more, the person responsible was probably a low- or mid-level employee who wasn't acting on orders from above, they said." Probably? The obvious question: Why would Iran comply with the terms of any nuclear deal if the United States is eager to make excuses for violations?

Even as the nuclear talks continued, Iran moved aggressively to expand its influence in the region. The Iranian regime is spending lavishly to influence political, military, and intelligence officials in Afghanistan; it has played a decisive role in supporting Bashar al-Assad in Syria, providing funding, arms, intelligence, and manpower to aid the slaughter of the Syrian people; it fomented the unrest in Yemen that led to the overthrow of a nominally pro-American government; and, perhaps most troubling,

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Iranian regime elements are operating freely in much of Iraq, fighting alongside Iraqi security forces and at times going much further, with credible reports of targeting and killing of Sunni civilians. U.S. policy on Iranian expansionism has weakened over the past decade. It has evolved from thwarting those efforts to tolerating them—and now, in some respects, to facilitating them.

We've seen a similar pattern on Iran and terror. Iran continues to fund Hamas and Hezbollah, using these proxies to conduct attacks in Israel and elsewhere in the region and beyond. In 2011, the Treasury Department designated six al Qaeda operatives working under a secret agreement with the Iranian regime. Three months later, Treasury designated Iran's Ministry of Intelligence and Security for facilitating "the movement of al Qaeda operatives in Iran" and providing "money and weapons to Al Qaeda in Iraq." The agreement provided al Qaeda senior leadership in Afghanistan and Pakistan with a "core pipeline" of support. In an interview with The Weekly Standard at the time, David Cohen, then a top Treasury official and now the number two at the CIA, said: "There is an agreement between the Iranian government and al Qaeda to allow this network to operate. There's no dispute in the intelligence community."

These are the hallmarks of a rogue regime, and Iran has shown no willingness to modify its behavior. A rational Iran policy would require that Iran stop its aggression and bring an end to its terrorism before the United States even considers engaging in negotiations on nuclear weapons. This is no rational Iran policy.

So from the beginning of these negotiations, the administration has sought to "decouple" the nuclear talks from the hostile behavior of the Iranian regime. Discussion of Iran's increased regional aggression and its unceasing support for terrorists, including al Qaeda, has seemed to be out of bounds for U.S. negotiators.

Last week, The Weekly Standard sought answers from the White House to four questions about Iran's support for al Qaeda.

Our questions were straightforward:

(1) Is there still an agreement between the Iranian regime and al Qaeda?

(2) Is the Iranian regime currently harboring al Qaeda operatives?

(3) Have U.S. negotiators raised this relationship in the context of ongoing nuclear negotiations?

(4) Have U.S. government officials raised this issue at all, in any context, with Iranian regime officials?

Bernadette Meehan, the spokeswoman for the National Security Council, sent us to the intelligence community for answers to the first two questions. A senior U.S. intelligence official tells *TWS*: "There has been no significant or substantive change in our assessment of the relationship between Iran and al Qaeda." Meaning, it continues.

Meehan offered this as an answer to the final two questions. "You are no doubt aware that we have made very clear that the nuclear negotiations are focused exclusively on the nuclear issue, and do not include discussions of regional issues."

That's not exactly right.

According to a *Wall Street Journal* report last fall, Obama included both regional issues and terrorism in a letter he wrote to Iran's supreme leader, Ayatollah Ali Khameini, seeking to push the regime towards a nuclear agreement. Remarkably, the president didn't challenge Iran on its aggression, and he didn't confront the Iranian leader on his support for Hamas, Hezbollah, and al Qaeda. Instead, Obama green-lighted Iran's involvement in the Syrian civil war. And his appeal to Khameini on terrorism did not involve a demand that Iran stop supporting the jihadist networks at war with America over the past two decades but a submissive suggestion that Iran and the United States might be allies against a common foe.

The administration is not, in fact, decoupling terrorism and regional aggression from the Iranian nuclear negotiations. Obama has made certain that they are part of the discussion. But rather than insist that Iran curb its destructive regional ambitions or end its lethal support for terror, the president has shown his willingness to tolerate, even condone, such behavior.

Obama puts the chances of a nuclear agreement with Iran at less than 50-50. Perhaps it's not a certainty, but we think it's considerably higher. The Obama administration is desperate for an accord, and Iran should be eager to accept a deal that provides a glide path to nuclear weapons.

If it happens, the media will celebrate such a deal as "groundbreaking" and hail Obama as a "historic" leader willing to look beyond the petty preoccupations of his predecessors.

And Obama will welcome into the civilized community of nations an Iranian regime that doesn't deserve to be there.

—Stephen F. Hayes

AWOL on the Defense Budget

"The single biggest threat to our national security is our debt."

That was a myopic claim when made by chairman of the Joint Chiefs of Staff Adm. Mike Mullen back in September 2011. But for the House Republicans to recycle it now—as Vladimir Putin's troops gnaw their way across eastern Ukraine, as ISIS ruthlessly builds its "caliphate," as Iran wriggles its way out of sanctions and

toward regional hegemony, as China pushes its fleets into the Pacific—to promote their defense budget proposals is to demonstrate an accountant's eye for national security and, indeed, for politics in general.

The Senate budget plan is no better. If Senate budgeteers have their way, America's commitment to defense will in the years ahead increasingly look more like that of a European state than of the American superpower of years past.

Budget resolutions are both the most meaningless and meaningful forms of legislation. They appropriate no money; they make no policy. But for the parties that write these resolutions, they are important statements of the leadership's political priorities. Taking the budget proposals advanced by the two committees at face value, it's hard to escape the conclusion that the establishment Republican party is not yet prepared to govern America wisely.

Sen. Cotton: 'narrow margins are not enough.'

Now, no one can genuinely govern the country from Congress; ask Newt Gingrich. But the new Republican majorities—especially in the House, where they have a nearly 30-vote cushion—could do a lot to both ameliorate the consequences of Barack Obama's remaining two years in office and create options and opportunities for Obama's successor. Perhaps even more important, this Congress can begin to shape the landscape for the 2016 election.

These opportunities loom the largest in national security and defense policy. That the world is becoming more violent and more hostile to America's traditional interests is undeniable outside the bunker of this White House. But while pointing out Obama's decline-and-fall approach is a necessary first step, it's not a sufficient solution. Yes, things are going horribly wrong, but what is to be done about it?

Constitutionally entrusted with the power of the purse and the responsibility to raise and maintain military forces, Congress holds the key to jumpstart a return to American leadership and greatness. Congress cannot make Barack Obama into the commander in chief he should be, but it can begin to give the next commander in chief the tools needed to repair the damage Obama has done.

Despite the repeated warnings of senior military leaders about the risks we are running, the congressional leadership has failed to grasp the opportunity—indeed, it has shirked a duty. The nature of its failure is embarrassing. The budget resolution demands that the House defense committees mark their budgets to the sequestration levels of spending outlined in the 2011 Budget Control Act, that is, $499 billion for fiscal year 2016. That's $35 billion less than President Obama proposed, and $52 billion less than the "sequester-relief" recommendation advanced by both House Armed Services Committee chairman Mac Thornberry and Senate Armed Services Committee chairman John McCain. And it's fully $112 billion below the level identified by the bipartisan National Defense Panel as the minimum needed to support even the diminished defense strategy defined by Obama.

It gets worse. In a Rube Goldberg attempt to avoid appearing to be weaker than the Obama administration, the House budget proposes to add $40 billion in "Overseas Contingency Operations" funding above the Obama request, for the transparently political purpose of making its overall defense expenditure appear to be $1 billion above the Obama level. And indeed, most press reports—including from those who should know better, like the *Wall Street Journal*—have been parroting the House leadership's claim. The political virtue of this so-called OCO funding is that it doesn't count in the government's official reckoning of the annual deficit and overall debt; the military vice is that the Defense Department cannot intelligently program this money—it mostly goes to offset the day-to-day costs of operations in Afghanistan and Iraq. Ronald Reagan did not turn to OCO-type tricks to restore American military strength.

And, by the way, there is no guarantee that the increase in OCO monies will find favor with a majority in the House or the Senate in any case. To put it directly, given the perilous state of the American military in readiness, in aging equipment, and in the size of the force itself, neither the Senate nor the House budget proposal is a serious plan. They are, however, dangerous policy.

As politics, all this is increasingly anachronistic as well. Just before the House and Senate leadership rolled out their budget resolutions, Sen. Tom Cotton made his maiden speech. Taking to the Senate floor, the Iraq veteran called for a rapid return to the spending levels advocated by the National Defense Panel, reminding his colleagues that "when it comes to war, narrow margins are not enough, for they are nothing more than an invitation to war. . . . The military budget must reflect the threats we face, rather than the budget defining those threats."

The federal government's finances are still a mess, to be sure. The economy's recovery has been anemic. But there are more present dangers, and our ability to defend ourselves from them is eroding. As the world burns, the House and Senate leadership have responded by tugging their green eyeshade ever tighter and affirming the rules of sound accountancy rather than the principles of American leadership.

—Thomas Donnelly & Gary Schmitt

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The Best Laid Plans of Obama

Dashed by Israel's voters.

BY JOHN TABIN

Benjamin Netanyahu waves to supporters in Tel Aviv, March 18, 2015.

Tel Aviv

They tried so hard. For years, the Obama administration has been yearning for an Israeli prime minister who isn't Benjamin Netanyahu. The president clashed with Jerusalem almost as soon as he took office, and by early 2010 the White House was already ham-handedly picking fights that, they privately told journalists, they hoped would split Netanyahu's coalition.

This cycle, Obama allies openly campaigned against Netanyahu, with Jeremy Bird, the national field director for the 2012 Obama campaign, spearheading a project in Israel called V15—short for Victory 2015—to get out the anti-Bibi vote. (The funding behind Bird's project has raised legal questions that are still under investigation both in Israel and in the United States.) When Obama refused to meet with Netanyahu during his visit to Washington earlier this month, the administration suggested it was about staying neutral during Israel's election season when any sentient observer could see that it was exactly the opposite.

It didn't work. If anything, it backfired. While it's common for American political consultants to work on all sides of Israeli elections, the prominence of Team Obama's fingerprints on the opposition's campaign became a rallying point for the right. The final polls in the week before the election (polling is banned in the last few days of the campaign) suggested that the center-left Zionist Union would surge to become the largest party in the Knesset; the usually accurate exit polls suggested that Netanyahu's Likud party was tied or slightly ahead. But when the actual vote tally came in, Likud was the big winner, ahead by a substantial five or six seats.

There won't be a center-left government, nor will there be the left-right unity government that some envisioned. Moshe Kahlon, the ex-Likudnik whose centrist Kulanu took around 10 seats, could have possibly forced a unity government if the results had been closer, but the strong showing for Likud gives Kahlon much less leverage. It's a center-right coalition, with Bibi firmly in the driver's seat.

In truth, even a victory for the Zionist Union—a merger of Labor, led by Isaac "Buji" Herzog, and Tzipi Livni's Hatnua party—would have likely yielded a government less deferential to Obama than the administration might have hoped. The opposition critique of Netanyahu's government focused almost entirely on domestic issues, particularly the rising cost of food and housing that Kahlon built his campaign on. Even when criticizing the prime minister for his address to Congress warning of the perils of a bad deal with Iran, Netanyahu's rivals made clear that they agreed entirely with the substance of the speech. Nachman Shai of the Zionist Union said at an English-language debate in Jerusalem the weekend before the election that while his party objected to the time and place that Bibi chose to give his speech, "we fully support the government's policy towards Iran."

Netanyahu's triumph was driven largely by people who had considered voting for one of the smaller right-wing parties but settled on Likud at the end. Naftali Bennett's Jewish Home party had campaigned largely on full-throated opposition to the creation of a Palestinian state, and Netanyahu shored up his right flank in part by saying that there would be no Palestinian state on his watch.

This was little more than a statement of fact. After the collapse of the latest round of peace negotiations, Palestinian statehood in the immediate future wasn't in the cards under Bibi or Buji or anyone else. The failure of the peace process, and the increasing instability in the region, made

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John Tabin is a writer in Washington.

the two-states-for-two-peoples principle that Netanyahu laid out in his 2009 speech at Bar-Ilan University functionally irrelevant, and he said as much. There's already a de facto Palestinian state in the Gaza Strip, and it's ruled by Hamas; the prospect of a de jure state on the West Bank is not something any Israeli government is likely to acquiesce to without security guarantees that preclude the creation of another Gaza-like base for terrorist attacks—security guarantees that the Palestinian Authority has been unwilling or unable to provide.

Nonetheless, the Obama administration is already making noises about treating this as a significant policy shift that demands a response from Washington, perhaps even reevaluating the diplomatic support that America traditionally gives the Jewish state at the United Nations and in other international forums. It has the feel of sour grapes, with Obama and his team throwing a tantrum. All because, after trying so very hard, they failed to bend the Israeli electorate to their will. ♦

The al Qaeda Files

Open the bin Laden trove.

BY THOMAS JOSCELYN

During a terror trial in Brooklyn last month, federal prosecutors entered into evidence several files recovered in Osama bin Laden's compound. The documents, consisting mainly of letters to and from bin Laden during the last year of his life, gained more and more attention over the weeks that followed. There are simply too many revelations to ignore. And so the documents have been featured in news coverage around the globe, from primetime television in Pakistan to the front page of the *New York Times*.

Peter Bergen

The files show that the Pakistani government, including the brother of the current prime minister and Pakistani intelligence "leaders," sought out negotiations with al Qaeda. Pakistani leaders were willing to cut a deal as long as al Qaeda directed its terror elsewhere. In another episode documented in the letters, al Qaeda successfully orchestrated the kidnapping of an Afghan diplomat, receiving $5 million in ransom. Some of the cash, according to the *New York Times*, came from CIA funds given to the Afghan government. Al Qaeda continued to explore ways to attack the West in bin Laden's final year, and even considered plotting attacks from Turkey and Iran. And the files show that al Qaeda has a much more significant presence in Afghanistan than many U.S. officials have claimed.

This is just some of what the new documents reveal. And it stands to reason that there are many more front-page-worthy details in the files that remain classified.

As THE WEEKLY STANDARD has previously reported, more than one million documents and files were captured during the raid that led to bin Laden's demise. In May 2012, the Obama administration released just 17 of these files. The trial exhibits released last month bring the total number of documents available to the American public to about two dozen. This is still a paltry sampling. The calls for additional transparency, however, and for the release of more documents are growing louder.

Two weeks after the newly available bin Laden letters became a news story, CNN's national security analyst, Peter Bergen, weighed in. "It's long past time for the government to release more of these thousands of captured documents," Bergen wrote at *CNN.com*. If anything, Bergen understated the number of files being withheld from the public. The total number, again, exceeds one million.

Ironically, the closer one looks at Bergen's reporting on the bin Laden files, the stronger the case for transparency becomes. It is obvious the American people cannot take White House officials at their word when they describe the files' contents. Bergen, of all people, should know this.

Before any documents were made public in May 2012, certain Washington journalists were given preferential access. Bergen was one of them. "At the White House, I was allowed to review a number of those just-declassified, unpublished documents in mid-March 2012," Bergen writes in his 2012 book, *Manhunt: The Ten-Year Search for Bin Laden from 9/11 to Abbottabad*. (In the book's acknowledgments, Bergen thanks two White House staffers, Ben Rhodes and Jamie Smith, for their help.)

After surveying the evidence he was given access to, Bergen concluded that bin Laden was out of the terror game at the time of his death. *Manhunt* begins with a prologue entitled "A Comfortable Retirement." Bin Laden "spent much of his enforced leisure time writing on a variety of themes," Bergen argued.

Bergen's prologue concluded by driving home this theme: "It was a comfortable, if confining, retirement for al Qaeda's leader. He was able to indulge his hobbies of reading and following the news, and of course he continued rigorously to observe the tenets of Islam. He was attended by three of his wives and surrounded by many of the children he loved. For the world's most wanted fugitive,

AP / CLIFF OWEN

Thomas Joscelyn is a senior fellow at the Foundation for Defense of Democracies.

it was not a bad life. Not bad at all."

Except this isn't true. In his piece for *CNN.com* earlier this month, Bergen espoused precisely the opposite view. "Far from the image of the isolated man in the cave that was prevalent before he was killed, the documents portray bin Laden as a hands-on manager of al Qaeda," Bergen wrote.

It is impossible for these two conclusions to both be right. Either bin Laden was indulging his hobbies in "retirement," or he was a "hands-on manager." Bergen does not alert readers to his dramatic about-face.

Perhaps Bergen came to his first conclusion in 2012 on his own, without any specific guidance from the Obama administration, which was coincidentally pushing the same line. However, it is difficult to believe this was a coincidence at all. Other journalists given VIP access to the bin Laden documents by the White House, including the *Washington Post*'s David Ignatius, came to the same conclusion at precisely the same time. On March 18, 2012, Ignatius wrote that the "few documents shown to me by a senior Obama administration official give a sense of how bin Laden looked at the world in the years before his death." Bin Laden, Ignatius informed the *Post*'s readers, was "the lion in winter."

Bergen has led the charge in declaring al Qaeda dead for years. Remarkably, Bergen's opinion has remained unchanged even as the basic underlying facts, including his own understanding of bin Laden's role, have, shall we say, evolved. In a piece written in June 2012, for instance, Bergen claimed that al Qaeda had only "one senior leader left." This was obviously false at the time, and the bin Laden files identify a number of al Qaeda leaders who remain alive today. "Al Qaeda played no role in the Arab Spring and hasn't been able to exploit in any meaningful way the most significant development in the Middle East since the collapse of the Ottoman Empire," Bergen argued in the same piece. The bin Laden files show that al Qaeda had already sent operatives to the so-called Arab Spring nations more than a year before Bergen wrote those words. Al Qaeda maintains a strong foothold in several of those countries to this day.

Undaunted, Bergen sees al Qaeda's demise in the newly released documents. The title of his *CNN.com* piece is "A gripping glimpse into bin Laden's decline and fall." None of the details that cut against his conclusion appear in the piece.

Bergen begins his analysis of the files by arguing they show al Qaeda "understood it had severe problems resulting from the CIA drone program that was killing many of the group's leaders in Pakistan's tribal regions bordering Afghanistan." This was no secret, however. Al Qaeda's leadership losses are well documented. There is no question the airstrikes have severely damaged al Qaeda's management infrastructure in South Asia. The al Qaeda letters emphasize the "toll" the "espionage war" had taken on bin Laden's group, leaving them "short in staff and leaders."

This is not the end of the story, however. The files offer us interesting insights into how al Qaeda planned to outlast the drone campaign and replenish its leadership cadre. Some leaders returned from Iran, where they had been held in a form of detention for years. Al Qaeda was encouraged by their reintegration. And, as Bergen notes, the group discussed moving its surviving leaders out of the drones' kill box in northern Pakistan.

The environment in Afghanistan was especially appealing, as Atiyah Abd al-Rahman, al Qaeda's general manager at the time, pointed out in a July 2010 letter to bin Laden. "As I have explained before, we have a good battalion over there led by Faruq al Qatari," Rahman wrote. "He is the best of a good crew. He recently sent us a message telling us that he has arranged everything to receive us; he said the locations are good, there are supporters and everything." Al Qaeda did in fact move some of its leaders into Afghanistan, where Qatari remains firmly embedded.

Even at the height of the drone campaign in 2010 al Qaeda was grooming its next generation of leaders. "Please send us the résumés of all the brothers who may be nominated now or in the future for important management positions," bin Laden wrote to Rahman in a letter dated August 7, 2010. "I would appreciate it if you can ask each one of them to write down his outlook on the Jihad work in general and their opinions and suggestions on any of the Jihad arenas." A letter from Rahman to bin Laden just weeks earlier shows that al Qaeda had already begun preparing its "new generation," including "team members and leaders."

Bergen sees al Qaeda's "weakness" in its attempt to negotiate a ceasefire with Pakistani authorities in the summer of 2010. The files tell a different story. One June 19, 2010, letter, written from Rahman to bin Laden, describes the jihadists' ongoing insurgency against the Pakistanis. Both the "brothers" in the tribal areas and "our foreign brothers who are working with them" had reported that the Pakistani Army was "losing soldiers nearly every day." Rahman continued, "There are always several operations under way, mines detonating, snipers, and even assaults on forward army positions."

The army had even "tried to mount a broad campaign" in one of the tribal areas, Rahman explained, but "it appears like it was not able to" because there "were many Mujahidin there, ready to repel the army" and "they did so repeatedly." In fact, bin Laden's chief lieutenant believed that the Pakistanis' war in the tribal areas "is lost in every sense." In short, al Qaeda did not think it was negotiating from a position of "weakness."

Bergen has repeatedly downplayed any suggestion that Pakistani duplicity accounts for bin Laden's safe haven in Abbottabad. The publicly available bin Laden letters are insufficient to draw any firm conclusion. Still, Bergen goes too far in offering an apologia for Pakistani authorities. Regarding the negotiations, Bergen writes there "is no evidence in the documents indicating that the Pakistani government had any clue about bin Laden's location or presence in Pakistan."

The documents show that Pakistani authorities knew how to get in touch with al Qaeda's senior leaders, using prominent jihadists as cut-outs. Those

same jihadists are the ones the Pakistanis "approve" of, Rahman noted. Pakistan's preferred jihadists also just happened to be some of bin Laden's closest allies, including Fazlur-Rahman Khalil, who signed bin Laden's 1998 declaration of war against the West and Israel. Khalil has been designated a terrorist by the U.S. government.

The files make it clear that while Iranian officials held some al Qaeda leaders in custody, others were allowed to operate on the mullahs' soil. Bergen quotes from one document to argue that al Qaeda decided against opening an Iranian office. The citation, however, clearly refers to a specific, isolated decision. Another document, written in April 2011, just weeks before bin Laden's death, refers to al Qaeda's "coordinator" in Iran. This same jihadist is almost certainly an al Qaeda leader known as Yasin al-Suri. The U.S. Treasury Department designated Suri a terrorist in July 2011, noting he was the head of al Qaeda's Iran-based network. Suri serves in that capacity under an agreement between the Iranian regime and al Qaeda.

The al Qaeda files require careful analysis. And without many more of the files it is impossible to tell the whole story. The Obama administration and many analysts in Washington have repeatedly declared al Qaeda dead, or close to it. Much has changed in the world since bin Laden's death, and, of course, not everything has gone al Qaeda's way. The rise of the Islamic State in Iraq and Syria, for example, has challenged al Qaeda's authority over the global jihadist movement. In addition, American-led counterterrorism efforts have stopped many of its plots and taken out numerous al Qaeda leaders. Yet, al Qaeda is alive and threatens the West.

Osama bin Laden's files are the best source of information on al Qaeda, shedding light on the past and offering an explanation as to why we live with this enduring threat. Peter Bergen argues that many more of the files should be released. On that score, at least, there is common ground.

After all, we can't trust the White House to tell us what is in them. ♦

IMAGES: NEWSCOM

From Butskell to Camerband

Britain's unstable consensus.

BY **TED R. BROMUND**

London

"The problem with politics today," Gisela Stuart complained over coffee in the House of Commons cafeteria, "is that there's no passion, no big ideas. No wonder the public's not inspired." An iconoclastic Labour MP for Birmingham, Stuart herself is inspiringly intense, but her diagnosis is a common one: Locked together in a mutual embrace of managerialism, Britain's political parties stand for nothing more than the quest for a triangulated victory.

Miliband, Cameron, whatever

This view contains an element of truth, though Britain is not the only democracy in which a majority of the votes are to be found close to the center. But since the last general election, in 2010, Britain has debated austerity (without really practicing it) and rejected both proportional representation (firmly) and Scottish independence (barely). Its third party, the Liberal Democrats, has collapsed, as has Labour's support in Scotland. Together, the U.K. Independence party (UKIP), the Scottish Nationalists (SNP), and the Greens now poll a quarter of the vote. This is not a politically placid nation.

It is nonetheless true that the differences between Labour and the Conservatives in Westminster, while loudly proclaimed, are limited in practice. Both are led by a metropolitan elite. Both Conservative prime minister David Cameron and Labour leader Ed Miliband would prefer Britain stayed in the European Union. Neither party says much about foreign policy, and both tacitly accept that British defense spending will continue to fall. Both opposed Scottish independence, and neither sees much room for tax increases or spending cuts, never mind a wholesale rethinking of government. Neither evinces any discomfort with the toxic combination of po-faced political correctness and paternalist nanny-statism that is characteristic of contemporary Britain.

But this is not the first time that observers have remarked on the growth of political consensus in Britain. In 1954, the *Economist*, arguing that certain similarities existed between R.A. Butler, a Tory, and Hugh Gaitskell, of Labour, dubbed the composite "Mr. Butskell." This in turn gave rise to the claim that the early 1950s were dominated by Butskellism, a British version of the supposedly placid consensus of the Eisenhower era in the United States.

Today, the strenuous partisan warfare between Cameron and Miliband belies the emergence of a comparable composite, Mr. Camerband, who embodies a near-convergence that goes well beyond finance. The only exceptions in the current Tory-led

Ted R. Bromund is senior research fellow in Anglo-American relations in the Margaret Thatcher Center for Freedom at the Heritage Foundation.

coalition are Michael Gove's reforms in education, which got him demoted, and Iain Duncan Smith's welfare revolution, which has survived largely thanks to Smith's passionate commitment and seniority within the party.

Historians have not been kind to Mr. Butskell, pointing out that the philosophies of Labour and the Tories were actually quite distinct. Yet there was a degree of convergence in practice, created not by shared beliefs, but by the systemic pressures acting on both parties. Postwar Britain wanted a welfare state, high growth, low inflation, and full employment, while, in order to maintain the fixed foreign exchange value of the pound, it needed a positive balance of trade. As long as Britain refused to choose between those objectives, which were defined partly by ideology and partly by international financial realities beyond Britain's control, neither party had much room for maneuver. Mr. Butskell was the product of those constraints.

Of course, Butskellism didn't last. Britain's very refusal to make choices made it steadily harder for the nation to accomplish anything at all. Margaret Thatcher's achievement was to choose in practice between aims that were all, in principle, desirable: Like Reagan, she chose to focus on inflation. The reward for Britain was political and economic recovery; the reward for the Conservatives was the unparalleled feat of four successive victories over a Labour party that had lost touch with the aspirational classes.

Today, the Tories would give a lot for just one such victory. Objectively, the campaign shouldn't be close: The growing British economy contrasts strikingly with the sickly performance of the eurozone, and only 15 percent of the British public views Miliband as a plausible leader of the nation. Labour's collapse in Scotland bids fair to lose the party 50 seats, while UKIP looks likely to take only a handful from the Tories. Senior Conservatives privately profess faith in victory, and even candidates in no-hope seats believe the party's chances are brightening. If politics is the art of the possible, it is hard to see how the Tories can possibly lose this one.

But the polls say otherwise. In an electoral sense, the fundamental problem is the Conservative performance, amounting almost to a collapse, in England, which controls 533 of the 650 seats in the House of Commons. In the 2010 election, when the Tories narrowly failed to win an overall majority, they led Labour by over 10 percentage points in the vote in England and Wales. Today, their lead is 1 percentage point. In order to win on May 7, they need to be ahead by at least 12 points.

It is certainly possible that the Conservative lead will grow after the campaign formally opens at the end of March, and many Tories argue—or at least hope—that the same "hidden Tories" who won them their surprise victory in 1992 are lurking today. It's true that a strikingly high percentage of voters have yet to make up their minds, and it's true that Green and UKIP support, in particular, is vulnerable to being squeezed. But *YouGov*'s Anthony Wells, one of the closest observers of British polling, doubts that there's much undetected Toryism in the murky waters: In 1992 all the pollsters used the same methodology, and all of them got it wrong.

This time, there is methodological diversity, but the results are broadly the same: No party seems at all likely to win a majority. Right now, Tory confidence amounts to little more than the sense that they should be doing better and therefore will at some point do better. But even if the Tories win the most seats, as Wells believes is likely, the outcome could be a minority Labour government that holds power by the sufferance of the other parties. This is political fragmentation with a vengeance, and it is going to have profound consequences. Scottish independence, a question supposedly settled for a generation, will be back on the agenda. So will proportional representation, which will be harder to oppose when at least five parties each get at least 5 percent of the vote. And with those questions come others about the future of Westminster and the devolution of power within England itself.

Of course there is managerialism in British politics: That is the tendency of politics in all mature democracies. But this is not a system dominated by managerialism. It is a system, as in the 1950s, that is profoundly constrained by both ideology and reality. The ideological constraint is that, as columnist Allister Heath has pointed out, no party is willing to address the challenges centering on the long-term affordability of the National Health Service, Britain's still-burgeoning debt, its inability to build enough housing—and, I would add, its desire to be a great power on the cheap.

The Tories have not addressed these problems for fear of being called elitist, nasty, and austere, while Labour has no interest in addressing them, because to do so would not be in the short-term interest of its base, which it only needs to mobilize to win. The constraint of reality, on the other hand, is that the mobility of capital profoundly limits Labour's ability to tax and spend, which is where its post-Blairite heart lies. As in the 1950s, the problem is that managerialism is what you are left with when you refuse to make choices between desirable objectives and try instead to live by kicking the can down the road.

In political terms, the result is a campaign conducted between narrow lines, in which the main parties are being pushed closer together than their memberships would prefer. Earlier this month at the Freedom Festival—an annual gathering in Bournemouth of mostly Tory and UKIP activists organized by the Freedom Association, a 40-year-old lobby for individual freedom—the discontent was palpable. The after-dinner speech, by Donal Blaney of the Young Britons' Foundation, was a vigorous critique of leading conservatives who fail, as he sees it, to uphold Thatcher's legacy. And since the Conservatives, like Labour, now stand for the status quo, it's true that what's missing in the mainstream British political spectrum is a party of genuine, aspirational radicalism.

The rise of UKIP, the SNP, and the Greens shows there are lots of people who want conviction politics so badly they're prepared to leave the major parties to find it; they reject Mr. Camerband as entirely inadequate to the needs of the time—which, in truth, he is. The main difference between the 1950s and today is that, in Britain as across the democratic world, established parties receive less respect, and new parties grow more easily as a consequence. The result is a campaign for the major parties that remains within the Westminster political consensus, but which, because of its very narrowness, is unable to meet the needs of the growing share of voters who live outside that consensus—or of the nation in which they all live. ♦

Democratic Disarray

No love lost between Obama and his party on Capitol Hill. BY FRED BARNES

Just last week the White House boasted that President Obama is setting the agenda despite Republican control of the House and Senate. He's in a stronger position now than before the midterm elections in November. "The White House is declaring victory over Washington," according to *Politico*.

The euphoria didn't last long. It was snuffed out when Prime Minister Benjamin Netanyahu was reelected in Israel in the face of a strenuous effort by the White House to sideline him. Obama responded not by congratulating Netanyahu, even grudgingly, but by criticizing his campaign and announcing that the administration's policy toward Israel would be reevaluated.

That isn't all. On Capitol Hill, support by Democrats for the president's agenda is eroding. His request for authorization to use military force against ISIS terrorists is widely opposed by Democrats. His appeal for "fast track" authority to facilitate passage of the Trans-Pacific Partnership, a trade treaty, has attracted little support. Neither bill is likely to win congressional approval.

Obama's aides insist Republicans are merely reacting to the president's initiatives. They are, but not

GARY LOCKE

favorably. The bigger problem for Obama is himself. He is the cause of most of the trouble besetting his presidency. The return of Senate minority leader Harry Reid from an accident has made matters worse.

The impact on the Democratic party is anything but positive. Democrats are excited only to the extent they can thwart Republicans, as they did in blocking the GOP attempt to strip funding for Obama's executive order on immigration from the Department of Homeland Security budget. The Democrats may have a bright future over the long run, but the 22 months left in Obama's second term will be painful.

From the Netanyahu episode, we learned that Obama is not a gracious man, even when being gracious would serve his interest. He was furious over the invitation from House speaker John Boehner to address Congress. The president's approval had not been sought.

The White House mounted a heavy-handed campaign to force Netanyahu to cancel his appearance. A boycott of the speech was encouraged. Democrats lobbied for the event to be moved to a more modest setting than the House chamber. The Congressional Black Caucus was recruited to denounce the invitation to Netanyahu as disrespectful to the president. Boehner gave Netanyahu the opportunity to back out if it was necessary for political reasons in Israel with its election on March 17. But Netanyahu refused. He spoke on March 3.

Obama elevated the speech, which focused on Iran's nuclear threat, into an international event. Netanyahu is Obama's least favorite foreign leader, and nasty leaks about him trickled out of the administration. It wasn't surprising he declined to meet with Netanyahu at the White House.

But what if the president had welcomed Netanyahu to Washington, met with him in front of TV cameras, and talked about their mutual goal of preventing Iran from producing nuclear weapons while conceding they have differences over a nuclear deal with Iran? That would have taken much of the drama and some of the significance out of Netanyahu's appearance.

Instead, Obama reacted peevishly to the speech. He said it contained nothing new. When Netanyahu won reelection last week, the White House complained about what it said was Netanyahu's "rhetoric that seeks to marginalize Arab-Israeli citizens." In truth, Netanyahu had simply warned that Arab voters were voting in large numbers against him, hoping to stir casual voters sympathetic to him to go to the polls.

Boehner was vindicated by Netanyahu's reelection. It was the first time the "Obama machine" had been defeated in a national election, a Republican official noted. Boehner weathered attacks, including MoveOn.org's demand that he be prosecuted under the Logan Act for illegally interfering in foreign affairs.

Fred Barnes is an executive editor at The Weekly Standard.

For a president supposedly in charge, Obama is MIA in Congress. Winning fast track authority is crucial, but there's no evidence he's lifted a finger on its behalf. Without it, a trade bill can be subjected to poison pill amendments designed to kill it.

Meanwhile, Boehner and House minority leader Nancy Pelosi are working on a permanent fix on the issue of Medicare fees for doctors that shrink annually with congressional action. Again, Obama is not in the picture in this rare instance of bipartisanship.

The Senate experienced a three-week interlude of bipartisanship in January while Reid was recovering at his home in Washington's Ritz-Carlton Hotel. When he returned, smooth and friendly relations ceased. Reid invoked a 60-vote requirement just to have a vote on overriding Obama's veto of the Keystone XL pipeline bill. This was unprecedented on a veto override.

Reid reached a new low by organizing a filibuster of legislation outlawing human trafficking. Democrats said a provision barring federal funds from paying for abortions had been slipped into the bill and must be taken out. The provision was no secret. It was on page four of the legislation and renewed a federal law in effect for the past 39 years.

The bill had bipartisan support and was reported out of the judiciary committee unanimously. It was noncontroversial—that is, before Reid stepped in. In response, Senate majority leader Mitch McConnell said he will delay a confirmation vote on Loretta Lynch for attorney general until Reid calls off the filibuster.

You can see where this is headed. Reid is engineering a stalemate in which bipartisanship is out the window and passage of a popular bill is thwarted. This is part of Reid's strategy of showing that Republicans—and McConnell in particular—can't govern effectively.

Republican disarray "has contributed to this dynamic of the White House being the one—and the only one—that's on offense," Press Secretary Josh Earnest told Edward-Isaac Dovere of *Politico*. Surely he jests. ♦

Iranian Vulnerability

Their nuclear progress can still be stopped.

BY LEE SMITH

The Obama White House is enlisting all its allies to make its case for the bad nuclear deal with Iran that, say administration allies, is better than no deal. The alternative, they claim, is war. And to what purpose? Many nuclear experts, Middle East analysts, and journalists argue, after all, that an attack on Iran's nuclear facilities would set the program back only two to three years. Indeed, Jeffrey Lewis, director of the East Asia Nonproliferation Program at the James Martin Center for Nonproliferation Studies, asserted last week that setting Iran back "only a couple of years" is "the best-case scenario."

Iran's Uranium Conversion Facility in the city of Isfahan, November 20, 2004

However, it's not entirely clear where that assessment—a couple years, or a few years, or two to three years—comes from. "When U.S. government officials have given specific estimates, like two to three years, these are for an Israeli attack on Iranian facilities," says Matthew Kroenig, a former Pentagon official. "They're not talking about a U.S. attack, which would obviously be more than what an Israeli strike could accomplish."

Even then, says Kroenig, author of *A Time to Attack: The Looming Iranian Nuclear Threat*, these estimates regarding American strikes are based on worst-case scenarios. "That is, if after a strike Iran decides to rebuild immediately, encounters no significant difficulties, and is able to get whatever it needs in the international marketplace. But that's hard to imagine."

Kroenig, who worked on defense policy and strategy against Iran in the office of the secretary of defense, says it's misleading that many experts claim the American estimates are the best-case scenarios when actually they're worst-case scenarios. "Either these experts don't know," says Kroenig, "or they do know and they're trying to make a case that is not intellectually honest."

The larger point, say advocates of the White House's proposed agreement and opponents of a military strike, is that once a nuclear program reaches a certain stage, you can't undo the know-how that has already been acquired. That is, you can't bomb knowledge.

Even proponents of a military strike concede there's something to that argument. "The longer we go without doing something, the bigger Iran's edge becomes," says Reuel Marc Gerecht, a senior fellow at the Foundation for Defense of Democracies. "For instance, the closer they get to perfecting advanced centrifuges, the efficacy of any military strike goes down. More people will have the

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Lee Smith is a senior editor at THE WEEKLY STANDARD.

necessary knowledge to continue."

During his speech to Congress earlier this month, Israeli prime minister Benjamin Netanyahu addressed this very issue, noting the argument that "Iran's nuclear know-how cannot be erased, that its nuclear program is so advanced that the best we can do is delay the inevitable." But as Netanyahu then suggested, "nuclear know-how without nuclear infrastructure doesn't get you very much."

Here "infrastructure" is perhaps best understood to mean not only the facilities, equipment, and personnel necessary to run a nuclear weapons program, but also any given nation's industrial and technological culture, its economy, and perhaps most important the society that produces them. The Islamic Republic of Iran comes up short in all these vital areas. And that's why it has taken Tehran 25 years to buy, steal, and smuggle a nuclear weapons program from the outside world. The notion that it would take Iran only two to three years to restore a program it has taken more than two decades and tens if not hundreds of billions of dollars to build does not add up.

The idea that you can't bomb knowledge is correct, says the journalist David Samuels. "But it also signals a larger misunderstanding about what part of making nuclear bombs is difficult."

A few years ago, Samuels, a contributing editor to the left-leaning *Harper's*, wrote a profile for the *New Yorker* of John Coster-Mullen, a truck driver who reverse-engineered Fat Man and Little Boy, the atomic bombs dropped on Nagasaki and Hiroshima.

"All the leading scientists at Los Alamos say he got it right," says Samuels. "He's a very bright man, but he has no recondite knowledge of physics." Rather, it was Coster-Mullen's experience as a commercial photographer that allowed him to reconstruct the two bombs by decoding old documents.

"What people get wrong about nuclear weapons," says Samuels, "is [they think] that the knowledge is impossibly difficult. In the popular imagination, how you make a nuclear weapon is considered a great secret, akin to magic. And once you have figured it out, then physically producing the bomb would be easy. In fact, it's entirely the opposite. It's not hard to figure out how to build a bomb. My friend the truck driver figured it out. He gave me the plans for a nuclear bomb, which I have here in my desk at home. Anyone can order his book from Amazon."

What's really difficult is building and maintaining the industrial, technological, and economic complex required to sustain a nuclear weapons program. The capacity to produce a nuclear weapon is a good index of a country's general level of development. "It's not a big deal for the United States, the U.K., or France, for instance, to support that kind of endeavor," says Samuels. "Same with Germany, which if it wanted a bomb would get there within a matter of months. Germany, the land of precision machinery, has an economy and the industrial and technological culture that can sustain a national project of that scale. Same with Japan. Iran is a very different matter."

Samuels breaks nuclear states down into indigenous and nonindigenous atomic powers. "The United States, U.K., and France's bombs are indigenous nukes; so are Russia and China's. These countries have the resources and capacity, the command and control structures to build and sustain a vast industrial apparatus. Countries like Iran and Pakistan fall into a different category. It's not to say there aren't plenty of talented Iranian engineers and chemists, but, for example, the Iranian economy is a mess, based solely on oil, and a fraction the size of Germany or Japan's economy. All you have to do is land at [the] airport in Karachi or Tehran and you see very quickly you are not in Germany."

Indeed, the sanctions regime on Iran follows this logic precisely. The point of sanctions is not just to seize Tehran's cash, and punish those European or Asian nations and industries tempted to do business with a rogue regime—rather, it is to deny Iran access to the foreign industrial base without which it could not build a nuclear weapon. Sanctions relief doesn't just mean that Iran gets huge infusions of cash and plenty of attention from foreign investors—it means Iran has a much easier time shopping for its nuclear weapons program.

This is how A.Q. Khan, the father of Pakistan's bomb, did it. "His was an act of mind-boggling organizational genius," says Samuels, "in which a single man was able to use the industrial base of Western Europe to supply all of the finely machined parts and tools necessary to produce a nuclear bomb, which Pakistan was unable to produce on its own."

The question of knowledge, then, is trivial. It can be bought on the open market. You can buy the truck driver's book online. What's important is the infrastructure—very little of which Iran produces on its own.

"The idea that Iran has developed a fully indigenous capacity to produce nukes and has mastered all these engineering and chemical disciplines is very far from true," says Samuels. "What Iran really has is a 25-year-long campaign of smuggling, stealing, borrowing, and hiring everything that the society can't generate for itself. I don't know where the certainty it would only take them a few years to rebuild comes from. There are obviously a lot of other assumptions baked in there. It seems to me more likely that the enormous amount of energy and money they've spent the last 25 years is not replicable. Either you can make nukes all on your own or you can't. The Iranians, unlike industrialized Western powers, can't."

The White House's mantra that you can't bomb knowledge is simply evidence that it has already accepted an Iranian nuclear bomb. Consequently, the idea that a military strike would set the program back only two or three years is not an assessment based in fact, but a political slogan meant to rally support for the president's policy decision.

Whether a nation's nuclear program is indigenous or not, the program is much more vulnerable before it actually produces a bomb. Once it has built a bomb, it is less vulnerable. Which is why it feels safe in producing more bombs. ♦

The U.S.-China Crossover

It probably won't happen in our lifetimes.

BY CHARLES WOLF JR.

China's future: older and fewer people facing staggering environmental costs

After China supplanted Japan in 2011 as the world's second-largest economy, some China scholars, as well as pundits and economists, began forecasting when it would supplant the United States as the largest. Extrapolating China's remarkable 9-10 percent average annual growth in the prior three decades, these forecasters placed the GDP crossover in 2020. When China experienced a slowdown to 7-8 percent growth in 2012-2014, the crossover was deferred to 2024-2025.

Charles Wolf Jr. holds the distinguished chair in international economics at the nonprofit, nonpartisan RAND Corporation and is a senior research fellow at the Hoover Institution.

Current and impending conditions in both economies suggest the recent estimates are likely premature as well, and by a substantial margin. Growth in China may decrease appreciably in the coming decades, while U.S. growth may increase at least slightly. A better forecast is that crossover between the two GDPs is unlikely to occur during the lifetimes of most readers of this article.

Start with conditions that portend further slowdown in China's growth. First are the long-term fundamentals: a gradually declining population, rapidly rising dependency ratios (between China's elderly and preworking-age populations and its working-age population), severe and worsening atmospheric pollution, serious water contamination and scarcity, and the rising costs to address these conditions.

Next are several recent growth-inhibitors, broadly reflected in President Xi Jinping's recurring references to the "new normal" of quality, efficiency, and medium growth, rather than the high growth of the past.

Another portent of slowdown is China's accumulation of the highest level of public and private debt in its history. Most of this is debt incurred at province, city, and township levels by loans from local banks and the unregulated "shadow" financial sector. Additions to this shaky debt raised the local deficit to $500 billion in 2014, about 5 percent of China's GDP. Although the central government isn't responsible for this debt, it's unclear who is. What is clear is that the local production, construction, social, and infrastructure projects that were financed by this debt and have helped propel growth will be sharply constrained in the future.

Also indicative of slower growth to come are surging capital outflows from China that rose to $120 billion in the fourth quarter of 2014, slightly exceeding total foreign direct investment into China for the entire year. This outflow includes private acquisitions of high-end foreign real estate and other precautionary foreign assets. The trend suggests that Chinese investors expect higher growth and higher returns from investment outside than inside China. Moreover, the actual outflow is probably larger than the estimates because of frequent under-invoicing of exports and over-invoicing of imports.

While nothing is inevitable, these conditions portend significantly slower growth in the future. How does the U.S. outlook compare?

Demographic and other fundamentals in the United States are mixed. According to World Bank estimates, the U.S. dependency ratio is higher than in China. And the percentage of the U.S. working-age population that is employed is lower than it's been since 2000. On the other hand, household debt is at a low ebb—a positive indicator for future consumer

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spending. Another positive indicator is the high rate of sustained innovation—much of it linked to information technology.

Since recovery from the Great Recession of 2008, U.S. growth has been 3- or 4-tenths below the long-term average 3 percent annual U.S. growth rate, and much below the rate realized in prior recoveries. Several conditions portend at least modestly higher growth ahead.

The policy environment is likely to be friendlier than businesses—both large and small—have experienced in recent years. Possibilities on this front include tax reform (perhaps lower corporate rates, lower rates on repatriation of profits held abroad), lighter and smarter regulatory policy (perhaps a clearer "Volcker rule" on banks' capital requirements, and bank-trading limited to banks' own capital), and simpler and clearer rules (by the Commodity Futures Trading Commission) to reduce risks associated with complex derivatives.

Another growth-enhancing development likely to ensue from a business-friendly environment is a stimulus to technology innovation. While innovations in recent decades have mainly resulted from IT, future innovations may result from other emergent technologies, such as biogenetics, robotics, and nanotechnology. A business-friendlier environment in the United States is likely to encourage innovation through reform of the present bureaucratized patent system so it better protects the property rights of innovators, while preventing abuse by patent trolls.

Finally, there is a real possibility of growth-promoting trade expansion from negotiations currently underway in both the transatlantic and trans-Pacific areas.

So when will a crossover between the GDPs of China and the United States occur? Uncertainties abound, but what if China's annual growth rate were to decline to something like 4 or 5 percent annually while the U.S. growth rate rose to 3 or 4 percent? These numbers are arbitrary and arguable but not at all unreasonable. For this forecasting exercise, let's assume the long-term average growth rates for China and the United States are 4.5 percent and 3.5 percent respectively—assumptions that are relatively more generous for China than for the United States. What is the outlook then?

According to the International Monetary Fund, the U.S. and Chinese GDPs in 2015 are $18.4 trillion and $11.1 trillion, respectively. Assuming the average long-term annual growth rates mentioned above, China's GDP will remain slightly below that of the United States through 2055. Crossover would follow in the ensuing two years.

Two caveats should be added: First, to paraphrase Yogi Berra, it's hard to make predictions because nothing is more uncertain than the future; second, an economy's size (its GDP) is, at most, a partial and imperfect indicator of leverage and power in global economics and world affairs. ♦

The Education of Jeb Bush

How did a conservative—and effective—governor arouse the suspicion of the right?

By Andrew Ferguson

Des Moines

They're following him everywhere, these guys. Autograph hunters, three of them. They were at the fundraiser last night, out at the Living History Farms in West Des Moines, and now here they are again, waving at Jeb Bush from behind a wire fence when he arrives at the Iowa State Fairgrounds for private meetings and a brief public talk to agribusinessmen. They jump up and down, waving photographs and signs, books and scraps of paper. Being Iowans, they address him politely, using the honorific even as they scream to catch his attention: "Governor Bush! Governor Bush!"

Bush disappears into a building, and when he emerges a couple hours later, after the meetings and the talk, a young aide points him to a waiting minivan, and they're still there, still politely beseeching.

"Man, those guys just don't quit, do they?" Bush says in the car. He gives them a theatrical shrug through the car window. "I don't have the time, man," he says, pointing at his watch. "Gotta go."

"Just one!" yells their leader, a large teen squeezed sausage-like into a Kansas City Royals hoodie. "Governor!"

One of his aides explains that the trio stalk celebrities for autographs, which they then try to sell wherever they can. Bush laughs: "Good luck with that."

A few minutes later the minivan rolls to a stop at another section of the vast fairgrounds, where a camera crew is set up under a picturesque stand of trees. As he travels around the country Bush communicates with his followers often by video. He rarely talks to the press at length, and here in the early days of his unofficial campaign for the presidency, his time is taken up by meetings with funders and donors—high net worth individuals, as rich people sometimes call themselves—and occasional set pieces, like his talk to the agribusinessmen at the fairgrounds. In his mini-videos he tells his supporters where he's been and what he's just done there, and where he's headed and what he's about to do there. He doesn't mention the fundraisers, of course.

Against the backdrop of the trees Bush stands before the camera and improvises a few lines. He's conspicuously tall, over 6'3", maybe 6'4", depending on who you talk to, and like a lot of unusually tall people he bears the marks of a lifetime spent trying to look inconspicuous in the company of people much shorter than he is. The stoop and the rounded shoulders look by now irreversible. At 62, he still moves at the unhurried pace of an accomplished athlete—he was a walk-on varsity tennis player in college—and despite many months of a vigorous exercise program and a cruel dietary regime, he retains the well-fed look of his younger years.

Jeb Bush speaks in Des Moines, March 7, 2015.

"Aw, you gotta be kidding me," he says. The trio have followed him in a car. They're standing next to it, waiting—politely—to be called over, each holding a large color photo of Bush from his days as governor of Florida. An aide tells Bush his entourage is running late. Bush waves them over anyway, and they scamper to his side, but only after ducking back into their car and withdrawing another collection of photos to be signed.

If you ask Jeb Bush if there's an aspect of his life that people might be surprised to learn about, he usually says, "I'm an introvert." It's an odd frailty for a professional politician, and Bush says it took him years of effort to overcome his inborn shyness.

"I learned that in order to make your case, or in order to serve or in order to advance a cause, you have to connect with people," he said earlier this year. "You have to engage with people, look 'em in the eye, connect with them on a human level, understand where they're coming from."

His efforts to connect with the autograph hunters

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Andrew Ferguson is a senior editor at The Weekly Standard.

don't seem to work terribly well—not for lack of trying on his part.

"You guys registered to vote?" Bush asks, and the three guys stare blankly at each other. *Vote?*

"Gonna show up for the caucuses in January?" *Caucuses?*

"Here," their leader says. From beneath his hoodie he's produced a book that Bush cowrote. Bush signs. "And here"—another picture, even bigger this time, of Governor Bush resplendent against an American flag. Bush signs it and turns to leave. "Wait, one more, please," the hoodie says. A baseball appears.

"You want me to sign . . . a baseball?"

The hoodie nods excitedly.

"Here's the deal," Bush says, holding the ball. "I sign this, you guys register to vote, okay? And you show up at the caucuses. A signature for a vote. Is that a deal?"

Walking back to the minivan, he shakes his head, still puzzled. "I mean," he says, "how much do they think they can get for something like that on eBay?"

The autograph of a guy who was a governor nearly 10 years ago? Probably not much. Of a guy who might be president 20 months from now? A lot more, probably.

Judging by the giddiness that overcomes the trio as they scuttle back to their car with their booty, they're banking on a president.

And of course they're not alone.

Among themselves, Bush loyalists—a far-flung and, as these things go, not-terribly-numerous scattering of money men, campaign consultants, officeholders, former officeholders, admirers, party hacks, hangers-on, publicists, and mainchancers who have always found themselves a tick or two behind the curve—these loyalists are pretty sure Jeb Bush is a future president. Many of them have even taken to calling him "45." They called his father "41," you see, because he was the forty-first president of the United States. Jeb's brother was "43." Since 1989, the Bushes have held a monopoly on odd-numbered presidencies. It's time again, the Bushies reason.

You can be forgiven if you believe this pre-hatch counting of the chickens is cause enough to keep Jeb Bush out of the White House, if only to destroy the dearly held fantasy of political courtiers who have already contributed to two failed presidencies and now pine to work their magic in a third. Other Republicans have more substantial reasons to oppose him, or think they do, especially among the self-consciously conservative activists of the party. Bush's enthusiasm for the Common Core educational standards and his advocacy of leniency for illegal immigrants apparently mark him as a "moderate," a designation the political press has happily taken up.

At the most recent Conservative Political Action Conference, in suburban Washington, D.C., the mention of Bush's name produced a round of boos louder even than the catcalls that rained down after a mention of Hillary Clinton. (His reception brightened considerably when he appeared in person.) The radio talk show host Laura Ingraham had the ingenuity to combine the two conservative pariahs into a single candidate she called Clush: "We could dispense with this whole nomination process altogether—why don't we call it quits and Jeb and Hillary can run on the same ticket?"

To understand the strangeness of the position that Jeb Bush finds himself in, it helps to look at his record as a practicing politician—a governor. When he left office in 2007, the verdict on his tenure was unanimous among Republicans, "moderates" and right-wingers alike. Writing in this magazine at the time, Fred Barnes summed it up: After two terms in office, Bush was not only the best governor in America but also the most conservative. Moreover, Republicans assumed that he was the former because he was the latter: His success was directly attributable to his ideology. That he should now be condemned as a moderate is a new and unexpected lesson in the education of Jeb Bush.

He was 8 when he announced to his family that he would be president some day, according to *The Bushes*, an exhaustive (and very friendly) biography of the clan by Peter and Rochelle Schweizer. Meanwhile his brother George, seven years his senior, was still entertaining hopes of being a baseball player. Galaxies of pixels have been discharged analyzing the relationship between the two brothers, to little effect. The Bushes themselves aren't much help with psychological vivisection. Asked once by a *Newsweek* reporter "what it means" to be a member of the famous Bush family, Jeb responded: "It means that we don't talk about what it means." Undertaken by political reporters, the probing seems especially inept. "You have the political press writing about nonpolitical issues," he said. "Most of these people are not the most brilliant people in the world, and when you get them out of their area, writing about the family, it can be a little bit scary."

The most that can safely be said about the relationship between the two oldest Bush boys—there are two others, Marvin and Neil, along with their sister Dorothy—is that Jeb and George are not particularly close and never have been. They haven't lived under the same roof since George W. left for prep school, when Jeb was seven. There's a difference in temperament, too. Family friends are familiar with images like the one recalled by Ron Kaufman, a longtime aide and confidant to the first President Bush. Both Jeb and George W., already governors, were nominated to the Alfalfa Club, an exclusive gathering of nearly every high-ranking politician and powerbroker in the nation's capital. (It's the sort of place where, if you really

want to, you can see Robert Gates hug Barbara Mikulski.) W. approached the induction party for the new members with relish, charging into the small crowd, squeezing shoulders, slapping backs, barking wisecracks. "He was in his element, having a great time," Kaufman says. "And then over to the side, there's Jeb. He was polite. But you could see it in his eyes: This was a man who really wanted to be back at his computer in Tallahassee, working on the state budget."

Jeb followed his older brother to prep school, at Phillips Academy in Andover, Massachusetts. It was, he said later, a place full of "Massachusetts people thinking their way was the only right way," a reminder that even scions of famous, well-to-do families aren't immune to class resentment. This being the late 1960s, Jeb grew bangs, smoked pot, and dabbled in the socialists' club. He hated it. "I was a cynical little turd in a cynical school," he later told the writer Joel Achenbach. The fall of his senior year he enrolled in a study-abroad course with the baggy title "Man and Society," which took him to Mexico for several weeks. There he met the sister of a classmate's girlfriend, a 17-year-old named Columba Gallo, known as Colu, and . . . "Boom! I was gone," he said later. "She was the first girl I ever loved, and the last."

The Bush clan poses for a family portrait in 1964.

Tradition suggested that the next stop on a Bush's itinerary was Yale, alma mater to four generations of Jeb's family. Instead he returned to Texas, where he had spent most of his boyhood, and enrolled in the University of Texas at Austin. He graduated Phi Beta Kappa in two and a half years, with a degree in Latin American Studies. He was admitted to UT law school but says he was too eager to get on with life to spend three years studying torts. He and Colu, by then 21 and 20, were married in the campus chapel, and their first child, George Prescott Bush, arrived two years later (followed in the next few years by a sister, Noelle, and a brother, Jeb).

In his 1986 profile, Joel Achenbach described the care Jeb took to rear his children in the self-sufficient folkways of the family. George P., aged 10, had gone to the Army-Navy football game and been invited to do the coin toss on the 50-yard line, accompanied by his grandfather, better known as the vice president. On his return home Jeb took the boy aside. "I have to tell him that he's a normal kid—that he's not special because of who he is, that he's going to have to earn his own way. That's how we grew up, and that's how I want my kids to grow up."

This might be a heavy lesson for a 10-year-old, but it is true to the Bush family mythology. George H.W. Bush lit out from Connecticut to make a living as a wildcatter in the 1950s, just as his father had quit his grandfather's family business in the Midwest to go East; Jeb followed by leaving Texas for Florida in the 1980s to build his family and fortune. Yet the Bushes themselves readily admit that it is much easier to strike out on your own when your father is a senator and investment banker, as in H.W.'s case, or the vice president and then president of the United States, as Jeb's father was. Infusions of Eastern capital kept H.W.'s oil company afloat, and Jeb was able to call on the family network from the earliest days of his work life. His first job out of UT was as an officer, and soon vice president, of a bank founded by the grandfather of James Baker, H.W.'s closest friend. It's good to be a Bush.

The bank job took him and his family to Venezuela for two years, and he used the opportunity to perfect his command of Spanish. Jeb's family still speak Spanish at home; his children's first spoken words were in Spanish. Wiseguys have often noted that Jeb speaks Spanish more fluently than some Bushes speak English. After his decades in Florida his accent has Cuban inflections, and even in his native tongue he displays what might be called NPR Spanish: He uses unaccented English until a Spanish word drifts into view and then he goes native. *I'm going home to whip up some of my* gwahk-ah-mo-lay *with a lot of the* see-lahn-trrro . . .

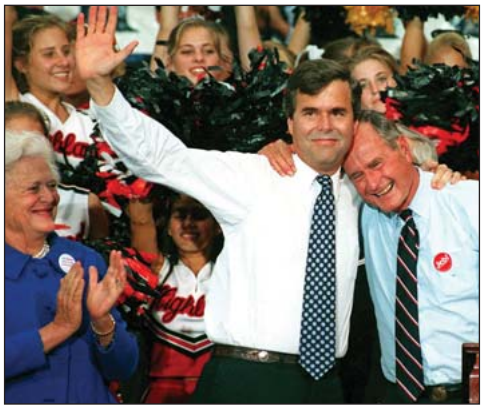
As it happened, Bush didn't much like bank work: "I wasn't real good at collecting [bad] loans," of which, in Venezuela, there were lots. He quit to work full-time for his father's presidential campaign in 1979 and '80, the only Bush child to do so. He ran the primary organization in Florida, with headquarters in Little Havana in Miami, and found the state much as his father had found Texas a generation earlier: virgin territory untouched by Bushes.

He settled his family in Miami and, as the vice president's son, partook modestly of the fame that can still inflame Iowa autograph hunters; Achenbach records a lunch in the late '80s in which Bush was interrupted by waitresses and busboys asking for immigration help. He took a job with a real estate firm owned by a supporter of his father, hustling rental contracts for corporate clients and

IMAGES: NEWSCOM

scouting investment opportunities. Before the decade was out he was making more than a million dollars a year. By the time he ran for governor, in 1994, he was a wealthy man. By all accounts Bush made his money because he was smart, tireless, creative, unflappable, personable, and a Bush.

He ventured into politics before too long, winning the chairmanship of the Dade County Republican party in 1984, campaigning for local candidates and collecting chits. Two years later the state's Republican governor appointed him the state secretary of commerce. The appointment gave Bush his first experience of the cognitive dissonance that many small-government ideologues encounter: He took a job that he thought shouldn't exist, running a department that he wanted to privatize as a matter of principle. He left in frustration after 18 months to run the Florida branch of his father's 1988 presidential campaign.



Jeb and parents campaigning, October 10, 1994

But it's the '94 campaign for Florida governor that works as the hinge in Jeb Bush's political life, a shift whose effects are felt even now, as he introduces himself to voters in Iowa and New Hampshire. Already in 1994 he had the reputation of a committed conservative with a libertarian severity: a board member of the Heritage Foundation and reader of intellectual journals like *Policy Review* and the *American Spectator*, an aspiring egghead eager to master the minutiae of government policy in hopes of undoing or reversing the ill effects of government policy. Far more ideological than either his brother or his father, he was, said the political consultant Mike Murphy, "the Bush brother with balls."

"All of us on the campaign, he called us gladiators or head-bangers," says Tom Feeney, Bush's running mate in '94—also the Christian Coalition's Legislator of the Year, dubbed the "David Duke of Florida" by Democrats. Bush vowed to send federal welfare dollars back to Washington and pledged to eliminate not only the state department of commerce but also the department of education—indeed, not just to eliminate them, but "blow them up."

You never knew when those conservative cojones would swing into view. At a public forum he was asked what he "was prepared to do" for black Floridians by a questioner evidently expecting a bundle of special programs swaddled in gauzy rhetoric. His terse answer, "probably nothing," became instantly infamous, though from a conservative point of view, which in theory disavows the parsing of the population by race, it was easily defensible. (Asked not long ago about his greatest regret in politics, Bush mentioned his "probably nothing" answer.)

Less famously he said women on welfare "should be able to get their life together and find a husband," though he complained that his comments were taken out of context. He wrote an op-ed about gay rights, arguing that sodomy should not be raised to a legal category, the same as race or religion. One salvo apparently backfired: In the final days of a close campaign, he accused the incumbent governor, Lawton Chiles, of stalling the execution of a convicted child murderer to appease left-wing voters—an accusation that was itself a transparent appeal to right-wing voters. Pundits expected Bush to win, but he came up short by 64,000 votes. On the same day, his older brother won an upset victory over a sitting governor in Texas.

"That was a big year for Republicans, you'll remember," Bush says from the front seat as the minivan pulls out of the fairgrounds. We have at last shaken the autograph hounds. "I think two Republicans lost—Mitt Romney to Ted Kennedy in Massachusetts and me to Lawton Chiles."

Bush's friends from those days say the unexpected loss was painful and disheartening, and probably the cause for as much soul-searching as a Bush can admit to. He said publicly that the campaign's constant travel and absences from home had taken a toll on his family life. He founded a think tank, the Foundation for Florida's Future, to serve as a political base for another run for governor and also as a warehouse for policy proposals from the conservative movement nationwide. With the director of the Miami Urban League he raised money to found a charter school in the African-American suburb of Liberty City, and once it was established he spent several hours a week there, beyond the range of reporters and cameramen. He converted to Catholicism and to this day carries a rosary in his coat pocket. And he decided to change his whole approach to politics.

"The big lesson of '94," he calls it.

"I was all about ideas," he says now. "And we had a whole slew of white papers—some very cool ideas, I might add. But people aren't going to listen to just ideas."

When Chiles attacked him as a heartless ideologue, he says, voters had no real evidence to think otherwise. "The thing I didn't do was show my heart. I didn't show who I was," he says. "In politics you put a human context around things, and you show your heart. The ideology that I believe, the belief in limited government, that didn't

change. But I learned a lot. And the tone of my language is reflected in what I learned."

To prepare himself for another run for governor, he gave himself a crash course in the intersection of state government and ordinary citizens. "What I did was, I wandered," he says. "Basically that's what I did. I quit my job and just went around. I raised money [for a second gubernatorial campaign]. I raised a ton of money, but that was at night."

Daytime he visited courtrooms unannounced. "I sat and watched judges that were supervising the child welfare system. I'd spend three hours at a time watching them go through case after case—abandoned children, neglected kids, abused kids. The system was so screwed up.

"I visited 250 schools." He pauses to let the number sink in. "You don't think that's a lot of schools, try it sometime. That's like a three-schools-a-day kinda deal. Sometimes I'd just walk in unannounced. I'd say, I'm running for governor and I just want to learn from what you're doing."

At one luncheon meeting he was confronted by a woman who said the special education system had failed her disabled daughter. "You don't know what it's like," she told him.

"Okay," Bush replied, according to contemporary accounts. "You've got four days. Teach me what it's like."

Over the next week, he says, "she showed me programs that work and programs that don't. We went to group homes, independent living places." After his election as governor, the mother, Berthy De La Rosa-Aponte, became an adviser to the governor's root-and-branch overhaul of the special education system. She's now a well-known authority in state and federal disability programs. And a Republican.

"He became a better politician," says Mac Stipanovich, who managed his first unsuccessful campaign. "He learned how to talk to people about things they care about." Stipanovich contrasts the '94 version of candidate Jeb with his brother W., a far more natural politician.

"You'd ask George W. Bush, 'What's your position on crime?' And he'd say, 'I'm against it.' And you'd say, uh, could you be more specific? And he'd say, 'Okay. I'm *really* against it.' You'd ask Jeb about crime and he would talk your ear off for an hour about sentencing guidelines, incarceration rates, everything.

"He believed 10 things very firmly in '94. In '98 he still believed in the same 10 things, but he learned that if a particular group only agrees with you on 5, only talk about the 5."

The softened and simplified rhetoric—this language of the heart, as Bush says—proved maddening for his opponent, Chiles's lieutenant governor Buddy MacKay. As his running mate Bush chose the state commissioner of education, the head of a department he said four years earlier he wanted to blow up. At a candidates' debate at an inner-city church two weeks before Election Day, MacKay became so vexed at Bush's reasonableness that he cried out: "If he wants to be a Democrat, then let's have the conversion right here in church!"

In fact, his platform, still festooned with white papers, changed scarcely at all between '94 and '98. When Bush won handily, he could rightly claim a mandate for an ambitious agenda: tort reform, tax cuts, limits on abortion, school choice, and much else. Feeney, his first-time running mate, says: "He'd realized that if you're going to grow the party you're going to have to bring non-hardcore nonpartisans along with you, on reforms they might not be comfortable with otherwise. It wasn't just winning an election. It was laying the groundwork for massive conservative reform."

The astonishing achievements of Bush's eight years in office will soon, he hopes, be familiar to primary voters. Even Republican non-Floridians might have missed them if they weren't paying attention.

"Jeb Bush is as conservative as any governor in America, and much more so than most," wrote the journalist Tucker Carlson in 1999. "But you'd never know it unless you listened carefully, or took a close look at the bills he supports. If Bush's legislation is radical, his tone is all accommodation and empathy."

The Bush record in Florida is like a wish list conjured from right-wing daydreams. With Republican majorities in both houses of the state legislature, "Bush made Florida into a laboratory of conservative governance," writes Matthew T. Corrigan in *Conservative Hurricane: How Jeb Bush Remade Florida*, destined for now to be the definitive account of Bush's eight years in Tallahassee.

Corrigan is a political science professor at the University of North Florida and shows every indication of having the political leanings common to his trade. He records with mounting horror the list of Bush's successes. While Florida's population grew by two million, the state government's workforce declined by 13,000—the result of sweeping privatization of everything from state park maintenance to personnel management. At least one kind of state tax or another was cut every year he was in office, for a total of $19 billion. He left office with a $3 billion surplus in the state treasury. For the first time in history the state earned a AAA bond rating.

It helped that in his first two years his state, like many others in the blissful '90s, was awash in cash, pouring in from the economic boom and from billion-dollar settlements with tobacco companies. An Associated Press headline from 1999 summarized the lucky position he found himself in: "Bush budget has it all: spending increases, tax cuts." Spending increases were of a particular kind: More

money was poured into care for seniors, for instance, but only to fund vouchers and other mechanisms that transferred control of their care from state institutions to family members or the seniors themselves. Otherwise the fiscal discipline continued through flush times and bad, often against the opposition of some powerful Republican legislators, who saw no reason why new revenue had to be returned to the taxpayers. One bitter Republican leader called Bush and his staff "Shiite Republicans."

The epithet was directed as well at Bush's nonfiscal agenda. After a mad rush in the first year, he and the legislature ran out of ways to liberalize gun laws; the Stand Your Ground law implicated in the Trayvon Martin shooting was a Bush-era innovation. Under Bush, Florida even exempted gun shops from state rules regulating chemical runoff into the water table, a legislative two-fer beyond the imagination of the most fevered deregulating gun nut.

Bush's attempts to limit abortion were unprecedented in Florida and most other states too. Many of the laws were overturned by hostile state judges, but even so, only a few years into the Bush era, the Florida legislature had banned partial-birth abortion, imposed parental notification requirements on minors seeking abortions, subsidized antiabortion pregnancy centers, funded pro-life billboards along state highways, and even offered a "Choose Life" license plate. Bush's rhetoric in pursuing his social agenda was typically rounded. He framed parental notification, for instance, not as a means to reduce abortions but an opportunity for parents "to love and console." His stubborn fight for the right to life of Terri Schiavo, the brain-damaged woman whose husband obtained a court order to hasten her death by denying her food and water, drew international attention, much of it horrified.

"I just think it's humorous," Tom Feeney says now, when reminded that lots of reporters and Republicans are calling Bush a moderate. "It's pure revisionism for anyone to ignore the fact that he was the most conservative governor in the country."

When he left office, in 2007, Bush's approval rating in some polls stood above 60 percent, having rarely fallen below 50 percent in the preceding eight years. Even veteran Bush watchers like Peter Brown, a former writer for the *Orlando Sentinel* and now assistant director of polls for Quinnipiac University, express surprise.

"After eight years, with that record?" Brown says. "But people liked him. They knew he was a conservative guy and he acted on what he believed, but he was like Reagan: He wasn't a hater. People liked it that he didn't pick on people."

Florida Democrats understood what Bush was doing then better than national Republicans understand it now. As early as 1998, a writer for the *New Republic* warned: "Democrats everywhere should be wary of what Jeb Bush is creating here in Florida." The last testament of their Bush nightmare is an unintentionally funny book, published in 2007, called *Jeb: America's Next Bush*, by S.V. Dáte, former Tallahassee bureau chief for the *Palm Beach Post*. The intensity of the animus reveals a partisan who has run out of ideas and come slightly unhinged: Readers of conservative books from the Clinton years will recognize the crudity. When the outrage runs thin only sarcasm is left.

Jeb Bush and congressman Lincoln Díaz-Balart, left, assist second grader Elizabeth Grafton with a puzzle in a classroom at the nation's first charter school, August 19, 1999.

Jeb believes in wealth. Wealth is good. . . .

Jeb believes in low capital gains taxes. For man nurtures wealth through low taxes on capital gains. And capital is wealth and wealth capital.

Jeb believes in profit and the free market.

Jeb believes in himself, indeed in the whole Bush family, as a leading light in America.

These are the things Jeb believes.

These are things in which he has faith.

Like his fellow Florida Democrats, Dáte grabs whatever is at hand and slaps it all together for a soppy mudball: Sometimes Bush is too honest, sometimes too deceptive; he's a religious nut who fakes his piety; an unwavering capitalist who regularly betrays his capitalist beliefs; an introvert who hypocritically acts like an extrovert; a man blinded and bound by ideology and a cynic who believes next to nothing. Whatever. In the end there's a final shrug, the big concession: "Maybe the guy really does believe the nonsense he's saying," Dáte writes.

Dáte's old book has taken on renewed relevance nowadays as it is passed around the national political press corps. Dáte has become the go-to Jeb Bush interpreter and analyst for the influential Washington tip-sheet *Politico*, and he sits as editor of the Washington desk at National Public Radio. Both outlets, of course, take care to remain scrupulously nonpartisan. (Sarcasm.)

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How did Bush drive opponents like S.V. Dáte mad? The comprehensiveness of his agenda may have been enough to do the job all by itself. Yet what Bush did as governor might tell us less about him as a presidential candidate than *how* he did it. He achieved conservative ends with as little fuss and confrontation as possible by deploying a rare political dexterity.

Often it took a while for his opponents to know what hit them. Two cases are exemplary, involving issues that were, in the 1990s, the beating heart of the right's national program: school choice and racial preferences, pro- the first, con- the second.

In 1999, Ward Connerly came to Tallahassee. He was a conservative celebrity at the time, as the prime mover of a ballot initiative banning racial preferences in California. The initiative passed overwhelmingly. It has since plausibly been deemed one cause of the California Republican party's rapid demise in that state, driving black and Latino voters even deeper into the arms of the Democrats. Connerly traveled the country hoping to inspire similar initiatives in other states, presenting Bush with a pickle.

Jeb, joined by his president brother at an October 10, 2004, rally

On one hand, conservatives, and Republicans generally, saw the enshrining of racial categories in law as constitutionally disastrous. Bush himself claimed to see it that way. On the other hand . . .

"We saw what had happened in California," Mac Stipanovich says. "That initiative had riven the state. Jeb Bush cut that off at the root."

Republican state legislators refused to see Connerly. Bush invited him in for a long conversation. In a press conference after the meeting he made it clear that he would oppose a ballot initiative like the one in California. Connerly, Bush said, "wanted a war. I'm a lover."

Conservatives, including editorialists at this magazine, were appalled. Connerly was offended, and Bush returned to work.

Within weeks the lover issued an executive order he called "One Florida." It explicitly dismantled racial preferences in state government hiring and contracting, and in admissions to state universities—precisely the end that Connerly had sought and that Bush had said he supported. Bush managed to avoid the kind of debate that thrilled activists and distracted everyone else by conceding that racial preferences were once useful as recompense for Jim Crow. Now, however, at the end of the twentieth century, preferences were an unnecessary source of animosity and ill will, separating citizen from citizen.

To replace preferences at state schools, Bush ordered that the top 20 percent of graduates of every high school in the state be admitted to at least one state university. As for contracting, Bush says now, "I looked at it as a business strategy.

"To give you an example, we had 20 people working in the bureau that certified whether a black-owned business was really owned by blacks, or a woman-owned business was owned by a woman. Well, if you get rid of preferences and set-asides and preferential pricing, they don't have much to do."

So they were fired. And then rehired. Their bureau became a recruiting and marketing resource for companies applying for state business. The progress was carefully measured, he says. "And we had an explosion in contracts for minority businesses." Even now the state has a higher percentage of minority contractors than before Bush issued his order.

"We had a great rollout for One Florida," Bush says. "In a way, we managed to defer the controversy." But controversy was inevitable. Several weeks after Bush's executive order, two black legislators staged a sit-in at the governor's office, which in turn launched a demonstration of at least 10,000 protesters demanding the return of preferences in college admissions.

In contrast to California, however, the political effect was vastly smaller than the practical effect. Bush agreed to slow the implementation of the order but declined to change its provisions. As Corrigan, the political scientist, notes in his book, diversity in higher ed enrollment, measured by percentage, was higher at the end of Bush's time in office than before. (The percentage of African-American students has declined slightly.) All while cleansing the state laws of invidious racial classifications.

'Education policy," says Corrigan, "has been the core of Bush's public life." Under Bush the state's gains in educational performance were dramatic and, by his own account, the proudest achievement of his tenure. "Bush's governorship fostered the largest experiment in public school education in the nation's history," Corrigan writes. And at the core of Bush's education policy was choice: letting parents choose which school to send their children to, from as wide a variety of schools as

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possible, including private and religious schools. "Education is a matter of local control," says Bush's closest aide on education policy, Patricia Levesque. "He thought choice is the ultimate local control, because it pushes educational decisions all the way down into the hands of parents. He called choice the catalytic converter of reform."

In the '90s "vouchers" was the term for parental school choice—"and the word was pretty toxic," Bush says now. So he called the vouchers "opportunity scholarships." The idea, however, was still toxic, rousing the hostility of teachers' unions, associations of school administrators, even the ACLU, which complained that state money might find its way into the hands of religious educators.

Under Bush's program, "opportunity scholarships" would be given directly to parents whose children were enrolled in a failing public school. When Bush muscled through his program, a dizzying array of lawsuits were filed to stop it. And lower courts often agreed, putting the program in perpetual limbo. The opponents' main argument was that choice violated the Blaine provision of the Florida constitution, which said that funds from the state treasury could not go to sectarian institutions.

Bush and his administration kept the voucher program going as long as they legally could. The case took years to wind through the courts. In the meantime, Bush reasoned, the easiest way around the Blaine provision was to use funds that had never gone into the state treasury in the first place. Thus was born the Florida Tax Credit Scholarship. Every dollar a business donated to a state-sponsored scholarship fund would be deducted from its tax bill. Money went straight to the fund, bypassing the treasury altogether.

"Our intention was to build that up as fast as possible," Bush says. "We wanted to be able to provide relief if ultimately the courts ruled against us. So we slow-danced the appeals process, if that's the term. We took our time filing the appeals."

The slow dance lasted all the way to Bush's last year in office, when the state supreme court definitively ruled against state funding of vouchers for private schools. But private school choice continued in Florida, thanks to the tax credits. Today it's the largest voucher program in the country. And it has spawned a series of other voucher programs, including "MacKay scholarships" for the parents of children with learning disabilities. Before Bush's governorship such parents were condemned to warehouse-style state schools for the mentally disabled. Now they can take the money and walk.

Back in the minivan, Bush explains all this with overpowering enthusiasm. He twists in the front seat to face the passengers in the rear.

"I used this phrase I read about in *Harvard Business Review*: bee-hags. Big Hairy Audacious Goals. I wanted to be goal-driven; it became clear to me that the best thing about reforming something and fixing things and making it better was that it gave you an opportunity to fix the next thing." He made a rolling motion with his hands. "It's perpetual. Reform is never final, success is never complete. You can never stop playing offense. So opportunity scholarships begat corporate tax scholarships, which begat the MacKay scholarships, which begat our virtual school initiative, which begets education savings accounts . . .

"The minute you stop reforming, atrophy can set in, and that's when you can have setbacks. You've got to be pushing the ball forward."

When Bush settles back in his seat, there's an objection from a kibitzer in the back: What does all this have to do with the federal government? These are all state responsibilities. After all, presidents can't do what governors do . . .

He wheels around again.

"Why not?"

Well . . .

"I mean, why not? I've never understood that. Why can't presidents reform things? It seems to me there's a lot of low-hanging fruit there: procurement policies, career civil service reform, job training programs, our public assistance programs—they're all mired in the old way of doing things. Why can't a president change things?"

Eventually he says: "You can be a conservative and still solve problems for people."

Reading up on Bush's record and talking about it with the (worshipful) people who helped make it happen, you might start to wonder: Is he pulling a Reverse Bush? For years conservative Republicans accused his father and brother of being closet moderates who only talked like conservatives for the sake of politics; the charge was generally accurate. Maybe Jeb is reversing the trick: a self-conscious, deep-dyed conservative who for the moment feels the need to look like a moderate, especially before an admiring press and in the company of the wealthy Republicans who these days are his constant companions and marks.

It's a dicey strategy, if it's a strategy at all. His constant refrain—he will use government according to conservative principles to help people—may fall flat in a party whose members, lots of them, don't think they want government to help them at all; they just want it to leave them alone. Republicans still laugh at the old joke about the biggest lie: "I'm from the federal government and I'm here to help you." Can Jeb Bush persuade them it's not a joke after all?

His education, and ours, continues. ♦

Justice Is Blind

The case of dueling DOJ reports on Ferguson, Missouri

By Heather Mac Donald

Remember Michael Brown, the 18-year-old whose fatal shooting in Ferguson, Mo., last August triggered two waves of riots, a national protest movement, death threats against the officer who shot Brown, lamentations by college presidents regarding America's enduring racial injustice, vilification of St. Louis prosecutor Robert McCulloch for not obtaining an indictment against the officer who shot Brown, a campaign to eliminate grand jury proceedings when police officers use deadly force, the assassination of two New York police officers, and a presidential task force to reform policing? The press and public leaders don't appear to remember Brown, now that a Justice Department report has demolished the narrative that turned him into a martyr to police and prosecutor racism. His shooting is now mentioned in passing only as a prelude to a second Justice report, also released on March 4, that preserves the meme of a racist Ferguson police force, thus providing a substitute rationale for the summer and fall rioting.

Ferguson protester, August 20, 2014

Before the Justice Department report on the Brown shooting is consigned to total oblivion, it is worth examining its findings, as well as the strategies used to marginalize them, in some detail. They bear on the ecstatically received second Justice Department report on Ferguson police racism and on the larger discourse about policing and race.

Attorney General Eric Holder was clearly not happy that his own agency had so resoundingly shredded the incendiary story of a pacific Michael Brown gunned down by a trigger-happy cop while trying to surrender. And so he provided the mechanism for sidelining his own department's report. A few days before its release, he told *Politico* that he wanted to lower the standard of proof in civil rights cases. The subtext of this announcement: The decision not to pursue civil rights charges against Officer Darren Wilson for killing Michael Brown was forced on DOJ by an overly stringent evidentiary standard; under a more realistic standard, Wilson would have been prosecuted. Voilà! The media had their angle. "The Justice Department announced on Wednesday that its investigation did not support federal civil rights charges against Darren Wilson," the *New York Times* acknowledged morosely in an editorial, before immediately turning to the good news: "*Still*, the department found overwhelming evidence of entrenched racism in Ferguson's police force [emphasis added]." The *Huffington Post* said that the Justice Department had decided "not to file federal charges against Wilson for fatally shooting Brown last July."

"Did not support"? Decided "not to file"? Such understatement massively misrepresents the content of the Brown report. This was not a question of evidence "not supporting" high-threshold civil rights charges; it's a question of evidence eviscerating virtually every aspect of the pro-Brown, anti-Wilson narrative. Under no imaginable standard of proof could Wilson be found guilty of civil rights violations—or, for that matter, murder. As the report states: "Multiple credible witnesses corroborate virtually every material aspect of Wilson's account and are consistent with the physical evidence." Those "material aspects" include Wilson's testimony that Brown punched and grabbed him while Wilson was in his SUV, that Brown tried to seize his gun, and that Brown charged at Wilson after Wilson had exited his car. Wilson had first seen Brown walking in the middle of Canfield Drive with another young man. Wilson suspected that Brown was the thief who had just robbed a convenience store and roughed up its owner a few minutes before, since he saw the stolen

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Heather Mac Donald is the Thomas W. Smith fellow at the Manhattan Institute and the author of Are Cops Racist?

boxes of cigarillos in Brown's hands. Wilson asked Brown to move to the sidewalk. Brown responded: "F— what you have to say." Wilson called for backup and then tried to block Brown from proceeding. At that point, Brown reached into Wilson's car and starting pounding him and grabbing his gun. Wilson fired and Brown ran off. Wilson gave chase on foot. Brown then turned and charged towards Wilson. At no point did Wilson fire at Brown when Brown's back was turned or when he was on the ground. As for the now-iconic "Hands up, don't shoot" claim—the DOJ report is withering:

> There are no credible witness accounts that state that Brown was clearly attempting to surrender when Wilson shot him. As detailed throughout this report, those witnesses who say so have given accounts that could not be relied upon in a prosecution because they are irreconcilable with the physical evidence, inconsistent with the credible accounts of other eyewitnesses, inconsistent with the witness's own prior statements, or in some instances, because the witnesses have acknowledged that their initial accounts were untrue.

In other words, no prosecutor with any understanding of his professional duties would think of going forward with this case, since there is *no* evidence to support it. This is not a standard of proof issue, it is an absence-of-any-case-whatsoever issue.

The report also explains why Brown's body lay on the ground for four hours after he was killed before being taken away by an ambulance, another plank in the "Black Lives Matter" indictment of the allegedly racist treatment of Brown. The crime scene detectives' efforts to process the scene were continuously interrupted by protesters who were encroaching on their work chanting, "Kill these motherf—ers" and "Kill the police." What sounded like automatic gunfire was reported in the area, resulting in further suspension of activity until more backup arrived.

The initial news stories on the Brown killing contained several key elements of Wilson's by-now-vindicated self-defense, but they were immediately purged from the dominant narrative. They resurfaced periodically: A caller to a local radio show in mid-August, for example, reiterated the essential facts; in October, the *St. Louis Post-Dispatch* reported that the autopsy and several witnesses corroborated Wilson's account of the encounter. (A San Francisco pathologist who had seconded the autopsy conclusions for the *Post-Dispatch* story recanted a day later, after having come under attack for her initial assessment.) None of this had the slightest effect on the anti-Wilson juggernaut.

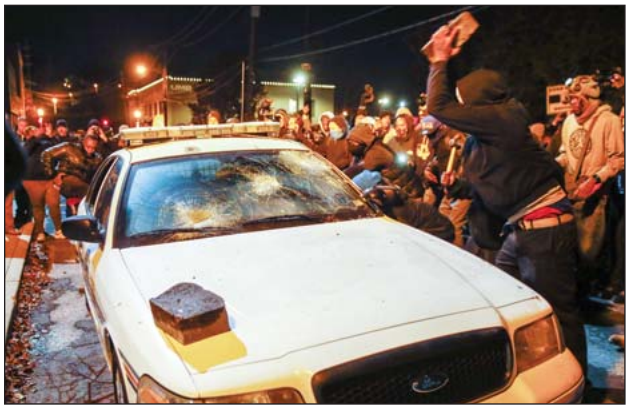
Eyewitnesses who corroborated Wilson's account were under a reign of terror not to cooperate with the police. The Canfield Green neighborhood where the shooting occurred was plastered with "Snitches get stitches" signs. A 74-year-old black male who believed that the shooting was justified had told a friend two days after the incident that he "would have f—ing shot that boy, too." He refused to give formal statements to county or federal authorities, however. He would rather go to jail than testify before the grand jury, he said, so enormous was the community pressure to support a "hands up" surrender narrative. A 53-year-old black male called a police tip line after seeing Brown's companion lie about the incident on national television. He, too, stated that the shooting was justified, but told authorities that he would deny everything if his phone call were traced. He was served with a grand jury subpoena but refused to honor it. A 27-year-old biracial male said that it appeared that Wilson's life was in jeopardy, describing Brown as a "threat" moving at a "full charge." At the scene, as angry crowds were gathering and collecting false narratives about the shooting, two black women asked him to recount what he had seen into their cell phones. When he told them that they would not like what he had to say, they called him a "white motherf—er" and other racial slurs. A 31-year-old black female initially told investigators that she had seen Wilson fire shots into Brown's back as he lay dead in the street. When challenged with the autopsy findings that revealed no shots to the back, she confessed to making up her story. "You've gotta live the life to know it," she said. In fact, she then admitted, it looked like Wilson's life was in danger as Brown was charging him. When authorities tried to serve her with a subpoena, however, she blocked her door with a couch.

Ferguson graffito warns against assisting police, August 11, 2014.

The exposure of the Brown hoax should have enormous consequences for the antipolice movement. That movement's core conceit—that police officers are the biggest threat facing young black men today—was launched off a phony story. The idea that local district attorneys are incapable of prosecuting shootings by cops derived from the claim that the grand jury's failure to indict Officer Wilson represented a grotesque miscarriage of justice. Now it turns

out that the only reason that prosecutor Robert McCulloch took the case to the grand jury at all was political. Under any other circumstances, the case would have been thrown out from the start. Yet the dangerous campaign to create special prosecutors dedicated solely to indicting cops for deadly force continues unabated.

Meanwhile, true believers are either rejecting the Brown report entirely or adopting the "it could just as well have been true" apologetics that followed the discrediting of the gang rape hoaxes at Duke University and the University of Virginia. Benjamin Crump, attorney for Brown's parents, complained on *Face the Nation* that Justice was "sanitizing all these shootings of people of color who are unarmed." Crump invoked Holder's own complaints



A Ferguson police car is attacked during riots following the announcement that Officer Darren Wilson would not be indicted.

regarding the excessive standard of proof as grounds for dismissing the report. Democratic strategist Donna Brazile told the *New York Times*: "'Hands up, don't shoot' has become a larger symbol of the desire to prove one's innocence. In many ways, it will always resonate as a symbol of an unarmed dead teenager lying for hours on the street." Never mind that that symbol never happened. Racist cops gunning down innocent black men in cold blood is simply too good a story to retract. Expect to see "Hands up, don't shoot" live on among hard-core cop haters.

The mainstream media, however, have now turned their attention exclusively to the second Justice Department report, the one on Ferguson's police department. The Brown report and its implications for the anticop crusade are out of sight and out of mind. The two reports were produced by different sections of the Justice Department's Civil Rights Division, and it shows. The Brown report, written by the Criminal Section, in conjunction with the FBI and the U.S. Attorney's Office for the Eastern District of Missouri, displays a striking understanding of police work. It respects longstanding legal presumptions protecting police discretion from unjustified second-guessing. The Ferguson Police Department report came out of the Special Litigation Section, known for its hostility to the police and staffed almost exclusively by graduates of left-wing advocacy groups, as Hans von Spakovsky noted in the *National Interest*. No wonder that it strains so hard to cobble together a case of systemic intentional discrimination out of data that show only that law enforcement has a disparate impact on blacks.

The most disturbing section of the Ferguson Police Department report consists of anecdotes about unconstitutional stops and arrests made by Ferguson officers. These accounts portray rude, aggressive cops who abuse their authority and trash talk to suspects. In a November 2013 incident, for example, an officer allegedly approaches five black young people listening to music in their car. He claims to have smelled marijuana and places them under arrest for gathering for the purpose of engaging in illegal activity. The officer allegedly finds no marijuana in the car, but detains and charges them anyway, taking some teens home to their parents, delivering others to jail. In a summer 2012 stop, an officer accosts a man sitting in a car with illegally tinted windows. The officer groundlessly accuses the driver of being a pedophile—the car is next to a children's park—tells him not to use his cell phone, and orders him out of his car for a pat down without reason to believe he was armed. The driver refuses to allow the officer to search his car. The officer then points his gun at the suspect's head and arrests him for making a false declaration, because the suspect initially gave his name as "Mike" rather than "Michael" and provided an address that differed from the one on his driver's license, among other charges.

If these incidents and others are true exactly as alleged, they suggest a police agency deplorably ignorant of the Fourth Amendment and grossly deficient in courtesy and respect. The question is: Are they true and do they represent normal procedure in the department? After the implosion of the Michael Brown martyr myth, accepting one-sided accounts of officer-civilian interactions seems risky. In New York City, as a point of comparison, the Civilian Complaint Review Board, which hears complaints about the New York Police Department, substantiated only 7 percent of the complaints it received in 2014. If the Justice Department's Special Litigation Section sought to corroborate its anecdotes or get the department's version of the incidents, it is not letting on. Nor is it clear that these questionable arrests, even if reported accurately, represent standard procedure in the department, rather than aberrations. The report routinely uses the words "frequently" and "common" as substitutes for an actual showing of established practice. One of the targets of an allegedly unconstitutional arrest is white, suggesting that the police are

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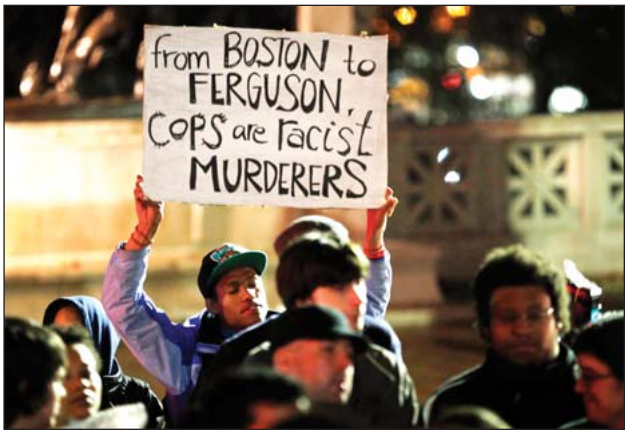
equal opportunity offenders, when they allegedly offend.

The report is more persuasive in describing the department's shoddy record-keeping and the lax oversight of beat cops. The failure to supervise officers' use of force results in excessive resort to Tasers. Equally problematic is Ferguson's practice of issuing a quasi-warrant known as a "wanted" without the requisite probable cause to believe that the target has committed a crime. (Many other departments abuse "wanteds," too.) The municipal court, like the police department, is error-prone in its records and notice systems.

Had the Justice Department blasted Ferguson's management and training failures and left it at that, it would have been on solid footing. But the imperative to racialize the problems was overwhelming, especially given Holder's previous statements against Ferguson and the subsequent discrediting of the Brown story. So the department trots out the usual statistical analyses with which to bootstrap a charge of "intentional discrimination" against blacks. And these statistical analyses are irredeemably deficient. The Justice attorneys use population data as the benchmark for police activity, rather than rates of law-breaking. The most frequently quoted statistic from the report is that blacks constitute 67 percent of Ferguson residents but made up 85 percent of all vehicle stops between 2012 and 2014. Whites made up 15 percent of all traffic stops during that period but make up 29 percent of the population. Such figures are meaningless unless we know, just for starters, what the rate of traffic violations is among black and white drivers. Though most criminologists are terrified of studying that matter, the research that has been done, in New Jersey and North Carolina, found that black drivers speed disproportionately. On the New Jersey Turnpike, for example, black drivers studied in 2001 sped at twice the rate of white drivers (with speeding defined as traveling at 15 miles or more over the posted limit) and traveled at the most reckless levels of speed even more disproportionately. Moreover, low-income car owners are less likely to update their vehicle registration and maintain required equipment. Are black drivers in Ferguson more likely to be poor? The *New York Times* itself says that "economic chasms" separate black and white neighborhoods there.

A proper traffic stop study would also determine the demographics of the population on the roadways, which often differ radically from the surrounding residential areas, and which change over the course of a day and week. The Special Litigation Section attempted none of this.

The report also seized on the fact that blacks made up 93 percent of arrests by Ferguson police officers. It is unclear whether "arrests" here refers to arrests following a traffic stop or arrests for all types of crime throughout the entire city. Assuming the latter, this figure, too, is meaningless without knowing the black and white crime rates. Blacks made up 60.5 percent of all murder arrests in Missouri in 2012 and 58 percent of all robbery arrests, though they are less than 12 percent of the state's population. Such vast disparities are found in every city and state in the country; there is no reason to think that Ferguson is any different. (The voicemail box of the Ferguson Police Department's press office was full and not accepting messages when I tried to find out.) New York City is typical: Blacks are only 25 percent of the population, but they commit around 75 percent of all shootings in the city, as reported by the victims of and witnesses to those shootings; whites commit 2 percent of all shootings, according to victims and witnesses, though they are 33 percent of



A protest in Boston, November 25, 2014

the city's population. Blacks commit 70 percent of all robberies; whites, 4 percent. The black-white crime disparity in New York would be even greater without New York's large Hispanic population. Black and Hispanic shootings together account for 97 percent of all illegal gunfire. Ferguson has only a 1 percent Hispanic population, so the contrast between the white and black shares of crime is starker there.

Holder's attorneys find damning the fact that 11 percent of black drivers were searched after a traffic stop from 2012 to 2014, but only 5 percent of white drivers. Yet as the report itself notes, blacks are more likely to have outstanding warrants against them and are more likely to be arrested for an outstanding warrant. Given the higher rate of outstanding warrants, it is predictable that black drivers would be searched more often. Whites are slightly more likely to have contraband found on them after a search: 30 percent of searches of whites, but only 24 percent of searches of blacks, yielded contraband. The report says that this disparity exists "even after controlling for the type of search conducted, whether a search incident to arrest, a consent search, or a search predicated

on reasonable suspicion," but the report does not reveal how much of a disparity persisted in each type of search: Automatic searches incident to an arrest should not be used to measure alleged police bias. The analysis also does not take into account differences in driver behavior following a stop that could increase an officer's inclination to search. This minimal disparity in the contraband hit rate is the only piece of evidence in the report, and a negligible one at that, which could support a finding of disparate treatment.

The press has also highlighted the following data as further proof of Ferguson police racism: Blacks make up 95 percent of Manner of Walking in Roadway charges; 94 percent of Failure to Comply charges; 92 percent of Resisting Arrest charges; 92 percent of Peace Disturbance charges; and 89 percent of Failure to Obey charges. Ironically, Ferguson's most famous resident displayed many of these behaviors. A black couple driving on Canfield Drive minutes before the shooting had to swerve around Michael Brown and his friend, walking in the middle of the street, in order to avoid hitting them. "Why don't they just get on the sidewalk?" the wife exclaimed. Another bystander told the FBI that when Wilson asked Brown to move out of the street, Brown refused and responded to the effect: "F— the police." Even if the black and white residents of Ferguson engage in such low-level lawlessness at identical rates—a dubious proposition in light of widely documented differences in felony offending—if officers are dispatched on 911 calls more frequently to Ferguson's "disconnected" apartment complexes (DOJ's term), they will witness more public order offenses in that area of the city.

The Justice Department's evidence for "intentional discrimination" is even thinner than its statistical analyses. The agency criticizes city officials who used the term "personal responsibility" to explain law enforcement disparities among "certain segments" of the community. The phrase is a code word for "negative stereotypes about African Americans," the federal lawyers believe. In reality, denouncing any invocation of "personal responsibility" as racist is a code word for liberal blindness to underclass culture.

DOJ's alleged smoking gun is half a dozen racist jokes emailed by two police supervisors and a court clerk. While juvenile and offensive, the emails are far from establishing that the police department's law enforcement protocols are intentionally discriminatory.

Justice's final salvo against Ferguson is the charge that its officials view traffic and misdemeanor enforcement as a revenue generator for the city. The revisionist history of the riots, hastily cobbled together after the collapse of the Brown execution myth, now holds that they were triggered by compounding traffic fines as much as by the shooting. But if Ferguson uses traffic violations for revenue, so do the majority of municipalities across the country. DOJ does not come close to showing that the reason that the city wants to raise money from enforcement is to discriminate against blacks.

To be sure, Ferguson's system of fees and warrants for failure to pay those fees or to show up in court—like identical systems throughout the country—needs reform to avoid any possibility of punishing people for being poor. Making community service more available for offenders who cannot afford their fines is a good idea. But if those offenders ditch their community assignments, the court system will be back to the same dilemma of how to induce their compliance. Hapless Ferguson officials used the taboo term "personal responsibility" to try to explain to their Washington investigators why some people face an escalating series of fines for repeated failures to attend their court hearings. The DOJ attorneys were scandalized yet again. But this explanation is not unique to "racist" Ferguson. The black mayor of a neighboring town defended similar fees and enforcement methods under his own government. "Everyone is saying, 'Oh, no, that's cities just taking advantage of the poor,'" he told the *New York Times*. "When did the poor get the right to commit crimes?"

For the last 20 years, America's elites have talked feverishly about police racism in order to avoid talking about black crime. The Justice Department's second Ferguson report is just the latest example of that furious attempt to change the subject.

On March 11—hours before two police officers were shot at protests in Ferguson, either targeted directly or the unintended casualties of a gang dispute—a 6-year-old boy named Marcus Johnson was killed by a stray bullet in a St. Louis park. There have been no protests against his killer; Al Sharpton has not shown up to demand a federal investigation. Marcus Johnson is just one of the 6,000 black homicide victims a year (more than all white and Hispanic homicide victims combined) who receive virtually no attention because their killers are other black civilians.

The police could end all their lethal uses of force tomorrow and it would have almost no effect on the black death-by-homicide rate. Black males between the ages of 14 and 17 die from shootings at more than six times the rate of white and Hispanic male teens combined, thanks to a 10 times higher rate of homicide committed by black teens. Until the black family is reconstituted, the best protection that the law-abiding residents of urban neighborhoods have is the police. They are the government agency most committed to the proposition that "Black Lives Matter." While police departments must constantly reinforce their duty to treat everyone lawfully and with respect, the relentless effort to demonize them for enforcing the law will leave poor communities vulnerable to anarchy. ♦

Journalists and Justices

Lobbying the High Court to save Obamacare

By Charlotte Allen

King v. *Burwell*, on which the Supreme Court heard oral arguments March 4, is the most politically important case on the High Court's docket this term. If the *King* petitioners win a decision in their favor, it could explode the massive 2010 federal health care overhaul known as Obamacare, by removing subsidies for Obamacare-compliant health-insurance policies in most states.

And for that reason, *King* v. *Burwell* has generated a lobbying blitz in the liberal media of seemingly unprecedented proportions. It began even before the *King* petitioners asked the Supreme Court last July 31 to review a ruling against them by the Fourth U.S. Circuit Court of Appeals and is unlikely to stop until the justices issue their own decision, probably at the end of June. Some of the press output touches on the actual issues of statutory interpretation and federalism that the *King* case raises. But the bulk of the lobbying, in newspapers, magazine articles, websites, and blogs, has consisted of belittling the petitioners, ridiculing the legal theories that their lawyers have put forth, impugning the motives of conservative and libertarian activists involved in the litigation, engaging in *argumenta ad misericordiam* designed to make the High Court feel sorry for the 8 million people who might not be able to afford Obamacare-mandated health insurance should the *King* petitioners prevail, and appealing to the *amour-propre* of various of the nine Supreme Court justices.

Behind all of this is that dreaded health insurance-industry term of art: the "death spiral." It's what happens when premiums rise so high that increasing numbers of relatively healthy people choose to go uninsured, but insurance companies are barred—as they are under Obamacare—from denying coverage to people who are already sick. The pool of the insured shrinks, premiums skyrocket (discouraging still more healthy people from buying policies), and, finally, the insurers either go bankrupt or flee, leaving nobody with coverage.

At issue in *King* are the five words "exchange established by the state" in a provision of the 974-page Patient Protection and Affordable Care Act that requires the Internal Revenue Service to give tax-credit subsidies to people of modest means to help them pay the sky-high premiums for "comprehensive" coverage mandated elsewhere in the Obamacare law, as long as they buy their policies through an "exchange," a regulated marketplace where they can comparison-shop. Section 1311 of the Obamacare law allows states to set up their own exchanges—but a surprising number of them, 36, declined to do so, so the federal government set up exchanges in those states under another Obamacare provision, Section 1321. Then, in 2012, the IRS issued a regulation that extends the subsidies to policies purchased from either state or federal exchanges—a regulation that lawyers for the *King* petitioners insist flies in the face of the statutory words "established by the state." They and their supporters argue that permitting the IRS regulation to stand means the executive branch of government has the power to override the plain meaning of a law passed by Congress just about whenever it feels like it.

The Fourth Circuit, which has jurisdiction over Virginia, home of the four *King* petitioners and a state that did not set up an exchange, ruled nonetheless last July 22 that, when read in conjunction with other parts of the Obamacare law that seemed to encourage subsidies, the five contested words were more ambiguous than they looked at first glance. The Fourth Circuit upheld the IRS regulation under a principle called "*Chevron* deference" (the name comes from a landmark Supreme Court ruling). That principle requires courts in most cases to defer to a federal agency's interpretation of the law, as long as that interpretation is "reasonable." But that very same day, another federal appeals court, for the D.C. Circuit, ruled 2-1 in another lawsuit challenging the IRS regulation, *Halbig* v. *Burwell*, that the five statutory words in question meant exactly what they said.

So—let the lobbying begin! Supreme Court lobbying takes two forms. One is the time-honored practice of filing an amicus curiae, or "friend of the court," brief raising legal issues and policy considerations that might not have been argued in the lower courts by the parties themselves. Both the Fourth Circuit and the Supreme Court have been flooded with amicus briefs in the *King* case—according to the Court's own website, 57 of them have been filed.

Then came the media. Their main target originally was Chief Justice John Roberts. Roberts, although a George W.

Charlotte Allen, a frequent contributor to The Weekly Standard, *last wrote on transgenders.*

Bush appointee and a conservative, had cast the swing vote with the High Court's four liberals in *National Federation of Independent Business* v. *Sebelius*, the landmark 2012 ruling that Obamacare's "individual mandate" to buy health insurance amounted to a constitutionally permissible "tax," because those who violate the mandate have to pay a penalty collected by the IRS. Roberts's lead opinion in *NFIB* was a huge disappointment to conservative court-watchers, because Roberts was one of five justices to hold that the mandate violated the Constitution's commerce clause, which severely restricts Congress's ability to tell individual people what to do. There were rumors that Roberts had at the last minute switched his vote to uphold the seemingly flimsier "tax" argument so as to avoid media obloquy for the Supreme Court as an institution.

As early as last July 30 Jonathan Chait of *New York* magazine derided the *King* challenge as a "desperation lawsuit . . . laughed out of court" and a "quixotic attempt by right-wing legal activists to capitalize on sloppy legislative language to carve a large chunk out of the Affordable Care Act." The idea seemed to be that the Supreme Court justices would make fools of themselves if they read the words "established by the state" literally. Chait joked that the provision's omission of a reference to federal exchanges was like the "Moops" episode on *Seinfeld* in which George Costanza insists that a typo for the word "Moors" on an answer card in a game of Trivial Pursuit renders the correct answer wrong. Other liberal journalists loved the "Moops" analogy, and it traveled around the media grapevine. A March 2 article by Robert Schlesinger in *U.S. News* retailed "Moops" one more time and also used the words "absurd," "ridiculousness," and "silliest" with respect to the *King* challenge.

Pro-Obamacare protesters outside the Supreme Court, March 4, 2015

NEWSCOM

On February 27, *Washington Post* Supreme Court reporter Robert Barnes flattered Roberts for being "the one trying to build [the High Court's] legacy. He sees it as somehow exempt from the partisan fugue that long ago enveloped Washington." Then Barnes warned that if Roberts votes to interpret the statutory language in the Obamacare law the way it's written, he'll be injecting "partisan" politics into Supreme Court rulings—and thereby turn into a "conservative activist" like Reagan appointee and progressive bugaboo Justice Antonin Scalia. In the *Huffington Post* on March 2, Mary Kay Henry, president of the Service Employees International Union, called the *King* challenge strictly "political" and pointed to the millions of people who wouldn't be able to afford Obamacare-compliant health insurance without the subsidies.

A March 2 article by *Mother Jones* staff writer Stephanie Mencimer ridiculed the four *King* petitioners as ignorant rubes from rural Virginia dragooned into the lawsuit by clever lawyers because they didn't like the president (one of the four, Rose Luck, had called Obama "the anti-Christ" on Twitter). Mencimer speculated that the lead petitioner, 64-year-old David King, a $39,000-a-year freelance limousine driver in Fredericksburg who called Obama "a joke" during Mencimer's interview with him, would have qualified for a hardship exemption from the mandate anyway and was only a few months away from Medicare eligibility.

The meme that the *King* lawsuit and others like it (there are two other pending federal cases besides *Halbig*) are essentially fanciful concoctions of anti-Obama activists that have nothing to do with either the plight of real people or the actual language of the Affordable Care Act has been floating around the Internet for months. In a March 2 article in *Vox*, Sarah Kliff expounded what could be regarded as the progressive backstory on the *King* litigation: that conservatives and libertarians had been searching high and low since 2010 for some judicial way to get rid of Obamacare until they finally discovered the "exchange established by the state" loophole and the IRS regulation of 2012. At that point, according to Kliff, Jonathan Adler, a law professor at Case Western Reserve, and Michael Cannon, director of health policy studies at the libertarian Cato Institute, launched a three-pronged campaign to sculpt a plausible lawsuit, dig up some plaintiffs from somewhere, and persuade the majority of states not to set up exchanges so as to render the subsidy crisis more dramatic.

Kliff and other progressive analysts of the *King* case go so far as to assert that Adler, Cannon, and other anti-Obamacare activists, in their efforts to persuade the courts that the five words in question mean what they say, concocted a motive out of thin air for the omission of federal exchanges—that the Democratic Congress wanted to nudge the states via subsidies into setting up their own exchanges—that went far beyond the rhetoric of interpretation that the lawyers presented in court. That was the reason, says Kliff, that the anti-Obamacare activists trotted out for public consumption a video of Obamacare architect Jonathan Gruber saying, "If you're a state and you don't set up an exchange, that means your citizens don't get their tax credits." (Gruber has maintained that this was just an off-the-cuff remark.)

"They made up a narrative about what Congress wanted to do with the states," a liberal Supreme Court-watcher who agreed to speak only on background told me.

"But there was no factual development of this in court. There was no evidence. So they used the Internet to tell the story on the blogs, while in court they were saying it was all just a matter of textual interpretation." In short, the liberal told me, conservatives and libertarians are doing their own bit of extrajudicial Supreme Court lobbying.

Cannon, in a series of online articles for *Forbes*, has argued that the states had perfectly good reasons not to buy into the exchange concept: If IRS subsidies were available, businesses of a certain size with workers who qualified for the subsidies because their employers weren't providing them with Obamacare-level health insurance would have to pay penalties themselves under the statute—and thus be motivated to move their operations to a non-exchange state. As for Adler, he wrote this to me in an email:

> When we embarked on the research . . . , we both expected to find evidence in the legislative history that would show that Congress sought to do something other than what was in the PPACA. Such evidence never emerged (and, to this day, we've done far more of such research than anyone). Rather, what became clear is that Congress deliberately chose to enact a flawed bill (the Senate bill) because there were not enough votes for any alternative, and they did so knowing it had features that were, in the views of many of them, less than ideal.

He added, "What's most annoying about the 'manufactured narrative' argument is that the way it is usually presented involves a mischaracterization of our argument, and suggests that we've made specific claims that we don't make."

After the March 4 arguments in the *King* case, the Supreme Court lobbying took a different turn. The target became not so much Roberts as Justice Anthony Kennedy, a reliable swing vote for liberals in many a previous Supreme Court decision. Kennedy, who had voted with the conservative dissenters in the *NFIB* decision of 2012 and had thus been pretty much written off by the progressives this time around, injected a surprise issue into the *King* case that hadn't appeared in either the petitioners' or the government's briefs—or indeed in the Fourth Circuit ruling. Kennedy, questioning Michael Carvin, the lawyer representing the *King* petitioners, declared that if their interpretation of the words of the Obamacare statute prevailed, the states would be essentially "told either create your own exchange or we'll send your insurance market into a death spiral." Coercing states to take action (in contrast to merely incentivizing them) interferes with the constitutional principle of federalism, so courts are supposed to follow a doctrine known as "constitutional avoidance" and interpret ambiguous federal laws so as not to be unconstitutional when they can. In the *King* case, that could mean ruling to uphold the IRS regulation.

It is unclear whence Kennedy derived his thoughts about constitutional avoidance and federalism, but one likely source is an amicus curiae brief filed on January 28 by several law professors, including Abbe Gluck, a professor of constitutional law at Yale who holds the paradoxical view that sometimes expanding the power of the federal government can protect states' rights. In any event, the *Washington Post*'s Ruth Marcus, in a blog post titled "Will Anthony Kennedy Save the Day for the Obama Administration?" nudged Kennedy to do exactly that, predicting that "the more likely judicial course would be for Kennedy to default to the doctrines that give the court wiggle room to duck constitutional questions: Where a statute is at all ambiguous, or where Congress hasn't been clear that it wants to intrude on state prerogatives, go for the interpretation that causes the least constitutional difficulty."

Gluck, for her part, wrote an article for *Politico* on March 5 arguing that the five-word passage at issue in the Obamacare law was indeed ambiguous and that the constitutional avoidance doctrine "is grounded in principles of separation of powers and judicial restraint: It safeguards against the concern that judges will legislate." A March 8 editorial in the *Wall Street Journal* promptly accused Gluck of "faux federalism" and of having thrown a last-minute "Hail Mary pass" aimed at the Supreme Court's deliberations on the *King* case, which were believed to have taken place on March 6. The editorial pointed out that she had clerked for liberal justice Ruth Bader Ginsburg and is close to liberal justices Elena Kagan and Sonia Sotomayor, and that "it's possible the justices or their clerks urged her to give it one more try."

The *Journal*'s implication of impermissible signaling from Supreme Court justices regarding a pending case outcome is farfetched, but the idea that the justices could be swayed by the *Washington Post*—or the *Wall Street Journal*, for that matter—is not. "The Supreme Court has been sensitive to the court's place in the political system," said Ilya Somin, a constitutional law professor at George Mason University in Virginia who has frequently blogged his own libertarian views about *King*. "Blowback works both ways. And you have to remember that Supreme Court justices have lots of political connections, or they wouldn't come to anyone's attention as candidates for the Supreme Court. They're sensitive to public attention. They care about their reputations in the media, whether it's the mainstream media or the conservative media."

"I'm genuinely uncertain how this case will come out," Somin added. "It's a case in which both sides have lots of plausible arguments, and where statutory interpretations break down along ideological lines. The more they say the other guy's obviously wrong, the more it seems that the other guy has a good case." ♦

Woodstock, August 1969

The Kids Aren't All Right

Midge Decter's diagnosis, forty years on. BY ABBY W. SCHACHTER

On its 40th anniversary, it is instructive to read Midge Decter's utterly immediate and yet classic *Liberal Parents, Radical Children* (1975). The immediacy comes from her observations about what was then a new way of childrearing, the effects of which have lasted and are prevalent today. At the same time, some of her analysis, especially having to do with the academy, serves as more of a starting point for recognizing how much things have changed for the worse.

Abby W. Schachter writes about pop culture for Acculturated.com.

Decter set out to define, analyze, and indict the generation of parents that raised the baby boomers. She admits that she is focused on a minority of parents, but she is also clearly representing what was a turning point in American life. As Decter explained at the time to *People* magazine, she was part of the liberal elite she describes in the book—although she credits her husband with preventing her from parenting like them. She was spurred to write when she read that the suicide rate among children had exploded 250 percent between 1960 and 1972. And she was moved when, after 28 bodies were discovered murdered by a Texas serial killer, she "learned that thousands of parents from around the country called the Houston police to learn if their runaways were among the corpses being dug up. . . . All these kids belonged to somebody."

Decter describes her book as "fictionalized sociology," in which she presents portraits of various types of twenty- and thirtysomethings, typified by "certain of the patterns of conduct by which you have distinguished yourselves as a generation: dropping out of school, using drugs, sleeping around, creating and defecting from a communal way of life." More than just defining the children, Decter draws a

RALPH ACKERMAN / GETTY IMAGES

portrait of the parents who raised those thousands of potheads, sexual revolutionists, communards, and dropouts and the terrible choices they made.

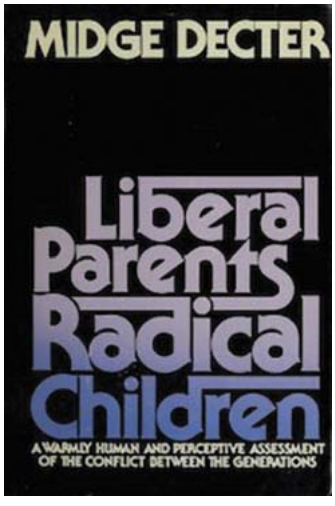
First, the parents decided to throw away traditional parental roles: "There can have been no more arrant disrespecters of the past . . . than we members of the enlightened liberal community," she writes. Instead of preparing the kids for the real world, for adult responsibility, her generation of liberal parents decided to go to any lengths to protect their offspring from ordinary challenges and competition.

> If you have a low tolerance for difficulty that is because we were afflicted with a kind of cosmic hubris. . . . In the life we promised ourselves to give you there would be no pain we had not the power to assuage, no heartache we had not come upon the correct means to deal with, and no challenges that could not be met voluntarily and full of joy.

The result, Decter argues, was that "from the time of your earliest childhood you have stood in a relation to the world that can only be characterized as a refusal to be tested." These young people, known for idealistically seeking to better the world, were unprepared to become adults, to accept responsibility, because they had all been raised as the center of a pain-free universe.

> We allowed you a charade of trivial freedoms in order to avoid making those impositions on you that are in the end both the training ground and proving ground for true independence. We pronounced you strong when you were still weak in order to avoid the struggles with you that would have fed your true strength. We proclaimed you sound when you were foolish in order to avoid taking part in the long, slow, slogging effort that is the only route to genuine maturity of mind and feeling. . . . [It] was no small anomaly of your growing up that while you were the most indulged generation, you were also in many ways the most abandoned to your own meager devices.

Thirty-nine years later, describing nearly the same segment of parents—"the enlightened liberal community" among the middle classes—Jennifer Senior reported in *All Joy and No Fun: The Paradox of Modern Parenting* (2014) that today's parents are repeating many of the same mistakes, and it is only serving to make them anxious and miserable. Like Decter's earlier generation, today's parents are raising children with less religion, less tradition, and none of what Senior calls "folkways." At the same time, we've moved from "trivial freedoms" to almost no freedom at all. The result is kids who, again, cannot handle the real world, who lack basic coping skills, such as self-reliance and what multiple books on the trouble with our education system call "grit." "We've played a role," Senior writes, "in



diminishing [our children's] capacity for resourcefulness."

If Midge Decter's analysis of parents and their children, all little snowflakes and similarly fragile, sounds familiar 40 years on, her description of college sounds nearly the reverse of today's atmosphere on campus. She explains how many baby boomers just couldn't handle college because they never before had to face life unprotected. Her portrait of "the dropout" includes this stark image:

> Each one of these difficulties—the tedium of his classes, his inability to impress upon his professors the urgency of his needs and feelings—appeared to him only an aspect of a far larger and more traumatic problem. . . . He saw that what lay beneath everything was the single general presumption on the part of the college that it did not exist for him but quite the other way around.

Since that time, there's been a long march by these onetime children through nearly all of the nation's public institutions—public school, social services, government, and especially the academy—to remold the country in their image. Many of the former radicals who would "organize to smash the state" now run the ivory tower, and instead of demanding that students operate within a given set of rules, the rules have been altered to coddle and comfort them.

Forty years later, the joke is on the parents, some of whom have so ill-prepared their offspring for adulthood that they choose, instead, to keep the fantasy going by moving to college with their kids. Instead of being a place to achieve some separation from parents and a little independence, universities make every effort not to offend: Certain speech is banned to protect delicate sensibilities; too many incoming freshman require some form of remedial instruction. One liberal arts professor recently explained to me that it is now the faculty's responsibility to concern themselves with the emotional and psychological well-being of their students and to report any concerns to the administration.

The fact that so many institutions of higher learning are nearly devoid of ideological diversity, as typified by campus speech codes that silence dissent, is no accident. It is the very model of today's liberalism to pay lip service to open-mindedness and independent inquiry—only so long as the outcomes are within the defined boundaries of acceptable opinion.

In *Liberal Parents, Radical Children*, Decter covers a host of compelling subjects—sex, drugs, Freudian psychology—and does so with unfailingly engaging, clear, and beautiful prose. It was a remarkable achievement then, as it is now—and it helps us understand how we, as parents and children, ended up where we are. ♦

B&A

The Lending Game

The culture of banking, in history and politics.

BY JAY WEISER

Fragile by Design is James Madison for depressives—and he's even a protagonist. Charles Calomiris and Stephen Haber argue that states are essential for banking systems (and vice versa) and that rent-seeking bargains drive their joint structure. No mere reverse Panglossians, Calomiris and Haber demonstrate that bargains change with the underlying social forces—sometimes even for the better.

In the authors' accessible form of game theory, wealthy elites need to park their cash and obtain loans for their enterprises. The state's executive needs bond buyers to finance wars. The larger public wants to borrow cheaply for current consumption. Each has an incentive to weaken (and for the executive, to expropriate) the others. Madison anticipated these incentives in *Federalist* 10:

> [T]he most common and durable source of factions has been the various and unequal distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views.

This struggle plays out across the centuries. The 2008 collapse turned grand theoretical economic models like Keynesianism, monetarism, and rational expectations into gods that failed, and the focus shifted to comparative institutional histories. The authors' prodigious research across countries and time recalls Carmen Reinhart and Kenneth Rogoff's *This Time Is Different: Eight Centuries of Financial Folly* (2009), although Calomiris and Haber believe that political systems, rather than debt, are the problem.

Fragile by Design
The Political Origins of Banking Crises and Scarce Credit
by Charles W. Calomiris and Stephen H. Haber
Princeton, 584 pp., $35

The Bank of England, created in the wake of the Glorious Revolution of 1688, is usually apotheosized as the first modern central bank. Here, it represents an oligarchic coup against absolute monarchy: Commercial banks within the charmed circle received support while country banks outside it often failed. Industrial Revolution entrepreneurs were forced to self-finance, slowing their expansion and delaying the industrial takeoff.

The authors exaggerate the banking clique's power: King William III—whom the Glorious Revolution brought to power, thus launching the second Hundred Years' War with France (1689-1815)—wanted war funding even more than the oligarchs did, and he happily traded residual absolutist claims for cash. The bank, facing gigantic financing strains, became a serial defaulter on gold payments over the course of the long war. Struggling to fulfill its primary war finance mission, it had little desire to fund high-risk, high-tech Industrial Revolution startups. Calomiris and Haber argue that the credit system opened up in the wake of pressure created by the national mobilization for the French revolutionary wars, but they downplay the post-Napoleonic peace dividend, which gave the Bank of England the flexibility to protect a broader public in credit crises.

In decentralized America, local elites played on populist sentiments to promote easy money—and resist competition from money center banks. In a 30-year national career, Madison was against a central bank before he was for it—before he was against it, before he was for it. The Father of the Constitution also fathered a quarter-millennium of credit bubbles, inconsistent regulation, and banking collapses. The party really got underway when Andrew Jackson fueled a giant land, cotton, and slave bubble by destroying the Second Bank of the United States (the era's central bank) and then triggered a global depression by suddenly demanding federal land payments in gold or silver.

Later generations also pursued populist-sounding regulations that entrenched and bailed out local elites. Far from stabilizing the financial system, the Federal Reserve, as created in 1913, limited the power of the relatively responsible New York banks over nonmoney center banks. Early 20th-century state branch banking restrictions and deposit insurance funds prevented larger banks from competing with local banks on the basis of safety. When local banks failed in the Great Depression, the same interests created the Federal Deposit Insurance Corporation (over Franklin Roosevelt's fierce resistance) to put the federal taxpayer on the hook towards the same end.

This tale of a federalist fig leaf for local rent-seeking underplays the difficulty of managing the 19th-century American banking system. With an economy heavily dependent on agricultural exports and rapid territorial expansion from the Appalachians to the West Coast, the United States needed huge amounts of European (mainly British) credit from the time of the end of the Napoleonic Wars through the Great Depression. Long-

Jay Weiser is associate professor of law and real estate at Baruch College.

term credit for the construction of canals and railroads required predicting revenues from land to be incorporated into international markets. The annual agricultural cycle required gigantic short-term credit (funding crop planting and agricultural equipment) flowing from European lenders to American money center banks, then to local banks in chronically cash-short agricultural regions. Payment would come as much as a year later, following delivery of the harvest to European markets, only to be rolled over into new annual loans.

The difficulty of assessing credit over such long distances and so much time made crashes and failures almost inevitable. Canada, the authors' banking paragon, became a major agricultural exporter only in the last third of the 19th century, when telegraphs, railroads, steamships, and futures markets collapsed transportation times and information costs. In Brazil, with minimal rule of law and a closed oligarchy, the picture was still grimmer: Elite-controlled banks dominated the financial sector, steering cheap credit and bailouts to affiliated enterprises, starving the central government, and choking off competition from other sectors in the society. The 19th-century Mexican dictator Porfirio Díaz created a stable banking system that funded elite enterprises in exchange for near-absolute political power and a market for his government bonds.

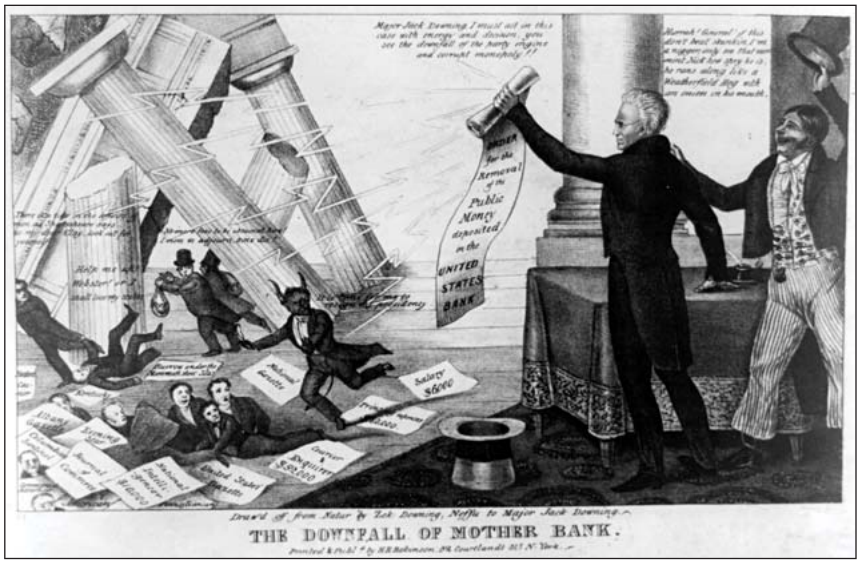
Unlike the English and American systems, which were constrained by dispersed power and political continuity, regimes in closed societies faced endgame problems. Threatened elites would loot the financial system through bond defaults, hyperinflation, bank insolvencies, or confiscations. Vladimir Putin provides a ripped-from-the-headlines example: When the massive dollar-denominated debt of energy company Rosneft became unserviceable in the wake of the ruble crash, the Russian central bank accepted Rosneft bonds held by commercial banks as loan collateral, effectively converting roughly $10.8 billion of crony debt into government obligations and injecting a potentially inflationary 625 billion rubles into the economy.

In the 20th century, as voting rights expanded, so did populist regimes—often in previously oligarch-controlled countries, such as Brazil. Governments assuaged lower-income groups with lavish welfare states, financed by requiring banks to buy their bonds, then effectively wiping out consumer bank accounts through inflation and devaluation (as in Venezuela) or confiscation (as with Argentine pensions). While military rule led to banking stability in Augusto Pinochet's Chile, a Brazilian junta accelerated its populist predecessors' banking destruction.

Scotland and Canada are among the few bright spots here. Both developed oligopolistic branch banking systems that spread deposits and loans nationwide, maintained a modicum of competition, diversified risk, and provided widespread credit without collapses. While analyzing the internal bargains that made this possible, the authors neglect the external limits on elite depredations: Scotland and Canada shared a Calvinist culture of thrift and rectitude; even after massive immigration, Canada remains, culturally and ethnically, part of Greater Scotland.

Even more important, these two thinly populated countries existed at the sufferance of the British economic giant—and in Canada's case, of the United States as well. Imprudent elites risked being subsumed: The financial crisis following the failed Darien colonial scheme had already ended Scotland's political independence in the Act of Union (1707); during the Great Depression, Newfoundland's financial collapse led to a British takeover, then forced incorporation into Canada.

The biting final chapter offers a précis of the banking games that political systems play, serially demolishing the leading economic and political nostrums for banking stability.



Andrew Jackson vs. the Second Bank of the United States (1833)

Calomiris and Haber offer a *soupçon* of hope: When crises upend political constellations, new coalitions may defeat rent-seeking interests and create stabler systems that benefit society. They allow themselves to hope that the United States may be in such a moment. The Community Reinvestment Act, which forced banks to make bad housing loans to low-income borrowers in exchange for permission to merge, contributed to the housing meltdown—and created a set of oligopolistic nationwide banks with the potential to push back against reckless lending practices.

Yet even this may be too sanguine. The oligopolistic banks were relatively prudent during the bubble, so shadow

banking and government guarantees filled the gap. The Obama administration is trying to restart reckless lending through a combination of looser standards for government guarantees and extortionate litigation against banks for ill-defined offenses. With risk socialized, the big banks have little incentive to challenge the housing populists running the government.

Margaret Thatcher maintained that "there's no such thing as society," just people pursuing their interests. Calomiris and Haber suggest that there is no such thing as "the banking system," just rent-seeking interests trying to manipulate institutions for their own ends. Whereas Baroness Thatcher also exhorted people to look after their neighbors, *Fragile by Design* is a call to action for people to seize the moment to resist crony capitalism. ♦

B&A

A Practiced Eye

In Washington, a Florentine master comes into his own.

BY JAMES GARDNER

'The Discovery of Honey' (ca. 1500)

Piero di Cosimo
The Poetry of Painting in Renaissance Florence
National Gallery of Art
Through May 3

Piero di Cosimo was, in all likelihood, the strangest painter of the 15th century. "Men could perceive the strangeness of his brain," wrote his biographer, Giorgio Vasari. "He knew no pleasure save that of going off by himself with his thoughts, letting his fancy roam, and building castles in air. . . . He was very strange."

Vasari was writing around 1550, when many artists were strange. In the age of Mannerism, of exorbitantly antinatural distortions of color and form, some of the finest artists had been, as one said back then, "born under Saturn." That was a polite way of saying that they were melancholic—or, as we would say today, deranged. Jacopo Pontormo, Rosso Fiorentino, even Michelangelo were so described.

But in Florence in the 1400s, a very different style dominated art, architecture, and culture in general. It was an aesthetic whose classical aspirations generally sought balance and harmony over conflict and irregularity. Such a style, whatever its other virtues, usually entailed a suppression of the imaginative faculty. And so, it is generally high noon in the art of the Florentine Renaissance: Brilliant daylight floods the surfaces of the perceptible world, banishing all doubt and disquiet, all trace of mystery or dreams.

Though often lauded as one of the preeminent achievements of the time, Botticelli's line-drawing illustrations for *The Divine Comedy* have always struck me as a failure. The painter, lacking the poet's myriad-mindedness, his intervals of darkness and ecstatic light, was (it would appear) incapable of drawing that which he had not actually seen. Piero di Cosimo (1462-1522), however, could. The subject of this nearly definitive exhibition at the National Gallery, in coordination with the Uffizi in Florence, he is the odd instance of a 16th-century painter condemned to labor within the constraints of 15th-century art.

He was a creature "of imagination all compact." His 40-year career was evenly divided, with one half in the 15th century and the other in the 16th, and in his later years, he remained admirably up-to-date on the latest developments in art. But in accommodating these new, 16th-century influences, he seems to be importing them into the 15th-century frame of reference in which he was raised—and to which he remained essentially loyal to the end of his life.

If he had been born one or two generations later, his extravagant ancient gods would be emblazoned across an entire wall. As it is, they politely occupy the side of a *cassone*, or marriage chest. His sundry hirsute abominations, satyrs, centaurs, and the like would have been rendered in such a way as to convey their elemental violence. Instead, they are limned with the skill of a miniaturist and seem more comical than anything else. It is as though Mozart had survived (as he

WORCESTER ART MUSEUM, WORCESTER, MASS.

James Gardner is the translator, most recently, of Girolamo Fracastoro's Latin Poetry *for the I Tatti Renaissance Library (Harvard).*

certainly could have survived) into the age of Liszt.

As for this new retrospective—incredibly, the first ever devoted to this essential master—there is little that needs to be said beyond the fact that it contains most of his important works and that they look radiantly fresh and beautiful. In a lifetime of museum-going, you will rarely see anything as good as—and may never see anything better than—his *Madonna and Child Enthroned* (ca. 1493) from the Museo degli Innocenti in Florence, or the Silenus and prancing satyrs of *The Discovery of Honey* (ca. 1500), or the *Madonna and Child with Two Musician Angels* (ca. 1505) from the Fondazione Giorgio Cini in Venice.

In these works, Piero renders reality in such sharp detail—I am thinking of the blasted tree at the center of *The Discovery of Honey*—that he fundamentally transfigures the perceptible world until naturalism itself seems uncanny and strange.

MUSEO DEGLI INNOCENTI, FLORENCE

'Madonna and Child Enthroned with Saints Elizabeth of Hungary, Catherine of Alexandria, Peter, and John the Evangelist with Angels' (ca. 1493)

But within the context of Piero's strangeness, this exhibition provides abundant evidence of two things that are not usually associated with lunatics. The first is a certain practicality. Piero earned his money by painting the images that his patrons—preeminently Francesco del Pugliese—ordered from him, and at no point does he appear to have even considered doing anything else. If his patron wanted a conservative altarpiece like the *Pala Pugliese* (ca. 1483) or the *Madonna and Child with Saints Onuphrius and Augustine* (admittedly from early in his career, ca. 1480), he would happily oblige. If one requested a work charged with pagan mythology, or a portrait in the Netherlandish style, or the hieratic *Volto Santo* (ca. 1510), a work almost medieval in conception, Piero would supply that as well.

At the same time, from a stylistic or formal perspective, few artists of any importance have produced as diverse—indeed, fickle and inconsistent—a body of work as Piero has. Nor can one honestly claim to find any important and consistent evolution in his surviving art. The point is not that he adopted certain 16th-century motifs at the beginning of the 16th century. It is that, at any moment, he could revert to the language of an earlier age.

The Old Master tradition that Piero exemplified, and that he upheld with such distinction, was a closed system whose thousands of formal elements could be deployed and recombined as one wished. It sometimes seems as though whatever painting Piero last looked upon was the work that would find its way into his latest commission. In the *Madonna and Child with Two Musician Angels*, he had been looking at Leonardo. Hugo van der Goes, not to mention a number of other northern masters, inspired the *Pala Pugliese*. Perugino shows up as the animating force behind *Prometheus Fashioning the First Man* (ca. 1513), and Giorgione makes an appearance in the misty brushwork of the *Liberation of Andromeda* (ca. 1512). In the process, Piero whipsaws between pathos and broad humor, between respectful realism and a hieratic idealism.

There are also, it must be said, large shifts in quality, and not a few of the 44 works on view here have come down to us in a very imperfect state of preservation. But the overall impression left by this show is of an extremely high order of achievement, at points almost superhuman. We have waited a long time for this show, and the opportunity to see so many of Piero di Cosimo's masterpieces in one place may never come again. ♦

B&A

Cold Comfort

A scientific approach to the science of climate change.

BY ROBERT BRYCE

Among the preachers of climate apocalypse, Roger Pielke Jr. is a heretic. Pielke's sin: refusing to fall in line and accept the claims that climate chaos is upon us and that the only solution to the pending catastrophe is to implement immediate and drastic cuts to carbon dioxide emissions in every country in the world, including the impoverished ones.

Just as Martin Luther challenged the corruption he saw in the Roman Catholic church by tacking his 95 theses onto the church door in Wittenberg, Pielke here launches a challenge to climate-change orthodoxy. Pielke is no Luther, of course; but given the religious nature of much of the debate, which is often couched in terms of believers-versus-skeptics and catastrophists-versus-deniers, the comparison is apt.

Pielke refers to this religiosity: "The issue of disasters and climate change," he writes, "is a canonical example of 'noble cause' corruption in science." And therein lies his key issue: Climate researchers, politicians, and mainstream media outlets often claim that extreme weather events are due to global warming—even though there's no proof for such a claim. And they do so because the end (saving the earth) justifies telling a stretcher or two.

A professor of environmental studies at the University of Colorado, Pielke has been on the climate beat for about two decades, and he has taken plenty of heat, as it were, for his positions. About five years ago, he was the target of a sustained smear campaign by the Center for American Progress; and last year, John Holdren, President Obama's science adviser, told a Senate committee that Pielke's work is outside the "scientific mainstream."

The Rightful Place of Science
Disasters & Climate Change
by Roger Pielke Jr.
Consortium for Science, Policy & Outcomes,
124 pp., $8.99

A few weeks after Holdren's remarks, Pielke published a piece about climate change and natural disasters on the then-new website of statistician Nate Silver. The gist of the piece was that the rising cost of natural disasters (such as hurricanes) was the result not of an increase in the severity of those events, but of an increase in wealth: "We're seeing ever-larger losses simply because we have more to lose—when an earthquake or flood occurs, more stuff gets damaged." Based on that mild-mannered thesis, *Slate* branded Pielke a "climate-change denialist," *Daily Kos* characterized him as a "climate disinformer," and *New York Times* columnist Paul Krugman called him a "known irresponsible skeptic."

In making his point about politicians telling stretchers about the weather, Pielke points to a 2013 speech by Obama in which the president said, "In a world that's getting warmer than it used to be, all weather events are affected by it—more extreme droughts, floods, wildfires, and hurricanes." Now, we can't rely on politicians to always stick to the truth; but what motivates Pielke is that statements such as Obama's (similar claims are available on the White House website) aren't necessarily supported by the facts. Hurricanes? Pielke has shown that the United States is in the midst of a prolonged hurricane drought.

In truth, Pielke's stance on climate change is quite orthodox. He believes in anthropogenic global warming and thinks that policymakers should pursue strategies to stabilize greenhouse gas emissions. He's also in favor of a carbon tax. But Pielke is sober when it comes to the vast scale of global energy use, pointing out that stabilizing global carbon dioxide emissions, in rough terms, would require building one new nuclear plant every day between now and 2050, "while retiring an equivalent amount of fossil generation." As for wind and solar energy, the challenge is equally daunting, requiring (by Pielke's estimation) the installation of about a thousand wind turbines or 250 solar-thermal plants every day.

So what's to be done? Pielke believes that activists should quit trying to scare the public about extreme weather: Efforts to "intensify public opinion through apocalyptic visions of weather-gone-wild, or appeals to scientific authority, instead of motivating further support for action, have instead led to a loss of trust in campaigning scientists." He further concludes, correctly, that rather than making energy more expensive, the goal should be to make cleaner energy more available—and, more than anything, make it cheaper. To achieve that, we will need a "public commitment to energy innovation" as well as recognition of the "rights of billions of people to energy access commensurate with the richest around the world."

At its core, the climate debate is about belief and salvation. For years, the public has been deadened by the steady drumbeat of catastrophists' warnings, the central message of which has been: Be afraid—and now that you are scared, you must repent; drop that gasoline nozzle and step away from the F-150. In *The Rightful Place of Science*, Pielke acknowledges the massive challenges, and inherent conflicts, in the energy/climate debate—and in so doing, he reveals himself to be both rationalistic and humanistic. I'll take those stances over religious zealotry every day of the week. ♦

Robert Bryce is a senior fellow at the Manhattan Institute and the author, most recently, of Smaller Faster Lighter Denser Cheaper: How Innovation Keeps Proving the Catastrophists Wrong.

B&A

Darkness Visible

L.E. Sissman, poet in a gray flannel suit.

BY DANNY HEITMAN

As conceived by its creator, Matt Weiner, the television show *Mad Men* is a running catalogue of dissolution: Its various characters lie, cheat, steal, drink, smoke, and fornicate their way up the corporate ladder in a 1960s New York advertising agency. Weiner frames their sins as occupational hazards, the natural result of a Madison Avenue culture that peddles deception and excess. Each episode alternates brainstorming sessions for the agency's ad campaigns with scenes from profligate lives led away from the office, a narrative parallel that suggests advertising—and, by extension, the marketplace—is a uniformly corrupting affair.

But with *Mad Men* in its final season, fans might do well to consider the alternative vision of L. E. Sissman (1928-1976), a real-life advertising executive in the 1960s, who appeared to survive the experience with his soul intact—even deepened.

Along with his advertising career in Boston, where, over the years, he worked as a creative vice president at two leading firms, Sissman built a national reputation as a man of letters, penning book reviews for the *New Yorker*, a regular first-person column for the *Atlantic*, and several books of poetry. John Updike was a big fan, admiring Sissman's literary work as an expression of an "amiable, attentive intelligence." Other contemporary admirers included fellow poets Anthony Hecht, Richard Howard, and Howard Moss. The writer behind Sissman's poems and essays seemed centered, charming, humane. "A sensible, decent man: that is the voice," Updike said of his friend.

L. E. Sissman

Sissman pointed out that he had become who he was *because of* his advertising career, not in spite of it. "I learned while I earned: my advanced training in being human was wholly subsidized by a kind management," he recalled of his time in the executive suite. "Whatever I gave at the office, I received more in return." Although he acknowledged that corporate life could be brutal, in one of his most quoted essays, "What I Gave at the Office," Sissman stressed the benefits of his white-collar position:

> At its best, the office is a place where your training and your ego get at least an intermittent chance to shine; where you work with others who, with luck, may include you in a team of motivated, purposeful people combining forces to achieve a goal; where you work for something more than survival alone. In that kind of office, your time is not wasted, your life is not frittered away in eight-hour segments; however trivial the product may be, you are actively furthering your life while earning a living.

Because of his work in both business and literature, Sissman invited frequent comparisons to Wallace Stevens, who became one of America's most celebrated poets while holding a top job with the Hartford Accident and Indemnity Company. With more time, Sissman might have joined Stevens in the pantheon of national literature; but after an 11-year battle with Hodgkin's disease, he died in 1976, his early exit reducing him to a historical footnote. He was 48 years old, and, as a literary late-bloomer, he'd assembled a relatively small body of work. Shortly after the posthumous publication of *Hello, Darkness* (1978), Sissman fell off the literary map. The last real attention to Sissman came in 1999, when Houghton Mifflin published *Night Music*, a slender retrospective of his best poems. His books haven't remained in print, and he maintains a literary half-life in tattered editions that turn up on the Internet or on lonely library shelves.

The complication—and, to some degree, part of the appeal—of Sissman's legacy is that his premature passing has frozen him in time, making him look rather like a period piece. In the author photo for *Innocent Bystander*, Sissman's 1975 collection of *Atlantic* columns, he casually clenches a pipe in his mouth, an extravagant wreath of tobacco smoke clouding his brow, which is defined by owlish dark-frame glasses. Clean-shaven and exuding confidence, he could easily pass as one of Weiner's Mad Men. Sissman knew the agency life dramatized in *Mad Men*, and he lived long enough to see it fall out of fashion. Although the subtitle of *Innocent Bystander* is *The Scene From the '70s*, Sissman's essays usually took the longer view, catching informative glimpses of the 1960s (and earlier decades) in the rear-view mirror. Perhaps nowhere is this more evident

Danny Heitman is the author, most recently, of A Summer of Birds: John James Audubon at Oakley House.

than in "High Wind on Madison Avenue," Sissman's declaration that the era subsequently dramatized by *Mad Men* was already on the way out. He describes the corporate game of that period as a myth, and then deflates it:

> The men who played it were updates of the Arrow Collar man or the characters in Scott Fitzgerald's "May Day": WASP, handsome, Ivy, ruthless, cynical. They reputedly manipulated colleagues and clients for their own ends; stayed sober and shrewd through three-martini lunches; consumed and discarded women like cigarettes; talked, half-seriously, of running things up flagpoles; lived on the Sound in Cheeverville. All this, of course, was tosh, or nearly all of it. Superficial evidence had led outsiders to build another all-American stereotype.

Sissman suggested that the real-life Mad Men of the time were more to be pitied than scorned—a reality not lost in Weiner's story arc—and were not nearly so powerful or privileged as people thought. Bruised by clients contemptuous of their craft, the agency man had grown insecure, creating campaigns that catered to the lowest common denominator. Sissman noted hopefully that the old guard was already being replaced by a diverse crowd of young innovators, more authentic in their approach to consumers. Collectively, they promised to usher in "a day when patronizing, maddening, intrusive advertising, with its burden of inflated claims and excessive promises, will at last (and none too soon) perish from the earth."

Although Sissman's prediction of a kinder, gentler advertising culture now looks, perhaps, too hopeful, his refusal to dismiss the industry's leaders as a herd of Babbitts seems intuitive. In his poems and essays, Sissman reflexively avoided the bland generality in favor of the telling particular, which is why Updike, another master of precise observation, liked him so much. "When he evokes a city, it is Detroit or New York or Boston; there is no confusing the tint of the pavements," Updike wrote. "When he recalls a day from his life, though it comes from as far away as November 1944, it arrives not only with all its solid furniture but with its own weather—in this case, 'thin, slate-colored clouds sometimes letting through flat blades of sun.'"

Even in "Dying: An Introduction," the poem in which he chronicles his fatal diagnosis, Sissman insists on planting a cosmic moment within the quirky little textures of the temporal realm. He notes, for example, that the prelude to his life-altering news unfolds in a medical waiting room full of old magazines:

> *Across from other candidates—*
> *A blue-rinsed dam*
> *In Davidows, a husk*
> *Of an old man,*
> *A one-eyed boy—I sit*
> *And share their pervigilium.*
> *One Punch and two*
> *Times later comes the call.*

The passage hints at Sissman's poetic style, which his literary executor, Peter Davison, once described as part Randall Jarrell, part Weldon Kees, and part Frank O'Hara. Using "pervigilium" rather than the more prosaic "vigil" to describe his wait was vintage Sissman, too. Latinisms wind through his writing like ivy, the markings of a man who had been a spelling bee champion and Quiz Kid in his childhood, then the class poet of Harvard's class of 1949.

But Sissman's occasionally exotic vocabulary seems not so much a matter of ostentation as earnest enthusiasm—a desire to use the full weight of the English language to indelibly record his experiences. His illness sharpened his sense that, with every word, he was writing himself into posterity—a reality that heightened his perceptions and his power to record them. "Instead of a curtain falling," Sissman said of his diagnosis, "a curtain rose."

He looked to George Orwell, another writer who had worked in the shadow of a terminal illness, as a role model. Like Orwell, Sissman was a declared political liberal whose distrust of cant and affection for old things frequently made him seem, on a personal level, endearingly conservative. He liked antique furniture, vintage books, and ancient houses. The synthetic sensibility of the 1960s and '70s appears to have deepened his distrust of novelty. In "Plastic English," an essay he offered as a kind of homage to Orwell's "Politics and the English Language," Sissman lamented the fuzzing-up of his mother tongue by marketers and bureaucrats. Like Orwell, he saw clear language as an ethical imperative.

But Sissman loved exacting English not only for its moral stature; he also loved its power to please. That pleasure endures in his writing, especially in the essays, which brim with lyrical reflections on everything from farmer's almanacs to family dogs to antique clocks. "The Crystal Year," a perfectly poised contemplation of married life, should be required reading for students of composition. In that essay, as in the rest of his work, the cinematic clarity of his imagery fixes experience as deftly as butterflies pinned to velvet. Listen as he brings a sacramental sense of occasion to his wife's baking: "To see her asserting herself over matter—the fork pricking the ideal number of steam vents in the top pie crust, the knife slicing its hoop of excess off the pie's circumference with micrometric exactitude—is to see a very grave and honorable human candle lit."

To read Sissman's work is to wish for more of it. His letters and book reviews remain uncollected, something an enterprising university press should try to correct. At the very least, an anthology of his out-of-print writings is long overdue. In the meantime, there's comfort in revisiting his slender oeuvre. In one of his best essays, "The Constant Rereader's Five-Foot Shelf," he celebrated the joys of scanning familiar writers repeatedly: "A list of books that you reread is like a clearing in the forest: a level, clean, well-lighted place where you set down your burdens and set up your home, your identity, your concerns, your continuity in a world that is at best indifferent, at worst malign." Sissman belongs to that community of writers who deserve to be read, again. ♦

B&A

The Hit Parade

Liam Neeson in action is worth watching. But for how long? **BY JOHN PODHORETZ**

Run All Night is unquestionably the best of the seemingly endless series of thrillers Liam Neeson has made since 2008's *Taken* made him a most unlikely action star at the age of 56. And yet, rather than being celebrated for rising above the others, *Run All Night* has been received so poorly by moviegoers one must now presume that Neeson's surprising later-in-life dash through the international box office as one of the cinema's most reliable moneymakers is nearing its end.

Neeson is Jimmy Conlon, a tormented sexagenarian boozehound who has fallen far and hard from the days when he was a feared hitman in the service of Shawn Maguire (Ed Harris), the New York mob boss who has been his dearest friend and living idol for more than 40 years. Conlon begs for money to fix a busted heater in his house, but we know he will just use the bucks for drink. He ruins Maguire's Christmas party by smelling up a Santa suit. Maguire's other lackeys are contemptuous of him. But Maguire, who genuinely loves Conlon, is gentle and kind. Conlon confesses to his friend that he drinks because he can no longer sleep; the men he has killed are haunting him.

Conlon has an estranged son (Joel Kinnaman) who makes an honest living as a limousine driver to support his wife and two kids and views his father with appropriate disgust. Maguire has a spoiled and hotheaded son. Through sheer coincidence, Conlon's son inadvertently witnesses Maguire's son commit two murders. Conlon is then forced to kill his best friend's boy to prevent him from executing his own.

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

Run All Night
Directed by Jaume Collet-Serra

Liam Neeson, Joel Kinnaman

The two Conlons must spend a night on the run throughout New York City, evading the grief-stricken wrath of Maguire, the cool and commanding assassin (played by the rapper Common) Maguire has engaged to get them, and the crooked cops on Maguire's payroll who are busily trying to frame the younger Conlon for the killings.

What makes *Run All Night* special is the beautifully drawn relationship between Conlon and Maguire. The screenplay, by Brad Ingelsby, is essentially the story of a bromance gone disastrously wrong between these two mortally sinful men. The scenes they share give Neeson and Harris a chance to slow things down, settle in, and conduct a joint masterclass in emotional underacting. This is Neeson's best performance since his towering work as Jean Valjean in the overlooked 1998 version of *Les Misérables*, and it may be Ed Harris's best work on screen ever.

This is what separates and elevates *Run All Night* above several recent, startlingly similar pictures. Neeson's own *A Walk Among the Tombstones*, Keanu Reeves's *John Wick*, and Tom Hardy's *The Drop*, all from last year, share its gritty outerborough locales and plots involving wounded and problematic protagonists who find themselves in deadly confrontations with crooked cops and multigenerational gangster families whose younger members have plunged into outright psychopathy.

But this film's inventive director, Jaume Collet-Serra, does more with the setting: He uses what might be called a Google Earth-style view of New York to enliven his tale and give this most photographed of cities a different sense of place. And *Run All Night* does more with its characters. Even the secondary performers are given their moments. Nick Nolte turns up for a single crackerjack scene as Conlon's appalled older brother. And Vincent D'Onofrio is great as an honest police detective who has been tracking Conlon for decades—and is tormented by the wives and families of Conlon's victims who write him regularly begging for any information on the hitman's 16 unsolved killings.

Most important, *Run All Night* raises the emotional stakes in a way the others didn't when it forces Conlon to defend the son who despises him by destroying, with a single shot, the only enduring and stable relationship in his life.

But just as the Jimmy Conlon we meet at the beginning of the picture has burned out, so, it seems, has Liam Neeson's career as a $20-million leading man. This is the fourth movie starring him as a lone-wolf man's man to be released in the past 13 months, and profoundly diminishing returns have set in. The first, *Non-Stop*, made $92 million. The second, *Taken 3*, made $88 million. The third, *A Walk Among the Tombstones*, made $26 million. *Run All Night* will probably make a little more than that one, but not much more.

That's too bad. If *Run All Night* had been one of two Neeson movies over the past year, it might have popped. On the other hand, maybe audiences were never going to warm to a movie about a tragic serial murderer—which is probably a good thing. Still, if you can stomach movies about tragic serial murderers, *Run All Night* is more than worth your time. ♦

WARNER BROS.

"Starbucks to encourage baristas to discuss race relations with customers"
—Fortune, March 16, 2015

PARODY

MEMORANDUM

From: Office of Corporate Character, Seattle HQ
To: All U.S. counter staff
Date: March 30, 2015

Hey, Buckies!

So as we all know, we've been doing important work breaking down barriers this past week, starting important conversations with our customers about race in America. So far, things have been going great! Only about 800 of our 90,000 baristas have been punched or had something thrown at them—fewer than 1%! But while many of our customers are excited to be having these important conversations over a hot cup of joe, some have been reluctant to engage. So in an effort to push the conversation deeper, we've developed six new signature drinks designed to get everyone talking. Have a look below and start rolling these out this week! And remember: Coffee Can!

Caffe African-Americano: This delicious drink features three shots of our rich East African Kati Kati Blend mixed with 3 ounces of hot water. A jazzy take on an old classic!

Pancho 'Nilla Horchata-ccino: A blended frozen drink mixing delicious espresso with tasty Mexican horchata and a splash of vanilla syrup. It'll have your taste buds shouting "¡Viva la Revolución!"

The David Duke-iatto: A cool treat for a white hot day: vanilla fro-yo blended with whole milk, topped with pure white whipped cream, and finished with a dusting of confectioner's sugar. Gives new meaning to the term "White Power"!

Iced Mocha White Chocolate Mulatte: A perfect marriage: half dark chocolate mocha, half white chocolate latte, mixed over ice for a harmonious and delicious blend. It puts the "ACE" in race mixing!

The Sweet and Spicy Anchor Baby-ccino: This kids' drink features steamed milk mixed with sweet agave nectar and a hint of cayenne. It'll make the kids so happy their parents will never want to leave!

Iced Jewnilla Latte: This sweet treat pairs two great traditions: our classic iced vanilla latte and a tasty, sweet noodle kugel topping. The perfect iced delight for when you're shvitzing like a schmendrick.

TBD Asian Drink: Will probably have ginger or something.