

**THE ISRAEL
AID DEAL**
ELLIOTT ABRAMS

the weekly

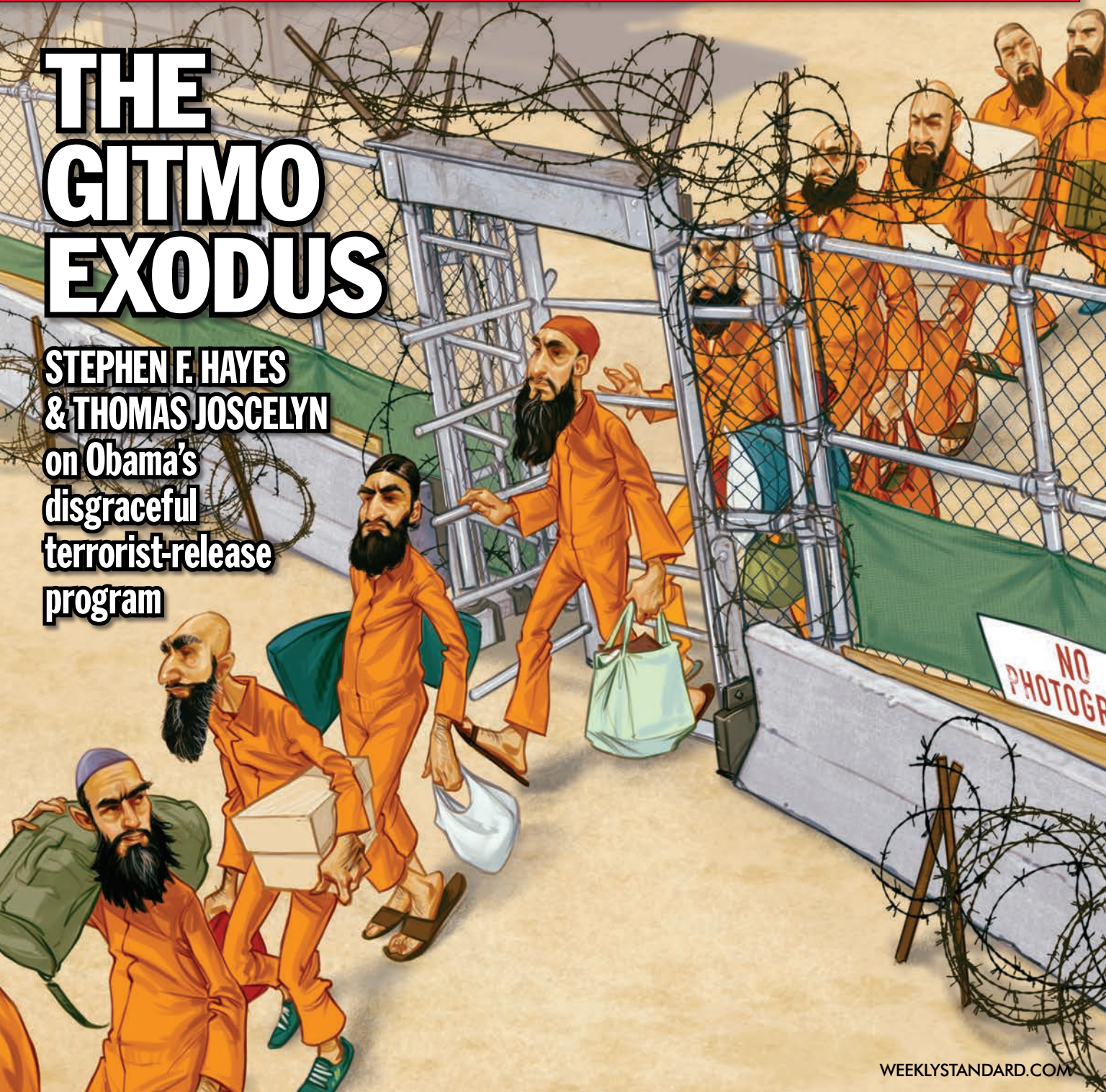
Standard

SEPTEMBER 26, 2016

\$5.99

THE GITMO EXODUS

**STEPHEN F. HAYES
& THOMAS JOSCELYN**
on Obama's
disgraceful
terrorist-release
program



Contents

September 26, 2016 • Volume 22, Number 3



- 2 The Scrapbook *Campus 'safe spaces' revisited, Charles Murray, & more*
- 5 Casual *Jonathan V. Last, juiced*
- 6 Editorials
'Historic' in the Worst Way BY ELLIOTT ABRAMS
Hillary's Baskets BY WILLIAM KRISTOL

Articles

- 10 Trumponomics BY FRED BARNES
A yuuuuge tax cut?
- 11 Return to Monarchy BY RICHARD SAMUELSON
How big government undermines the Constitution
- 12 Fortunate Daughters BY GEOFFREY NORMAN
Who better to influence a politician?
- 14 No, Prime Minister BY SAM SCHULMAN
England's great grammar school debate
- 16 Murderous Chicago BY DENNIS BYRNE
The city that doesn't work
- 17 A Rare Opportunity BY BARRY CASSELMAN
... for Republicans to pick up a House seat
- 18 Non-Solution BY DANIEL DORON
What, exactly, would a Palestinian state look like?

Feature

- 20 The Disgraceful Gitmo Exodus BY STEPHEN F. HAYES & THOMAS JOSCELYN
Obama's terrorist-release program

Books & Arts

- 30 Perfecting Prosperity BY DAVID WHARTON
How Greek civilization paid dividends
- 32 Happy Together BY CHRISTOPHER ATAMIAN
The unromantic origins of the world we inhabit
- 33 Readable Rogues BY MICHAEL DIRDA
The timeless allure of the gentleman-crook
- 37 Inventing America BY KEVIN R. KOSAR
The business of drafting a national blueprint
- 39 Unsullied BY JOHN PODHORETZ
Hanks and Eastwood bring the right stuff to pilot's tale
- 40 Parody *The NFL: all protests, all the time*

COVER BY DAVE MALAN

Pushback to the Pushback

In last week's issue, Mark Hemingway highlighted the efforts of a few brave college administrators who are attempting to push back against the demands of petulant college student protests that roiled campuses last year. In particular, the University of Chicago and Purdue—where the university president is former Indiana governor Mitch Daniels—have taken concrete steps to make sure their campuses continue to foster an environment of free speech and free inquiry.

The University of Chicago attracted national attention when it sent a letter from the dean of students to incoming freshmen last month saying, "Our commitment to academic freedom means that we do not support so-called 'trigger warnings,' we do not cancel invited speakers because their topics might prove controversial, and we do not condone the creation of intellectual 'safe spaces.'"

Predictably, at Chicago there is now pushback to the pushback. More than 160 faculty members have signed a new letter objecting to the school's stated opposition to trigger warnings and safe spaces.

The letter is as turgid and, at times, nonsensical as you might expect from academic consensus. "As teachers, we understand ourselves to be engaged in a collaborative experiment in the classroom," they write. "For that to work, mutual respect is indeed indispensable—all the more so since the practice of academic freedom can sometimes be contentious, difficult, perhaps even painful." While that's not disagreeable, even commendable, the fact is that collaboration and

mutual respect often stand in opposition to explicitly stated goals of trigger warnings and safe spaces.

Of course, the signers of the letter have made it clear they "may also disagree as to whether free speech is ever legitimately interrupted by concrete pressures of the political."

That's all well and good, but what happens when concrete political pres-



The University of Chicago

sure is directed at making some ideas impossible to express? It is undeniable that student protests across the country have been deliberately designed to shut people up. Hemingway noted that last February at the University of Chicago, student protesters shouted down a Democratic politician speaking on campus and chased her out of the room where she was speaking. The fact is that, on some level, these professors are endorsing this troubling new strain of Mao-

ism. The letter concludes this way:

The right to speak up and to make demands is at the very heart of academic freedom and freedom of expression generally. We deplore any atmosphere of harassment and threat. For just that reason, we encourage the Class of 2020 to speak up loudly and fearlessly.

Setting aside the absurd implication that the Chicago administrator's letter opposing safe spaces is somehow threatening, how do these disapproving University of Chicago faculty square this with their previous claims that higher education is premised on "collaborative experiment" and "mutual respect"? Or do they ultimately think it's acceptable for a small and obnoxious student bloc to "make demands"—even when those demands include things such as running speakers off campus?

In fact, this contradiction has some relevant echoes to what happened at a recent meeting Mitch Daniels had with student protesters at Purdue. "I said to them, 'You know, in a few years, you'll be leaders of various organizations and businesses,'" he told THE WEEKLY STANDARD, "and I promise you, you'll respond a lot better to suggestions, recommendations, and proposals than demands."

That's good advice. But if Chicago students are willing to shut up a Democratic politician on their campus, we can only imagine the angry paroxysms if a former Republican governor from another campus showed up and told them something they desperately need to hear. ♦

Yellowstone Revisited

We have sung its praises before, but THE SCRAPBOOK would like to commend to you again the weekly email newsletter from our colleague

Jonathan V. Last. It's great, and it's free (you can sign up at newsletters.weeklystandard.com; look for "From the Desk of JVL"). Here's a taste of this week's edition, which pertains to our cover story of three weeks ago

about Yellowstone in the age of the helicopter parent.

Last writes, "A couple of weeks ago I did a story for the magazine about camping in Yellowstone National Park with my son. It was called 'Safety Not

NEWS.COM

Guaranteed.' I got a number of very nice emails about it, for which I'm grateful. Thanks. But one note about how different our world is today really struck me. It's from Robert Rosenthal and he kindly gave me permission to share it with you:

When I was in my late teens and from New York City, that's about 65 years ago, I had the opportunity to work on a ranch in Arizona. I was a beginner cowboy and did everything from wrangling, herding, cleaning out the stables, dehorning, castrating, etc. The three summers that I did that were the most exciting in my life and I've always felt that the experience of working hard made a man out of me.

During my second summer the boss told me that I was going to ride fence the next week—alone. I would ride about 30 miles with just a pack animal. I toted the extra wire, tools, a coffee pot and pan, a brick of bacon, canned peaches, some flour, and four water bags. I also had a rifle—a 30-30 Winchester—and a revolver.

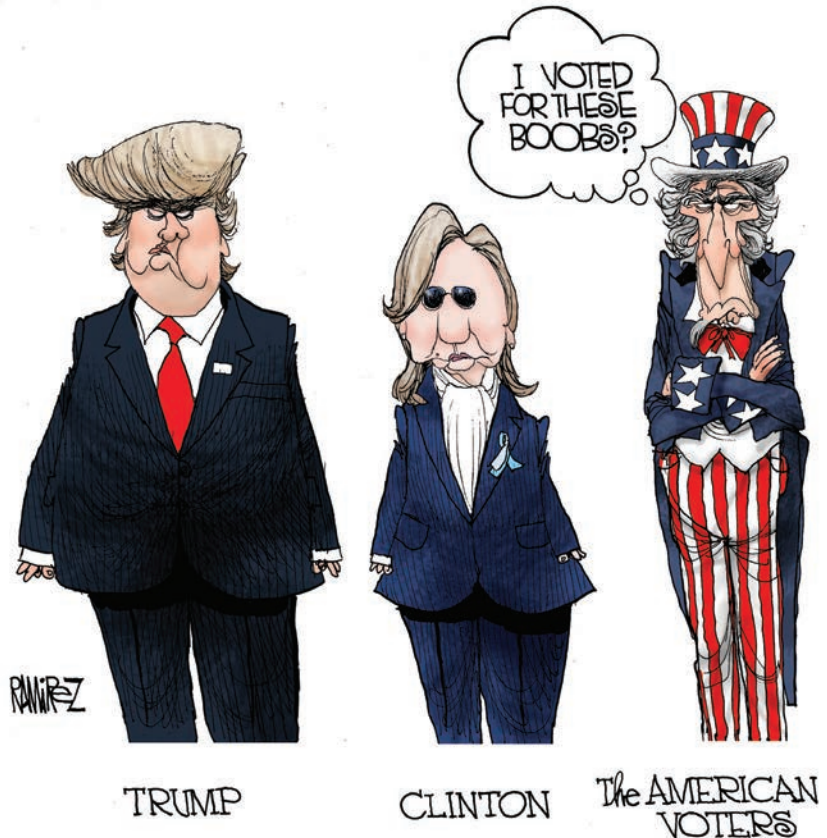
I would ride until I saw a fence break. Then I'd stop, repair it, and move on. I'd camp each night where cowboys had camped the last time, usually by a stream or a spring. I'd make breakfast and dinner of bacon and coffee. I'd use the grease in the pan to make cowboy bread which I'd then pocket for snacks during the day. I'd wrap myself in my horse blanket and sleep until I'd hear "noises." At which point I'd move the rifle over my lap and picture wolves. (The noises were usually chipmunks.) I'd do this for about four days.

I asked the boss what would happen if I got into trouble or hurt myself. His response was, "Don't get hurt, but if you do and if your horse comes back alone I'll know you're in trouble." This was before cell phones.

I did it and loved it. As the foreman was taking me to the airport on my last day, he told me that if he and the boss didn't have confidence in my abilities they would never have let me ride fence. Those words were the most important in my life."

Last concludes: "As I said in my piece, in the final accounting, it's probably a good thing that we've turned our country into one big safe space. But just because it's a net-good doesn't

WHO SHOULD BE RELEASING THEIR MEDICAL RECORDS?



mean that we haven't lost something in the transformation, too." ♦

Easy Listening

The latest of the Conversations with Bill Kristol series, a wide-ranging discussion between our boss and Charles Murray, is particularly fascinating. (You can find it, along with all the earlier conversations, at the website sponsored by the Foundation for Constitutional Government: conversationswithbillkristol.org.)

You should, as they say, listen to the whole thing. But here are some excerpts to give you a taste. The two were talking of the American dream

and the American way of life. "What we used to substitute for nationalism was the American way of life," said Murray, a phrase "which now I'm sure is used only sarcastically or in a lot of cases historically, as what people used to say." But "60 years ago, 'the American way of life' had meaning."

He continued: While "there are lots of different meanings that could be assigned to it, a great deal of it had to do with the dignity and importance of the common man, and the dignity and importance of the family. If you did a few basic things in the United States, you were as good as the richest man in the country. That was really believed.

“The idea that you weren’t supposed to be upper class. America doesn’t have an upper class. We have regular Americans and people who pretend to be an upper class like the New York 400. They’re the anomalies. The real American rich people are out there in Cleveland and Des Moines and Topeka and so forth. Yeah, they have companies, but they’re members of their lodges and they engage in community activities.”

Since that time, Murray continued, we have seen “the creation of a real honest-to-God new upper class, which is also characteristic of mature civilizations that have evolved into a layer cake. In our case, the layer cake was driven by a few good things, such as giving people of all abilities a shot at a good education. That’s a good thing, but it also tends to create a new upper class, which a number of us have commented upon, and now exists as a class that sees itself as better than the rest of the country, better able to make decisions for the rest of the country, and also enjoys a culture of their own.”

Traditionally an upper class “sets the standard for the rest of society. Whether it’s Roman civilization or Victorian England,” the upper class

“were the ones who said this is the way decent people are supposed to live. It should embody virtue, and the new upper class saw it as their responsibility to live that way themselves and to say that’s the way that you ought to behave. We have none of that. We have what I like to call ecumenical niceness as the code of behavior of the new upper class. . . .”

“I’m reminded of a saying of Irving Kristol’s that I cherish and repeat to myself like a mantra on occasion. I was talking to Irving about this, and I’m sure he said it to people besides me. He said, ‘Yes, the country is going to hell, but it will take a long time, and we can enjoy ourselves in the meantime.’ That’s pretty much where I feel right now.”

There’s much more where that came from—on the current political situation, on the vindication of Murray’s most controversial book, *The Bell Curve* (1994), and on his 2006 book *In Our Hands: A Plan to Replace the Welfare State*, which has just been republished this summer in a revised and updated edition. You’ll want to listen to the whole thing (look for the “Charles Murray II” link at conversationswithbillkristol.org). ♦

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The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in March, fourth week in June, and third week in August) at 1152 15th St., NW, Suite 200, Washington, DC 20005. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-274-7293. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$4.95. Back issues, \$4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1152 15th Street, NW, Suite 200, Washington, DC 20005-4617. For a copy of The Weekly Standard Privacy Policy, visit www.weeklystandard.com or write to Customer Service, The Weekly Standard, 1152 15th St., NW, Suite 200, Washington, DC 20005. Copyright 2016, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.

The Action Is the Juice

Stuart Stevens has found fame and fortune as a political strategist. He is one of the half-dozen or so campaign consultants in America who actually understands both politics and strategy and isn't just grifting the needy, well-heeled marks who often find themselves compelled to run for office.

He has advised campaigns of all sorts, at all levels, from Bob Dole to Haley Barbour to George W. Bush. Sometimes it seems as though half the Republican Senate caucus owes their seats to Stevens. In 1986 he got an actor from *The Love Boat* elected to Congress. In 2012, in atonement for his sins, he was given the task of trying to drag Mitt Romney into the White House.

But Stevens is also one of my favorite writers. He's written a campaign book that is uncommonly good. But also a book about traveling China's Silk Road, which is great. And a book about his father and college football, which is transcendent. And in between these and his campaign work, he has written a series of long, reported essays for *Outside* magazine.

In 2003, Stevens wrote the definitive piece on a subject that has long fascinated me: steroids.

I've never really understood why people take steroids. This lack of understanding comes from both a failure of imagination and a paucity of experience, in much the same way that, not having tried narcotics, I've never understood why people do drugs, either. "What's the big deal?" I thought.

An amateur athlete, Stevens was asking himself the same question. So in order to figure out the answer, he went on the juice for a year and wrote about it.

He started by meeting a beefy guy at the gym who gave him veterinary pills used to bulk up livestock. But he blanched at this regimen and instead went under the supervision of a physician who specializes in "anti-aging" medicine.

Stevens began by taking HGH, then testosterone, then EPO, and eventually Deca, a basic anabolic steroid.



The result was that he became Superman. His vision got better, his skin cleared up, he added muscle effortlessly. And when he did sports? Lights out. Stevens found that the steroids didn't improve his performance around the margins or make him a little faster. They made him a lot faster. Not a 1 percent improvement; closer to 20 percent.

I had a vaguely similar experience this summer. In June I spent an extended period at a high altitude, around 8,000 feet. I run 30 miles or so a week, but while I was at altitude, I didn't run at all, instead hiking between 5 and 7 miles a day.

When I came home and went for a run, it was surreal. Usually I run five or six miles at the plodding, embarrassing pace of about 9:15 per mile, at the conclusion of which I'm pretty gassed.

My first day back at sea level, I ran seven-and-a-half miles at an 8:15 pace and was practically laughing at the finish. The next day I ran 10 miles at a 7:55 pace. I hadn't seen a "7" in front of a mile split since I was in my 20s. And I wasn't even especially tired at the end the run.

I was Superman.

On the third day, I did another brisk 10 miles, a little faster. And suddenly I realized that I was running in a zone fast enough that qualifying for the Boston marathon—a longtime dream of mine—wasn't out of the question.

That's when I began to understand why people take steroids. It wasn't just that I was fast again or young again. I was the übermensch version of me—better than my best self. And it all made me giddily optimistic. I went to bed each night excited about running the next morning. I told everyone I know about the transformation. The feeling was, in the literal sense, euphoric.

On my ninth day, the reversion started. I had wanted to go out for a 13-mile run but felt tired and quit after 12 miles. A few days later I was having trouble keeping the pace under the eight-minute mark. I felt like Superman with someone jabbing a spear of kryptonite between the ribs, slowly sapping me of my powers. Three weeks after that, I reverted mostly to form.

It was only then, as my system returned to normal, that I understood why people went on the juice. Being me—the real me—was depressing compared with what I'd been.

JONATHAN V. LAST

‘Historic’ in the Worst Way

President Obama and his defenders are trumpeting the new aid agreement with Israel as proof that he is the best friend Israel ever had in the White House. In fact, it’s a bad deal and should be treated the same way Obama treated prior agreements he didn’t like: It should be forgotten by the next president. The White House may be saying this is the greatest deal ever, but in Israel many observers are saying that Obama did no favors for the Jewish state. That’s the conclusion Israeli journalists have all reached. They’re right.

The current aid agreement is for \$3.1 billion a year. The new one is for \$3.8 billion, but the increase is almost entirely illusory. Congress already appropriates hundreds of millions of dollars beyond the base \$3.1 billion level for Israel’s missile defense, so the current aid level is actually about \$3.5 billion. That means the total increase is roughly \$300 million a year. But given inflation in the costs of military items, and the greater threat to Israel due to Obama’s Iran nuclear deal, the net result is at best continuation of the current aid agreement.

But Obama imposed two additional conditions that had never existed before and are absent in the aid agreement George W. Bush made with Israel in 2007. First, Israel must spend every dime in the United States after a phase-in period, meaning it cannot use the funds to purchase any military equipment made in Israel. Second, Israel has agreed that it will not go to Congress to seek additional funding under any circumstances.

The latter condition is a big deal and is why Sen. Lindsey Graham is so opposed to what Obama has wrought. It’s “not binding on the Congress,” he said this week. “I’m offended that the administration would try to take over the appropriations process. If they don’t like what I’m doing, they can veto the bill. We can’t have the executive branch dictating what the legislative branch will do for a decade based on an agreement we are not a party to.” And Speaker Paul Ryan’s spokeswoman said, “We will continue to appropriate the funds that we determine are necessary to meet the needs of our shared security interests in the Middle East.”

There is another condition in this agreement that is more absurd, and belies Obama’s claims of deepest friendship for the Jewish state. As the price for concluding the deal, Obama

forced Israel to agree that if Congress appropriates additional funds in 2017 or 2018, *Israel will not accept the aid and will return the money.* This is a first in American history and constitutes a deliberate undermining of the constitutional power of Congress to determine foreign aid levels.

The agreement has been signed, and presumably Prime Minister Benjamin Netanyahu concluded he was better taking this from Obama now than seeing a long period of uncertainty as a new administration got to work next year. But what is this “agreement”? It isn’t a treaty, and Congress

had no role in it whatsoever. As Ryan’s aide said, nothing stops Congress from appropriating what it thinks proper in future years—with Obama’s conditions or without them.

What to do? Obama has shown us the way forward. On April 14, 2004, Israeli prime minister Ariel Sharon and President George W. Bush exchanged letters in which each made pledges to



the other. It was a bargained-for exchange where the United States provided support for Sharon’s decision to get out of Gaza. As part of that exchange, Israel and the United States reached an agreement on the hot topic of settlement expansion. Sharon agreed he would create no new settlements and provide Israelis with no financial inducements to move to a settlement. New construction in settlements would be within already-built-up areas and settlements would expand in population but not in land area. Sharon referred publicly to these commitments over and over again: They were clear. And the American commitments were equally clear: On Aug. 21, 2004, the *New York Times* reported that “the Bush administration . . . now supports construction of new apartments in areas already built up in some settlements, as long as the expansion does not extend outward.”

And after Bush and Sharon exchanged these commitments, Congress weighed in: In June 2004 the House voted 407 to 9 to approve House Concurrent Resolution 460, which said that Congress “strongly endorses the principles articulated by President Bush in his letter dated April 14, 2004, to Israeli Prime Minister Ariel Sharon.”

The Obama administration simply ignored the letters. They were treated as at best a private, personal exchange between two men. Bush was after all gone,

and so was Sharon, and of course the conditions were not binding in the sense that a treaty is. That's precisely the way future administrations should treat this Obama-Netanyahu deal: binding on the two men, perhaps, but not on the two countries.

Consider the alternative: A senator or congressman visits Israel in 2017 or 2020 and says to its minister of defense or IDF chief of staff, "Do you have the funding you need for program X, given the changes in Syria and the way Hezbollah is building up and how Iran is acting?" And the Israelis are supposed to reply, "I can't talk to you about that; I'm not allowed to speak to Congress about anything related to funds." It's absurd and constitutes an

unacceptable interference with the ability of Congress to do its critical appropriations work.

So despite the way the White House is applauding itself, this deal is no cause for celebration. It should be seen as the best Obama could bring himself to do, but not as an agreement binding for a decade on Israel, the United States—and above all on Congress, whose only role was to read about it in the newspapers. The effort to prevent communications between Israel and Congress on funding matters should be understood as just another Obama usurpation of congressional prerogatives and disregarded after January 20, 2017.

—Elliott Abrams

Hillary's Baskets

"You know, to just be grossly generalistic, you could put half of Trump's supporters into what I call the basket of deplorables. Right? The racist, sexist, homophobic, xenophobic, Islamophobic—you name it. And unfortunately there are people like that. And he has lifted them up. He has given voice to their websites that used to only have 11,000 people—now have 11 million. He tweets and retweets their offensive, hateful, mean-spirited rhetoric. Now, some of those folks—they are irredeemable, but thankfully they are not America.

"But the other basket . . . of people are people who feel that the government has let them down, the economy has let them down, nobody cares about them, nobody worries about what happens to their lives and their futures, and they're just desperate for change. It doesn't really even matter where it comes from. They don't buy everything he says, but he seems to hold out some hope that their lives will be different. They won't wake up and see their jobs disappear, lose a kid to heroin, feel like they're in a dead-end. Those are people we have to understand and empathize with as well."

—Hillary Clinton, speaking at a fundraiser September 9, 2016

So Donald Trump has been catching up to Hillary Clinton. Or perhaps better, Hillary Clinton has been sliding back toward Donald Trump. We suspect the passage quoted above helps explain why.

The key is not "the basket of deplorables." Claiming that half of Trump's supporters are deplorable was a mistake, as Clinton acknowledged. But some of them are deplorable, and many Trump supporters undoubtedly wish he would do more to distance himself and his campaign from them.

But it was Clinton's description of the other half of Trump's followers that is more revealing and provides a better explanation for the problems of her campaign. For if

the first basket of Trump supporters consists of deplorable Americans, the second basket seems to consist, according to Clinton, of pitiable ones.

Presumably Clinton wants to win over at least a few Trump supporters, or people considering becoming Trump supporters, or people who have friends who are Trump supporters. But treating Trump supporters as a pitiable "other" is no way to win anyone over. Back when Clinton made the statement, she was still ahead in the polls and may have assumed that she just needed to hang on to her voters rather than win over any waverers tempted by Trump. This was always hubristic but now seems downright foolish.

Can Clinton change her ways? Can she stop condemning or pitying her fellow Americans? Hillary Clinton obviously lacks the political instincts of her husband. Bill Clinton rarely condemned or pitied his fellow Americans. He

claimed to stand with hard-working Americans who played by the rules. He famously said to the American people, "I feel your pain." He identified, or pretended to identify, with the people. But he didn't pity them.

Hillary Clinton says, "Those are people we have to understand and empathize with." Saying you have to do something is very different from doing it. Indeed, it's an acknowledgment you're not yet doing it. But she's had plenty of notice over the last couple of years that understanding and empathizing with people might be a good idea.

Bill Clinton's rhetoric was, from a conservative and constitutionalist point of view, not admirable. It set the standard for a president as identifying with and feeling with the people, rather than representing them and seeking, in



A-tisket a-tasket . . .

the words of *Federalist* 10, “to refine and enlarge the public views.” But in a democratic age Bill Clinton’s presentation of himself was effective. And Barack Obama learned from Bill Clinton. Obama’s campaign was, or pretended to be, about the people and not just himself: “We are the ones we have been waiting for.”

By telling contrast, Hillary Clinton presents herself as the one we’ve been waiting for: “I’m with her.” And it was this slogan that set up Donald Trump’s effective riposte, “I’m with you.” Hillary, Trump was saying, wants you to stand with her. Trump wants, or pretends to want, to stand with you. This is a winning contrast for Trump.

The voters whom Trump is standing with are by no means only “let-down,” “desperate,” “dead-end” types. In a year when Americans of all income groups and education levels think the country is on the wrong track, Trump as the candidate of change is getting support from all income groups and education levels. His support skews more white working-class than a typical Republican, but in recent polls he’s almost breaking even among college-educated whites and among voters making over \$100,000 a year.

So Trump is getting support from well-off, well-educated, nondesperate Americans who either think we need to shake things up, or who think his administration would be more conservative than Hillary Clinton’s, or who care about the Supreme Court, and for many other reasons. These

Americans may well be mistaken. But they’re not likely to be persuaded of the error of their ways when they see Hillary Clinton casting Trump supporters into two baskets, the deplorable and the pitiable.

Trump is Trump. He could easily blow his chances to win this election, or he could simply fall short of overcoming the demographic and electoral barriers. But in a year when the electorate wants change, he has the wind at his back. He’s been lucky to have as his foils first Jeb Bush, the son and brother of former presidents, and now Hillary Clinton, the wife of a former president. Bush and Clinton both seem to embody a message of No Change. And Clinton’s given the voters little reason to rethink that. If Trump can avoid revealing once again the very worst aspects of his character, he has a real chance to win.

Hillary Clinton thinks of herself as a historic figure, breaking glass ceilings right and left. In fact, you’d be hard-pressed to find particularly impressive achievements from her time as senator from New York or secretary of state. If she now wants to do something historic, she might run a serious campaign for the White House, not just *against* Donald Trump. For it may be that the only way to deny Donald Trump the presidency is for Hillary Clinton to make a plausible case for it. It is amazing that we have come to this pass. But America is an amazing country.

—William Kristol

Make Your Voice Heard—Vote!

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

Everyone says the same thing about almost every election—*this may be the most important one in our lifetimes*. Only this time it may actually be true!

What’s at stake on November 8? Just about everything. The Supreme Court hangs in the balance. The future of our trading system is uncertain. We could see deepening divisions on crucial issues like immigration. Executive power could be stretched to new limits. A growing and empowered government could raise spending, hike taxes, expand entitlements, and double down on regulations. Our economy could continue to limp along at 1%–2% growth. And America’s leadership in the world could falter.

If the polls are to be believed, Americans are choosing between two of the most unpopular presidential candidates in decades. But that cannot be

an excuse to sit on the sidelines. Too much is at stake. Regardless of how voters feel about the presidential candidates, they can make a real difference by casting their votes in crucial congressional elections. The business community is working to maintain pro-growth majorities in the Senate and the House. They can serve as a backstop against bad policies and help advance good policies—no matter who occupies the White House.

To help Americans get up to speed and get to the polls, the U.S. Chamber of Commerce launched VoteForJobs.com. This digital toolkit contains information on voter registration, absentee ballots, early voting, and polling locations. Early voting is already under way in many states, so it’s not too early to participate.

Between now and November, the Chamber is focusing its efforts on turning out the business community and Main Street voters. VoteForJobs.com can be customized to meet a company’s specific needs and then shared with its

employees. We are not encouraging businesses to tell their employees for whom to vote, only that their participation in this election is fundamentally important to the health of their companies and to the entire U.S. economy.

It’s easy to be cynical in this environment. Some think that our problems are too big and our politics are too small. Some wonder whether voting is worth the effort, or whether it will really make a difference this year. But every vote represents a voice. We hope that all Americans will make theirs heard in what could truly be the most consequential election of our lifetimes. And we hope that U.S. businesses will exercise their right to engage in the political process and have a say in the policies that will impact their companies and their employees for years to come.



U.S. CHAMBER OF COMMERCE
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Trumponomics

A yuuuuge tax cut?

BY FRED BARNES

Donald Trump outlined his tax and economic plan in Detroit on August 8. He returned to it last week for the first time in five weeks. In between, he mentioned bits of it. But concentrate on it? Nope.

His neglect of this issue has been a mystery. Why would he sideline an issue on which he has an enormous advantage over Hillary Clinton? Trump would provide incentives for private investment, economic growth, and job creation, a policy that worked brilliantly for Presidents Kennedy and Reagan. Hillary would provide zero incentives for growth and rely on government spending to generate jobs, a policy that has never produced a robust economy.

The contrast, so favorable to Trump, begged for him to harp on it in speech after speech. But he held back, talking about everything from terrorism to child care and driving some of his closest allies crazy.

But Trump may have known something the rest of us didn't. Or maybe he's just been lucky. In either case, he has soared from well behind in the race a month ago to a tie with Clinton today—without unleashing his best issue. Now he is. He's poised to drive home his plans for the economy in the final weeks of the campaign.

His ideas seem fresh and appealing, all the more so given Trump's gift for salesmanship. He says things that Reagan would have balked at and Kennedy would never have considered. Like this in last week's speech at the New York

Economic Club: "Everything that is broken today can be fixed, and every failure can be turned into a great success. . . . It's time to start thinking big once again."

You can't get much bigger than that. Except Trump overlooked the



special link to Kennedy. It was at the Economic Club in 1962 that Kennedy announced his sweeping, across-the-board tax cuts to jolt the sagging economy. And jolt they did. JFK had initially thought government spending would do the trick. It didn't. With tax cuts, the economy boomed.

Not only that, but reducing individual income tax rates became the model, as Lawrence Kudlow and Brian Domitrovic write in their new book, *JFK and the Reagan Revolution*. Congressman Jack Kemp fashioned the Kemp-Roth cuts in the 1970s to match JFK's. The

Reagan cuts imitated Kemp's. And now Trump has taken up the cause.

"This election can be won on the tax issue," says Grover Norquist of Americans for Tax Reform. Tax cuts are "the organizing principle of the Republican party," he says. And it's no coincidence that Trump's tax cuts are similar to those in House speaker Paul Ryan's agenda for 2017. On taxes, at least, they think alike.

And if Republicans of the Never-Trump school are to be lured into voting for Trump, it will be partly because of his economic policies. "My plan will embrace the truth that people flourish

under a minimum government burden," he told the Economic Club. His insistence on a military buildup might help too.

Trump loves grand promises. He delivers them in the manner of a real estate agent eager to make a sale by stressing the best possible scenario. He does this very well. He promised growth of 3.5 percent and 25 million new jobs over the next decade. While not Reaganesque in demeanor, Trump is Reagan-like in his optimism.

"If we lower our taxes, remove destructive regulations, unleash the vast treasure of American energy, and negotiate trade deals that put America first, then there is no limit to the number of jobs we can create

and the amount of prosperity we can unleash," he said.

To be specific, Trump would reduce seven income tax brackets to three—12, 25, and 33 percent. The corporate tax rate would drop to 15 percent from 35 percent, making American companies more competitive abroad and more likely to raise wages at home. He would allow companies to repatriate overseas profits at 10 percent. Treasury Secretary Jacob Lew has suggested a 28 percent corporate rate. Hillary Clinton hasn't suggested any cut at all.

Trump insists this is "a working- and

Fred Barnes is an executive editor at THE WEEKLY STANDARD.

JASON SEILER

middle-class tax relief proposal,” not one that favors the rich. To make this happen, “we have strongly capped deductions for the wealthy and closed special interest loopholes,” he said. Which deductions and loopholes, he doesn’t specify. This was to keep the beneficiaries of the targeted deductions—charities or realtors, for instance—from mounting early opposition, a Trump adviser says.

Clinton will probably focus more on attacking Trump’s plans than touting her own. Democrats, including Clinton, have given up on economic growth. It’s a private sector thing in which some people are bound to get rich. She’s for tax hikes on the rich, the perfect disincentive to private investment and growth.

“I will work with both parties to pass a comprehensive plan to create the next generation of good jobs,” she said in June. “Now the heart of my plan will be the biggest investment in American infrastructure in decades, including establishing an infrastructure bank that will bring private sector dollars off the sidelines and put them to work there.”

There’s a name for this—crony capitalism. That’s not free market capitalism, nor is it in the tradition of JFK and Reagan. It’s following in the footsteps of President Obama, who has specialized in it. He spent \$48 billion on infrastructure in his first term and proposed \$73 billion more in his second.

But the main problem is it never works as predicted. “America needs an infrastructure renaissance, but we won’t get it by the federal government simply writing big checks,” Harvard economist Edward Glaeser wrote in *City Journal*. It often “gives the green light to bridges to nowhere, ill-considered high-speed rail projects and other boondoggles.” Also, Glaeser wrote, it’s not good “for fighting recessions.” Yet Clinton is stuck on it.

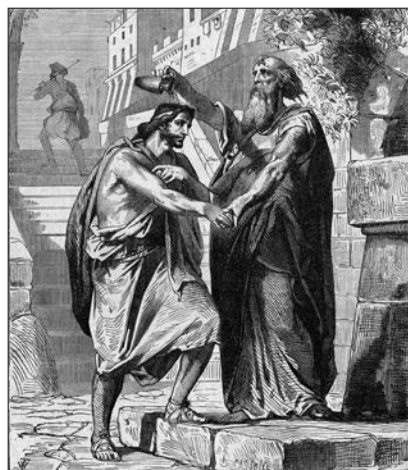
At the Economic Club, Trump repeated something he’d said the day before in Flint, Michigan: “It used to be cars were made in Flint and you couldn’t drink the water in Mexico. Now the cars are made in Mexico and you can’t drink the water in Flint.” A pretty good line, I’d say. ♦

Return to Monarchy

How big government undermines the Constitution.

BY RICHARD SAMUELSON

During the American Revolution, the Book of Samuel became a popular text for sermons. In particular the story of the people Israel begging for a king: “We want a king over us. Then we will be like all the other nations, with a king to lead us and to go out before us and fight our battles.” Samuel reproaches the people, but he relents. The burden



Okay, if that’s what you really want:
The prophet Samuel anoints Saul king.

of liberty is too great, and the people Israel take a step back toward Egypt.

Is that the situation Americans face today? In the name of “progress” are we seeking a king? The rise of the megastate is a large step in that direction. In fact, James Madison would suggest that the rise of what we colloquially call “big government” is inherently monarchical.

Madison’s famous lines about the virtues of an extended republic in *Federalist* 10—“Extend the sphere, and you take in a greater variety of parties and

interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens”—are often cited. But we seldom consider Madison’s theory in full. A large republic is, *pace* Madison, not merely different in size from a small one. It is also different in kind. Small republics, like ancient Sparta and Rome and, we might add, ancient Israel, were thick communities. The laws regulated life comprehensively, from birth to death, covering religious, political, and economic life. The extended republic would be a different sort of republic altogether. Particularly at the federal level, the government would have little to do with the daily life of the average citizen. It would not possess the police power—the authority to regulate health, safety, and morals. Should an extended nation like the United States come to resemble the ancient republics in that regard, Madison recognized, it would mean a return to monarchy.

This logic is most clear in Madison’s “Virginia Report of 1799-1800,” his summary of the fights of the 1790s. In particular, Madison noted “two consequences, evidently flowing from an extension of the federal powers to every subject falling within the idea of the ‘general welfare.’” Invoking the language of *Federalist* 10, he wrote, “One consequence must be, to enlarge the sphere of discretion allotted to the executive magistrate.” The “other consequence would be, that of an excessive augmentation of the offices, honors, and emoluments depending on the executive will.” And that would, ultimately, make our elections irredeemably corrupt. In a word, the president would become a king.

Why was that the case? For starters: “In proportion as the objects of legislative care might be multiplied, would

Richard Samuelson is associate professor of history at California State University, San Bernardino, and a fellow at the Claremont Institute.

the time allowed for each be diminished.” As a practical matter, a handful of legislators cannot make a comprehensive legal code for a large, continental republic of over 300 million citizens. The legislative power is Article I of the Constitution for a reason. The power of the people’s representatives to make the laws under which we live is paramount in a democratic republic. The power was limited in scope, however. The text reads “all legislative powers herein granted,” and not “all legislative powers.” The people did not give a blank check to Congress.

Extending the scope of federal power would, as a practical matter, put the president in charge, subverting the constitutional system:

The difficulty of providing uniform and particular regulations for all [would] be increased. From these sources would necessarily ensue a greater latitude to the agency of that department which is always in existence, and which could best mould regulations of a general nature so as to suit them to the diversity of particular situations.

Extend the sphere of federal power, and it would become necessary to pass bills in order to find out what is in them. Congress would pass large, complicated bills that few if any legislators had read, and the bills would delegate to the executive or his agents the authority to make much of the legal code that implements the bill. It would mark a return to a class of presidential appointees with jobs for life who have something like the old “magistrate power”—to interpret and enforce the rules that govern our day-to-day affairs. That such officers would also write those very rules is still worse. This would mark the return of an aristocratic government, under the direction of a single sovereign.

Madison would not be surprised that nowadays our elites speak favorably of appointing “czars” to oversee the regulation of broad areas of American life. And once we grow comfortable with such discretion, it is a short step to the return of other kingly powers, such as the dispensing power—the power to dispense with

a law the king deems bad or inconvenient, as in refusing to enforce immigration law. At first, presidents would use legal fictions, such as prosecutorial discretion, to cover their tracks, but soon enough they would dispense with such forms. In other words, expand federal power greatly and the president’s duty “to take care that the laws be faithfully executed” would be forgotten.

Madison recognized that big government would yield corrupt elections, particularly at the presidential level. He explained:

This disproportionate increase of prerogative and patronage must, evidently, either enable the chief magistrate of the union, by quiet means, to secure his re-election from time to time, and finally to regulate the succession as he might please; or, by giving so transcendent an importance to the office, would render the elections to it so violent and corrupt, that the public voice itself might call for an hereditary in place of an elective succession. Whichever of these events might follow, the transformation of the republican system of the United States into a monarchy . . . would be equally accomplished.

Granting expansive powers to the federal government subverts the extended sphere. Instead of creating a system in which the only laws that pass are those that support the common good, and apply, as much as can be expected, to all equally, we get a system where the law, if it can still be called such, is interpreted so as to be hostile to enemies and helpful to friends. The rule of law, as in our judicial oath “to do equal right to the poor and the rich” (an echo of Leviticus 19), ceases to be an essential feature of the regime. The rule becomes do unto others before they do unto you, rather than “love thy neighbor as thyself.”

In this presidential election season, as we ponder the choice between the product of a corrupt, Southern political machine that has become what Walter Russell Mead calls “the first post-modern political machine,” on one side and a businessman who brags about bribing politicians on the other, there is much for Americans to think about, constitutionally speaking. Madison reminds us that the problem is not in the Constitution itself; it is in our czars. ♦

Fortunate Daughters

Who better to influence a politician?

BY GEOFFREY NORMAN

Washington went into one of its periodic hysterias recently when it was reported that the CEO of a pharmaceutical company that had been gouging the public was the daughter of a U.S. senator. Not that there is anything wrong with that. No laws broken and it was just business, more or less, as usual.

Still . . . the thing was unseemly. Or must have been, otherwise it wouldn’t have been at the top of the news for

three or four days before other things came along to distract the attention of the herd. One of the elements that made the story attractive was the fact that the company had lobbied hard to make its signature product—the EpiPen—something that schools all over the country would have to keep on hand.

The EpiPen is a standard, and standby, emergency treatment for people experiencing severe allergic reaction to, among other things, bee stings and in danger of dying from anaphylactic shock. The device saves lives, which

Geoffrey Norman, a writer in Vermont, is a frequent contributor to THE WEEKLY STANDARD.

is, manifestly, a good thing. Not so good, however, is the fact that the company that makes the EpiPen—Mylan, it is called—enjoys a kind of Washington-enforced monopoly, thanks to the FDA's failure to approve competing devices (the drug itself is generic; the spring-loaded needle in the "pen" that injects it is a device requiring FDA approval). The company spent some \$4 million lobbying Congress on something called the "School Access to Emergency Epinephrine Act." And, finally, with its monopoly secure, the company raised the price of the product by some 400 percent.

The company's CEO, as it happens, is Heather Bresch, daughter of Democratic senator Joe Manchin of West Virginia. Both still have their jobs and don't appear in danger of losing them any time soon. The family will have interesting things to talk about when it gathers for Thanksgiving.

The EpiPen story faded, but then two similar stories appeared over the last few days. (Interesting how these things so often seem to come in threes.)

One of these stories involves former senator and current secretary of state John Kerry and his daughter, Dr. Vanessa Kerry. Seems that she set up a nonprofit foundation that, as reported in the *Daily Caller*, received "more than \$9 million of Department of State money . . . funneled through the Peace Corps."

The *Peace Corps*! Is nothing, one thinks, still pure and inviolate? And, even if the whole thing is on the up-and-up, one wonders why the Peace Corps needs to serve as a conduit for public money distributed to a private foundation? Isn't the corps itself supposed to be doing the good works and not farming them out to foundations run by heiresses who happen to be offspring of men who went from the Senate to running the State Department, which, if you haven't noticed, can't seem to get out of its own way or dodge all those oncoming nonprofit foundations barreling down on it?

State spokesman John Kirby, who has been busy on the Clinton Foundation front these last few weeks, responded to the *Daily Caller*, saying,

"there is absolutely no conflict of interest here. Secretary Kerry played no role in this decision-making while in the Senate or subsequently while at the State Department."

Take him at his word, and you more or less have to. But not because the thing is so clear cut as Kirby's statement makes it appear, but for exactly the opposite reason. The path traveled by that \$9 million is absolutely tortu-



ous. Just for instance, from the minutes of one meeting, we get this:

The public funding to start the GHSP [Dr. Kerry's Global Health Service Partnership] is secured, it will come from OGAC [Office of the U.S. Global AIDS Coordinator] through [Peace Corps] to support core HQ and field based activities, and to develop a sub-agreement to provide support to the foundation for contributions for their work in this partnership . . .

And then we learn, "Officials in that meeting also assured Kerry that she would not have to compete with other groups for Department of State funds."

All this while her father was "chairman of the Senate Committee on Foreign Relations, which oversees both the Department of State and the Peace Corps."

There may be no scandal here. Just business as it is done in Washington these days.

And there is no business anywhere

that doesn't need to court Washington and stroke those whose hands are on the levers of power. And who better to soften up a senator than his daughter?

Which is, more or less, the question asked by a nonprofit online news operation called *Vermont Digger*. The *Digger* finds it interesting that the daughter of Vermont's senator, Patrick Leahy (he is the less famous but more powerful one), is a lobbyist for the Motion Picture Association of America.

Leahy has been in the Senate longer than anyone, so it is safe to say that he knows his way around. And while he is in his seventies, he has a kind of youthful fascination with the movies. He has done several cameos in the Batman films. And in the time that his daughter has been a lobbyist for Hollywood, he has also, says the *Digger*, "received more than \$400,000 in support from the entertainment industry, according to the Center for Responsive Politics."

Leahy's daughter, Alicia Leahy Jackson, declined an interview with the *Digger*. However, her employer issued a statement asserting that, "as a matter of policy, and consistent with Senate rules, Alicia does not, has not and will not lobby Sen. Leahy's office, staff, or the Senate Judiciary Committee."

And if that isn't good enough for you, there is this, from the senator himself: "She is an absolute straight arrow on anything to do with ethics. I think she would quit before she would ever seek to influence me."

But what about that old "appearance of impropriety" business we used to talk about so earnestly? What if you are a colleague who has been lobbied by Mrs. Jackson on some issue and you haven't been willing to play ball? No tickets to the next Batman premiere for you. And, perhaps, worse.

Among the many distressing trends in American public life is the one toward a kind of dynastic politics. "Public service," as it was once called without a smirk, is more and more a sort of family business through which one networks and advances and makes a pile, or at least a good living. And it can be done

without the usual dealmaking and favor-swapping and arm-twisting when you can count on Dad.

Most fathers would do just about anything for their daughters. Ask Senator Lear. ♦

No, Prime Minister

England's great grammar school debate.

BY SAM SCHULMAN

This was not how the cautious, self-disciplined Prime Minister Theresa May was supposed to sound. “Yesterday I laid out the first step of an ambitious plan to set Britain on the path to being the great meritocracy of the world,” she wrote in the September 9 *Daily Mail*. “It is a vision of a Britain where advantage is based on merit not privilege, talent not circumstance, hard work not background. . . . A vision of a society where everyone has a fair chance to go as far as their talent and their hard work will allow.

“And the plan I laid out . . . —a good school place for every child that caters to their individual talents, abilities and needs—is the starting point: putting government firmly at the service of ordinary working class people and building a great meritocracy in our nation.”

In short, Theresa May plans to let any English state-supported secondary school convert itself into a grammar school, selecting its students by competitive examination. Unlike Free Schools—comparable to American charter schools and the great achievement of the David Cameron government that preceded May’s—these grammars wouldn’t have to be painstakingly started from scratch but simply converted from existing schools. May’s plan also obliges many universities to establish or sponsor secondary schools, imposes new scholarship requirements on private schools, and encourages faith schools.

Together, it would drive the greatest transfer of intellectual capital from class to mass in 50 years, a period during which Labour and Tory governments alike forced down the number of grammar schools from well over a thousand to about 160.

The U.K. education establishment had a difficult time swallowing the Free School movement, which Michael Gove, Cameron’s visionary education secretary, set in motion in 2010. Toby Young, whose championship of Free Schools I chronicled in these pages (“Rise of a Free School,” June 17, 2013), is no friend to selective-only schools. He believes that well-run Free Schools, with entry by lottery, already offer “a grammar school education for all,” and worries that new grammars will skim their most talented kids. But May’s daring impresses him. Her reforms “are far more radical than anything Michael Gove came up with. And he was the most radical member of the last government.” Young is agnostic on the principle of selection, but salutes her gallantry: “Put aside the detail. Think about the [prime minister’s] indifference to the good opinion of the liberal elite.”

The liberal elite—Labour, Lib-Dem, Tory, and media—made their reaction to being ignored abundantly clear. May was threatening to return to a system the abolition of which was the great egalitarian achievement of the 1960s and ’70s. Grammars are “retrograde”; permitting them “turned back the clock” and will “benefit the few.” May’s proposals carefully reform the iniquities of

the old system, but it makes no difference. She has “declared class war.”

May’s opponents know better because, it turns out, almost all of them had in fact attended selective grammar schools in the bad old days, an education that paradoxically granted them the prominence of a media platform from which to revile their own schooling.

At the *New Statesman* earlier this summer, Peter Wilby noted May’s appointment of Justine Greening, the first education secretary in history to have been educated entirely at a comprehensive school. “Pro-comprehensive groups were almost lyrical in praise of her appointment,” he wrote. But Wilby discerned in Greening ingratitude for the privilege of having been spared an elite education. Here we have a new literary form, which we might call “gramsplaining”:

To understand how iniquitous grammar schools were, you need to have attended one, as I did. Primary-school friendships were ruptured, usually along lines of social class. The grammars were rigidly stratified. I was in the A stream and do not recall any classmates from semi-skilled or unskilled working-class homes.

Wilby’s memory is no doubt faultless, but back when he was editor of the *Independent on Sunday* he might have queried a writer’s assertion that a 15-year-old would know the class origin of every pupil in his school. That’s the confidence grammar school education gives one, presumably.

The art of the gramsplanation has flowered in the days since May’s announcement. Dozens of grammar school old boys and girls, now MPs and columnists on major newspapers, explain daily why their own schools failed to help anyone other than themselves, and how much harm those who didn’t make the cut, strangers to them, suffered. The better the education, the noisier the rage. Jeremy Corbyn, the leader of the opposition, went to a grammar, and so did his son (although Corbyn left his wife because she insisted on it and he objected). So did Labour’s chief strategist, Seumas

Sam Schulman is a frequent contributor to THE WEEKLY STANDARD.

Milne, whose far-left views didn't prevent him from sending both children to one. So did three other members of Labour's shadow cabinet.

But just as vociferous, and far more threatening to May's program, are many Tory cabinet members and MPs, who are described as being "in open revolt." May's majority is only 20. But even if she gets it through Parliament, precisely because her proposal is an innovation (not in the party platform), the House of Lords has the constitutional right to vote it down. And that august chamber is, as you might guess, the national home for explainers to those who don't have something why they shouldn't want it.

That parents of British school-children want grammar schools is not in doubt. In August, a YouGov poll showed a widespread belief that "grammar schools provide a better education." Indeed, "nearly two thirds of people . . . would send their child to a grammar school should they have passed an entrance exam, whilst just 10% would not." Almost as large a proportion of parents (62 percent) would have their child at least take an entrance exam.

There is no need to go into the arguments for or against the educational efficacy of school selection; they are complicated, and even their proponents are not satisfied that the case is proven. Never mind. Neither friends nor enemies of the new grammars bother much with education; instead, everyone prefers to argue social mobility. I find this curious. Children can be taught well or badly, they can be inspired, or held back, or bored, or their talents wasted, and we watch and judge the quality of instruction, of facilities, of the atmosphere and leadership at a school, and how spending money can, or can't, alter these things. Child by child we can test achievement at definite intervals and measure, to some degree, "education."

"Social mobility" is different in every way. Even if we agree it is the number-one goal, we can't agree on how to measure it and what will increase or decrease it. The old

grammar school system was destroyed in order to increase social mobility. But this had the opposite effect (or something did): fewer working-class students in university and the professions now than under the 1960s height of the grammar system. Yet Lord Willetts, former Tory universities minister and a key opponent of May's program in the House of Lords, feels certain that "the entire education system should be reshaped to better assist social mobil-



May talks school reform, September 9.

ity." Parents who want social mobility for their own specific children are willing to take a chance that grammars will serve them better. Simon Heffer is one of their rare media spokespeople: "School must be about developing each child to the limits of his or her potential, and anyone who thinks the present system does this properly is living in a dream world."

The well-educated opponents of grammar schools, who have themselves risen from the lower or middle classes to the ruling classes, are even more certain they can solve social mobility. To many, it is the very middle-class nature of grammar schools that is the enemy of working-class achievement. The chairman of Ofsted (the government body that inspects and regulates schools), Sir Michael Wilshaw, believes the terrible truth is that "Grammar schools are stuffed full of middle-class kids," after quoting which declaration the *New Statesman's* Tim Wigmore adds, "That is terrible news for the most deprived pupils."

Of course, it's good news not bad news. Middle-classness is not a race or

an inheritance or a system of oppression, but a culture, invented rather recently, by those who don't want to be poor any more, or revert to poverty. Most children in grammar school are middle class because their "middle-classness" gave them the tools and habits one needs if one is to master knowledge, save oneself from distraction, sort out the significant from the insignificant, and delay gratification—exactly the means by which individuals achieve "social mobility" in the present state of human development. Peter Wilby's fellow pupils all seemed middle class, but may well not have been. The existing grammar schools that survived have a disproportionate number of Chinese and South Asian students, according to the *Financial Times*: Some are 95 percent stuffed with poor kids of Indian and Pakistani origin.

The skills of self-mastery and articulation taught in grammar schools reside in an even more concentrated form in the well-educated ranks of May's opponents in the House of Commons and the House of Lords, where a small number of determined individuals, motivated by that strongest of human desires—not to be deplorable—are in a position to stop her. So what will happen to her reforms?

Toby Young makes some interesting suggestions. Theresa May might be reaching out with her schools policy to the Brexiteers in her party, who still distrust her on that subject, by throwing them some red meat on an unrelated subject. In return, she may get more cooperation from them on the Brexit compromises that are inevitable. In the House of Lords, there is a Europhile faction that menaces the Brexit project: It is relatively coterminous with the antigrammar faction, and May could be looking forward to draining its stamina over grammar schools, leaving an exhausted force to battle Brexit.

And then there is the great British public, who, if polls are any indication, are firmly on the side of May in wanting schools that work for everyone. A major redrawing of parliamentary constituency boundaries is taking

place, and a large number of Tory MPs will have to be readopted by new constituencies. As Quentin Letts wrote in the *Daily Mail*, “Tory activists—who will help choose the MPs for the new seats—may be a great deal more keen on grammar schools than some of these Commons handwringers.”

And finally, there is always the

possibility of calling a snap election, particularly if the House of Lords torpedoed May’s grammar school legislation. She may calculate that it is better for her to fight an election on grammars than on Brexit. And in that case, her boldness on grammars, and her boldness in general, may well pay off. ◆

transformed into productive citizens if only they were better housed.

Chicago went hog wild. The Chicago Housing Authority, headed by social reformer Elizabeth Wood, began a federally funded, massive, and years-long building program that became Chicago’s signature disaster. The resulting barracks warehoused tens of thousands of poor people in ugly megaliths, some 19 stories tall. For blocks, these sterile buildings ran in a four-mile-long wall, a dismal greeting for visitors entering the city on the Dan Ryan Expressway.

While the projects started out nice enough as waypoints for upward-bound families, they eventually became breeding grounds for crime, poverty, hopelessness, and dysfunctional families. The wide-open green spaces surrounding each building turned into rock-strewn, open-air drug markets. Groceries, barbershops, and other small service businesses so important to maintaining vital neighborhoods were either torn down to make way for the mega projects or fled the neighborhood, leaving tenants in food and service deserts. Thanks to the Democratic political machine that ran Chicago, the worst of the worst were crammed into the “Black Belt,” to appease white Chicagoans.

In reality, instead of providing decent and safe housing as the grand social experiment intended, the projects became gangland incubators for hopeless black youths and nightmares for the two, three, and more generations of broken families trapped there. While other cities were afflicted with failed public housing highrises, none could compete on Chicago’s scale.

Faced with this reality, the social engineers turned on their own creation. Their new canon insisted that the poor would become productive citizens if only they could be integrated into decent housing in decent neighborhoods, where they would learn middle-class values. Lawsuits were filed. The ACLU intervened. A federal judge ruled that new public housing had to go into white neighborhoods. Which virtually halted their construction.

The projects became such cesspools

U.S. ATTORNEY’S OFFICE / AP

Murderous Chicago

The city that doesn’t work.

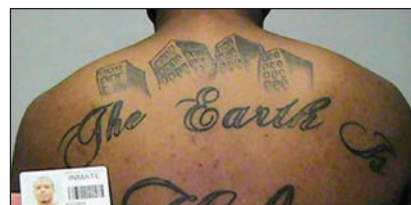
BY DENNIS BYRNE

Chicago
What have 85 years of uninterrupted Democratic rule and unremitting progressive dogma gotten Chicago? Murderous gang wars with no armistice in sight.

This is a Chicago specialty: The city has had more homicides this year than New York and Los Angeles combined. As crime rates declined elsewhere, August was Chicago’s most violent month in 20 years. The more than 500 murders this year already exceed the 2015 tally. Over the July 4 weekend, someone was shot every 2.8 hours. The Labor Day weekend total was at least 13 people killed and 52 wounded.

Nykea Aldridge, a 32-year-old mother of four, was among those fatally shot in August—while she was pushing her 3-week-old in a stroller. The suspects, two brothers, were allegedly trying to shoot someone else because he looked at them funny. They were on parole on gun convictions—one just two weeks before the shooting. Aldridge’s death got national attention, unlike most Chicago victims, because she was a cousin of basketball star Dwyane Wade.

So many are killed or wounded that Chicagoans would be hardpressed to remember the names of the last 4-, 6-, or 10-year-old to have been gunned



“The Earth Is Our Turf”: Chicago gang tattoo

down. In this, Chicagoans haven’t lost interest or compassion; they’re just overwhelmed by the numbers.

The volume of shootings has become so terrifying that residents themselves have pleaded for the Illinois National Guard to be called out to patrol their streets.

Clearly Chicago has something unique going for it. Polemicists, politicians, professors, and good hearts of all stripes have rolled out their favorite “root causes”: illegal guns, poverty, family disintegration, fatherlessness. Lousy schools, hopelessness, segregated housing, anomie, drugs, unemployment. All these maladies affect every American city, yet none have spawned Chicago’s level of gang violence. What makes Chicago special?

Decades of disastrously failed social engineering. It began with the post-World War II housing shortage and public acceptance of the New Deal’s canon that the government should insert itself into the housing market. The underlying—and naïve—assumption was that poor people would be

Dennis Byrne is a Chicago writer.

that their demolition became inevitable. As the buildings fell to the wrecker's ball, tenants were funneled into Section 8 housing, the federal program that provides subsidized housing by paying rents to cooperating private landlords.

In other words, disperse the dysfunctional families throughout the city, along with their problems and their parasitic gangs. It should have surprised no one that the scattered families didn't leave their troubles behind in the rubble of their former highrise homes.

Gangs in highrises operated differently. Their territories were clearly defined as each building was under the control of recognized bosses. Boundaries were respected, rules of engagement clearly defined. There was structure. There was discipline.

The destruction of the old highrises changed all that. Structure and discipline collapsed as mutually recognized boundaries were erased. The old generals no longer held sway as their soldiers were strewn hither and yon. Leadership was splintered.

Thousands of young bloods, finding themselves in new neighborhoods, ignored the old rules, made new alliances and fought territorial wars. Blocks were seized or given up, as the tide of battle turned. The scattering of the gangs turned entire neighborhoods with high concentrations of Section 8 tenancy into virtual war zones between contending factions and sub-factions. Chicago's West and South Sides came under siege as drug dealers and gangsters fought, sometimes block-by-block, to establish control. To make matters worse, each shooting led to an escalating number of retaliatory shootings, the kind that have attracted so much national attention.

There's no going back. Neither packing the poor into squalid highrises nor scattering them around town has worked. They've only demonstrated that social engineers are not exempt from the law of unintended consequences.

Now what? The usual: Tougher state and national gun laws? (Chicago already has some of the toughest in the nation.) Pour more money into schools,

policing, and social programs, such as trying to teach conflict resolution to young toughs? (Even though Chicago and Illinois are virtually bankrupt and living day-to-day off risk-takers willing to gamble on city and state bonds.) It's a puzzle with no clear answer, other than taking back the city, street by street, alley by alley, and block by block.

Longer term, the solutions are

clearer but harder. Mostly it requires major cultural changes: Rebuilding families and recognizing the importance of fathers. Reversing the normalization of the drug culture. All the things of value that are popularly ridiculed today.

Mostly, though, don't count on social engineers to get it right—whatever their next big vision is. ♦

A Rare Opportunity

. . . for Republicans to pick up a House seat.

BY BARRY CASSELMAN

Minneapolis

Most political observers, even those who foresee an anti-Trump Democratic landslide, think the Republicans' House majority will be reduced but not lost. The Republican majority has grown to the point there are very few seats the GOP could pick up, especially if this is a year in which the Democrats win the White House. Even should Republicans win the presidential election, they are unlikely to make net gains in the next Congress.

There are some exceptions to this, and one of the most notable could be in the remote northeastern Minnesota border district known as "the Range."

That is the Minnesota 8th Congressional District, which is witnessing a rerun of the 2014 race between Democratic-Farmer-Labor (or DFL, the Democratic party in Minnesota) incumbent Rick Nolan and Republican businessman Stewart Mills. Two years ago the contest was very close, with Nolan winning by about 3,700 votes. This year's political circumstances in MN-8 are quite different, however, and could produce an upset.



Stewart Mills

The Range is historically an ethnic working-class district with a populist political character, but its politics are changing. After World War II, the 8th District was reliably Democratic and, together with the increasingly liberal "Twin Cities" St. Paul and Minneapolis, overcame Republican majorities in the suburbs and rural districts.

Senators Hubert Humphrey and Walter Mondale enjoyed decades of liberal hegemony in the state.

That political dominance ended in 1978 when Republicans swept the top statewide races in upset wins for governor and two U.S. Senate seats (the rare occasion of two

Senate seats in the same cycle was precipitated by Mondale's 1976 election as vice president and Humphrey's 1978 death). Even in the year of this "Minnesota massacre," the 8th District and the Twin Cities remained reliably DFL.

But the reliability of Minnesota 8 has begun to wane. It is one of those blue-collar Democratic districts more socially conservative than urban liberal strongholds. Like similar districts along the Great Lakes "rust belt," it is a region altered by departing manufacturing and mining industries, rapidly changing demographics, and recently redrawn boundaries.

Nolan, who is now 72, had several

Barry Casselman writes the Prairie Editor blog.

advantages in the last election: He was the incumbent, the district was still rated as leaning Democratic, and his opponent had never run for office before. The DFL party had a well-organized get-out-the-vote effort and Nolan enjoyed the support of liberal national PACs, which poured advertising dollars into the race at the very end.

This time around Mills, who is 44, has his own robust get-out-the-vote effort. And though a popular Democratic presidential nominee might bring out voters for Nolan, Hillary Clinton is not popular, trailing Donald Trump in the 8th District. Nor does Nolan have a fundraising advantage: Mills's family business sold last year, and he has all the ready cash he needs to make a race of it.

Mills has also polished his presentation. Last election he was something of a novelty: a conservative with long hair. He has since gotten a haircut. Mills has emerged as a folksy campaigner and an articulate critic of Obama administration policies, including Obamacare and the Iran nuclear deal.

One advantage Nolan does have this year: He doesn't have to worry about a third-party candidate stealing votes from his left. (In 2014, a Green party candidate won 4 percent of the vote.) But environmental issues are still a particular challenge for the Democrat. Attempts to revive the mining industry, popular with the Range's out-of-work miners, rile environmentalists. Nolan has tried very hard to walk the fine line between these core constituencies. But as has happened in coal country in southeastern Ohio, West Virginia, and western Pennsylvania, once-large Democratic majorities now vote heavily Republican.

It doesn't help that Nolan—though he advertises being an avid hunter—has an "F" rating from the National Rifle Association, which has endorsed Mills.

Rick Nolan is an affable incumbent and a good campaigner, but he faces a much tougher race this cycle than in the past. The Minnesota 8th District could be one of the few places where Republicans pick up a House seat this year. ♦

Non-Solution

What, exactly, would a Palestinian state look like?

BY DANIEL DORON

Everyone is, or pretends to be, in favor of a "two-state solution," which stipulates that peace between Israel and the Palestinian Arabs will come only when the Palestinians can establish their own independent state next to Israel. There is nary a president, prime minister, foreign minister, or opinion-shaper who doesn't call for such a state to be established forthwith on the West Bank. Just this week, in announcing a military aid agreement with Israel, President Barack Obama said that "long-term security" was only possible once there was "an independent and viable Palestine."

Few, though, have bothered to ask what kind of country this Palestinian state is likely to be. A peace loving nation like Holland or Switzerland? One that seeks peace with Israel? Or, as the Palestinian Authority already is, a dysfunctional, irredentist state, like so many of its neighbors?

Asked recently what type of state he envisioned an independent Palestine would be, Ambassador Dennis Ross (the man who served all recent administrations as their top Middle East expert and negotiator) answered that he hoped it would be "a democratic, law-abiding, well-administered, transparent and peace-seeking state," but that of course "he could not be sure."

Asked to explain what made him hope that a democratic state could evolve out the dictatorial regime of the Palestinian Authority, Ross pointed to efforts between 2007 and 2013 by the Palestinian Authority's then prime minister, Salam Fayyad, who pushed for economic reforms to achieve growth and prosperity instead of engaging in armed struggle against

Israel. Fayyad believed that a prosperous economy would give rise to moderate leaders and a functioning state that could coexist with Israel. He was right, of course, which is why Mahmoud Abbas gave him the boot. (Elected for a single four-year term, Abbas is now in his eleventh year as "president" of the Palestinian Authority.)

Salam Fayyad's failure was predictable. Dennis Ross and others rely on vain hopes if they believe a democratic Palestinian state can emerge from a criminal and repressive Palestinian Authority. But it's just another in a long line of false hopes.

Consider 1993, when Shimon Peres prodded Israeli prime minister Yitzhak Rabin to make a devil's bargain with Yasser Arafat. Rabin and Peres consented to impose the rule of Arafat and his terrorist gangs over the hapless West Bank and Gaza Palestinians. They provided Arafat's Palestine Liberation Organization (PLO) with a territorial base, arms, and money. They foolishly gave Arafat control over billions of dollars in donations and taxes, knowing that most of it would be stolen or used to promote terrorism through vile anti-semitic propaganda. The mostly illiterate and destitute Palestinian fellahin were an easy prey for such incitement, so terrorism flourished. And yet, Israel thought Arafat's Palestinian Authority was a lesser threat than the more radical Hamas movement gaining ground in the West Bank and Gaza.

The deal—signed in Oslo and ratified on the White House lawn with the enthusiastic endorsement of President Bill Clinton—enabled Arafat to establish a corrupt dictatorship whose energies were directed at the destruction of Israel no matter the cost to the disenfranchised poor in the Palestinian territories. The Palestinians had enjoyed relative freedom and prosperity under

Daniel Doron is founder and director of the Israel Center for Social & Economic Progress.

a mostly benign Israeli occupation. Under Arafat they experienced an iron fist as he jailed, tortured, and murdered any who opposed him (and many he only imagined opposed him).

One of Arafat's first actions was to destroy the economic "peace process" begun in 1967, when Israel occupied the West Bank and Gaza, a process of informal reconciliation through economic cooperation that lasted 20 years.

Initially, Israel followed a *laissez-faire* social, economic, and to some extent even political policy in the territories. It kept open bridges with Jordan that enabled the Palestinians to trade with most Arab countries and to travel with few restrictions. Israel did not interfere in Palestinian internal affairs and even left Jordanian law in effect. Israelis ate and shopped in Arab towns and markets, their spending accounting for a quarter of the West Bank's economy. In 20 years Palestinian GNP quadrupled. Enhanced wealth created social mobility, loosening the grip of clan and family. Health and education improved. Child mortality dropped. Palestinian women and children were the beneficiaries of these dramatic improvements.

There were remarkably few terrorist attacks during this period. The few that occurred were mostly perpetrated by PLO hirelings. Not that the Palestinians were enamored of Israeli occupation: No one likes to live under occupation, even a relatively benign one. But, realizing the economic and social benefits it brought them, many Palestinians found the occupation a lesser evil and learned to live with it. When offered a choice after Oslo between receiving Palestinian passports or Israeli identity cards, over 90 percent of Arabs in Jerusalem—a hotbed of Muslim fervor and Arab nationalism—chose the Israeli option.

After Oslo, the Palestinians were subjected to a different sort of occupation, a kleptocracy run by Arafat. To this day, the authority continues to rob, oppress, and impoverish its citizens.

Dennis Ross has acknowledged

that diplomats failed to think through what kind of government was being imposed on the Palestinians: "We should have been focused on the state-building enterprise, but we didn't really focus on that until, in effect, after the collapse of Oslo."

The United States has given hundreds of millions of dollars a year to the Palestinian Authority—billions in total. It's estimated that, in his day, Arafat siphoned off as much as \$900 million from the authority's coffers. And the money that wasn't stolen



All downhill from here: Arafat, Peres, and Rabin in Oslo

was used mostly to provide jobs and other benefits to the Arafat cronies populating the Palestinian Authority's sprawling bureaucracy.

Arafat died in 2004, but more than a decade later his corrupt bureaucracy still dominates the Palestinian economy. The Palestinian Authority is the largest employer in the West Bank and Gaza, employing 220,000 workers, 160,000 in the civil sector and the remainder in 17 different "security services." (Then again, "workers" may not be the right word: According to a 2010 World Bank report, some 13,000 were "ghost employees.")

The security services include a naval security force for a nonexistent navy. But they're no joke: These services spy on the population—and on each other. They terrorize Palestinians, especially those who might dissent, with arbitrary arrests, beatings, and torture, all without trial.

Why do the United States and the European Union continue to underwrite such a ruthless regime? Every revival of the "peace process" comes with billions in grants for the

Palestinian Authority, without any steps taken to promote decent governance or end decades of corruption. Most recently, in May 2013, Secretary of State John Kerry announced that the PA would be rewarded for reaching a peace agreement with an additional \$4 billion in aid.

In a recent article titled "What to Expect from an Independent Palestinian State," Fred Maroun, an Arab living in Canada, summed it up: "If a Palestinian state is created without correcting [its] destructive practices, it is highly likely that the new Palestinian regime will follow the same pattern already established, and be a hatemongering, corrupt, undemocratic, oppressive, belligerent, and ineffective regime."

Peace can evolve between Israelis and Palestinians, but only once the Palestinians have been freed from the rule of the Palestinian Authority and Hamas. It will require time and patience, but it is achievable. It will come when people realize that peace improves their lives, that peace brings prosperity. Alas, the Oslo Accords put an end to what was an informal economic peace process that could have evolved into a political settlement, perhaps in the form, as in Switzerland, of a loose Arab-Israeli federation of independent cantons. The corrupt government begun by Arafat—imposed on the Palestinians by a clueless Israeli leadership—put an end to this promising evolution.

Peace can still be resuscitated, but not while the Palestinian Authority continues to be supported by billions from U.S. and European taxpayers. Only then will decent Palestinians, now terrorized into silence, be able to build a civil society, the basis for a better life and a healthy polity. Such a civil society would negotiate a real and lasting peace with Israel.

A two-state solution, by contrast, would merely take the repressive Palestinian Authority and invest it with the standing of a nation-state. That wouldn't bring peace, but only delay it by another generation. ♦

The Disgraceful Gitmo Exodus

Obama's terrorist-release program

BY STEPHEN F. HAYES
& THOMAS JOSCELYN

As Barack Obama prepared to enter the final year of his presidency, he sat down for an interview with Olivier Knox to discuss a bold new policy change. He had announced a year earlier that the United States would be ending its decades-long isolation of Cuba and seeking rapprochement with the authoritarian Communists who run the island nation 90 miles from Florida. In this December 14, 2015, interview, Obama described his new approach in greater detail. The change he proposed dominated headlines for days.

There was other big news in the interview—though this the media didn't treat as such. The president declared that he remained committed to closing the detention facility at Guantánamo Bay, despite strong objections from Republicans and some Democrats. Obama had campaigned in 2008 on closing Guantánamo and as one of his first acts upon taking the oath of office signed Executive Order 13492 directing his national security team to shutter the facility within a year:

The detention facilities at Guantánamo for individuals covered by this order shall be closed as soon as practicable, and no later than 1 year from the date of this order. If any individuals covered by this order remain in detention at Guantánamo at the time of closure of those detention facilities, they shall be returned to their home country, released, transferred to a third country, or transferred to another United States detention facility in a manner consistent with law and the national security and foreign policy interests of the United States.

Almost seven years later, much to Obama's frustration, the facility remained open. Closing it had proved much more challenging than Obama had theorized as a candidate

Stephen F. Hayes is a senior writer at THE WEEKLY STANDARD. Thomas Joscelyn is a senior fellow at the Foundation for Defense of Democracies.

trying to win an election and a new president acting on his idealism. It turned out that the jihadists who remained in Guantánamo were there for a reason. Many of them were truly, as the cliché had it, “the worst of the worst.” Al Qaeda leaders, top Taliban officials, the men who planned the 9/11 attacks, veteran jihadists caught plotting follow-on attacks on U.S. interests, and even those al Qaeda operatives believed to be charged with carrying out the next wave of assaults on the U.S. homeland.

The news in the president's interview wasn't that he intended to make good on his promise to close Guantánamo, however belatedly. It was instead the president's attempt to mislead the American people to accomplish his controversial objective.

“I am absolutely persuaded, as are my top intelligence and military advisers, that Guantánamo is used as a recruitment tool for organizations like ISIS,” Obama said, endeavoring to create a national security rationale for closing the detention facility. “And if we want to fight them, then we can't give them these kinds of excuses.”

This isn't true. There is virtually no evidence that jihadists use Guantánamo as a significant recruiting tool, and national security experts from across the political spectrum who have tested the claim have judged it false.

He wasn't finished. “Keep in mind that between myself and the Bush administration hundreds of people have been released and the recidivism rate—we anticipate, we assume that there are going to be—out of four, five, six hundred people that get released—a handful of them are going to be embittered and still engaging in anti-U.S. activities and trying to link up potentially with their old organizations,” Obama said.

That wasn't true. When Obama made this claim, 653 detainees had been released. Of that group, 196 had been confirmed (117) or suspected (79) of returning to jihadist activity upon their release. Those numbers came from the office of the director of national intelligence and represent the U.S. government's official count of Guantánamo recidivism. Nearly one-in-three former detainees returned to the fight, not a “handful,” as the president suggested.



A Guantánamo detainee is escorted by guards, October 27, 2009.

There was more. “The bottom line is that the strategic gains we make by closing Guantánamo will outweigh, you know, those low-level individuals who, you know, have been released so far.”

Again, false. The U.S. government—under George W. Bush and Barack Obama—has released dozens of veteran jihadists whose terror résumés include senior positions in al Qaeda and like-minded groups. And of course Obama had himself transferred five senior Taliban officials to Qatar in order to secure the release of Bowe Bergdahl.

So, at a time of escalated threat levels from international terrorists, the president of the United States is releasing dangerous jihadists against the advice of the military and intelligence professionals who have studied the threat for years, and he’s lying to the American people to downplay the threat.

That’s news. And yet a review of press briefing transcripts from the State Department, the Pentagon, and the White House over the two weeks after Obama’s claims shows that his interview didn’t generate a single follow-up question. Not one.

At a time of escalated threat levels, the president is releasing dangerous jihadists against the advice of the military and intelligence professionals who have studied the threat for years—and he’s lying to the American people to downplay the threat.

Hence the president, having paid no cost for misleading the American people on such a crucial matter of national security, is moving forward undeterred. Vice President Joe Biden, at a press conference in Stockholm late last month, said his “hope and expectation” is that Guantánamo will be closed by January 20, 2017.

In recent weeks, the Obama administration has transferred from Guantánamo al Qaeda operatives who were working directly for the men who planned the 9/11

attacks. Obama’s Periodic Review Board has approved for transfer a veteran jihadist who was identified in the 9/11 Commission report as an individual who “recruited 9/11 hijackers in Germany.” The administration is preparing to release or transfer many remaining jihadists judged by U.S. military and intelligence professionals to be “high-risk” detainees who would almost certainly return to the fight if freed.

As the administration’s urgency increases, so will its deception. And so, too, will the dangers to the American people.

THE 'KARACHI SIX'

On September 11, 2002, Pakistani forces stormed three al Qaeda safe houses in Karachi. Their targets were Ramzi Binalshibh, the point man for the 9/11 hijackings one year earlier, and Hamza al Zubayr, who was planning to attack hotels frequented by Americans. Both Binalshibh and Zubayr worked for Khalid Sheikh Mohammed (KSM), the chief architect of 9/11. At Binalshibh's safe house, the residents held knives to their own throats in a desperate attempt to stall their enemies' advances. Their gambit failed and Binalshibh, a native of Yemen, was captured. Elsewhere in Karachi, at another al Qaeda guesthouse, Zubayr was killed during an intense firefight that lasted hours.

In all, 10 people were captured during the raids. The detainees included six other Yemenis who were later dubbed the "Karachi Six" by U.S. intelligence officials. Five of them were detained at Zubayr's safe house after the shootout with Pakistani forces. One of them was captured alongside Binalshibh. All six were transferred to Guantánamo on October 28, 2002.

Three days after the raids, on September 14, 2002, President George W. Bush praised the operations in Pakistan during a press conference with Italian prime minister Silvio Berlusconi. "We're making progress in the war against terror," Bush said. "I tell the American people all the time that we're doing everything we can to protect our homeland by hunting down killers one person at a time." The president added: "Thanks to the efforts of our folks, and people in Pakistan, we captured one of the planners and organizers of the September the 11th attack that murdered thousands of people."

That was then.

Since the beginning of this year, at least five members of the "Karachi Six" have been approved for transfer by the Obama administration. Two of them, including the man captured at the side of this planner and organizer of the September 11th attack—Ramzi Binalshibh—were sent to the United Arab Emirates (UAE) in August. When the Department of Defense announced their transfer from

Guantánamo, along with 13 others, it thanked the UAE "for its humanitarian gesture and willingness to support ongoing U.S. efforts to close the Guantánamo Bay detention facility." The implication was clear: It was inhumane for the United States to continue holding the jihadists.

A senior UAE official tells *THE WEEKLY STANDARD* that the men will be kept in a military facility that allows them internal freedom of movement but includes "strict monitoring" to ensure that they cannot escape.

The Pentagon said nothing about the dangers posed by the detainees. Nor was there any mention of the fact

that the decision to transfer them reversed years of warnings from U.S. military and intelligence professionals about the Karachi Six.

U.S. intelligence analysts had assessed that the Karachi Six were slated to take part in terrorist attacks ordered by KSM and orchestrated by Zubayr and Binalshibh. At a minimum, the professional analysts concluded, they were part of the support network that helped with Zubayr's plotting against American targets in Karachi. But intelligence officials thought these al Qaeda operatives may have been involved in something

even more troubling: KSM's plans to target the American homeland once again. Whatever their specific plans, there was broad consensus among U.S. military and intelligence officials—based on extensive intelligence reporting from multiple U.S. intelligence agencies, including in-person interrogations with other senior al Qaeda leaders—that the men captured in Pakistan on September 11, 2002, were dangerous al Qaeda operatives determined to attack the United States and its interests.

Then, suddenly, in late 2015, the Obama administration reversed these conclusions, describing four of the Karachi Six as merely "low-level" or "low-ranking" fighters. Multiple publicly available documents illustrate how the Obama administration changed the analysts' assessments.

In 2008, Joint Task Force Guantánamo (JTF-GTMO), which oversees the detention facility, deemed each member of the "Karachi Six" a "high" risk, "likely to pose a threat to the U.S., its interests, and allies." JTF-GTMO recommended that they remain in the Defense Department's custody. The leaked JTF-GTMO threat assessments authored for each of the six opened with this line:

For years, U.S. intelligence analysts assessed that the 'Karachi Six' were dangerous al Qaeda operatives determined to attack the United States and its interests. Then, suddenly, in late 2015, the Obama administration reversed these conclusions, describing four of them as merely 'low-level' or 'low-ranking' fighters.



Ramzi Binalshibh, the point man for the 9/11 hijackings

Detainee is assessed to be an al Qaeda operative who planned to participate in terrorist operations targeting US forces in Karachi, Pakistan (PK), and possibly inside the United States.

But the Obama administration changed the assessment on precisely this point beginning in late 2015.

In files submitted to a Periodic Review Board (PRB), which was authorized by Obama in 2011 to evaluate the Guantánamo detainees' cases on a regular basis, the administration's representatives conceded that the Karachi Six were transferred to Guantánamo "based on concerns that they were part of an al Qaeda operational cell intended to support a future attack."

But, the administration argued, they probably "did not play a major role in the attack plotting in Karachi."

The Obama administration's unclassified submission for each of the six jihadists includes these lines (or similar language):

Based on a review of all available reporting, we judge that this label [ed: Karachi Six] more accurately reflects the common circumstances of their arrest and that it is more likely the six Yemenis were elements of a large pool of Yemeni fighters that senior al Qaeda planners considered potentially available to support future operations.

The file for one of the six, Ayoub Murshid Ali Saleh, who was transferred to the UAE in August, explicitly notes the Obama administration's disagreement with previous U.S. intelligence analyses (emphasis added):

Our review of available intelligence indicates that he probably did not play a major role in terrorist operations, *leading us to disagree with previous US government assessments that he was involved in a 2002 plot to conduct an attack in Karachi, Pakistan.*

The language here matters. The Obama administration does not claim that the change in the assessment on Saleh was based on new information, but a "review of available intelligence." In other words, they looked at the same information that has driven U.S. intelligence assessments since 2002 and decided it no longer meant what the intelligence professionals had concluded.

Just months after these files were submitted to the PRB, at least five of the Karachi Six were approved for transfer. In four of the unclassified decisions, the PRB wrote (emphasis added):

In making this determination, the Board noted that the detainee's degree of involvement and significance in extremist activities *has been reassessed to be that of a low-level fighter...*

"Low-level" fighters. Remember that phrase as we delve into the details.

The reporting cited in JTF-GTMO's files and other documents does not support the administration's revised conclusion. Instead, the mosaic of intelligence portrays a very different picture: All six were working for Khalid Sheikh Mohammed or KSM's men, including some of the same operatives who planned and facilitated the 9/11 attacks.

During the raid in which Zubayr was killed and five



With Joe Biden and retired military officers looking on, Barack Obama signs an executive order to close down the detention center at Guantánamo Bay, January 22, 2009.

members of the Karachi Six were captured, the Pakistanis recovered a crucial document known as the "perfume letter." The missive, which was written by KSM in May 2002 and addressed to Zubayr, was given this name because of its cryptic reference to "perfumes." U.S. officials initially suspected that this code word referred to chemical weapons or poisons, but they later concluded that KSM meant military-grade explosives.

The "perfume letter" would become a key piece of evidence in the dispute between Democrats on the Senate Intelligence Committee and the CIA over the value of the intelligence collected in the agency's enhanced interrogation program. The CIA claimed that intelligence from harsh interrogations thwarted an al Qaeda plot against American targets in Karachi in 2003. In the so-called Feinstein report, Democratic senators and their staffers argued that the U.S. government already knew about

the al Qaeda threat in Karachi from the “perfume letter.”

“Dear Brother, we have the green light for the hotels,” KSM wrote to Zubayr. KSM added that Zubayr should consider “making it three instead of one.” Consistent with al Qaeda’s modus operandi of conducting simultaneous suicide operations against multiple targets, KSM wanted Zubayr to strike three hotels housing Americans at once.

“By early October 2002,” the Feinstein report reads, “the CIA had completed a search of the names identified in the ‘perfume letter’ in its databases and found *many* of the individuals who ‘had assigned roles in support of the operation’ were arrested by Pakistani authorities during the [Septem-

hijack airliners leaving Southeast Asia for the United States prior to the 9/11 hijackings. Al Qaeda originally intended to commandeer planes headed for America’s West Coast as part of the 9/11 plot, but bin Laden canceled Khallad’s portion of the plan. Months later, Khallad went to work with KSM and KSM’s nephew, Ammar al Baluchi (also a key figure in the 9/11 attacks), on the anti-American plots in Pakistan. Khallad and Baluchi, both of whom were captured in 2003, planned to use the explosives left behind by Zubayr and his men in their own operations.

The intelligence cited by JTF-GTMO tied Khallad and Baluchi directly to the Karachi Six. Balzuhair told U.S. officials that Khallad, “visited the apartment” where he and the others lived “roughly every two weeks” and was their “primary facilitator in Karachi,” as well as “their link to senior people in al Qaeda.” Balzuhair also said that Baluchi “visited to bring money, clothing, and assistance.” Additional evidence cited in the leaked JTF-GTMO files indicates that the Karachi Six were working directly for KSM and his subordinates.

Bashir Nasir Ali al Marwalah was transferred to the UAE in August. The JTF-GTMO threat assessment for Marwalah notes that he was captured alongside Binalshibh, the man Bush cited in the days after the raid as a key planner of the 9/11 attacks.

The file includes another stunning detail. After KSM himself was captured months later, in March 2003, he was questioned about another letter he authored that was recovered during the Karachi raids.

In this second letter, KSM “instructed” Binalshibh “to tell an individual named Jafar al-Tayyar to be ready for travel.” Al Tayyar means “the pilot.” And “Jafar al-Tayyar” is better known as Adnan al Shukrijumah, who was eventually killed during a counterterrorism operation in northern Pakistan in late 2014.

For American counterterrorism officials, the true identity of “Jafar al-Tayyar” was one of the biggest mysteries in 2002 and early 2003. Both the FBI and the CIA frantically tried to track him down after he was identified as the potential ringleader for al Qaeda’s next wave of attacks inside the United States. CBS News reported in March 2003 that U.S. officials thought he could be the “next Mohammad Atta”—a reference to the lead hijacker on 9/11.

KSM was dismayed that his “Jafar al-Tayyar” letter had fallen into American hands. “When [KSM] was confronted with the letter during a custodial interview,” according to JTF-GTMO, “he was surprised that the letter existed, as detainee [Marwalah] was supposed to destroy important



Demonstrators outside the White House urge President Obama to close the military prison at Guantánamo Bay and end indefinite detention, May 23, 2014.

ber 11, 2002,] raids” (emphasis added). While it is not clear based on public reporting which members of the Karachi Six are directly named in the “perfume letter,” if any, only four other individuals were arrested during the raids.

And there is no doubt that Zubayr, the letter’s recipient, was in charge of the Karachi Six. One of them, Shawki Awad Balzuhair, identified Zubayr as the Karachi Six’s “operational leader.” According to the JTF-GTMO files, Balzuhair explained that Zubayr was “unconditionally accepted as the leader of the group given his stature in al Qaeda” and his experience as a “senior military trainer” at the Farouq camp, which was Osama bin Laden’s primary training facility in pre-9/11 Afghanistan. Balzuhair has been approved for transfer from Guantánamo.

According to the Feinstein report, another senior al Qaeda operative named Walid Bin Attash, also known as “Khallad,” was specifically identified in the “perfume letter.” Khallad was directly involved in the USS *Cole* bombing in October 2000. He also helped al Qaeda prepare to

CHP SOMDEVILLA / GETTY

documents and correspondence.” JTF-GTMO’s analysts surmised that KSM’s “comment indicates that detainee [Marwalah] had access to operation planning and coordination through his handling of the correspondence.”

The Obama administration’s reassessment elided this straightforward conclusion, and the evidence that led to it, claiming curiously that Marwalah’s “role in al Qaeda operational plotting is unverified.”

KSM’s letters weren’t the only incriminating evidence recovered during the Karachi raids. Authorities also found and analyzed two laptop hard drives. According to JTF-GTMO’s threat assessments, the hard drives “contained images of instrument approach charts for major US and European airfields, along with flight simulator software.” An analysis by the National Geospatial-Intelligence Agency (NGA) concluded that the data on the hard drives could be used to plan another hijacking or to assist in the targeting of aircraft with man-portable air defense systems (MANPADS). JTF-GTMO’s analysts concluded it was “probable” Jafar al-Tayyar (Shukrijumah) was “utilizing the data from the hard drives” in his “operational planning.”

Another document scooped up during the raids is especially difficult to explain away. The Obama administration’s PRB summary notes in passing that Marwalah’s “last will and testament” were “found in the Karachi raids” and “included a martyrdom statement.” JTF-GTMO’s memo describes this document as Marwalah’s “last will before a suicide operation.” And JTF-GTMO’s analysts added a commonsense observation: “The presence of the document indicates that detainee [Marwalah], and probably the group [Karachi Six] as a whole, were in the final stages of planning suicide terrorist operations.”

Why else would Marwalah have written his “martyrdom” message if he wasn’t preparing to die? The Obama administration, in its eagerness to rewrite the history of the Karachi Six, didn’t offer an alternative explanation in its unclassified summary.

That’s not all. Some members of the Karachi Six, including Said Salih Said Nashir, told authorities that they had personally met with KSM. Curiously, Nashir is the only one of the six whose PRB decision has not yet been released to the public. In its unclassified summary for Nashir’s case, the administration claimed he wasn’t part of Zubayr’s plot in Karachi. But Nashir was hardly exonerated. Instead, the administration claimed Nashir “was probably intended by al Qaeda senior leaders to return to

Yemen to support eventual attacks in Saudi Arabia,” but “may not have been witting of these plans.” The summary also notes that Nashir has “admitted to a close association with some of [al Qaeda’s] external operations planners and senior leadership, including” Khallad.

In sum, there is abundant evidence that the Karachi Six were working directly for senior al Qaeda operatives, including KSM and his immediate subordinates. Five of them lived with Zubayr, who was plotting against American hotels in Karachi.

Even if one were inclined to accept the Obama administration’s spin on the evidence about the Karachi Six, that revisionism doesn’t support the conclusion that they were harmless innocents. The administration itself argued it was “more likely” the Karachi Six “were elements of a large pool of Yemeni fighters that senior al Qaeda planners considered potentially available to support future operations.” Of course, unlike many of the Yemenis from this “large pool,” these six were actually living with the “senior al Qaeda planners” responsible for the Karachi plots. And one of them had already said his goodbyes as a willing “martyr.”

Tellingly, the Obama administration previously found that the Karachi Six should remain in U.S.

custody. In January 2010, President Obama’s Guantánamo Review Task Force concluded that all six should be detained under the law of war, because they were “too dangerous to transfer, but not feasible for prosecution.” It was only under the Periodic Review Board (PRB) process, established by President Obama on March 7, 2011, that five of them were eventually granted transfer. It turns out that is an all too frequent occurrence. (In response to detailed questions about the Karachi Six and the transfers to the UAE, Pentagon spokeswoman Lt. Col. Valerie Henderson said, “Detainee-related information is derived from multiple sources, some of which was gathered by the Intelligence Community through sensitive sources and methods and cannot be discussed publicly. The Department of Defense is constantly reviewing its detainee-related information for accuracy and updating its records as appropriate.”)

TRANSFERRING DETAINEES 'TOO DANGEROUS TO TRANSFER'

To simplify: President Obama created two different entities to evaluate Guantánamo detainees and the risks

As the end of Obama’s presidency draws near, and the urgency of closing Guantánamo increases, Obama’s PRB is finding ways to transfer many of the same detainees that Obama’s own task force previously said were too dangerous to transfer.

they present to the United States. Both bodies—first Obama’s task force and later the Periodic Review Board—were conceived to further the president’s oft-expressed objective of closing the detention facility. As the end of Obama’s presidency draws near, and the urgency of closing Guantánamo increases, Obama’s PRB is finding ways to transfer many of the same detainees that Obama’s own task force previously said were too dangerous to transfer.

The PRB’s web page describes the body as “a discretionary, administrative interagency process” that was established “to review whether continued detention of particular individuals held at Guantánamo remains necessary to protect against a continuing significant threat to the security of the United States.”

To date, according to a review of government filings conducted by THE WEEKLY STANDARD, the PRB has issued a ruling in 52 cases. Thirty-three detainees have been approved for transfer by the PRB. The PRB determined that continued detention of 19 Guantánamo detainees “remains necessary” to protect the “security of the United States.” This means that the PRB has approved Guantánamo detainees for transfer in nearly two-thirds of the cases it has heard.

This is a stunning success rate for these particular detainees. To put it in perspective, keep in mind that Obama’s own Guantánamo Review Task Force previously assessed all 52 of these detainees and determined that none of them—not one of them—should be transferred or released. Twenty-eight of the 33 detainees approved for transfer by the PRB had been deemed “too dangerous to transfer but not feasible for prosecution” by Obama’s task force. The remaining five approved for transfer by the PRB were referred for prosecution by Obama’s task force. But instead of being prosecuted, they have either already been transferred or will be.

To add some additional perspective, keep in mind that Obama’s task force decided that nearly two-thirds of the 240 detainees remaining at Guantánamo as of January 2009 could be transferred. The task force made it clear that the detainees approved for transfer were not deemed innocent. Nor were they considered non-threats. Instead, Obama’s task force concluded that the security risks they posed could be adequately mitigated. In many of these cases, Obama’s task force decided to transfer detainees who had been deemed “high” risks by the military and intelligence

professionals at JTF-GTMO. That is, Obama’s task force was willing to accept the dangers these detainees’ presented to further the president’s desire to close Guantánamo.

Regardless, even Obama’s task force drew the line at transferring the detainees who have been evaluated by the PRB. But roughly two out of every three of them have won transfer under the PRB process.

Simply put: The Obama administration is transferring many of the detainees the administration itself previously deemed to be the worst of the worst—including at least five members of the Karachi Six and the man long suspected of recruiting some of the 9/11 hijackers.

Obama’s task force decided that nearly two-thirds of the 240 detainees remaining at Guantánamo as of early 2009 could be transferred, but not that they were innocent or non-threats. Instead, the task force concluded that the security risks these men posed could be adequately mitigated—that is, Obama’s task force was willing to accept the dangers these detainees presented to further the president’s desire to close Guantánamo.

AL QAEDA’S FORREST GUMP?

The 9/11 Commission published its final report in 2004. The lengthy account connects the dots on the key al Qaeda figures who carried out the most devastating terrorist attack in history. On page 165 of the report, readers are introduced to a Mauritanian named Mohamedou Ould Slahi, who is described as a “significant al Qaeda operative.” Slahi was “well known to U.S. and German intelligence, though neither government apparently knew he was operating in Ger-

many in late 1999,” the commission’s report explained. Slahi’s presence in the heart of Europe proved to be crucially important. An appendix to the report makes clear why: Slahi “recruited 9/11 hijackers in Germany.”

Indeed, Slahi facilitated the travel to Afghanistan of the aforementioned Ramzi Binalshibh and at least two of the 9/11 hijackers. (Mohammed Atta, the lead hijacker, used the same route as those three, but apparently didn’t receive instructions from Slahi directly.) The four jihadists who traveled to Afghanistan on Slahi’s advice are known to history as the Hamburg Cell. Three of them piloted hijacked planes on 9/11. Al Qaeda probably could not have pulled off the attacks without them.

Slahi was detained in late 2001 and shipped to Guantánamo in 2002. He has been held at the facility ever since. As reflected in the 9/11 Commission report, U.S. intelligence professionals have long considered him to be a key al Qaeda recruiter.

On July 14, 2016, the PRB approved Slahi for transfer,

finding that “continued law of war detention of the detainee is no longer necessary to protect against a continuing significant threat to the security of the United States.” Essentially, the PRB believed Slahi and his advocates when they said he wanted to begin his life again in peace. The PRB’s unclassified decision cited Slahi’s “candid responses” to its questions, including “recognition of his past activities,” but didn’t provide any further details. The PRB believes there are “clear indications of a change in [Slahi’s] mindset.” He will be transferred.

Slahi’s detention at Guantánamo has long been controversial because he was treated harshly during interrogations. Slahi was one of a few detainees subjected to a special interrogation regime in Cuba. Human rights activists and anti-Guantánamo zealots have not been content to denounce the manner in which Slahi was questioned; they have turned Slahi into something of a living martyr. They claim he was essentially the jihadist Forrest Gump. According to his advocates, even though Slahi admittedly swore allegiance to al Qaeda in the early 1990s and repeatedly assisted various al Qaeda operatives through the years thereafter, he somehow wasn’t really an al Qaeda man. They’ve characterized his meeting with the Hamburg Cell as a jihadist sleepover—innocent and misunderstood. Slahi himself pitches a version of this sanitized story in his widely acclaimed autobiography, *Guantánamo Diary*, which is a *New York Times* bestseller.

President Obama’s Guantánamo Review Task Force concluded in 2010 that Slahi should remain in detention under the law of war, because he was too dangerous to transfer. But the administration didn’t fight hard to keep him in detention during the PRB process. The administration’s unclassified summary for the PRB notes: “He facilitated the travel of future 9/11 operational coordinator Ramzi [Binalshibh] . . . and two future 9/11 hijackers to Chechnya via Afghanistan in 1999.” This is mostly accurate, but leaves out a key point. According to the 9/11 Commission, Binalshibh and the others wanted to join the jihad in Chechnya. It was Slahi who convinced them to go to Afghanistan for training first.

The leaked JTF-GTMO threat assessment for Slahi references a constellation of other al Qaeda personalities in his life. For instance, Slahi showed up in Montreal in November 1999, just weeks before Ahmed Ressam, who was trained in Afghanistan and relocated to Montreal,

began his journey for Los Angeles. Ressam intended to detonate a car bomb packed with explosives at the LAX airport as part of the “Millennium Plot.” Ressam was arrested in mid-December 1999 before he could complete his mission. JTF-GTMO’s analysts concluded that Slahi “had prior knowledge” of Ressam’s plan and had “contact with extremist cells in Canada planning for that attack.” Slahi disputes this, and the government’s PRB summary doesn’t mention the connection.

Court documents show that, in January 1997, Slahi sent a fax to a known al Qaeda operative named Christopher Paul. In it, Slahi asked for Paul’s help in finding “a true Group and Place” for “some Brothers” who wanted to wage jihad. The fax is significant because Slahi sent it years after he and his boosters now claim that he had forsworn al Qaeda. In 2008, Paul pleaded guilty in an American court to conspiring to bomb targets in Europe and the United States.

Slahi also routinely consorted with a relative, a jihadist known as Abu Hafs al Mauritani, who was once one of al Qaeda’s most senior ideologues. The administration noted in its PRB summary that Slahi “established a broad network of terrorist contacts while living in Germany, Canada, and Mauritania.” (Again, Slahi’s advocates portray his terrorist network as a benign Rolodex of acquaintances who just happened to be al Qaeda.) While “most of his extremist contacts have since been detained or killed,” Abu Hafs

al Mauritani is “currently residing in Mauritania.” Abu Hafs “could provide him [Slahi] with an avenue to reengage, should he decide to do so,” the administration noted. Abu Hafs is also referenced in the 9/11 Commission report as one of a handful of bin Laden subordinates who may have opposed the suicide hijackings, although he later praised them. Abu Hafs was also suspected of involvement in earlier terrorist plots.

Judging by his Twitter feed (@AbuHafsMuritani) and Facebook page, Abu Hafs remains committed to jihad. In recent tweets, for example, he lamented the death of an al Qaeda military commander in Syria and praised the battlefield gains of al Qaeda front groups fighting Bashar al-Assad’s regime. Mauritania is not exactly committed to keeping men such as Abu Hafs and Slahi under wraps. Files recovered in Osama bin Laden’s compound show that al Qaeda negotiated a truce with the government of Mauritania. In exchange for not committing any terrorist attacks inside the country, al Qaeda was given free rein to proselytize.



Mohamedou Ould Slahi recruited 9/11 hijackers in Germany, but coercive interrogation and a self-exonerating New York Times bestseller have made him an anti-Guantánamo martyr.

Perhaps Slahi won't rejoin al Qaeda's ranks once he is let go. But he doesn't have to in order to damage American interests. The U.S. government doesn't consider ex-Guantánamo detainees turned anti-American propagandists to be recidivists. But there is no question that they go far beyond any legitimate criticisms of the United States in making up lies about America, their time in Cuba, and their own biographies. Slahi could easily fill this role; his book is already an international sensation. Slahi was undoubtedly subjected to rough, coercive interrogations. The world will continue to hear that part of the story, probably with some exaggerations. And Slahi's claim of innocence will go largely unchallenged.



Newly arrived detainees, January 11, 2002

THE GUANTÁNAMO BLAME GAME

The linchpin of President Obama's argument for closing Guantánamo is that it is a major recruiting mechanism for terrorists. In December 2010, Obama claimed that Guantánamo is "probably the number one recruitment tool that is used by" al Qaeda and other jihadist organizations. "And we see it in the websites that they put up. We see it in the messages that they're delivering," Obama added. He made a similar argument at a press conference on December 18, 2015, saying, "We see how Guantánamo has been used to create this mythology that America is at war with Islam." The Obama administration still has not offered any empirical evidence to substantiate this argument. Anyone even casually familiar with jihadist propaganda knows that Guantánamo is infrequently mentioned and is not part of any significant recruiting theme. Ayman al Zawahiri, the head of al Qaeda, has released five messages since early August. He didn't mention Guantánamo once.

But Obama clings to this argument as a national

security rationale for closing Guantánamo. He has claimed that Guantánamo "was an explicit rationale for the formation of Al Qaeda in the Arabian Peninsula," or AQAP. Like so many of Obama's claims about Guantánamo, this is false.

At no point in time did AQAP's leaders, some of whom were once held at Guantánamo, say that the facility was the reason they launched their organization. If anything, AQAP's history shows the dangers of releasing known al Qaeda operatives from Guantánamo. One current AQAP leader is Ibrahim al Qosi, who was transferred in 2012. Qosi was a trusted associate of Osama bin Laden before he was captured. JTF-GTMO's assessment of Qosi described him as "an admitted al Qaeda operative and one of Usama bin Laden's (UBL) most trusted associates and veteran bodyguard."

In fact, in May, AQAP's *Inspire* magazine directly rebuked Obama on his claim that the facility is a key recruitment tool, arguing that al Qaeda talks about many issues and Guantánamo wasn't nearly at the top of their list. *Inspire* cited the Israeli-Palestinian conflict, as well as other issues, as far more important from a recruiting standpoint and chastised Obama for being pro-Israeli.

As the Islamic State rose in power, Obama shifted his argument, claiming that it, too, was using Guantánamo as a major recruiting tool. Once again, the administration has provided no evidence this is true. Because the Islamic State rarely mentions Guantánamo in its propaganda, the administration shifted attention to the group's use of orange jumpsuits in its snuff videos. This is supposedly a subtle, indirect reference to Guantánamo. The Islamic State is not known for its subtlety, of course, and it has never said that it uses orange jumpsuits because of Guantánamo. Orange jumpsuits are ubiquitous, the standard garb in prisons around the globe, including the Iraqi facilities where many of leader Abu Bakr al-Baghdadi's loyalists were once held. The Islamic State puts its victims in other colors, too, and there is no apparent logic behind which color is used. Moreover, the administration says nothing of the fact that Obama's own policies, including the air campaign in Iraq and Syria, are explicitly mentioned in these gruesome productions.

After the Islamic State struck in Paris last November, killing and wounding hundreds of people, Obama went so far as to cite Guantánamo: "It's part of how they rationalize and justify their demented, sick perpetration of violence on innocent people. And we can keep the American people safe while shutting down that operation." Once again, not true. The Islamic State did not use Guantánamo to justify the Paris massacres. Nor has the administration pointed to

SHANE MCCOY / MAI / THE LIFE IMAGES COLLECTION / GETTY

a single attack—out of thousands carried out by the Islamic State around the globe—that was rationalized or justified on the basis of Guantánamo.

The fifteenth issue of the Islamic State’s *Dabiq* magazine, released earlier this year, carried an article aptly titled “Why We Hate You & Why We Fight You.” For starters: “We hate you, first and foremost, because you are disbelievers; you reject the oneness of Allah—whether you realize it or not—by making partners for Him in worship, you blaspheme against Him, claiming that He has a son, you fabricate lies against His prophets and messengers, and you indulge in all manner of devilish practices.” *Dabiq*’s editors listed many other reasons, including our “secularism and nationalism,” our “perverted liberal values,” and our “Christianity and atheism.” They did include a generic mention of the imprisonment and “torture” of Muslims around the world, but only after listing Obama’s drones and many other reasons, and even then there was nothing—not a word—about Guantánamo.

208 RECIDIVISTS— AND COUNTING

“The existence of Guantánamo,” the president claimed in 2009, “likely created more terrorists around the world than it ever detained.” But the president has not shown, and cannot demonstrate, that Guantánamo has “created” as many as the 208 recidivists who have now been freed. Just this past week, the office of the director of national intelligence released its latest estimate of the number of “confirmed” and “suspected” recidivists. Most of them, 188, were transferred during the Bush years. But the growth in the number of recidivists over time demonstrates the flaws in Obama’s thinking. In January 2009, the month Obama was inaugurated, the Pentagon counted 61 recidivists. Today, that figure is nearly three and a half times larger.

Intelligence officials tell *THE WEEKLY STANDARD* that those estimates are undoubtedly low. And there is little question that those numbers will grow—though we likely won’t know the details until after Obama leaves office. Sources familiar with the negotiations on Guantánamo transfers tell *TWS* that when Obama administration officials have insisted on a timeframe for host-country tracking of detainees, the requirements for monitoring soften considerably after January 2017.

In at least one case, the transfer of six detainees to Uruguay in December 2014, five of them “high-risk” detainees, the recipient country had announced in advance that it would not track the detainees. President José Mujica

accused the United States of “kidnapping” the jihadists and abusing their human rights and, in a May 2014 interview with the *Washington Post*, declared that he would not monitor the high-risk detainees after the transfer. “We are not the jailers of the United States government or the United States Senate. We are offering solidarity on a question that we see as one of human rights.”

In other cases, just as Obama administration officials have misled the American people about the threats presented by Guantánamo detainees, they’ve also misled the diplomatic partners who have agreed to receive them.

On January 6, 2016, Mahmoud Omar Mohammed Bin Atef and Khalid Mohammed Salih al Dhuby were transferred to Ghana. U.S. intelligence determined that

both men were committed jihadists. Bin Atef, in particular, was assessed as a “high risk” detainee “likely to pose a threat to the US, its interests and allies.” According to JTF-GTMO, he was “a fighter in Usama bin Laden’s former 55th Arab Brigade and is an admitted member of the Taliban” who had trained in al Qaeda’s notorious Farouq camp. In addition, Bin Atef had “participated in hostilities against US and Coalition forces.” Unlike many detainees who renounce jihadism—or pretend to—Bin Atef “continues to demonstrate his support of UBL and extremism” and “has threatened to

kill US citizens on multiple occasions including a specific threat to cut their throats upon release.”

When the transfer to Ghana was announced, however, a statement from the government in Accra claimed the men “were detained in Guantánamo but have been cleared of any involvement in terrorist activities and are being released.”

It’s almost as if the U.S. intelligence assessment and the statement from Ghana are describing different people. How does this happen? Jojo Bruce-Quansah, the information minister at Ghana’s embassy in Washington, D.C., told us at the time that the U.S. government provided assurances that Bin Atef was “never involved in terrorism” and presented little risk. “If that assurance was not there,” he said, there is “no way” his government “would have taken the detainees.” A spokesman for the National Security Council declined to comment on whether the U.S. government provided Ghana with the full intelligence assessment of Bin Atef.

It’s not clear today whether the Obama administration will succeed in closing Guantánamo. What is clear is that, in attempting to do so, the president is willing to free dangerous terrorists and mislead the American people and our diplomatic partners. ♦

Obama claims that Guantánamo ‘was an explicit rationale for the formation of Al Qaeda in the Arabian Peninsula.’ Like so many of Obama’s claims about Guantánamo, this is false.



'Croesus Receiving a Tribute from a Lydian' by Claude Vignon (1629)

Perfecting Prosperity

How Greek civilization paid dividends. BY DAVID WHARTON

Something remarkable happened in classical Greece, but we didn't know about it until very recently. Against all historical odds, they nourished a successful class of entrepreneurs and became wealthy.

Greek authors usually didn't portray their civilization that way. Herodotus famously contrasted Greek poverty with Eastern luxury in an encounter he recorded (or made up) between the Athenian lawgiver Solon and Croesus,

David Wharton is associate professor of classical studies at the University of North Carolina, Greensboro.

The Rise and Fall of Classical Greece

by Josiah Ober
Princeton, 464 pp., \$35

the eponymously wealthy Lydian king. Croesus took Solon on a tour of his treasury, then asked him who was the happiest man he had ever seen. Solon replied that it was someone named Tellus, an Athenian of moderate means, who was lucky in having beautiful and good children and grandchildren, and who died old, and heroically, in battle.

Solon's pointed indifference to Croe-

sus' wealth was not lost on his host, who rudely sent him on his way. The fact that Croesus later lost his kingdom and his riches drove home Herodotus' point that wealth is fickle and dangerous, and that the Greeks were better off for not having much of it. The point isn't original to Herodotus, and turns up often in Greek poetry—in this case, in Aeschylus' *Agamemnon*:

*Goddess Justice shines in poor homes,
And honors the righteous life. But gilded
palaces
She flees, abashed by their corruption.*

Modern scholars have tended to take the Greeks at their word about

DEAGOSTINI / GETTY

their own poverty, but Josiah Ober, professor of political science and classics at Stanford, does not. He points out that the Tellus/Croesus comparison doesn't really make sense, since Tellus was a middle-class citizen and Croesus a king. The right comparison would be between the ancient Greek middle class and other middle classes, ancient or modern.

Those comparisons are hard to make, even for contemporary economists who are awash in data. For the ancient world, economic data are scarce. But we now have a mass of information about the ancient economy that we didn't have a generation ago, thanks to the work of a team of international scholars, compiled in the monumental *Inventories of Archaic and Classical Poleis* (2005).

Ober marshals the data, using an impressive grasp of political and economic theory, to argue that a substantial Greek middle class started growing in the archaic period and soon outpaced that of nearly all ancient societies. Of course, the ancient Greeks would not be considered wealthy by modern American or European standards; but their unusually high standard of living lasted until well after Alexander's conquests, and later Greeks wouldn't reach it again until the early 20th century.

If this is true—and there seems little reason to doubt it—how did they do it? It is an unlikely outcome for a fractious constellation of city-states that had neither much interest in, nor talent for, empire-building.

Ober's answer relies, provocatively—for a classical Greek historian, at least—on evolutionary biology, information science, and game theory, as well as on the more traditional disciplines of history, archaeology, political science (with an emphasis on Aristotle's *Politics*), and economics. He devotes part of an early chapter to comparing the Greek city-states to ants around a pond, where no individual ant has much information about resources or colony planning but the entire colony of independent actors thrives as it processes information effectively in a decentralized, distributed system.

Ober is careful not to push the analogy too far, but it effectively frames a central tenet of his thesis: The absence of central planning among the Greek *poleis* facilitated rather than hindered the innovations that created and spread their remarkable prosperity. He also asserts that neither we nor the Greeks could have understood how this happened until very recently—not just because we lacked the data, but because we didn't have the right intellectual tools.

To explain the world of the Greek *poleis*, we need to move forward in time, beyond the industrial era into the contemporary world of self-consciously knowledge-based enterprises. It is now widely understood that exchanging and aggregating diverse and dispersed forms of knowledge is a key factor to the success of contemporary purposeful organizations.

Traditional ancient societies, in this view, clogged the flow of vital economic information by channeling it through an informationally sclerotic social elite who controlled the peasantry with a combination of religious-political ideology and expertly deployed violence. This political configuration was so common in the ancient world that some economic historians have dubbed it the “natural state,” in which most people lived at subsistence level while a tiny ruling class siphoned off all the economy's wealth. In such societies, incentives to innovate were rare: Peasants had no desire to increase their efficiency because they wouldn't reap any economic benefits, and the wealthy already had more than they needed.

The Greeks escaped this economic sinkhole, for a time, partly through historical accident, climate, geography, and culture. The collapse of the Mycenaean palace culture in the late Bronze Age left a political vacuum that no great powers rushed to fill; the Mediterranean climate favored the cultivation of grapes, olives, and grain, which are easily processed and traded in the Mediterranean basin. Widespread colonization in the archaic period spread a common Hellenic culture and language around this “pond,” facilitating

communication and interaction among about 1,500 independent *poleis*.

The Greeks leveraged these assets through citizen-centered government and relentless competition and innovation. Each independent *polis* was a petri dish of political experimentation, and information about what worked and what didn't easily spread among the other *poleis*. Among the most important of these innovations, according to Ober, was democracy, not necessarily because it was a more just system of government (sometimes it wasn't) but because it was a more efficient means of gathering and processing information, distributed among the citizens, that was vital to the success of the *polis*.

Although democracy wasn't ubiquitous among the Greek *poleis*, many of its citizen-centered innovations spread to less democratic states, and some survived even Alexander's conquests. Other essential conditions for prosperity were the maintenance of what Ober calls “fair rules” of government and trade as well as efforts to reduce transaction costs by establishing reliable currency, common weights and measures, and public infrastructure.

Classics scholars will be familiar with some of these ideas, which Ober began developing in *Democracy and Knowledge: Innovation and Learning in Classical Athens* (2008). But his work will be of interest to anyone who is serious about the history of political economy, or who wants to know more about the relationship between democracy, economic growth, and human flourishing, whether in the ancient or modern world.

Although I would not recommend *The Rise and Fall of Classical Greece* as an introduction to Greek history, it will richly reward a serious lay reader. One of its most appealing qualities is its multidisciplinary approach, which is the fruit of Ober's extensive and generously acknowledged collaboration with scholars from around the world as well as with his Stanford colleagues in a number of fields, including the sciences. In this respect, it points in a direction that future humanities scholars will need to go if they, too, wish to flourish. ♦

Happy Together

The unromantic origins of the world we inhabit.

BY CHRISTOPHER ATAMIAN



Burt Lancaster in 'The Leopard' (1963)

Conservative intellectuals have rightly come to despair about the academy. But amidst the darkness, there are flashes of light. One is provided by the Yale political science professor Steven B. Smith. He has made his name as an expert on Spinoza, authoring several contrarian takes on the philosopher's role in the development of liberalism and of his view of Judaism. But, it seems, those books were merely warm-ups for a broader consideration of the rise of secular society; now, with this wonderfully erudite opus, Smith expands his focus, offering readers nothing less than a short history and analysis of modernity itself.

His main argument is that the anxiety and self-criticism that accompanied modernity—and the development of the bourgeoisie—were crucial to the

Christopher Atamian is a New York-based writer and critic who contributes to the Huffington Post and New York Times Book Review.

Modernity and Its Discontents

*Making and Unmaking the Bourgeois
from Machiavelli to Bellow*

by Steven B. Smith

Yale, 416 pp., \$45

creation of modern Europe's (and America's) identity and its ability to produce the social, political, and economic progress that made it the most advanced and desirable part of the world to live in.

In Smith's view, that began with Machiavelli. The Florentine was but the first of the modern writers and philosophers who slowly transformed society from a class-based, hierarchical system ruled by all-powerful monarchs and clerics. This is the old "darkness," the one that the Enlightenment reacted against, finding still greater strength in Descartes's declaration *cogito ergo sum*, with everything that this implied for the development of the emancipated thinking individual. That was augmented by the progress of Galilean science and Cartesian geometry and the

social contract whose finer points were debated by Locke and Rousseau.

These critical ideas freed humanity from medieval intellectual bondage into a future of greater possibility and self-fulfillment. The notion of the self-made man and the attendant American Dream, Smith suggests, embody what many thinkers envisioned modernity should entail: By dint of self-reflection and hard work, anyone could become the person he was meant to be—or more crucially, wanted to be.

What replaced the antiquated European aristocracy from the French Revolution onwards however has been infinitely more problematic than was anticipated by the *philosophes*. Chopping off Marie Antoinette's head was relatively easy—but what then? Among the unintended results of civil and individual emancipation has been widespread alienation.

Moreover, equality has meant a leveling of onetime virtues such as personal honor and tradition; meantime, scientific progress has given us administrative bureaucracy. Not all have been led to adultery and suicide, as Emma Bovary was, but all within the burgher class have been challenged by the surfeit of freedom open in both action and thought. And as Smith cogently argues, modern life for many has become mechanized and dull. Conversation has become a series of meaningless sound bites. Traditional family structures were stifling to many, yet we have not found anything better to replace them. Instead of original thinking, we get the platitudes of technocratic existence: The cowboy has been replaced by the computer geek.

The left has accepted the basic ideas of the Enlightenment, but Smith notes that the movement never went beyond the stage of critiquing inequality and hierarchy. In this fashion, it has created still more anxiety, alienation, and inequality—obsessions with the much-touted top 1 percent at the expense of awareness of how much the bottom 99 percent has benefited from modernity. Smith presents Nietzsche, de Maistre, Heidegger, Sorel, and Foucault as examples of thinkers who have produced a Counter-Enlightenment,

one which challenged people's belief in the rational and scientific foundations of society. The rule of the individual did, after all, also lead to fascism, and the belief in equality to communism.

Smith's favorite Counter-Enlightenment thinkers include Tocqueville and Isaiah Berlin—for whom “modernity is not a problem to be overcome but a challenge to be met.” He wisely argues that we must reject the notion of infinite progress while asking how we should best measure “progress” in the first place—as well as when we have had enough of it. But following some 400 pages of one dispiriting critique after another, Smith ends on a positive note, observing that modernity's ills are a symptom of its success. People live longer, better, and with more freedom and equality than our ancestors would ever have dreamed.

Smith sums up his assessment not with philosophers but with two essays on modern literature. The first examines Giuseppe di Lampedusa's *The Leopard*, which was turned into an equally brilliant film by Luchino Visconti in the early 1960s. The second takes a fresh look at Saul Bellow's *Mr. Sammler's Planet* (1970). The heroes in both these novels face bewildering worlds. Don Fabrizio in *The Leopard* belongs to the decaying Sicilian aristocracy that sees its traditions and nobility upended by an emerging commercial class—and he and his fellow aristocrats are powerless to stop it. But, ultimately, the merger of the aristocracy and the merchant class—embodied in the successful marriage of his nephew Tancredi to the beautiful and ambitious merchant's daughter Angelica—mirrors Cavour and Garibaldi's successful unification of Italy, which transformed its former warring principalities into a modern, progressive state.

Bellow's Sammler survives a death camp during the Holocaust, but he may not emerge alive from 1970s New York, a dangerous and decrepit urban empire of vice. Sammler is consistently deceived, mistreated, and finally physically assaulted and humiliated by a petty street thief. Yet this aged figure finds redemption in his nephew Elya Gruner, an honest man who embodies human

decency itself: As he recites Kaddish over his kinsman's body, he realizes that one honest soul can redeem many. Along with the daily dreariness that Sammler witnesses on the Upper West Side, he sees the undeniable light of those who overcome their anxieties and troubles to the betterment of all.

Steven Smith sees the bourgeoisie as the most thoughtful and benevo-

lent party in modern life. He does not romanticize the noble savage; rather, he sees the commercial classes as those most able to move society forward by successfully overcoming their discontents. And coming from the academy, the comprehensive and robust awareness of modernity's accomplishments on display in this remarkable work is a welcome perspective. ♦

BCA

Readable Rogues

The timeless allure of the gentleman-crook.

BY MICHAEL DIRDA

On some now-forgotten weekend back in the 1960s, Alfred Hitchcock's *To Catch a Thief* was shown on television. By the time it was over, a certain 14-year-old in Lorain, Ohio, yearned to be John Robie, aka The Cat. Played by Cary Grant, this retired jewel thief lived in the south of France, could leap about on Riviera rooftops with feline, acrobatic ease, and regularly fended off the attentions of Grace Kelly at her most gorgeous. Becoming a debonair gentleman-burglar was clearly a dream worth pursuing, even for someone who was then (as now) overweight, nearsighted, and clumsy.

Alas, I never got much further than buying a black turtleneck sweater, ideal for crouching in shadows. Recognizing my inherent physical deficiencies, as well as an overall lack of anything approaching suavity, I gradually relinquished my glamorous ambitions and, instead, settled for an owlish life as a reader of books. As it happens, though, some exceptionally entertaining books focus on the dashing ancestors of John Robie. We may object to larceny in the real world, but we relish the devil-may-care spirit of an A.J. Raffles or the

Gallic insouciance of an Arsène Lupin. Such men live by their wits, and we cannot help but admire their ingenuity and grace under pressure. These days, James Bond trades on the same sort of worldly aplomb.

While history and literature can boast many examples of courteous thieves, notably Robin Hood, and while rogues have often pretended to be law-abiding citizens—think of Balzac's sinister Vautrin, who sometimes disguises himself as a prelate of the church—the first criminal of modern literature to be labeled a gentleman-thief and master of disguise is Colonel Clay, who appears in Grant Allen's *An African Millionaire* (1897). Today, Grant Allen is mainly remembered for his once-scandalous account of unmarried love, *The Woman Who Did* (1895). But he was also, in the words of a modern biography, “the busiest man in England,” turning out scientific studies (of flowers, evolution), socialist tracts, tales of the supernatural, even a novel of proto science fiction. In this last, a time traveler from the future visits 1895; the novel's blunt title reveals its theme: *The British Barbarians*.

Grant Allen's African millionaire is Sir Charles Vandrift, who made his fortune in South African diamonds. Vandrift regards himself as a clever businessman, and he can certainly be a ruthless one. The narrator of the stories is his secretary and brother-in-law, Seymour

Michael Dirda is the author, most recently, of *Browsings: A Year of Reading, Collecting, and Living with Books* *and the* *Edgar Award-winning* *On Conan Doyle*.

Wilbraham Wentworth, who tells us straight-off that “I have only known one rogue impose upon Sir Charles, and that one rogue, as the Commissary of Police at Nice remarked, would doubtless have imposed upon a syndicate of Vidocq, Robert Houdin, and Cagliostro.” This is, of course, Colonel Clay. As a French policeman explains:

He is a Colonel, because he occasionally gives himself a commission; he is called Colonel Clay, because he appears to possess an india-rubber face, and he can mould it like clay in the hands of the potter. Real name, unknown. Nationality, equally French and English. Address, usually Europe. Profession, former maker of wax figures to the Musée Grévin. Age, what he chooses. Employs his knowledge to mould his own nose and cheeks, with wax additions, to the character he desires to personate.

In the opening chapter, Vandrift is vacationing on the Riviera when he hears about the occult powers of a certain Antonio Herrera. This gentle Mexican psychic impresses everyone with his quiet dignity and slightly naïve manner: At a dinner party “[t]he Seer gazed about him, and smiled blankly at a person or two whose face he seemed to recognize from a previous existence.” Herrera performs a number of impressive feats, one of which is built around Vandrift’s signature. A few days later, the millionaire learns that £5,000 has been withdrawn from his bank account. How was it done?

An African Millionaire carries the subtitle “Episodes in the Life of the Illustrious Colonel Clay,” so the remainder of the book shows us how this artful dodger swindles Vandrift over and over again: “The worst of the man is he has a method,” says his repeated victim. “He doesn’t go out of his way to cheat us; he makes us go out of ours to be cheated. He lays a trap, and we tumble headlong into it.”

Most readers, and sometimes even Vandrift and Wentworth, will guess the latest disguises of the Colonel and his pretty female accomplice, nicknamed White Heather. There is nonetheless a pleasing variety to the plotting and geography of the stories, since adventures take place in Scotland, the Tyrol,

America, and London. At the end of each successful coup, the Colonel writes mockingly to Vandrift and once he even explains himself a bit:

The fact of it is, sir, your temperament and mine are exactly adapted one to the other. I understand *you*; and *you* do not understand *me*. . . . As a regular financier, I allow, I couldn’t hold a candle to you. But in my humbler walk of life I know just how to utilize you. I lead you on, where you think you are going to gain some advantage over others; and by dexterously playing upon your love of a good bargain, your innate desire to best somebody else—I succeed in besting you. There, sir, you have the philosophy of our mutual relations.

In a grotesque image, Clay then sums up their association: “You are my host; I am your parasite.” More emphatically, the book also makes repeated jabs at Vandrift’s unbridled, capitalist greed. For example, the Colonel signs one of his mocking epistles “Cuthbert Clay, Practical Socialist.” An unnamed magazine editor takes an even more jaundiced view of the millionaire and his ilk: “Don’t believe that nonsense about fortunes being made by industry and ability,” he said. “In life, as at cards, two things go to produce success—the first is chance, the second is cheating.”

Throughout, this thread of satirical wit gives these pages much of their bounce. On board ship, Vandrift encounters Dr. Elihu Quackenboss, a multitalented American able to shoe a mule or translate “a Polish work on the ‘Application of Hydrocyanic Acid to the Cure of Leprosy.’” Could he be another avatar of Colonel Clay? At a bachelor party, Vandrift is introduced to Algernon Coleyard, “the famous poet, and leader of the Briar-rose school of West-country fiction.” Might he be the Colonel in disguise? As Wentworth says, “We were beginning to suspect him everywhere.”

All in all, this is a delightful book, with several bravura passages. In New York, after a respite from the Colonel’s attention, Wentworth notes that the long-suffering Vandrift “began to fancy his tormentor must have succumbed to yellow fever, then raging in

New Orleans, or eaten himself ill, as we nearly did ourselves, on a generous mixture of clam-chowder, terrapin, soft-shelled crabs, Jersey peaches, canvas-backed ducks, Catawba wine, winter cherries, brandy cocktails, strawberry-shortcake, ice-creams, corn-dodger, and a judicious brew commonly known as a Colorado corpse-reviver.”

Just before the advent of E. W. Hornung’s Raffles—that beau idéal of the gentleman-burglar—*Pearson’s* magazine published a series of stories later collected in 1900 as *A Prince of Swindlers*. Their author, Guy Boothby, is now mainly remembered as the creator of the hypnotic criminal mastermind (and seeker after the elixir of immortality) Dr. Nikola. Here, though, his protagonist is Simon Carne, who possesses the face of an angel—and a noticeable hump. Despite his apparent physical debility, this expert on Asian art, who normally resides in India, quickly conquers London society with his charm, wit, and consummate good taste. He also executes five extraordinary crimes, each a “Mission: Impossible” scam. No one ever suspects Carne. After all, what criminal would live right next door to the great detective Klimo, said to be the equal of Lecoq and Sherlock Holmes?

Carne, of course, *is* Klimo. Yet another master of disguise—you didn’t think that hump was real, did you?—he regularly passes through a passage way between the two buildings, assuming whichever identity he needs. More than once, Carne commits a robbery and the victim then hires Klimo to solve it. Somehow, the dastardly perpetrator always ends up getting away, though Klimo’s sterling reputation never suffers.

What makes these stories so engaging is, again, their lighthearted tone and Carne’s approach to larceny as a game: “[I]t was scarcely a robbery he was planning, but an artistic trial of skill, in which he pitted his wits and cunning against the forces of society in general.” How this daring thief purloins the Duchess of Wiltshire’s diamonds, wins the Derby, upsets an Irish dynamite plot (and appropriates

the terrorists' war chest), robs a country house, and impersonates the Emperor of Westphalia should be left for happy readers to discover.

I'm not sure if Arthur Conan Doyle ever met Guy Boothby, but he was definitely a close friend of Grant Allen, as well as the brother-in-law of E. W. Hornung. Did he, perhaps, introduce the creator of Colonel Clay to the future creator of Raffles? It would be pretty to think so. Hornung himself always maintained that A. J. Raffles was, in part, derived from Sherlock Holmes. The dedication page of *The Amateur Cracksman* (1899) even reads "To A. C. D, this form of flattery." A cracksman, by the way, is British slang for a burglar or housebreaker. When these stories were published in America, the Scribner's blurb summed them up perfectly:

Raffles, the hero of Mr. Hornung's new story, is one of the most fascinating rascals of modern fiction. Born and bred a gentleman, he enters upon an astonishing career of crime, bringing to every enterprise high spirits, an iron nerve, a buoyant wit, and a perfect ease and self-possession. The combination of precision, of head work and of handiwork, stamps him a veritable artist in crime, well worthy to rank with his counterpart, Sherlock Holmes. His adventures are described with infinite zest and with delicious humor.

The first story, "The Ides of March," recounts how a bankrupt and suicidal "Bunny" Manders came to be Raffles's partner and chronicler. In those early days, the noted cricketer and secret cracksman was living in high style at the Albany, smoking only Sullivan cigarettes and looking for all the world like a languid minor poet. "Again I see him," recalls Bunny, "leaning back in one of the luxurious chairs with which his room was furnished. I see his indolent, athletic figure; his pale, sharp, clean-shaven features; his curly black hair; his strong, unscrupulous mouth. And again I feel the clear beam of his wonderful eye, cold and luminous as a star, shining into my brain—sifting the very secrets of my heart."

At least during the early phases of his career, Raffles is half thrill-seeker, half aesthete: "Why settle down to some humdrum uncongenial billet,

when excitement, romance, danger and a decent living were all going begging together?" Of course, he blithely adds, stealing is "very wrong, but we can't all be moralists, and the distribution of wealth is very wrong to begin with." Besides, there is such a thing as art for art's sake: "Does the writer only write when the wolf is at the door? Does the painter paint for bread alone? Must you and I be *driven* to crime like Tom of Bow and Dick of Whitechapel?"

Of course not. To fail to exercise one's talents would sap the spirit from any man.



Grant Allen (1899)

The three collections of stories about this stylish robber—*The Amateur Cracksman*, *The Black Mask* (1901, in America *Raffles*), and *A Thief in the Night* (1905)—proved immensely popular for a long while, especially in England. Graham Greene wrote a play called *The Return of A. J. Raffles* and George Orwell titled a celebrated essay on the changing nature of crime fiction "Raffles and Miss Blandish." Anthony Powell thought Hornung as good a storyteller "for construction and excitement" as Conan Doyle.

Perhaps. But there's no getting round the fact that Bunny hero-worships Raffles to a somewhat creepy degree: More than one reader has suspected a homosexual subtext. Some have even claimed that Raffles and Bunny were modeled after Oscar Wilde and Lord Alfred Douglas. Yet while he feels piqued at being con-

descended to by vulgar aristocrats, Raffles is less a social leveler than a disappointingly unimaginative opportunist. He steals a necklace by simply dashing into a room and taking it. He absconds with a painting by—ho-hum—making a duplicate key to a lock. He employs the most obvious means to purloin a pearl from a ship-board cabin (ventilators) and, when caught, casually leaves Bunny to go to prison while he escapes. In one story, he actually plans a cold-blooded murder—which must be against the code of any self-respecting gentleman-burglar—and in another allows real criminals, including a murderer, to escape. He even lies and exploits a young woman into thinking he's in love with her.

If, initially, Raffles and Bunny often act like schoolboys larking about and cocking a snook at authority, Hornung makes clear that they are not immune to the ravages of time. When Raffles reappears in the second volume of stories, he has lost his health and his heart has been broken by a tragic love affair. He now lives in squalor as the decrepit, white-haired invalid Mr. Maturin. (Are we meant to think of the disgraced Wilde who called himself Sebastian Melmoth, a name derived from the Gothic novel *Melmoth the Wanderer* by Charles Robert Maturin?)

At this point, Bunny has served 18 months in prison and begun writing exposés of the contemporary penal system. Has he grown wiser or, perhaps, even grown up? Not at all. The poor rabbit jumps at the chance to rejoin Raffles in new larcenous ventures, though his idol now regards crime with the serious eye of a professional. This second volume ends with the redemptive death of Raffles, who behaves heroically during the Boer War. The third volume, *A Thief in the Night*, collects some additional stories, firmly set back in the period when Raffles and Bunny were still just gentleman-pranksters off on a spree.

All in all, though Hornung's cracksman is world-famous, I find Simon Carne a much more ingenious thief and Colonel Clay a more likable



David Niven as Raffles (1939)

character. That said, none of these Englishmen can match the charm and Gallic *savoir faire* of Maurice Leblanc's Arsène Lupin. He is inimitable. One night, after breaking into Baron Schormann's mansion, the rogue deliberately went away empty-handed, leaving his visiting card—"Arsène Lupin: Gentleman-Burglar"—and the scribbled message: "Will return when your things are genuine."

In *The Exploits of Arsène Lupin* (1907)—the first collection of stories about the master criminal—we learn that Lupin "worked at his profession for a living, but also for his amusement. He gave the impression of a dramatist who thoroughly enjoys his own plays and who stands in the wings laughing heartily at the comic dialogue and diverting situations which he himself has invented." His carefully staged capers are related from various narrative viewpoints: by Lupin himself, in

the third person, or as the testimony of a journalist friend. Always, Leblanc manages to surprise us, since his charming antihero assumes many names and disguises. Nothing, however, can mask his sense of humor.

For instance, the wealthy Baron Cahorn receives a letter headed "Prison de la Santé, Paris." In it, Lupin—who is locked in a maximum security cell awaiting trial—kindly requests that the Baron pack up certain of his art works and send them in Lupin's name and "carriage paid" to the Gare de Batignolles within the week, "failing which I will myself see to their removal on the night of Wednesday, the 27th instant. In the latter case, as is only fair, I shall not be content with the above-mentioned objects." And as if such chutzpah weren't sufficient, Lupin adds a P.S.

Be sure not to send the larger of the two Watteaus. Although you

paid thirty-thousand francs for it at the salesrooms, it is only a copy, the original having been burned under the Directory, by Barras, in one of his orgies. See Garat's unpublished Memoirs.

I do not care either to have the Louis XV chatelaine, which appears to me to be of doubtful authenticity.

Of course, the Baron refuses to surrender his treasures and, of course, they all vanish on the announced Wednesday, the 27th, even though he has enlisted the protective services of Lupin's nemesis, the great French detective Ganimard.

In later stories, we learn a few tantalizing oddments about Arsène Lupin's past and how he first became a thief. To perfect his skills, he deliberately apprenticed himself to a conjurer and later served as an assistant to a famous scientist. He also seems to have taught Japanese wrestling and been a champion

SAMUEL GOLDWYN PRODUCTIONS / RONALD GRANT

cyclist. Might he have spent time in the theater? Lupin certainly displays a flair for the melodramatic. In “The Seven of Hearts,” a journalist returns home late one evening and, climbing into bed, picks up the book on his nightstand. To his surprise, he finds his page marked with an envelope inscribed “Urgent.” How could it have gotten there? Unsealing the envelope, he reads the brief note inside: “From the moment when you open this letter, whatever happens, whatever you may hear, do not stir, do not make a movement, do not utter a sound. If you do you are lost.”

Almost immediately, noises rock the house and he seems to glimpse a threatening figure behind a curtain; but the frightened journalist never moves a muscle. The next morning, however, everything seems untouched and quite normal. Was it all merely a dream? Just then a stranger knocks at the door and begs to spend two minutes alone in the study. At the end of those two minutes a shot is fired; the stranger has committed suicide. Why? What did he find, or not find, in that room?

The last story of the *Exploits* is titled “Holmlock Shears Arrives Too Late.” (For legal reasons, Leblanc was prohibited from using the name Sherlock Holmes.) By this time, Lupin has grown so famous that he is referred to in the story as France’s “national thief.” With his usual adroitness, he arranges a seemingly impossible robbery only to be confronted by an emotionally upsetting figure from his past. Worse still, he encounters a new and greater threat in England’s national detective:

Shears took a view of him from head to foot with an eye at once so all-embracing and so piercing that Arsène Lupin felt himself seized, caught, and registered by that glance more exactly and more essentially than he had ever been by any photographic apparatus.

Needless to say, the pair will face off again in subsequent episodes of Lupin’s long and colorful career.

Colonel Clay, Simon Carne, A.J. Raffles, and Arsène Lupin all first appeared at the turn of the last century. Today, paperback compilations

of their raffish skullduggery are readily available, those published by Penguin being the most attractive. Still, this criminal quartet could easily be expanded into a small orchestra. Barry Pain’s Constantine Dix works as a prominent lay preacher by day and a thief when occasion allows. In William Le Queux’s *The Count’s Chauffeur*, George Ewart narrates the scams and capers of his employer, the Italian nobleman Bindo di Ferraris. Then there are the tales of Louis Joseph Vance’s Michael Lanyard, known as The Lone Wolf, and Frank L. Packard’s Jimmie Dale, alias the Gray Seal. By the late 1920s young Leslie Charteris had intro-

duced his bright buccaneer, Simon Templar, the Saint.

While the adventures of well-mannered gentleman-crooks may be viewed as subtly supporting (or consciously criticizing) society’s class system, for most casual readers today they largely function as escapist wish-fulfillment, adult fairy tales of cleverness defeating might and brawn. They also transport us back to a better time when great criminals could be rapsalions rather than mass murderers. Or is believing that just another fantasy? If so, it’s a fantasy worth indulging now and then, if only as a temporary respite from the 21st-century’s often nightmarish realities. ♦

BCA

Inventing America

The business of drafting a national blueprint.

BY KEVIN R. KOSAR

The men who drafted the Constitution rightly earned our eternal praise. In 1787, they met in Philadelphia, where they pondered, debated, and haggled for four months. James Madison, George Washington, and the rest scrapped the Articles of Confederation and replaced it with a new governing document.

The Constitution they enacted is a remarkable document, but parchment was not enough to meld together the disparate states and peoples. A government had to be stood up to make good on the Constitution’s promises to “establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity.” This challenge fell to the first Congress, convened between 1789 and 1791—and whose achievements were incredible. It’s a

Kevin R. Kosar is a senior fellow at the R Street Institute and edits LegBranch.com.

The First Congress
How James Madison, George Washington, and a Group of Extraordinary Men Invented the Government
by Fergus M. Bordewich
Simon & Schuster, 416 pp., \$30

story told with color and verve by Fergus M. Bordewich, the author of several admirable works on early America.

In its three sessions ... it would create the Departments of State, War, and Treasury, the Supreme Court, the federal court system, and the first federal criminal code. Congress would debate and pass ... the Bill of Rights. It would enact a bold agenda of duties and tariffs to create a revenue stream for the federal government and adopt a far-reaching financial plan that rooted the nation’s economic system in capitalist principles. The first national bank of the United States would be launched, the first census begun, and the patent and copyright systems established.

None of this was easy. In a time when there was no proper capital, just



Georgetown, District of Columbia (ca. 1820)

getting Congress convened would be difficult. The young legislators (most were in their thirties and forties) had to trek to New York City, which could take weeks. They came by carriage, sleigh, horse, and foot, and found lodging in taverns and private homes. The first day, they assembled in Federal Hall near Manhattan's southern tip, with the House meeting on the first floor and the Senate upstairs. To their embarrassment, there were too few to constitute a quorum: The votes for president and vice president could not be counted, and nothing could be done. Virginia's Theodorick Bland was among the late arrivers, having been "shipwrecked & landwrecked, mired, fatigued with walking &c. &c." Indeed, neither chamber mustered a quorum until April 1, 1789.

The concise language of the Constitution may seem straightforward enough, but actuating it proved difficult. What was the speaker of the House supposed to do? Should the vice president actively participate in Senate debates? Senators were chosen by their respective state legislatures, but did this imply they were to consult with their home state's assemblies before voting? Did the "necessary and proper" clause permit establishing a bank to regulate

the value of currency, as Alexander Hamilton contended? The nascent Congress squabbled, often heatedly, over these subjects and many others (including proposed taxes on cod and molasses).

The permanent location of the national capital was a long and especially inflammatory dispute. Nearly every state's legislators made a play to secure the seat of government. Each imagined that having the capital would bring economic development and strengthen his state's influence over federal policy. The issue was settled through wheeling and dealing, deceit, and grubby transactional politics. Initially, they cut a deal to make Philadelphia the temporary capital, which is where the first Congress held its second session. But the capital would be situated permanently in Maryland, on the Potomac River, somewhere between Williamsport (a little south of Pennsylvania) and Georgetown.

George Washington and his fellow Virginians subsequently hard-bargained Congress to amend the statute: The new federal enclave would be further south and would encompass land in Virginia, 200 acres of which was owned by Washington. Northerners were outraged, but voted

for it because the South threatened to vote against Hamilton's bank bill.

Readers of *The First Congress* cannot help but come away with a realistic perspective on Madison, Washington, and the other Founders. They were, as the subtitle notes, "extraordinary" in the strict sense—most were more educated and successful than the average American. But they were not gods on Olympus: They were riven by parochialism, self-interest, and petty personal animosities. And they had basic philosophical differences over the authority of the federal government and the nature of the union.

What made them extraordinary is how they got beyond these fundamental differences and got things done. "I have launched my barque on the federal ocean," said Delaware's John Vining, "and should she arrive at her destined port with her invaluable cargo safe and unhurt, I shall not regret . . . she may have lost some small share of her rigging. Which may be considered a cheap purchase for the safety of the whole." They took hard votes and cut deals because that is what governing demands. Had they not, America would not be the world's longest-living, and most stable, republic—and preeminent power. ♦

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Unsullied

Hanks and Eastwood bring the right stuff to pilot's tale.

BY JOHN PODHORETZ



Tom Hanks and Clint Eastwood

Clint Eastwood's movie about Chesley "Sully" Sullenberger, the pilot who landed his plane on the Hudson River in January 2009 and saved all 155 aboard, is the damndest thing. You know what's going to happen before you go into the theater. Even worse, it's only a few minutes in when you get that the movie's take on the "Miracle on the Hudson"—Sully's fear he is going to be blamed by the National Transportation Safety Board (NTSB) for making a bad decision that will cost him his job and his reputation—is a load of hooley.

After all, we all saw Sullenberger interviewed on TV in the days following the landing. He was understated and charming and looked entirely at peace with himself. He didn't walk through press scrums as though he were a criminal looking to get into a paddy wagon as quickly as possible. In real life, Sully seemed to be the modern-day personification of that quality Tom Wolfe called "the right stuff"—the supreme but understated

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

Sully

Directed by Clint Eastwood



self-confidence of the pilot that is only truly demonstrated by his success in daring the ultimate and surviving it. But that's not the Chesley Sullenberger we get here. What we get is a pensive, rigid, unsmiling, worried Tom Hanks.

And yet, and yet, and yet. This movie, *Sully*, it just knocks your socks off.

It's riveting, gripping, and profoundly moving—despite the fact that the dialogue is pedantic and wooden, despite the fact that it's got several weak performances, and despite the fact that it features more scenes of the "hero talking to his beloved wife on the phone and trying to suppress his deep emotions during a crisis" variety than really ought to be permissible under U.S. statute.

Here's the paradox: Though the dialogue by screenwriter Todd Komarnicki is wooden, the structure—which is also the work of Komarnicki—is absolutely brilliant. We begin the day

after the crash and then over the course of the movie's compact 96 minutes we are shown the events of January 15 over and over from different angles and perspectives. We see the plane's cabin, we see what the flight crew does before and after, we see how the passengers get themselves onto the wings and into the life rafts, we see rescue workers and ferryboats all circle the plane.

And we see the cockpit actions taken by Sully and his copilot Jeff Skiles in five different ways. The plane was in the air for all of 3 minutes and 28 seconds from taking off at LaGuardia to the moment when a flock of birds was sucked into the two engines until it crash-landed in the water near 42nd Street. Each time we cut back to that cockpit we learn a little more about why Sully made the choices he made, what justified his instinct not to try and turn the plane around to get it back to LaGuardia, and how he and Skiles worked together under the most extreme conditions to follow safety protocols, save the plane, and save the lives of the passengers.

Hanks's performance as Sully makes for an interesting contrast with his last major real-life role in *Captain Phillips*, in which his ship was taken over by Somali pirates. His Captain Phillips was quiet, contained, careful, and emotionless—until he and his crew are rescued, at which point he finally releases his feelings and allows himself to collapse in fear and upset. The concluding scenes of *Captain Phillips* featured what was likely the best acting of Hanks's storied career and remain among the highlights of American movies in our time.

In *Sully*, Hanks begins in a condition of grave emotional upset but, as the film progresses, his Sully begins to steady himself, grow in confidence and surety, and finally emerge as he was in those 208 seconds on that plane—a confident and thorough professional better at his job than anyone else alive. The same is pretty much true for Hanks as an actor.

And it's even more true of its director. Clint Eastwood is 86 years old. He simply beggars belief. What more can you say?

“Colin Kaepernick, the San Francisco 49ers quarterback who touched off a national debate when he chose not to stand during the playing of the national anthem before games, has emboldened a handful of other players to follow suit.”

PARODY

—New York Times, September 12, 2016

A12 The Nation

Player protests

PROTESTS FROM A1

said, the National Football League has not yet decided how to deal with New England Patriots players who have taken to covering up the team logo on their helmets with duct tape. “We know there are those who are upset,” said NFL spokesman Huxley Darwin, “but we support the free speech of players who find the whole idea of ‘Patriots’ and patriotism objectionable.”

Players with the Washington professional football team have also taken to covering their helmets with duct tape to obscure the insensitive image depicting indigenous peoples. So too in Miami, where players offended by the confinement of marine mammals at SeaWorld have joined in taping over the cartoon dolphins on their helmets. The offensive line of the Buffalo Bills blotted out their team’s logo as well to draw attention to William Cody’s role in the great bison holocaust. “Activism is all well and good,” said Darwin, “but with everyone taping their helmets over, it’s getting hard to tell who’s on what team.”

In the meantime, the league is exploring the availability of fire-retardant materials to use in production of the giant American flags often stretched across fields before games, after the unfortunate incident Sunday involving San Francisco 49ers backup quarter-