

**BOB DYLAN,  
NOBELIST  
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the weekly

# Standard

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## A Quiet Revolution

**ANDY SMARICK**  
on the charter school  
movement at 25

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## Now They Tell Us

This past week we got a master class in how to deploy opposition research in a presidential campaign. During the second debate, a question from CNN's Anderson Cooper led Donald Trump to assert that he "did not kiss women without consent or grope women without consent." At that point, the floodgates opened. THE SCRAPBOOK has lost precise count at this point, so let's just say that multiple women in multiple publications came forward to say, no, to the contrary, he had done exactly that to them. Luke Thompson, who formerly worked at the National Republican Senatorial Committee and knows a thing or two about the political dark arts, described it this way:

This is a brilliantly coordinated drop, with staggered embargoes. First, notice the mix of local outlets and national outlets. There's a great mix of print and broadcast as well. Start with the [*New York Times*] to get eyeballs on the web and TV. CNN picks it up immediately. Ok. Now you've got a story rolling. Within an hour, you start to get multiple waves coming out of local outlets. These get picked up. Within ninety minutes you've got reporters reporting on existing reporting. The cycle is locked in. Nobody's assessing the stories. And here's the kicker: the victims live in FL, OH, even UT. THEY'RE ALL SWING STATES! It's masterful to be honest. Take a bow.

Now we don't necessarily attribute this degree of genius to the Clinton campaign. Trump is widely traveled, and the evidence that he is a handsy

chauvinist or worse is ample and convincing. (It's clear now why Hillary Clinton probably never lost much sleep, once Trump won the GOP nomination, over the prospect that she might have to account for her part in covering up the sexually predatory behavior of her own husband.)

But the timing of this flood of stories is maddening. There was precious little media effort to report such stories back when they might have prevented Trump from becoming the Republican nominee. It's striking just how enthusiastically the media are now putting out stories that likely could have been reported earlier. But of course then they wouldn't have done maximum damage to Republican electoral hopes.

This is all in marked contrast to 2012, when the big story was what the media *didn't* report in October. Recall that the day after the deadly assault on the U.S. compound in Benghazi, President Obama gave an interview to *60 Minutes* where he said it was "too early to tell" whether what had occurred was a terror attack or the result of spontaneous protests over a YouTube video. The remark was cut out of the interview when it aired. To promote the politically helpful fiction that it wasn't a terror attack, Hillary Clinton told some families of those killed in Benghazi that the maker of the offending YouTube video would be arrested—and he was soon thereafter jailed (on grounds other than the political convenience of Hillary Clinton, as it happened, but it cer-

tainly looked like a political hit job).

A few weeks after the *60 Minutes* interview, ascertaining when Obama admitted Benghazi was a terror attack became a flashpoint at the second presidential debate. Mitt Romney had faulted the president's reluctance to admit the obvious. CNN moderator Candy Crowley famously interrupted Romney to erroneously "correct" his version of events. CBS News and *60 Minutes* could have cleared this up by releasing the full interview with Obama, and zeroing in on his "too early to tell" line. But this would have redounded to Romney's credit and not been very helpful to the Obama campaign, so they didn't report it. Just days before the election, CBS quietly released the transcript of the Obama interview to provide a fig leaf of an argument that they hadn't hidden it from voters. By that time, the controversy had largely petered out.

Did we mention the president of CBS News, David Rhodes, is the brother of White House national security adviser Ben Rhodes? The same Obama functionary who later bragged to the *New York Times* about creating a media "echo chamber" to help the Obama White House sell a misleading "narrative" about the Iran nuclear deal? THE SCRAPBOOK tries not to lapse into a conspiratorial mindset about the media, as most of the time they're merely incompetent. But every October before a presidential election, paranoia seems oddly justified. ♦

## Bad Syrian, Good Syrians

The saga of Jaber al-Bakr, the 22-year-old Syrian migrant and terror suspect who hanged himself in a Leipzig jail cell last week, is more or less over. But his story does

illustrate the complexities, the dangers and dilemmas, of immigration policy here and in Europe. Bakr, who was from Damascus, had been granted asylum status when he entered Germany last year—one of hundreds of thousands of Middle East refugees welcomed by Chancellor Angela

Merkel. He had settled in Chemnitz.

It's not entirely clear why Bakr washed up in Chemnitz—it used to be called Karl-Marx-Stadt when it was part of East Germany—but his activities there almost immediately aroused the suspicion of local authorities. By the time they arrived

at his apartment on October 8 to arrest him for suspected terrorist activities, however, he was nowhere to be found. The suspicions were fully justified, incidentally: Not only had Bakr been researching bombs on the Internet, but a large quantity of TATP, a homemade explosive used in last year's bombings in Paris and Brussels, was found in his flat as well.

As it happens, Bakr fled north to Leipzig, where other Syrians have congregated, and he asked three fellow migrants to crash in their apartment. The trio of Syrians didn't know Bakr, but, as soon as news reports were broadcast about the raid on his Chemnitz flat, they recognized their new roommate, subdued him, tied him up, and called the police.

This is one of those instances where a potential catastrophe—32 innocent people were killed by bombs last March in Brussels—was averted by official vigilance and smart police work. But it is equally true that Bakr might never have been caught, or might never have aroused the suspicions of the Chemnitz authorities, without the critical assistance of other Syrian migrants.

It is tempting, and to a large degree sensible, to worry about the nature of the Middle East migrants now flooding across Europe and the Atlantic. But as the case of the late Jaber al-Bakr and his Leipzig roommates shows, it is also useful to remember that sometimes a “refugee” really is a refugee. ♦

## Sentence First . . .

Wesley College has been practicing Queen of Hearts justice: “Sentence first—verdict afterwards.”

Such is the finding of the Department of Education's Office for Civil Rights, which announced this week that the Dover, Delaware, school has been rather jumping the gun when it comes to punishing those accused of sexual misconduct, expelling students without even interviewing them.

In April of last year a student nearing graduation and three others were accused of sexual misconduct. They



quickly found themselves kangaroo-courted. They were suspended before the college had even asked them their side of the story. They were not given, before the disciplinary hearing, any of the information from the official “incident report.” Nor were they, the Department of Education found, “provided a full opportunity to provide witnesses and other evidence at the hearing.”

It seems this was how Wesley was in the habit of handling allegations of sexual wrongdoing. The Department of Education went through the school's case files from 2013-2015 and found Wesley College had failed “to provide procedural safe-

guards and equitable investigations for other accused students, including several incidents in which the college provided no evidence that accused students were interviewed before receiving interim suspensions, some on the same day.”

This, it turns out, is a violation of Title IX, the law that prohibits sex discrimination in education. Taking the testimony of students of one sex while not even allowing the testimony of students of a different sex might seem like a textbook case of sex discrimination. But in alleged cases of campus rape, Wesley College has been nothing if not trendy—and the trend has been for schools to show

how tough they are on sexual misconduct by tossing out due process.

Remarkably, the Department of Education concluded that, even in cases where sexual abuse is alleged, and even on college campuses, there is such a thing as the rights of the accused and the rule of law. Remarkably, because there are intense social pressures on bureaucrats to give the Queen of Hearts her way: “Off with their heads!” has been the order of the day.

Thus it is to the credit of Catherine E. Lhamon, assistant secretary for civil rights at the Department of Education, that in settling the case with Wesley College she emphasized the school’s agreement to “ensure student safety” but to do so “through promoting processes all students can believe in to protect their rights.” It’s a rare case in which the bureaucracy responsible for unleashing the Alice-in-Wonderland sexual harassment climate on campuses got one right. ♦

## Red Meat from an Unexpected Source

“Things taste better when you make them yourself, and they taste doubly better when you’ve hunted the animal yourself. Whether you’re fishing for the salmon, or going hunting for a boar, that’s a big part of it. You feel more connected to what you’re doing, to what you’re eating, you cook it yourself and it’s this whole experience.”

Those sentiments are more or less



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standard among people who like to hunt. The part about feeling “more connected” might be a little much for some people in rural Pennsylvania or Michigan or other places where the opening day of deer season is anticipated the way kids look forward to Christmas.

Being a hunter and feeling a love for the hunt and its rituals—including eating what you kill—would probably earn someone a fair number of points toward “deplorable” status on Hillary Clinton’s scorecard. For one thing, hunting almost always involves guns.

But the hunter in this case is Mark Zuckerberg, the Facebook founder. Mr. Zuckerberg made the decision to get out of the digital wilderness and into what some think of as the real world a few years ago. He shared his thoughts about this in a recent 30-minute video. Among his props were a couple of grills that were in use, belching smoke and cooking meat. One was a Big Green Egg—the Rolls Royce of grills—the other was one of those where the firebox is offset so that the meat is not exposed to direct heat from the coals. Zuckerberg calls this one The General.

Many of Zuckerberg’s Facebook “friends” were probably bewildered or disappointed. He was, after all, talking about hunting and killing. And a lot of hunters were no doubt looking for something to mock or sneer at. But he didn’t give them much. He said, in fact, things they had probably said themselves. For instance, this, about hunting: “It’s a good way to feel connected to nature. I feel like if you’re going to eat meat then you should be a part of getting [it] . . . you should get to know where it comes from.”

Anyone who has taken the backstraps from a deer killed after a careful stalk and a skillful shot, let them age a bit, wrapped them in bacon, then put them on the grill over hot hickory coals . . . well, that person understands what Zuckerberg is talking about and agrees with him.

And “like” doesn’t even come close to describing it. ♦

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## Speeches and Herb

It had been a long day, and I was famished. I'd flown to New York the previous night, and the plane was delayed three times. I walked into my hotel room at 1:00 A.M. After five hours of sleep, I woke to prepare for my midday speech. Between the event itself and chatting with attendees afterwards, I didn't have time for much lunch, but I was too busy to worry about it. I zipped back to the airport, caught a shuttle to Washington, raced across town to the elegant dinner venue, and changed from my suit into my tuxedo.

My stomach was growling audibly, angry that I'd neglected it all day. I thought about making a dash for the hors d'oeuvres as a peace offering, but since I was helping to emcee the dinner, the more urgent priority was giving my scripts a quick once-over before I had to read from them in front of a packed audience.

As the dinner started, I chatted with my tablemates, worried that the sounds from my gut were noticeable even above the din of the servers. I scarfed down the petite salad in front of me and looked in vain for any sign of the entrees. Just as I began to contemplate stealing the salad from the tardy seatmate next to me, I spied a small cardboard box sitting at the top of my place setting. Perfect—a post-dinner chocolate would be just enough to get me to the main course.

After opening the box and setting aside the folded white paper describing the contents—I was going to eat it whether it was a raspberry-filled bonbon or a crème brûlée truffle—I unwrapped a perfect circle of cocoa temptation: light brown on the outside, with a dark coffee-bean-shaped center. Drooling like an English bulldog, I popped it in and waited for the soft explosion of mocha and some relief from my hunger pangs.

Instead . . . crunch. It was hard, gritty. This chocolate was really old.

I kept chewing, optimistically, hoping that might soften things up and waiting for a hint of chocolate that never came. It was then that I realized whatever I was grinding down was not, in fact, chocolate. I grabbed a napkin and tried to expel this substance—the consistency was that of wet cement—without making a scene. Some of the sludge that wasn't caked on my teeth and gums was making its way slowly



*A box of Garden Bon Bons*

down my esophagus, triggering a gag reflex, while the rest of it was oozing, lava-like, out of the cracks of my poorly sealed lips.

I was due onstage at any moment, but couldn't have spoken if called upon. So I sprinted towards the bathroom, snatching a half-finished bottle of water from a table near the bar. I took a swig but couldn't swallow, so I grabbed a nearby garbage can—one hand on each side—and plunged my head deep into the container, spitting furiously.

Moments later, this scene replayed itself in a stall of an otherwise empty bathroom. The white porcelain was spattered with a brown, mud-like material—too dirty to leave to the cleaning crew. When I opened the door

of the stall to fetch some wet paper towels, a startled man looked first at the toilet, then at me, at the toilet once again, and then, with eyes bulging in a look of horror and disgust I've never before seen, one more time at me. I paused for a moment to imagine what he must have thought I was doing and briefly considered offering an explanation. But not yet knowing enough myself to offer that explanation, I simply gave him a smile and a shrug.

When I returned to the table after being gone for 10 minutes, my tablemates showed no alarm or concern. The white piece of paper I'd tossed aside moments earlier confirmed my fears. "This candy is for planting—not for eating." I read on. I'd eaten something called a "Garden Bon Bon." It was meant to look like a fine chocolate. The light brown outside was hardened clay; the dark center was a large seed that, when used in the intended manner, would grow to produce an oregano *Origanum vulgare* plant.

Seconds later, I was summoned backstage for my presentation, the residue of my earthen snack still spread throughout my mouth. I asked Brent Bozell, the host that evening, to perform a quick teeth-check to make sure that at least

my front teeth were clean. When I confessed what I'd done, he doubled over, convulsing with laughter, and summoned the event-planners to let them in on the joke. They, too, laughed and then one of them offered a confession of her own: It had occurred to them that one of their guests might mistakenly eat the clay treat.

"We wondered who would be dumb enough to eat one of those without checking the box," she said.

I made that up. While that was no doubt what she was thinking, she said nothing at all to make me feel stupid and she was quite concerned that I might feel sick. Sweet, really.

Unlike the bonbon.

STEPHEN F. HAYES

# All Hands on Deck



Besides choosing the next president, voters have a second and equally important obligation on November 8. They must elect a strong and clear-minded Congress to protect the country against the extreme policies of both candidates. It will take a Republican Congress to do this.

Why Republican? Two reasons. If Democrats control the House and Senate, they will ratify all of Hillary Clinton's left-wing proposals and appointments (including a fifth liberal on the Supreme Court) and demand still more. The country will suffer permanent damage. Only a Republican Congress will stop her lurch to the left.

The second problem—Donald Trump—is less critical than Clinton and her agenda, and he's less likely to win. Still, a President Trump would need a GOP-led Congress to curb his worst impulses. Given the chance, Democrats would rally around his plans to limit America's influence in the world, warm up to Russia, and weaken NATO. Again, only a Republican Congress will support U.S. leadership and influence globally.

Three weeks before the election, preserving Republican control of the House and Senate is anything but assured. It would take a landslide for Democrats to capture the House. While highly unlikely, that's not inconceivable. But the Senate, now 54-46 Republican, is in real jeopardy, because a disproportionate number of GOP seats are vulnerable.

There is good news, however. Republican candidates are superior to their Democratic rivals in almost every state. This is true even in Indiana, where Democrat Evan

Bayh, former governor and senator, left Washington to run for an open seat. Now his chances of defeating Republican Todd Young are no better than 50-50. Meanwhile, Republican campaigns are well funded nationally.

For the Senate to stay in Republican hands in 2016, it will take something we don't always see in electoral politics: wisdom on the part of voters. Voters will have to ignore which side of the Trump divide a Republican candidate stands on. Whether Trump likes or loathes the candidate should not matter. Nor should it matter whether the candidate has endorsed Trump or refuses to vote for him. Control of the Senate is too consequential for those considerations.

Imagine, for instance, a Democratic Senate with Hillary Clinton in the White House. She would nominate the Supreme Court justice to fill the late Justice Antonin Scalia's seat. Senate Democrats would rubber-stamp whom-ever she selects, and Republicans, in the minority, would be all but helpless to block the nominee.

The prospect of this should frighten anyone who cares for the Constitution. In the second debate with Trump on October 9, Clinton revealed the type of justice she would pick. She favors justices "who understand the way the world really works, who have real-life experience, who have not just been in a big law firm and maybe clerked for a judge and then gotten on the bench, but, you know, maybe they tried some more cases, they actually understand what people are up against."

There was more. "I would like the Supreme Court to understand that voting rights are still a big problem . . .

that we don't always do everything we can to make it possible for people of color and older people and young people to be able to exercise their franchise. I want a Supreme Court that will stick with *Roe v. Wade* [and] stick with marriage equality."

More still. "I want a Supreme Court that doesn't always side with corporate interests . . . that understands because you are wealthy and you can give more money to something doesn't mean you have more rights or should have any more rights than anybody else."

What Clinton doesn't want is a Court that sticks to interpreting the Constitution and respects its assigned role in the separation of powers. In her long answer, she didn't once mention the Constitution. Her justices wouldn't have to either. They could legislate to their heart's content.

Clinton was advocating the liberal dream of a Supreme Court that rules as it wishes, unencumbered by the Constitution or even the hard facts of a case. Her first nominee would create a liberal majority. If any of the four conservatives on the Court step down, she would be able to lock in that majority for years to come.

A Republican Senate could tame her ambitions. By rejecting a nominee, maybe two, Republicans could force Clinton to pick a nominee with a more traditional view of the Court's role. Not a conservative, but someone who might buck the Court's liberals occasionally.

Many of Clinton's worst ideas are practically secrets. Who knew, for example, that she would get rid of fracking, the great innovation in oil and gas extraction that has made America energy-sufficient? Rather than banning fracking, she's for pecking it to death through regulations.

Clinton could brush aside the objections of Republicans on Capitol Hill, but not if they control the House and Senate. They could turn her antifracking position into a political liability by publicizing it at hearings—hearings a Democratic Congress would never allow.

On the economy, Clinton not only opposes incentives for private investment and job creation, she never uses the word "incentives." The word "growth" isn't mentioned much either. There's a reason here. Her recipe for boosting the economy relies entirely on government spending and tax increases.

This has never worked. President Kennedy tried it, then switched to tax cuts. President Reagan went with tax cuts from the start. In both cases, the economy boomed. No matter that it's a recipe for stagnation or worse, a Democratic Congress would approve at least a big chunk of Clinton's plan. A Republican Congress would block it, period.

There's one more major issue to consider. With Democrats in charge of Congress, Obamacare will not only be salvaged but put us on a path to greater and greater government

## Remedies for Our Ailing Health Care System

**By Thomas J. Donohue**

President and CEO  
U.S. Chamber of Commerce

The Affordable Care Act has taken some high-profile hits from both parties in recent weeks—and for good reason.

Rising premiums are stretching family budgets to their breaking points. Costs and compliance headaches continue to mount for businesses. Prominent insurers have had to scale down Obamacare coverage options or pull out of the exchanges entirely. Fewer choices and even higher costs now await the millions who will participate in open enrollment starting on November 1.

Even Obamacare's most faithful backers—including the president himself—now admit the law will have to change to survive. *How* it will change has yet to be decided. No matter who wins on Election Day, the U.S. Chamber of Commerce will work with the new administration and Congress to fix Obamacare's existing flaws and promote new ideas to move health care forward.

Our top priority is protecting the employer-sponsored health care system on which 175 million American workers depend for quality health care coverage. To preserve this vital system, we'll fight to protect the tax exclusion for employer-sponsored plans. This will enable the private sector to continue driving innovation in health services and coverage.

The Chamber will also push to repeal the 40% "Cadillac Tax" on high-value employer-sponsored insurance. Although it doesn't take effect until 2020, it's already causing employers to limit key benefits such as on-site health clinics and health savings accounts. We must also simplify Obamacare's reporting requirements, repeal the health insurance and medical device taxes, and ensure that small business can offer stand-alone health reimbursement arrangements without being penalized.

Whether improving Obamacare or advancing other health care solutions, we must mitigate rising health care costs, ensure access to services, and strengthen

quality of care. But the task of fixing and modernizing our health care system does not belong to policymakers alone. It belongs to American innovators who are capable of transforming the industry and creating new pathways to affordability and efficiency.

Tomorrow the Chamber will bring together leaders from government and industry for a pair of events focused on the future of health care. We'll discuss how to improve Obamacare through legislative and regulatory reforms. We'll also explore how to foster private sector innovation and bolster new technologies, such as using data to personalize services and care.

With a growing chorus of voices now conceding that Obamacare is flawed, we have an opportunity to engage in an honest conversation about what's working, what isn't, and where we go from here. The Chamber is prepared to drive the debate and work toward a bright future for American health care.



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control of health care. With a Republican Congress, it will continue to wither away. It might even start to be replaced by a solvent health insurance system that a Republican majority would approve.

Good news: An aversion to Trump is not driving voters away from Republican candidates for the Senate. In Florida, Marco Rubio is running five percentage points ahead of Trump. In Pennsylvania, Pat Toomey is eight points ahead. In North Carolina, Richard Burr is polling four points better than Trump. And in New Hampshire, Kelly Ayotte is eight points up on Trump. The wisdom of voters is beginning to appear.

—Fred Barnes

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# Speak for America

**T**he 2016 winner of the Nobel Prize for literature has posed the question for Republicans, whose party has nominated Donald J. Trump for president:

*How does it feel, how does it feel?  
To be on your own, with no direction home  
A complete unknown, like a rolling stone.*

Needless to say, it does not feel good. We are on our own. Those of us who voted in previous general elections—with neither hesitation before nor regret after—for Gerald Ford and Ronald Reagan and George H. W. Bush and Bob Dole and George W. Bush and John McCain and Mitt Romney have no clear direction home.

But Bob Dylan also points the way to an answer:

*When you ain't got nothing, you got nothing to lose.*

The problem of course is that Republicans think they do have something to lose. In particular, Republicans have Congress. And the fear of losing Congress has led to a kind of paralysis among GOP leaders that is ultimately self-defeating. Republicans would be better off in the last weeks of this election behaving as if they've got nothing to lose, speaking their minds and telling the truth. Who knows? This might actually be the best way to help them keep their congressional majority.

It is for the sake of holding Congress that the Republican leaders, Mitch McConnell and Paul Ryan, have tried to triangulate between Trump himself, Trump's supporters, and Trump's critics. Though in private appalled by Trump, they didn't want to repudiate him in public. They thought they could zig-zag their way to holding their majority.

We in no way want to minimize the importance of Republican control of Congress. Losing the Senate would be a real loss. Losing the House would be a grievous one. It would do damage not just to the Republican party and to the conservative cause, but to the country as a whole. A Hillary Clinton presidency with a GOP Congress, or at least a GOP House, would be much less dangerous than two years of unchecked Democratic policymaking.

Still, the attempt to maneuver and equivocate has surely run its course. It's not working. It is true that politics presents us with "tormenting dilemmas," as an earlier Nobel literature prize winner, Winston Churchill, notes in *The Gathering Storm*. But he reminds us that there is at such times "one helpful guide. . . . That guide is called *honor*." Churchill concluded that in September 1938, "the moment came when Honor pointed the path of Duty, and when also the right judgment of the facts at that time would have reinforced its dictates."

Republican elected officials and candidates, as well as conservative leaders and thinkers, will have to make up their own minds as to what are now the dictates of Honor or Duty. All we would ask is that they pause for a moment in their calculations and triangulations. All we would ask is that they refrain from oscillating back and forth from panicked reaction to revelations about Trump to panicked reaction to the blowback from Trump supporters. All we would ask is that they pause to seriously consider the question of honor and duty, as well as the right judgment of the facts at this time.

This week, on one of the cable talk shows, a pundit remarked matter-of-factly that of course Paul Ryan's primary job is to try to maintain Republican control of the House of Representatives. But surely he should be aiming higher. We very much believe the country will be far better off in 2017 with Speaker Paul Ryan than Speaker Nancy Pelosi. Indeed, one reason many of us were once looking forward to 2017 was precisely because Paul Ryan—a thoughtful and principled conservative of the next generation—would be speaker of the House for a full term. But his speakership will not, we suspect, be secured by a path of understandable but ultimately ineffectual equivocation in the face of Trump. Such equivocation puts at risk not just his speakership but his own chance to lead in the future. It puts at risk the future of the party of which he is now the highest-ranking elected official. And it does damage to the country of which he is the third-highest-ranking public official.

In *The Gathering Storm*, Churchill reports on the debate in the House of Commons on September 2, 1939: "When Mr. Greenwood rose to speak on behalf of the Labour Opposition, Mr. Amery from the Conservative benches cried out to him, 'Speak for England.'" We do not compare this moment to September 1939. But we would say to the speaker of the House, and to others in positions of influence and power: Speak for America.

—William Kristol

# Bob Dylan, Nobelist

He's no Homer (or Sappho).

BY ANDREW FERGUSON

There are many admiring things to say about Bob Dylan. While he may not be the hardest-working man in show business—the title once held by the martyred James Brown—he's still pretty close, recording and touring continuously at the age of 75. He's probably written more publishable songs, music and lyrics both, than anyone in the era of mass media. His book *Chronicles: Volume One* is full of vivid set pieces and atmospheric detail, beautifully rendered. On stage he dresses humorously—bolo ties, cowboy hats, sequined shirts, suit jackets with velvet collars—as if he's discouraging anyone from taking him too seriously. Best of all, you and I know almost nothing about him.

About him as a person, I mean. His family life is a mystery. If his kids hate him, they've managed to keep quiet about it, and nobody seems to even know how many times he's been married. He rarely gives interviews, and when he does it's not because he has an urgent message he wants to convey to the world but because he's selling a new Dylan product. His last TV interview, with *60 Minutes* in 2004, was intended to publicize *Chronicles*. His most recent interview, in early 2015, appeared, appropriately enough, in *AARP* magazine, timed to the release date of his most recent album. In neither interview—or in any interview, from what I can tell—did he reveal anything of substance about his nonpublic life. He was just moving units. And whatever his political opinions, they are hidden

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from view; his religious faith, beyond an ardent and self-evident belief in God, is a mystery too.

He has thus proved two propositions that seemed increasingly unlikely in the age of media-saturation: You can shun publicity and still be hugely famous, and you can be hugely famous and not be obnoxious about it. This is



an achievement of a very high order.

But among the admiring things you can say about Bob Dylan, you probably shouldn't say this: “[I]t's perfectly fine to read his works as poetry. . . . If you look back, far back, you discover Homer and Sappho, and they wrote poetic texts that were meant to be listened to. They were meant to be performed. It's the same way with Bob Dylan. But we still read Homer and Sappho. He can be read and should be read. He is a great poet in the grand English tradition.”

You probably shouldn't say this, because it's not really true. But Sara

Danius said it. She is the permanent secretary of the Swedish Academy. As the world knows, the academy awarded Dylan the Nobel Prize for Literature on October 13.

Of course, Danius is not alone in her high, even stratospheric, assessment of Dylan's songs, and after she made the big announcement, millions of people around the world tucked and rolled in hopes of escaping the avalanche of sentimental and pretentious writing that was sure to follow. But escape was futile.

Within hours the pop music critic of the *New York Times* had gone mad with antitheses: “[T]here's no question that Mr. Dylan has created a great American songbook of his own: an e pluribus

unum of high-flown and down-home, narrative and imagistic, erudite and earthy, romantic and cutting, devout and iconoclastic, finger-pointing and oracular, personal and universal, compassionate and pitiless.” Anyone who can pack that much pluribus into a mere unum, went the argument, had to be worthy of the Nobel.

The *Times*'s critic was quickly followed by Cass Sunstein, a law professor at Harvard, writing at *Bloomberg.com*. (A Harvard professor celebrating Dylan on a website devoted to stock market news—that's how thoroughly he has saturated American culture.) “Bob Dylan,” Sunstein wrote, “has surpassed Walt Whitman as the defining American artist, celebrating the capacity for self-invention as the highest form of freedom.”

Only Whitman? Why the demotion? Sunstein must have felt the Whitman comparison was insufficient. This is a job for Shakespeare!

“If ‘Like A Rolling Stone’ is Dylan's ‘Hamlet,’” Sunstein wrote, “‘Desolation Row’ is his ‘King Lear.’ It's a fever dream, or a love letter, about an unruly procession of humanity.”

There was a lot of talk about Dylan's self-invention in all the encomiums, but it's pretty clear who's doing the inventing around here—an alchemical transformation of a hardworking and

JASON SEILER

witty pop star into a towering poet of world-historical achievement. Dylan hasn't shown many signs that he's ever fallen for his own press. He has a healthy amour-propre (a fitting term for someone who was awarded the Légion d'honneur), but he's not one to fling the word "genius" at himself; you won't hear any John Lennon-like declarations from him ("If there's such a thing as a genius, I'm one").

Like most successful entertainers, Dylan had excellent timing. He came of age just as intelligibility vanished as a criterion for successful poetry. This gave him the freedom to write any old thing that came into his head, and gave his fans license to pretend they knew what he was singing about. Sunstein applies his exegetical powers to a long Dylan song from 1965 called "Desolation Row"—that's his "King Lear," remember—and it's as good a place to see Dylan's method as any. A sample lyric:

*Einstein, disguised as Robin Hood  
With his memories in a trunk  
Passed this way an hour ago  
With his friend, a jealous monk  
He looked so immaculately frightful  
As he bummed a cigarette  
Then he went off sniffing drainpipes  
And reciting the alphabet*

There are 10 more stanzas of this, 11 minutes' worth of proper names and random actions tossed together by free association. It's funny and some of the rhymes are clever, but—I think we should all be grown-up about this—it doesn't make any sense. You can see this glaringly on the page, when you read it (as Danius instructed us to do). It's gibberish.

And it's a wonderful record! Neither the lyrics nor the tune are interesting enough to stand on their own. But the tune distracts us from the weakness of the lyrics, and the lyrics give the tune a purpose and direction. Put together with a lovely arrangement at a waltz tempo, the song becomes an entity that's larger than the combination of its elements. It's a genuine achievement. But it's not Whitman, not Shakespeare. It's not literature.

Probably the most revealing fact

about Dylan's vastly inflated reputation is also a matter of timing. His most fervent and articulate admirers, accomplished baby boomer eggheads like Sunstein and the historian Sean Wilentz and the Milton scholar Christopher Ricks, came to Dylan's stuff very young. Their attachment to him is intensely personal, bound up as it is with their youth. I assume the same is true of the Nobel committee: baby boomers who can't quite escape the lure of their formative years, back

when the world was young, and so were they, and everyone had hair and 30-inch waists.

So they justify this undying attachment to their favorite pop singer by overselling it, declaring him a genius, "the greatest American songwriter," an artist whose career demands at least a Nobel. Boomers are always gilding the lily. I guess it's impossible for us to take Bob Dylan for what he is, an impressive man worthy of admiration, affection, and respect, and leave it at that. ♦

## A Most Fitting Tribute

The Antonin Scalia Law School is underway.

BY TERRY EASTLAND



*Anthony Kennedy, left, Clarence Thomas, center, and Stephen Breyer, right, listen to Elena Kagan during the dedication of the Antonin Scalia Law School, October 6, 2016.*

In this down year for conservatives one bright spot has been the renaming of George Mason University's law school in honor of the late Supreme Court justice Antonin Scalia.

In case you missed the story, soon

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after Scalia died last winter, an anonymous donor and the Charles Koch Foundation joined to contribute \$30 million to the school, the largest gift in the university's history. The donors conditioned their grant—which will go entirely to new scholarships—on the name change. The Board of Visitors and then the State Council of Higher

Education for Virginia approved. It is now the Antonin Scalia Law School at George Mason University.

The name change at first drew objections from liberals in the university and the Virginia state capitol. Those complaining weren't just opposed to Scalia—more than 100 GMU professors calumniated him in a petition as an advocate of “racism, sexism, and homophobia.” They were also threatened by the rise and influence of a law school that, since its founding in 1979, has been known for its libertarian and conservative interests. But, happily, theirs was a losing fight. At the dedication ceremony this month, Justice Elena Kagan—an appointee of President Barack Obama—answered anyone wanting to know, as she put it, why “a fine law school like this one should bear Justice Scalia’s name.”

He was one of the most important justices ever, said Kagan. Also one of the greatest. He articulated textualist and originalist principles that did “nothing less than transform our legal culture.” He changed the way judges and lawyers think and talk about the law, even if they disagree with him. “That’s a legacy worthy of a law school dedication,” she said.

Another reason for the name change has to do with law students: No one, said Kagan, was more enthusiastic about engaging law students. He “turned it all on—his brilliance, his wit, his good cheer.” He would joke about how he’d go to law schools just to make trouble: “I’d give lectures and stir up the students. It takes several weeks for their professors to put them back on track,” he would say. Scalia, as Kagan put it, “made them think harder than they had ever thought before about how to do law.” Students skeptical they’d ever agree with Scalia found out they could. They’d say: “He just has to be right about this.” “And so he was, not always but often,” added Kagan.

Getting more and better-qualified students—even ones who could go toe-to-toe with Scalia—is what the generous gift to the law school is about.

Undergraduate grade point average and Law School Admissions Test

scores have a major impact upon law school rankings. And not until 2001 did George Mason Law have enough students with the necessary academic credentials to become a top-tier (where the 50 best law schools hang out) school. It has made the top 50 every year since.

Staying there is the challenge. When Henry Butler became dean of the school in June 2015, he moved to prevent it from falling out of the top 50—“a disaster from which the law school would have a difficult time recovering,” he has said. The key point of his plan was the creation of scholarships to attract more high-qualified students, especially from Virginia. Butler had just put the plan in motion when the two donors entered the picture early this year. Their contribution will underwrite the scholarships Butler envisioned over the life of the grant, which is five years.

The dean thinks the school’s academic programs are sufficiently distinctive to create demand for a legal education at Scalia Law. Like other law schools, Scalia Law teaches first-year students the basics, among them torts, contracts, property, and civil procedure. But what’s notable about the school’s academic offerings are its “centers,” where specific topics and ideas are taught.

These centers reflect the school’s distinctive interests. There is a Law & Economics Center, a Global Antitrust

Institute, the Center for the Protection of Intellectual Property, the Program on Economics and Privacy, and the Center for the Study of the Administrative State. Butler has entrusted these centers to a crop of energetic and increasingly prominent professors, including Todd Zywicki (Law & Economics), Adam Mossoff (Intellectual Property), and Neomi Rao (Administrative State). Another center is in the works, one on Liberty and Law.

The administrative law center, just six months old, is cutting a particularly significant new path. “Most schools that do administrative law relate it to environmental or financial services regulation,” says Butler. “I don’t know of anyone that takes our type of approach,” where administrative law is studied across a range of topics.

The Center for the Study of the Administrative State also addresses questions of constitutional and statutory interpretation, says Butler. They happen to be questions—for example, concerning what constitutes a lawful delegation of authority to an agency and to what extent courts should defer to an agency’s exercise of delegated power—that are now reaching courts with greater frequency.

Not incidentally, these are questions likely to interest the better-qualified student Scalia Law seeks to enroll in its quest to become one of the nation’s preeminent law schools. ♦



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# Harry Caray Is My Wingman

A Chicago Cubs love story.

BY IKE BRANNON



**M**y allegiance to the Chicago Cubs—which may actually bring something other than misery this year—began in earnest when the team hired Harry Caray to announce their games in 1982. My eternal affection for Harry goes beyond his broadcast brilliance: A long time ago, he helped my adoptive grandfather and grandmother meet. And he once helped me out too.

In the 1930s, Mister Mel (the grandfather in question) was an engineer for a radio station in St. Louis. Most of his duties involved setting up the equipment for remote broadcasts of the various sporting events that were the station's staple, and the announcer he worked with the most was Harry Caray. Harry, he liked to tell me, succeeded because he was

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**My eternal affection for Harry goes beyond his broadcast brilliance: A long time ago, he helped my adoptive grandfather and grandmother meet. And he once helped me out too.**

indefatigable, incredibly ambitious, and possessed of a near-photographic memory. Mel was fond of repeating that all Harry needed was 60 seconds, a glass of water, and a scorecard before going on the air and pretending that he had been intensely following the two teams about to play for the entire season.

Besides doing sporting events, Mel did remote broadcasts for the station's big band shows on Saturday nights. It was a plum gig: After setting up the equipment he had little else to do once

the broadcast began, so he would mingle with the crowd and invite women to sit with him at the front row table he commandeered.

When Harry found out about Mel's Saturday night assignment, he wanted in. Mel was at first reluctant—Harry was tall and handsome and already of some renown, and Mel didn't want any competition. But Mel was Jewish and quickly realized that he and the Catholic Caray were fishing in different streams. And what's more, having a gregarious wingman was bound to be a plus. So Harry began tagging along, sometimes convincing the club owners to let him emcee but often just sharing Mel's table and imbibing the free drinks provided.

One evening, shortly after their collaboration began, Mel met a woman he found so intoxicating that he had trouble maintaining a coherent conversation. Before she could extricate herself from this awkward encounter, Harry came to the rescue, talking Mel up and giving him time to catch his breath. It was enough to help get Mel a dance, and later on a date. A year later they married.

**E**arly one summer Sunday morning, six decades after Mel's supper club encounter, I headed to Wrigley Field accompanied by a woman I was desperately trying to impress. I had paid a scalper more money than I could afford for front-row tickets on the third base line: The game happened to be the same day as the Chicago Air and Water Show, which meant that various military planes would be flying low along the shore of Lake Michigan, just beyond right field. I figured that if my date didn't find the Cubs interesting—she had never been to a baseball game before—she would at least be entertained watching the air show.

Despite the Cubs' fielding yet another mediocre team, it was a great day for baseball. My all-time favorite Cub, Shawon Dunston, was playing what turned out to be one of his last games for the team and he homered. It was also the last game I attended with Harry Caray present to lead the

GARY HOWLAND

singing of “Take Me Out to the Ballgame” during the seventh-inning stretch; he died just six months later.

But the actual game was an afterthought for almost everyone at Wrigley that afternoon. The weather was perfect, and the spectacle of military aircraft flying overhead gave the day a carnival feel. My date enjoyed herself, and we spent the rest of the day walking along the lake. From my perspective it was a success.

A few days later, I received a videotape from my parents, unlabeled save for a note that said “DO NOT REWIND.” It turned out that—unbeknownst to me—my father and brother had driven up from Peoria for the game, setting up the VCR to record the proceedings in case they made it onto the broadcast.

They didn’t make it onto TV but we did; when I put the tape into the VCR my date’s face soon appeared on the screen, looking resplendent in her hat and sunglasses. After a few seconds, the camera panned back to capture my head in the frame, staring not at the game but at my date.

WGN used to refer to these as “hat shots,” and they were a favorite of the station’s longtime producer Arne Harris. After the visage of a beautiful woman wearing a hat would appear, Harry would remark to his broadcast partner Steve Stone—or Arne himself—about the attractiveness of “the hat,” which gave him a bit of an alibi if his beer-fueled remarks got a little too risqué, not that Harry would have been fired at that point in his career.

After the image of my date left the screen, Harry gave a long pause before uttering a thought that was anything but risqué: “Steve, what I wouldn’t give to be young again and watching the game with a woman like that.”

I called my date to tell her we made the broadcast and invited her over to see it and have dinner. She was flattered by Harry’s remarks and got a kick out of seeing us on TV. The dinner went very well.

I’m inclined to think we would have married even if she hadn’t been the object of Harry Caray’s musings, but—like Mr. Mel—I appreciated his help. ♦

# The Fight of His Life

Nothing would make Democrats happier than to take down Darrell Issa. **BY MATTHEW FLEMING**

**D**arrell Issa has been in plenty of fights since entering politics, but he’s never had to battle for reelection. The Southern California Republican has rarely had a serious challenger in his eight terms in Congress and has never won less than 61 percent of the vote in a primary—until this June.



Darrell Issa

It was supposed to be easy. With his electoral history, his national profile, his vast fortune (first earned in car alarms, later in real estate), and a seat (the 49th Congressional District) with a decidedly Republican electorate, he would surely steamroll some unknown and underfunded Democrat. But in the June primary, Issa won by only five points.

In California primaries, the top two vote-getters move on to the general election, regardless of party. Issa earned 50.8 percent of the vote; the Democrat in the race, attorney and retired Marine colonel Doug Applegate, was close behind with 45.5 percent. The sharks have been circling Issa ever since.

Matthew Fleming is a reporter for CalWatchdog in Sacramento.

As in many congressional races around the country, the Democrat has tied his Republican rival to Donald Trump. A recent ad knocked Issa for endorsing Trump, painting both men as fat cats with dubiously acquired personal fortunes.

The ad cites a 2011 story in the *New York Times* and alleges Issa used his influence as a congressman to “line his own pockets” and steer “millions in taxpayer money to help properties he owns.” Issa accuses Applegate of fabricating quotes that never appeared in the *Times* and has demanded the Democrat take down the ad and apologize or be hit with a libel suit.

Not that Issa is exactly playing by Marquess of Queensberry rules. His campaign has created a spoof website—coloneldougapplegateforcongress.com—advertising Applegate as “Another left-wing extremist California just can’t afford.”

Applegate seems to have largely weathered a story last month in *Politico* that reported he had been accused of “stalking,” harassing and threatening” his ex-wife. Applegate faced two restraining orders and had to surrender firearms in connection with the domestic violence allegations. (In a follow-up story, Applegate’s ex-wife came to his defense; Applegate said the allegations came during a “difficult divorce” and that he had not been found guilty of any wrongdoing.)

Democratic polling from early October suggests Applegate has edged ahead to a four-point lead. But internal partisan polling is always met with greater skepticism than independent polls and Issa’s camp rejects the latest survey entirely: “We dismiss polls leaked to media in memo form only,

taken during unscientific times and with unobjective universes,” says Issa spokesman Jonathan Wilcox.

Despite Applegate’s strong performance so far, Issa is still considered the favorite. “I’m definitely watching the Issa race, but I’m just not convinced yet that he’ll lose,” says Nathan Gonzales, editor and publisher of the *Rothenberg & Gonzales Political Report*. “It might be closer than any of his previous races, but until Democrats show they are willing to spend big money on the race, I’m not convinced that a candidate can show up out of nowhere to defeat the richest member of Congress.”

Issa has had a considerable fundraising advantage. Through the end of June, Issa had \$3.8 million in cash and had spent more than \$700,000. By contrast, Applegate had only \$135,000 in cash and had spent a mere \$50,000. That was before the Democratic Congressional Campaign Committee started dumping ad money into the race. In September the DCCC elevated Applegate to prominent “red to blue” status, making his race a priority for the party. But if the money race does tighten, Issa is still the wealthiest member of the House—worth at least \$254 million—and he’s not shy about spending it.

Issa is not known to spend a lot of time doing traditional campaigning. When he was the chairman of the House Oversight and Government Reform Committee, launching controversial, high-profile investigations into the Obama administration, media attention came easy. But this year Issa has been taking his case to voters personally. “He spent 42 straight days campaigning up and down the length of the coastal district,” says Wilcox. “I think it was in many ways some of the best campaigning we might have ever done.”

Still, Democrats say demographics in the region are changing and the 49th district isn’t nearly as Republican as it once was. And with Camp Pendleton in the district, it doesn’t hurt the Democrats to have a retired Marine officer running. But that doesn’t really explain why the party is going all-in

with Applegate. Issa—having chaired prominent House investigations into Lois Lerner and the IRS, the ATF’s botched Operation Fast and Furious, and the rocky roll-out of HealthCare.gov, among many other things—has

long been a hate-object for the left.

Few are the things that would make Democrats happier than to use this potentially catastrophic year for Republicans to bring down one of their most despised enemies. ♦

## A Right to Keep and Drive Cars?

We need a new Second Amendment.

BY JOSH GELERTER

After decades of futurists’ predictions, driverless cars are finally out on the streets—in limited commercial tests in San Francisco, Austin, Seattle, and Pittsburgh. At the moment, they’re still unreliable; for instance, a driverless Uber car in Pittsburgh took a shortcut the wrong way up a one-way street. And more than a few crashes have been caused by driverless cars’ poor guesses. But self-driving vehicles will get more reliable, and more refined, until—inevitably—your average driverless car will be a far, far safer driver than you or I could ever hope to be.

That’s why, in a decade—give or take—some courageous university professor will predictably write an op-ed for the *New York Times* asking, “When Will We Admit Humans Shouldn’t Be Allowed to Drive?”

“Look,” this op-ed will say, “I like driving as much as the next guy. I like the feel of the open road, the wind in my hair, Bruce Springsteen on the radio—but every time I turn on my car, I’m taking my life in my hands. What’s worse,” he will add, “I’m taking strangers’ lives in my hands. And strangers’ kids’ lives. And I’m forced to admit that *I’m being selfish*.”

“Because I’m human and I make mistakes. Driverless cars are superhuman and don’t make mistakes. Every

*Josh Gelerter is a writer in Connecticut.*



year, tens of thousands of Americans lose their lives in car accidents caused by driver error. To save tens of thousands of lives, I’m willing to give up my steering wheel and let never-sleepy, never-distracted, never-drunk, never-emotional computers take over.

“And that’s why I think it’s time for Congress to act: Our cars are required to have airbags, and catalytic converters, and seat belts, and insurance—it’s time they were required to have computers do the driving. Let’s grandfather-in the existing fleet of

GARY LOCKE

human-driven cars and ban new ones, beginning a process that will make our roads 100 percent driverless, and 10,000 percent safer, by 2035.”

Hundreds of pundits and public intellectuals will jump on the driverless bandwagon, quickly followed by trauma surgeons and statisticians, and then by a senator from California or Delaware or Vermont, who will give a press conference at which he will hold up the photos of teenagers killed by distracted drivers. Their mothers will stand on either side of the podium.

“Fifteen percent of road-going Americans already use driverless cars,” he’ll say, in a Chuck Schumery voice. “Let’s get that to 100 percent by 2035. And make sure no other parents have to lose their kids in entirely preventable car accidents.”

The social current will begin flowing towards a zeitgeist where supporting human-driven cars is as toxic as supporting handgun ownership. As improbable as that may sound to some of you, imagine how Chuck Schumer would have sounded to my grandfather, who plunked down his piggy-bank savings for his first .22 rimfire when he was 12 years old.

To begin with, there will be no outright ban on cars with human drivers. There will instead be city centers that are designated for driverless-cars only. Then there will be experimental stretches of highway, for research of course. But the findings of such research are as predictable as the legislation that will soon follow in Congress.

Of course, this is all still a long way off. All the more reason for it to be nipped in the bud while there’s still a bud to be nipped. We need to codify the right to drive our own cars, be in charge of our own travel, go exactly where we want, stop, start, and pull over, whenever we feel like, with the turn of a steering wheel and the press of a throttle or brake. We need to codify the right not to rely on centrally planned traffic patterns or computers that always follow all the traffic laws, all the time, and, I daresay, keep track of everywhere everyone goes. And we need to do it before any of that starts sounding

absurd to liberal-arts undergraduates.

I’m no Luddite. I’ve written lots of pieces for lots of publications proposing more money in space, more nuclear reactors, a return to supersonic flight, more and better statistical-analysis-driven algorithms for improving every part of our lives. I

look forward to driverless trucks, and ships, all over the world. I look forward to driverless cars being available to anyone who wants one. But you can pry my steering wheel from my cold, dead hands.

We need a Second Amendment for cars. Before it’s too late. ♦

## ‘Demilitarize’ the Police?

In some respects, they could stand to be *more* like the military. BY ARTHUR RIZER

Policing has always been a difficult job. It has recently become more so. On a daily basis, officers around the country find themselves yelled at, protested against, and even targeted for assassination. They are scorned by the left as brutes and

Like the police now, four decades ago the military experienced a dramatic negative shift in public attitudes. Veterans of World War II had been welcomed home with gratitude and celebrations, their service honored. Not so the veterans of Vietnam. It would fall to



A California police recruit radios in a suspect’s ID during traffic stop practice.

distrusted by the right as the enforcers of big government. They have been criticized for adopting the equipment and tactics of the military and have, of late, frequently been accused of unjustified shootings and other improper uses of force.

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the soldiers who had served in Vietnam to reinvent and rebuild the U.S. military—now consistently ranked as the most trusted institution in the United States. Can any of the lessons learned reshaping the modern military be used to remake policing?

Perhaps the most important lesson police departments can take away from the military is the importance of self-criticism. In 1973, when the direct participation of American ground forces in Vietnam ended, the military—particularly the Army—took an unfiltered look at itself and realized that both its structure and its reputation were in shambles. Efforts were undertaken to remake not only how service members were recruited (most notably, ending the draft) but also to overhaul how they were trained.

That spirit of self-criticism has been missing in too many police departments, which spend too much

time defending their institutions and too little listening to the complaints of those they are sworn to protect. Whether justified or not, police cannot ignore the fact there is a trust gap between law enforcement and many segments of the American people. The first step in closing that gap has to be a real attempt to address this lack of confidence, much as the military did in the 1970s.

Another valuable lesson police can learn from the military is the emphasis on professionalism. This is not to say police officers are not professionals, but rather that they should treat themselves *more* like professionals. In the military, advancement to every major rank is associated with a professional development school, from E-5 (sergeant in the Army) all the way to O-6 officers (Army colonel or Navy captain). And those O-6 officers must attend the War College before they are considered for promotion to general or admiral.

Many senior police leaders have little more professional training than the rookie fresh out of the academy. While there is some ad hoc professional development, the majority of advanced training in police work is technical, dealing with new tactics and how to use specific equipment. Not enough training is focused on the *profession* of policing or on how to lead other officers.

Even with its institutionalized self-criticism and professional development, the military isn't an all-purpose model for police departments. The major service branches each have their own command structure, but all answer to the Joint Chiefs of Staff and, ultimately, to the president. It's possible for the military to impose new rules and directions on entire commands. By contrast, the U.S. has thousands of locally structured police units. No one commander could turn around the entire ship of "policing" in America. And no one solution would work anyway: A three-man department in Wyoming has vastly different needs and issues than the New York Police Department's nearly 35,000-member force.

But in the area of professionalism, our military seems to have figured it

out, and many of our police jurisdictions have not. In remaking itself as a professional force, the military placed an emphasis on education. On average, the military today is better educated than the people it protects.

Such advancements likely would benefit police departments, as well. A recent study from Michigan State University found that college-educated officers were less violent. A report on Florida officers found that 75 percent of all disciplinary actions were filed against those who had only a high-school education. The point is not that college degrees will magically fix everything plaguing police departments, but that better-educated forces are likely to be better forces. It says something about government priorities that, in many jurisdictions, it takes more time and training to become a hairdresser

than it does to become a police officer.

Then there is the issue of transparency. Police departments are notorious for the "blue wall of silence," when officers close ranks to protect one another from accusations of wrongdoing. By contrast, note how seldom we hear media reports of a "green wall." The military emphasizes that the mission comes first. Police departments would be wise to train as diligently as the military does that duty comes before loyalty to buddies.

It might seem strange, at a time when many are demanding we "demilitarize" the police, that we should turn to the military for guidance in how to improve policing. But emulating the professionalism and transparency that restored public trust in our military might help restore trust in those sworn to protect and serve. ♦

## Nuclear Trash Talk

Putin's favorite gambit needs a serious response.

BY MATTHEW KROENIG

When Syrian opposition activists pushed John Kerry to take a tougher line with Russian president Vladimir Putin last year, the secretary of state asked them, "What do you want me to do, go to war with Russia?"

It is fast becoming a cliché whenever someone advocates pushing back against Russia and its proxies. Whether it's establishing a no-fly zone in Syria to stop Bashar al-Assad from raining terror down on his own people, increasing efforts to train and equip Syrian rebels, or providing lethal aid to the Ukrainian government, the response is nearly always a variation on Kerry's phrase—what do you want,

war with Russia? A chief concern of policymakers and analysts in Washington, sometimes explicitly articulated, is that a conflict with Russia wouldn't remain in the conventional realm. Rather, we would be pushing Russia into an escalatory dynamic that could result in a nuclear exchange.

At first blush, the risk of going from a no-fly zone in Syria, or arming Ukraine, to thermonuclear holocaust may seem remote. Indeed, this line of argument is often simply a rhetorical device used by those who for other reasons prefer passive policies.

Unfortunately, however, it also contains a frightening element of truth. Since the end of the Cold War, Russia has moved nuclear weapons to the center of its national security strategy and military doctrine, in part to compensate for its conventional military inferiority to NATO. Since Russia relaunched its new Cold War in 2014

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with an invasion of Ukraine, Russian leaders have made thinly veiled (and occasionally explicit) nuclear threats. As Putin put it in August 2014 at the height of the crisis over Crimea, “It’s best not to mess with us. . . . Russia is one of the leading nuclear powers.”

Since that time, Moscow has brandished nuclear forces in a way we have not seen since the end of the old Cold War. Nearly every major Russian military exercise in the past decade has ended with simulated nuclear strikes, some of which have been personally overseen by President Putin himself.

Russian strategists also plan for so-called de-escalatory nuclear strikes. That is, rather than lose a conventional war to NATO, Russia plans to conduct limited nuclear strikes on NATO civilian and military targets in an effort to force the West to sue for peace on terms favorable to Moscow. They bet, perhaps correctly, that Western leaders would prefer capitulation to Russia than running any risk of a broader nuclear exchange.

Russia’s nuclear-centric strategy is meant to intimidate potential opponents. Putin understands that Western leaders fear nuclear confrontation, and he uses these threats to terrify Western audiences with images of a nuclear war on the horizon and thereby deter their governments from challenging Russian interests. Putin’s nuclear threats provide a cover under which he acts with impunity in what he sees as his geopolitical sphere of influence, including the domain of the former Soviet Union and, apparently, parts of the Middle East. That the first response of so many U.S. policymakers and analysts to Russian aggression is a rhetorical question about nuclear war with Russia indicates that Putin’s strategy is successful.

The solution cannot be to avoid conflict with Russia at all costs or to give Putin freedom to act on the world stage in whatever way he likes. This is simply not a tenable strategy for the

United States, a global superpower, with significant interests and alliances in Europe, the Middle East, and Asia.

The answer, rather, is to turn the tables on Moscow and force Putin to worry a bit about the risks of escalation in confrontations with the West. As the political scientist Robert Jervis recognized in his seminal work on nuclear strategy, “states are under especially great, and especially contradictory, pressures. War must be avoided, but . . . the other side’s need to avoid war can be used for leverage.” As we



saw when Ankara splashed a Russian jet that strayed into Turkish airspace, Putin too backs down when the going gets tough.

Unfortunately, following decades of a misguided desire to slash nuclear arsenals and reduce reliance on nuclear weapons—a goal in and of itself—U.S. and NATO nuclear deterrence lacks credibility. As Washington debates the need to modernize America’s decades-old and decaying nuclear arsenal, Russia is already deploying next-generation nuclear missiles and submarines and envisioning novel weapons of terror, such as a nuclear-armed underwater drone. As Russia makes explicit nuclear threats, President Obama considers adopting a nuclear no-first-use policy. In effect, no first use would reassure Russia that it

can get away with conventional aggression against America’s allies without worry of a U.S. nuclear response.

Deemphasizing nuclear weapons as an objective in and of itself probably never made sense, but its time has certainly come to an end. The United States must remind Russia and other adversaries that it is a nuclear power. Instead of debating no first use, Washington should be clear and firm that it is willing to use nuclear weapons if necessary to defend itself and its allies. Moreover, Washington should ensure that it has the capabilities to make this policy credible.

This means modernizing all three legs of the strategic nuclear arsenal (missiles, submarines, and strategic bombers) and developing more flexible nuclear options so that it can respond if necessary to a limited Russian “de-escalatory” nuclear strike, for instance. The purpose of renewed seriousness about nuclear policy is not because anyone wants to fight a nuclear war. Quite the contrary. It is precisely to deter Russian nuclear aggression from a position of strength.

With a serious strategic deterrence policy in place, it will be much easier for the United States to pursue its goals in Syria, Ukraine, and elsewhere. We can provide support to the Ukrainian government and Syrian opposition forces while simultaneously countering Russian nuclear coercion against ourselves and our allies. This approach, combining nuclear deterrence with robust support of allies and vigorous resistance of Russian aggression, should not sound too radical; it is essentially the strategy the United States used for decades to defend the free world during the old Cold War.

With an updated version of this proven approach, the United States can once again uphold its global commitments while containing and deterring Russian aggression. Because Russia does not want a nuclear war with the United States. ♦

# A Quiet Revolution

*Charter schooling's first 25 years*

BY ANDY SMARICK

For 100 years, from the late 1800s to the late 1900s, nearly every American K-12 public school shared several defining features. Whether you found it in a rural town, a major city, or a sprawling suburb, you could say for certain a number of things about that school. It was run by a government body (the school district) that had been given exclusive control over public education in that area. Students were assigned to the school based on where they lived. A public governing board or official—typically elected—made the most important decisions about the school's operations.

Over the last quarter-century, these rules and other chapters of the public-education canon have been rewritten. Because of a simple but profound policy innovation, our understanding of how public schools can be operated, enrolled in, and overseen has been transformed. Even more remarkable is *how* these changes took place. They weren't the result of bossy federal mandates or sweeping court decisions. Their progress wasn't directed by distant administrators or fueled by a tangle of government agencies. They didn't occur suddenly or all at once.

Behind this incremental revolution—the charter school movement, which celebrates its 25th anniversary this fall—was a collection of principles that will be familiar to conservatives especially. Charter schools explicitly shifted power from the government to individuals and neighborhood organizations. They prioritized local needs and local decision-making. They trusted families and practitioners

to have better information and more wisdom than technocrats. They made room for entrepreneurialism and innovation. They cultivated a diversity of school options to suit a pluralistic society. They focused governments on outcomes instead of inputs. They emerged from piecemeal reform of a longstanding institution, which proceeded slowly from modest community initiatives, not all at once in accordance with grand plans devised by experts.

Though welfare reform is perhaps conservatism's most visible domestic policy success of the last generation, charter schools may be more significant, and may have more ripple effects in the future.

At a time when Donald Trump has tempted the Republican party and conservatism towards an embrace of statism, strong central leadership, and belliose certainty, charter schooling represents a textbook case of the opposite: how individual empowerment, an enlivened civil society, and a modest skepticism about complex, centralized solutions can change lives for the better. Indeed, the story of charter schooling, a national movement that grew from an early-1990s Minnesotan pilot program, could serve as an inspiration for conservative policy leaders in the months and years ahead.



*A fifth grader in orchestra class at a Boston charter school, December 9, 2012*

In 1990, there were no charter schools. Public education was still defined by the traditional school district's "exclusive territory franchise"—its right to own and operate every single public school in its area. But in some reform circles an idea had been percolating. Perhaps educators and community leaders could partner and run public schools outside the traditional system. In 1991, Governor Arne Carlson of Minnesota signed legislation that would allow up to eight "outcomes-based schools." They'd be secular public schools, free from many traditional regulations. They'd be operated by licensed teachers, and their performance expectations would be described in public

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DINA RUDICK / THE BOSTON GLOBE / GETTY

contracts. City Academy High School in St. Paul opened in the fall of 1992, the first “chartered” school under the law.

Over the next few years, several states, including California, Michigan, and Massachusetts, embraced the concept. They crafted laws of their own and, as democracy’s laboratories, experimented. They developed different policies on who could run schools, how many schools could be started, how they’d be held accountable, and more. Today, 43 states have charter-school laws, and approximately 3 million kids attend almost 7,000 charters across the country. More astonishing has been the growth of charters in cities. In New Orleans, almost all public-school students attend charters. In Detroit and Washington, D.C., half of kids are in charters. In about a dozen other cities, including Cleveland, Indianapolis, and Kansas City, at least 30 percent of students attend charter schools. In just 25 years, chartering went from a flight of fancy to a distinct sector of public education that could soon become the dominant system for delivering K-12 education in urban America.

Chartering is premised on a basic if provocative idea: The principles of public education allow state leaders to cast the government in a role very different from the one it occupied for a century. Instead of serving as the monopoly public-school operator, government can also (or instead) oversee public schools operated by others. Rather than creating school districts that provide all of a locality’s schools, the state government can create “authorizers” to empower and then monitor nonprofit groups that start, run, and grow schools.

Chartering is a reimagining of the state’s part in an essential public enterprise. It follows from David Osborne and Ted Gaebler’s *Reinventing Government* credo, that when there’s collective work to be done, the state can “steer” instead of “row.” It can generate public value by establishing principles and goals but give others the authority to do the work.

In one sense, the upshot of charter laws has been much like that of private-school choice programs: They gave families more K-12 options from which to choose. But chartering and vouchers are best thought of as similar species descended from different philosophical genuses.

Private-school choice programs aim to shift power and resources directly from the government to families. In the case of vouchers and education savings accounts, state funds are channeled to parents who can then choose a private school or some other educational service. In the case of tax credits, money that would otherwise have gone to the

government is redirected to scholarship funds that support family choices. In most of these programs, there is negligible state control; families are trusted to make choices, and participating schools are indirectly held accountable for results via the voluntary decisions of parents. The logic is market-oriented: The public good will emerge from the accumulation of private choices.

Chartering departs from a different station. It preserves a larger role for government. Because public money will directly support the charter schools, and because the results of these schools are of great public importance, it creates a system of public accountability. Authorizers require prospective school operators to go through an application process; approved schools must have clear perfor-

mance goals; the authorizer tracks schools’ compliance with applicable state policies; the authorizer closes schools that fail. Parents are one source of accountability—a charter unable to attract or retain students will be closed—but democratic control also plays an important part.

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**Chartering is premised on a basic if provocative idea: Rather than creating school districts that provide all of a locality’s schools, the state government can create ‘authorizers’ to empower and then monitor nonprofit groups that start, run, and grow schools.**

**B**ecause of these differences, some on the right have tended to see chartering as “school choice-lite.” They argue that public oversight of authorizers limits the supply of schools and that forcing charters to follow many rules and regulations substantially limits their operational freedom. Such charges are fair. But

chartering has had two positive effects (even beyond its creation of thousands of new educational options) that weigh against these concerns.

First, charters have slowly acclimated policymakers to the virtues of school choice. In years past, a charter school law was seen as a safe fallback for officials favoring school reform but nervous about vouchers. Chartering made it possible for legislators to vote for choice without making themselves vulnerable to attacks that they were diverting public funds to religious schools. Some states adopted charter laws in no small part because choice advocates pushed so hard for vouchers.

But the arrow may also point in the other direction—that chartering helped make possible other forms of choice. Chartering demonstrated that school differentiation, parental empowerment, and nonprofit operators were consistent with the principles of public education. As one city after the next produced charter sectors that were popular with parents, served high-need kids, and generated encouraging

results, school choice found new allies. The apocalyptic warnings that anything other than the district model would ruin public education were shown to be unwarranted.

In this new political climate, debates about private-school choice have become less about ideology and more about practical considerations, such as which students will be eligible, which schools will be allowed to participate, and how schools should be held accountable. Importantly, the growth of chartering has run parallel to the growth of other types of school choice. Today there are 16 states with voucher programs, 17 with tax-credit scholarship programs, and 5 with education savings accounts.

The second cause for enthusiasm is the contribution of the charter movement to the health of civil society. There's growing reason to believe that charter schools are fostering the kinds of social capital-building and civic activity our communities need. No doubt, the district model has important benefits—it's a rational, orderly, democratically controlled system that made K-12 education accessible to more students than ever before. But especially in big cities, it can erect obstacles to family and neighborhood involvement.

For instance, assigning students to schools by rote can undermine individual agency.

Explicitly creating highly similar schools (PS 1, PS 2, PS 3, etc.) can be seen as homogenizing cities with vast diversity. Allowing only one public body to run schools, and then centralizing key decisions in its large bureaucracy, can inhibit the initiatives of neighborhood leaders. And empowering a citywide elected board enables the priorities and values of the majority to take precedence over those of discrete communities and neighborhoods.

The parental-choice aspect of chartering counters these tendencies by drawing educational authority away from a single state body and redistributing it to families. But what is more striking is how mature charter-school sectors recombine that potentially atomized authority in socially beneficial ways. While opponents expressed concern that school choice would isolate families and dissolve community bonds, the opposite seems to be occurring.

In cities with thriving charter sectors, scores of self-organized nonprofits are now running schools.

Community-based organizations are providing technical assistance to aspiring school founders, helping existing schools find facilities, offering after-school programming, and more. City leaders have formed a range of organizations to help facilitate the new choice-based system, for instance, by collecting and publicizing information on schools and helping families on waiting lists find other options.

Families, no longer merely told where to send their children to school, have collaborated to push for new types of schools and directed the evolution of existing schools. Educators, no longer merely assigned to a school by a district central office, have teamed up with colleagues to

found new schools. A recent study on D.C.'s charter-school governance found that chartering has given hundreds of citizens (parents, lawyers, neighborhood leaders, business executives) an opportunity to participate more fully in schooling through seats on governing boards.

From Tocqueville on, observers of American social institutions have noted the power of this country's voluntary associations. These small-scale groups may seem quaint, even parochial. But they enable individuals to live in harmonious communities, pass on their values and histories, and act together without being acted upon. They serve as essential

mediating institutions, filling the space between our smallest units, families and households, and our largest, massive corporations and government agencies. They show, day in and day out, that not all public value is created by government bodies and that democratically controlled state institutions are not the only way for citizens to act in concert.

But because these organizations are local, particular, and voluntary, their growth is typically slow and organic, not premeditated or managed by powerful outside forces. Accordingly, policy can't call them into being; it can only create the conditions that make them possible. Chartering seems to have done precisely that. State laws made space for a new sector of public education built on nonprofit schools and parental choice. Without mandates on how many or what kinds of charters had to be created, families and civil society could take the lead, gradually creating new organizations and webs of relationships.



*A New York City protest of a perceived racial achievement gap in education, calling for a doubling of public charter-school students to 200,000 by 2020, September 28, 2016*

Though it has taken a quarter-century—a snail’s pace in the progressive’s view of reform—chartering has enabled the development of stable but dynamic systems of public schools. These sectors, now thriving in some of America’s most troubled cities, have found a way to blend democratic control, subsidiarity, family empowerment, and civic activity. For decades, our nation tried to wage war against our urban-education problems with a conscript-army mentality: Compulsion and a rigid, hierarchical system were the tools at hand to drive change. It’s becoming clear, however, that the volunteer-militia approach—a network of Burkean “little platoons”—may be a far better answer.

Conservatives keen to apply these lessons to other domestic-policy fields may nevertheless be given pause by the timeline. Obviously, it’s better politics to think about reforms in terms of election cycles rather than generations. And it would be far more dramatic, not to mention tidy, to swiftly enact a massive decentralization measure and call it a day. But the experience of chartering suggests the deliberate pace is a feature, not a bug, of initiatives that lean on civil society. Three examples are worth highlighting.

First, it is not always obvious which collective decisions should remain in the hands of elected officials and which should be relinquished to private groups. For example, there are still legitimate debates over whether the state government or independent schools should make final decisions about the measures used to define school quality and the credentials teachers should possess. Most states have reached conclusions, but it has taken time, and the answers vary among states. Similarly, if the provision of, say, veterans’ health services were to be entrusted to non-profits, we would probably still want a political process to determine who is eligible and for which services. Whether in education, health care, or housing, the right mix of state and civil-society authority is probably better revealed through experience than reason.

Second, it’s impossible to foresee all of the complications associated with unwinding longstanding government systems. Creating a quilt of autonomous urban public schools may sound straightforward until you have to make sure those schools have buildings, transportation plans for their students, and enrollment policies. The most mature charter sectors have now developed revolving loan programs for capital projects, transportation co-ops, and algorithm-based enrollment systems. But that has taken huge investments of time, effort, and political capital. Fundamentally reforming state programs related to other public

services would almost certainly involve similar challenges.

Third, when individuals and mediating institutions are given more authority, it’s impossible to fully predict how they will use it. As Chester Finn, Bruno Manno, and Brandon Wright’s new book *Charter Schools at the Crossroads* describes, chartering has produced more “no excuses” college-prep middle schools for low-income kids than many would’ve guessed. But it has also produced fewer schools focused on gifted kids than many had hoped. This has caused some policymakers to reconsider provisions in state laws. Leaders in other fields should expect similar unexpected developments and course corrections.



Principal William Olsen and students Chadie Morris, left, and Khadijah Hallmon at Noble Street College Prep in Chicago, February 16, 2012

All these particular issues, however, underscore a basic point: Chartering has quietly revolutionized public schooling. It didn’t happen through clever, technocratic administrative fixes or a gigantic, rapidly passed omnibus legislative package. Nor did it humbly take for granted longstanding arrangements or merely tinker with the mechanics of existing programs. Instead, chartering took the long view. It trusted families and communities, carved out space for a new approach, and then allowed civil society to slowly create and change the new system. The result has been more individual empowerment, educational options, respect for pluralism, competition, civic-sector activity, innovation, and entrepreneurialism.

The calamity of the 2016 campaign is sure to engender deep debates over the meaning and future of conservatism. But in the meantime, policymakers interested in getting things done have been handed a heuristic. When assessing their domestic-policy proposals, they should simply ask, “Does this sound like chartering?” ♦

# Gunning for the Guns

*Or is it their owners who are reprehensible?*

BY GEOFFREY NORMAN

Americans are buying guns. A lot of guns. Gun sales set new records last month as, it seems, they have been doing almost every month since the election of Barack Obama as president. If you talk to people in the industry, they will tell you that Obama is the best salesman for guns in American history. They might laugh when they say it, but they don't think it is funny.

Guns are serious business, and the issue of "gun control" is a kind of subtext in this election year, when the nation is otherwise focused on issues like . . . oh, the weight of a former Miss Universe. Still, the matter of firearms occasionally crowds its way into the conversation. It happened in the first debate between Donald Trump and Hillary Clinton, when they seemed to agree that someone whose name is on the "no-fly list" should not be allowed to purchase a gun. The gun-rights forces quickly pointed out that the "no-fly list" is a bureaucratic concoction and that people find their names on it for reasons that may not mean much when it comes to predicting how dangerous they might be. Buying a one-way airline ticket when traveling overseas might be enough to get your name on the list. (This happened to Stephen F. Hayes of this magazine.) And it is not easy to get your name off that list. Which means, in the view of gun-rights people, that you could be denied a constitutionally protected right because of a bureaucratic foul-up.

But this is about guns, so there are different and very special rules. Guns are a synecdoche for some of the deepest fissures in our culture, something that Barack Obama

recognized when he made his famous—and private—remarks about people who "cling to guns or religion." His view was, plainly, that such people are primitives and to be pitied, as the modern world leaves them further and further behind. They are also the same folks, of course, who are among the "deplorables" of Hillary Clinton's political universe.

On guns, Clinton is all over the place. On the one hand, she assures audiences that "I am not here to take away your guns." Then, according to a *New York Times* article, at an event when she was asked about the program "under which the Australian government bought back

roughly 650,000 guns and then imposed stricter standards for gun purchases," she answered, "I think it would be worth considering doing it on the national level if that could be arranged."

She then went on to compare the Australian buyback program to the "cash for clunkers" program, where people were paid to turn in older automobiles for which they were given lavish credits toward the purchase of new, fuel-efficient cars. The "clunkers" were then destroyed, depriving a lot of people of affordable transportation but . . . well, that is an argument for another day.

Clinton's offhand comparison is flawed and troubling to gun-rights people on two counts. First, when you turn over that old Remington pump to the government, there won't be any cash credits given toward the purchase of new guns. Whatever money you get for your guns, you'll have to spend on something else. Video games, perhaps, where the shooting is all done digitally. And then, more to the point, among people who believe in government "solutions" to every problem, the Australian example depends on compliance, which is accomplished by government's primary go-to tool—namely, force. Someone from the government shows up at the door and tells you to hand over your guns.



*Rev. Marcel Rainville, right, with his father, Maurice, of Swanton, Vermont, April 24, 2013. Marcel got his first gun when he was 9 and still hunts every fall.*

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

You may be paid something for them, but there is nothing voluntary about the arrangement. It is confiscation, pure and simple.

Interestingly, in later editions, the *Times* printed a correction to that article about Clinton and guns:

Because of an editing error, an earlier version of this article gave an incorrect description of an Australian gun buyback program. It was mandatory, not voluntary.

Oh, *really*?

One suspects the error was the result of a severe case of projection. The *Times* and its writers are as anti-gun as Clinton, who says that copying the Australian program is something “worth considering.” One further suspects she may feel considerably more strongly about it, in the same way she feels strongly favorable to hemispheric free trade and open borders but will say so only privately. Her closest and most loyal followers understand this.

So when she says, “I’m not here to take away your guns,” what many people—both supporters and detractors—hear is, “Okay, line up and hand ’em over.”

Clinton very probably loathes guns. And as for those who belong to the National Rifle Association . . . well, there is a special circle of Clinton’s inferno reserved for them.

According to a recent report in the *Washington Free Beacon*, at one of those gatherings attended only by donors and those who know the secret handshake, Clinton had this to say about the NRA: “I’m going to speak out, I’m going to do everything I can to rally people against this pernicious, corrupting influence of the NRA.” She added that the NRA has “so intimidated elected members of Congress and other legislative bodies that these people are passing the most absurd laws.”

**W**ell, the NRA enjoys a higher approval rating than she does, so you can understand why she is irritated. But for all that it is characterized as a dark and sinister cabal, the NRA is an organization in which membership is entirely voluntary. People join and pay their dues because they choose to, believe in the organization, and share its goals. There is no coercion. Just a collection of free citizens in one of those little platoons that Burke wrote about so eloquently. On the other hand, membership in, say, the National Educational Association

is compulsory in many states, and the dues are taken out of teachers’ paychecks.

The NRA makes no secret of what it is about. To the contrary. And it is about a lot more than “intimidating” members of Congress—which is, by the way, considered honest labor by a lot of people living in that peculiar portion of the country known as “inside the Beltway.” People who do this are known as lobbyists and, it should be said, most of them are doing very well and will be voting for Mrs. Clinton.

But back to the NRA, which exists to celebrate and nourish and protect a particular culture, one that Clinton and her circle may find repellent but that enjoys favor out in the darkened landscape beyond the Beltway. The membership of the NRA takes a strict view of the Second Amendment—that it guarantees and protects the private ownership of firearms—and recognizes that this view runs contrary to elite opinion.

The widespread belief that the NRA exercises fearsome power derived from its vast wealth is laughable. Michael Bloomberg has much deeper pockets than the NRA, and he is willing to reach down into them to support anti-gun candidates and ballot initiatives.

It isn’t really “about” the money. Not in the ordinary sense of using money to advance the obvious self-interest of some constituency or interest group. In the long run, the gun control fight isn’t about industry profits or sweetheart deals. And in that sense, the gun debate is pure and uncorrupted.

Bloomberg and Clinton and their supporters are opposed to the *idea* of guns in the hands of private citizens. They don’t like gun manufacturers, dealers, or, especially, owners. And they find the guns themselves repellent. While they will tolerate them in the hands of their own security details, they believe, with righteous conviction, that ordinary citizens don’t need guns and shouldn’t have them.

Of course, and especially while seeking votes, they will tell you otherwise. Clinton will tell the story of how her father taught her to shoot when she was a little girl and what a nice memory that is. This is just campaign talk. She says things like that in the same way she once said she believed that marriage is defined as the sacred union of one man and one woman.

But she is the favorite of anti-gun voters and employs

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**So when Hillary says, ‘I’m not here to take away your guns,’ what many people—both supporters and detractors—hear is, ‘Okay, line up and hand ’em over.’ Clinton very probably loathes guns. And as for those who belong to the NRA . . . well, there is a special circle of Clinton’s inferno reserved for them.**

all the usual tactics in her opposition. First, you marginalize the people who belong to the NRA as people who “cling” to their guns in fear. And then, you make the guns themselves objects of fear and contempt. The best example of this, of course, is the crusade against something called the “assault weapon.” This is meant to evoke combat operations, which are aggressive and depend on overwhelming firepower—something that has no place in the peaceful, civilian world. This is a construct meant to scare people enough that they will support a ban on such guns. The implicit question is “Why should civilian ownership of weapons be legal when they are, in fact, instruments of war?”

Clinton has no trouble answering that one. She told that audience of supporters, “I was proud when my husband took [the NRA] on, and we were able to ban assault weapons. But he had to put a sunset on, so 10 years later, of course [President George W.] Bush wouldn’t agree to reinstate [the ban].”

Someone with no special axe to grind might ask, What is it that makes something an “assault weapon” or “assault rifle”? Define your terms. This has been a matter of extensive discussion and debate. So begin with the fact that some of the most awful mass killings in the United States were done by people using a rifle that is known, more or less generically, as an AR-15. This includes the killings of the schoolchildren at Sandy Hook and the nightclubbers in Orlando. The first was an act of madness carried out by a deranged young man who killed himself. The second was an act of terrorism, and the shooter was killed by law enforcement officers. Both killers used a version of the AR-15, a weapon that goes back to the Vietnam era, when it was known, in military nomenclature, as the M-16. (The AR in the name is not, it should be pointed out, shorthand for “assault rifle.” The weapon was designed by the Armalite company and thus the AR.)

The civilian version of the weapon looks pretty much like the one used by the military. There are many knock-offs and, thus, all manner of cosmetic differences. But they all look and operate enough alike to be lumped into one catchall category. Which, if you want them banned, makes them “assault rifles.”

When a legislative ban of these guns was proposed, during the Clinton administration, it became necessary to define, in some detail, what constituted an “assault weapon.” It could not be that it is capable of automatic fire; that is, a weapon that fires continuously as long as the

trigger is depressed, so that with one pull you could rapidly burn an entire magazine of 20, 30, or more rounds. Automatic fire was already effectively illegal in civilian arms. Unlike the military M-16, the AR-15s the law was meant to outlaw are semiautomatics. That is, one pull of the trigger fires one round. You release the trigger and then pull it again to fire another round.

Since it was not politically feasible to ban the AR-15 on that basis (a huge number of other firearms are semiautomatic), other requirements had to be codified. These came to include the presence of any two “assault” features, among them flash suppressors, pistol grips, bayonet lugs, and folding or telescoping stocks. None of these makes a rifle more lethal. But they make it *look* more like a military weapon. The law was thus ridiculed as a ban on “scary-looking guns.”

That ban, according to a 2004 study commissioned by the Department of Justice, did not decrease gun violence. This was not especially surprising since rifles—with or without bayonet lugs and folding stocks—account for only about 3 percent of criminal gun deaths. Handguns are used in most gun crimes, including in most mass shootings. And most national politicians no longer talk about banning handguns, because the popular support for such a ban just isn’t there.

If it was known, before the first ban on “assault weapons” was enacted, that the law did not really address the problem of gun violence, why was it proposed and passed? And why—after it had expired and no noticeable spike in gun violence ensued (in fact, it declined)—did people want to resurrect the ban?

Perhaps it is precisely because of the AR-15’s popularity. It may not be the lethality of these guns but the people who are enamored of them that accounts for their pariah status among the those who want to ban guns. Millions of AR-15s are sold to people who like to own them and shoot them. The gun has fans who like the way it looks. The “scary-looking” aspect that made it, taxonomically, an “assault rifle” makes it cool to them. They also like the way it shoots. They might say that they want the AR-15 for home protection, but they probably know a 12-gauge Remington Model 870 shotgun would be better for the job. They might say that they like it for hunting deer, when they know that there are many bolt-action rifles chambered for ammunition more suitable for that.

But they decide on the AR-15, still. It is their choice,



Sign outside a gun shop in Clinton, Massachusetts, June 21, 2016

even if Hillary Clinton and others who disapprove see in this affection for the AR-15 something close to a fetish, and a dangerous one of which they disapprove. (And it may well be, too, that such disapproval has made the rifle even more popular.) So the AR-15 is demonized and made hateful even though it is a mere machine, which seems to the AR-15 owners a lot like blaming the axe and not Lizzie Borden.

In the immediate aftermath of last summer's Orlando slaughter by an ISIS sympathizer, a New York newspaper reporter set out to familiarize himself with the AR-15 and report back to his readers from darkest Gunnistan. He described the experience this way:

I've shot pistols before, but never something like an AR-15. Squeeze lightly on the trigger and the resulting explosion of firepower is humbling and deafening (even with ear protection).

The recoil bruised my shoulder, which can happen if you don't know what you're doing. The brass shell casings disoriented me as they flew past my face. The smell of sulfur and destruction made me sick. The explosions—loud like a bomb—gave me a temporary form of PTSD. For at least an hour after firing the gun just a few times, I was anxious and irritable.

The AR-15 is actually chambered for a fairly small round (5.56 mm/.223 cal), and its recoil is close to negligible owing to the buffering system. The hot brass should be ejected away from the shooter unless he is firing from the wrong shoulder. But never mind. This story, in fact, doesn't get the essentials and basics wrong, the way so many do.

People who like and know guns have come to expect a kind of willful ignorance about guns in what they read in the newspapers or see on television. Reporters congenitally get the automatic vs. semiautomatic thing wrong. They don't know the difference between a clip and a magazine, between bore and caliber, even rifle and shotgun. People who know guns don't expect general assignment reporters to be experts in ballistics, but they do expect them to understand the very basic distinctions that could be mastered without much study. No newspaper or television operation would assign coverage of a fashion show to someone who didn't understand the difference between a skirt and a dress and couldn't identify a chemise.

To people who do know and care about guns, the indifference to the basics about guns that shows up, over and over, in media reports is just one more demonstration of contempt for the subject and for them. Another signal of the

media's disapproval of guns—and them. And then there is the unseemly impulse to ban that of which you disapprove. You can always find a reason. Gun deaths are declining and the assault weapon ban made no noticeable contribution to reducing gun deaths. But never mind. Guns are evil and loathsome and something else to be gotten rid of. For the common good.

If you are a gun person (or even a gun nut), you find seductive what Hillary Clinton sees as repellent. If you like (or even love) guns, you are beguiled by their engineering and their design. You find something ineluctably appealing

in the way they perform. The way the parts fit and mesh and move. The sound of the bolt closing over a chambered round. The way the gun feels in your hand or against your shoulder as you take aim and squeeze. You like shooting guns and cleaning them and understanding how they work. You like having them on display, over the mantel or in a gun case. You like talking about them with other people who know and love guns. They are a part of your life. You don't expect everyone to understand, and you don't care when someone doesn't. But you don't get people who think you are, somehow, sick because you like

guns. And you resent it when they tell you that you can't be trusted to own guns and they intend to make sure that, eventually . . . you won't be able to. You're willing to fight them on it.

If you are a gun owner and those guns are important in the scheme of your life, there is something deeply infuriating about the notion that your guns should be taken from you for your own good. That everybody will be safer if you are disarmed. That the times have changed and the individual right to "bear arms" is obsolete. That it might have been suitable, perhaps, in an age of muzzle loaders but not in the age of assault weapons. Freedom of the press, you think, didn't go away with the advent of the Internet. And the odds of your being killed with a knife are better than those of your being done in by an "assault rifle." But we don't ban knives, and we don't honor the NRA member and instructor who took down a terrorist who was stabbing people, recently, in a shopping mall.

The paternalism is galling. You know that the "important" and celebrated people who want to disarm you are protected by security people who are packing. You know that, even if it is a hackneyed line, the phrase "When guns



*Serge Rene of Rene's Security and Training in Orlando displays an AR-15, August 5, 2016.*

are outlawed, only outlaws will have guns” strikes pretty close to the truth of it. You aren’t surprised when you read a newspaper story with the following lead paragraph:

Five people were killed and at least 35 others were wounded in weekend shootings in Chicago, bringing the total number of people shot so far this year to at least 3,366—981 more than this time last year.

In Chicago, guns are outlawed, or close to it. And the outlaws have plenty of guns. These guns are used to settle scores in a city that seems, to outsiders, to be returning to a state of nature, where gangs play the role of primeval tribes. And since gun control has failed in Chicago and Illinois, those who believe it is the answer now argue that the problem is neighboring Indiana, where the gun laws are not so strict. Stricter gun laws in Indiana, then, will reduce the weekly body count in Chicago. It doesn’t take much imagination to see where this leads. Gun control laws must be made national in order to work.

I live in Vermont, where the gun control laws are among the most relaxed in the nation. Bernie Sanders represents Vermont in the Senate and Mrs. Clinton used his votes on gun issues against him when they were competing for the Democratic nomination for president in various state primaries. Sanders’s votes reflected (often) the feelings of his constituents. The older, more traditional elements of Vermont’s population are pro-gun. They could not, in fact, imagine being anything else. People hunt. People own guns. It is a way of life. It may be hard to imagine Bernie Sanders taking a week off in November and going out to the deer camp with a bunch of his buddies to play cards, drink whiskey, tell lies, and maybe even shoot a deer. But if he isn’t a hunter or a gun owner, Sanders understands and respects his constituents and does not dump them into a basket of “deplorables” because they own guns and care about guns, as their people have for a couple of centuries.

The long tradition of gun ownership in Vermont means that there are a lot of guns in the state. But there are very few gun crimes and almost no killings. These have, however, been on the rise lately. But not because there are suddenly more guns or because AR-15s are flooding the state. The rise in Vermont gun crimes can be traced to an epidemic of heroin addiction and trafficking. In Vermont, more people are dying from heroin overdoses than from gunshots. But, of course, the people who are bringing drugs into the state—from places far away—are armed. Some of them may even be armed with AR-15s, the dreaded “assault rifles” of anti-gun imagination. Most, however, settle for a more easily concealed handgun.

They are armed, and their intentions are not pure. As there is more heroin, there is more need for ready cash and

more robberies and break-ins. For years and years, we did not lock our doors at night. We might go for months unable to locate the front door key. That has changed.

Not long ago, a man was arrested a couple of hundred feet from the front door of the local elementary school. He was a heroin trafficker and engaged in the biggest deal the state had yet seen. The people who used his product—many of them—needed to find a way to pay for it, and this means stealing.

So there are more break-ins. Because Vermont is an essentially rural state, people cannot expect the response time for a 911 call to be prompt. It might take half an hour or more in the early hours of the morning. So if you hear someone downstairs, looking for goods that can be easily pawned, you can lock the bedroom door, make the call, pull the covers over your head and wait, passively, to see what happens. Will you hear the siren before you hear the sound of footsteps on the stairs?

Or, if you have a shotgun near the bed, and it is a pump action, like the Remington 870, you could work the slide and chamber a round and hope that this ominous sound will make the right impression on the junkie downstairs. If your weapon of choice is an AR-15, you can jack a round into the chamber, and this should have the same effect.

But, then again, maybe not. Maybe your visitor has the wrong address and thinks he has come to the home of a rival or a customer with whom he has some business dispute. He has come to settle it, one way or another.

Nobody invited heroin dealers into the state. And they don’t seem inclined to leave. There are new busts reported every few days. When one is taken out, it seems another moves in. And if you want protection, you need to be prepared to provide it yourself, even if buying that gun and contributing to those record sales makes you . . . “deplorable.”

So as Hillary Clinton runs well ahead in the polls, those record gun sales will most likely continue, as will the trend toward more and more women buyers and increased NRA membership. They will continue, as well, if and when Clinton moves into the White House. Even if the Democrats gain seats on Capitol Hill, the stalemate over guns will almost certainly continue. The issue, in the minds of too many, is neither negotiable nor partisan. (Something the NRA has long understood and appreciated.)

Gun control—even “common sense” gun control—isn’t one of those ordinary Washington “issues” that can be manipulated, obfuscated, and trimmed. You can’t say “If you like your guns, you can keep your guns” and be believed. The issue goes to fundamental things—among them, the right to self-defense—that make people in Washington exceedingly uncomfortable. But the people who do own guns and keep buying them in record numbers understand. Perfectly. ♦



Hill Top Farm

# Secret Gardens

*The hidden life of Beatrix Potter.* BY SARA LODGE

**B**eatrice Potter, from her teens until the age of 30, kept a secret diary. It was in code and the handwriting was tiny: “No one will ever read this,” she declared. She was wrong. In 1958, Leslie Linder cracked the code. Out spilled the uncensored reflections of the Victorian artist as a young woman.

Beatrix Potter (1866-1943) was already a talented painter and her

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diary trains a critical eye on the famous artists of her day; the Pre-Raphaelites, she notices, are not so different in their subject matter from other painters, but “everything [is] in focus at once.” She admired Millais’s painting of *Ophelia*, but thought the rosebush in the corner inaccurately colored. She was also politically engaged, disparaging William Gladstone, the Liberal prime minister. Fiercely intelligent and bored, she felt adulthood stretch out before her like a dark passageway with little prospect of “[doing] something” at the end of it.

Entrepreneurship, however, ran in her family. Her grandfather, a self-made man, had been the successful owner of a calico-printing factory in Derbyshire.

A nonconformist, a radical, and eventually a member of Parliament, he left £400,000 on his death, a sum equivalent to multiple millions now. This background allowed Beatrix a financially comfortable upbringing in which her parents spent long holidays in Scotland and northern England, where Beatrix enjoyed an outdoor life, sketching trees, fungi, animals, and birds. Back in London, she brought creatures into the nursery, including rabbits, hedgehogs, bats, lizards, mice, frogs, newts, and snakes, who became not only pets but objects of study and, finally, characters.

She began by selling her watercolors of animals dressed in human clothes as

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designs for Christmas cards. Then she thought of self-publishing her picture-letters to friends' children. Her success in these areas helped her to negotiate with her eventual publisher, Frederick Warne, as she already knew her market. She wanted high-quality small books at prices small enough for children to afford. It was she who invented a Peter Rabbit board game, insisted on patenting and sourcing her own Peter Rabbit dolls, and licensed wallpaper based on her designs.

Her female bunnies, Flopsy, Mopsy, and Cottontail, may have been fluffy, but Beatrix Potter certainly was not.

Potter—whose 150th anniversary Britain has been celebrating this year with exhibitions, a 50-pence piece featuring Peter Rabbit, and the issue of a new Potter book, *The Tale of Kitty-in-Boots*—deserves to be remembered for a variety of achievements. In natural history, she was a significant illustrator of rare fungi and developed scientific hypotheses about them that were ahead of their time. She theorized that a lichen was a symbiosis between an alga and a fungus (she was right). She was also the first person in Britain to germinate certain fungi from spores. She submitted her findings to the Royal Botanical Gardens at Kew and to the Linnean Society; but as a woman and an amateur, she was roundly ignored.

In literature, she offered children something new: books in which animals in human costume retain the meticulously rendered anatomy, coloring, and traits particular to their species. She set the stories in recognizable environments with vivid detail, drawn from her years of sketching old stairwells, potting-sheds, even a swill bucket.

There is also a comic brio to her tales that is refreshing. The Two Bad Mice show up the artificiality of the Edwardian domesticity (a doll's house) that they try to inhabit; the ham on the sideboard is made of plaster and they lay waste to it in fury when they discover it is inedible. Tom Kitten and

his sisters discard their best bib and tucker, shaming their snobbish mother, who wants to show off her children at a tea party for friends. In this story, one feels Potter herself gleefully shrugging off the memory of those uncomfortable clothes—the Alice band, the starched white pinafore, and the zebra-striped stockings—in which Victorian mothers who had read *Alice in Wonderland* triggered out their daughters. The ducks at the end of *The Tale of Tom Kitten* lose the pinafores in a pond, where (Potter's story jokes) you can see them perpetually looking for them, their bottoms in the air. They can go fish.



*'The Tale of Two Bad Mice' (1904)*

There is a third achievement for which we should celebrate Beatrix Potter. That is her preservation of a very significant part of the Lake District through giving her farmland, carefully amassed in her later years, to the National Trust.

Founded in 1895, the trust had some of the force in Britain that John Muir's national parks movement had in America. Potter was friends with one of the founding members, Canon Hardwicke Rawnsley, and with him she devoted herself to protecting the Lake District from hydroplanes and unsightly development. She also encouraged open paths and the use of her land by Girl Guides so that those from the city could enjoy the countryside. At her death, her legacy comprised over 4,000 acres—an astonishing gift.

Potter was serious about farming: A countrywoman who, in later life, preferred real pigs and sheep to their nursery-fiction counterparts, she followed her shepherds out into the fields and relished the hands-on work of restoring a farmhouse, even falling through the ceiling. In her late thirties she had suffered tragedy when her publisher-fiancé, Norman Warne, died suddenly of leukemia. But she recovered from this—and from her class-conscious parents' opposition to her romantic choices—and embarked on a happy marriage in middle life to a country solicitor.

She thrived on the wholesome rural labor that her privileged, but sometimes isolating, childhood had not allowed. She weathered. Photographs from the 1930s show a woman in tweeds who looks as if she enjoyed a roast dinner, a laugh, and a long walk in the wind.

The Lake District has been celebrating Beatrix Potter's anniversary with various events and exhibitions. A few months ago I took myself to the Newlands Valley to experience some of the pleasures of the scenery she captured in her books. I stayed at Little-town Farm, where the heroine, Lucie, lives in *The Tale of Mrs. Tiggy-Winkle*. Lucie is apt to drop her handkerchiefs and finds that they have been gathered up and laundered by the hedgehog washerwoman, who invites her for tea in her tiny home under the hill called Catbells. It is still a charming place, and the owners were kind enough both to give me tea and to do laundry for me in an emergency, so the spirit of Mrs. Tiggy-Winkle clearly persists.

A 17th-century farmhouse, Little-town is both a bed and breakfast and part of a working sheep farm, run by the descendants of Thomas Swainson, from whom Beatrix Potter bought some of her sheep. Little about the landscape has changed since Potter's time. When you wake in the morning you hear bird-song, rushing water from the river that runs through the valley, ewes bleating,

and lambs responding. The views are spectacular: In every direction there are high hills with soft flanks, furred with bracken, and long sharp ridges like the spines of sleeping animals.

I loved the six-mile hike to Buttermere, which takes you past Moss Force waterfall, streaming down like skeins of white hair on rock as gray as storm clouds. You pull up a steep climb through a pass with dramatic prospects of Derwent Fells and Causey Pike, before descending to Buttermere itself, a tiny village by a lake of mystical beauty.

It would be easy to imagine the Lady of the Lake of Arthurian legend rising from this glassy pale water, fringed with reeds, over which Fleetwith Pike, another high hill, crouches like a giant turtle, green and brown and strangely symmetrical. It holds your eye and seems to mark your progress as you swing right or left by sundial degrees toward its inevitable snout. No wonder Beatrix Potter, riding her pony out for long days spent sketching, felt liberated here: Even in the age of mass tourism there is a deep stillness, a sense of space above and around, that tempts the imagination—that wild and wary creature—to emerge.

After an excellent night's rest, and a hearty breakfast of local bacon and fresh eggs, I was eager to explore Potter's home at Hill Top Farm at Near Sawrey (about an hour's drive away), which is in the care of the National Trust. It is a delightful cottage with a garden, on either side of a long path, that in summer overflows with scented roses, purple geraniums, green lady's mantle, and Sweet William. There is also an old orchard and vegetable garden where a watering can and hoe seem artfully placed to recall Mr. McGregor's garden in *The Tale of Peter Rabbit*.

Inside, the rooms are snug, with low wooden ceilings, window seats, and old farm furniture of the kind Potter collected from local sources: An oak dresser carved with pomegranates and vines and the date 1667 was her most prized find. You can see Potter's china

dogs over the mantelpiece: not a pair of upright spaniels (as is most common), but greyhounds, each with a dead rabbit in its jaws. The author of *Peter Rabbit* was neither squeamish nor sentimental.

Upstairs, there are objects and scenes that bring back the books. You come upon the landing—and the floorboard—where Tom Kitten was rescued from the malevolent rat, Samuel Whiskers, who had intended



Beatrix Potter (1881)

to make him into a roly-poly pudding. Here is the dolls' house, crafted by Norman Warne, Potter's first fiancé, which temporarily accommodated the Two Bad Mice. There is also a dark-room, which reminds us that Potter (taking after her father) was a keen photographer and used the medium to capture favorite animals such as her rabbit, Benjamin Bouncer.

In the town of Hawkshead, a few minutes, distant by road, Potter's husband William Heelis had his solicitor's office. This is now a gallery devoted to Potter's artwork and well worth a visit. Looking closely at the tiny vignettes of Jemima Puddle-Duck, you can see

the delicacy of Potter's use of line and watercolor: the blue bonnet and pink shawl of our foolish romantic heroine, lured to an assignation by the rakish Mr. Fox, blooms against the varied greens of foliage and Lakeland Fells. Jeremy Fisher, the frog, boats his lily-pad across Derwent Water like Henry Raeburn's famous oil painting of a skating clergyman, an irresistible mixture of formality and humor.

It is quite possible to boat yourself on Derwent Water, and stunning views reward the excursion. Motor launches leave every hour or so from Keswick and stop at various points on the lake, so you can hop on and off, exploring beaches and woods where otters and red squirrels still reside. You can see Derwent Island House, a mansion on an island owned by the eccentric Joseph Pocklington. He built a fort there and encouraged local citizens to try to attack it once a year while he shot at them with cannons.

The enterprising modern visitor can hire a canoe and paddle out to St. Herbert's Island, which Potter transformed into Owl Island in *The Tale of Squirrel Nutkin*. No cannons will fire, but rainwear is recommended. Sudden changes in the weather are part of the drama of this countryside, where the dry-stone walls are often the only dry things visible.

A photograph of Beatrix Potter as a teenager shows her with shorn hair after a fever, fearfully holding a mouse on her hand. Her look is direct: There is something of Joan of Arc in her crop-headed stare. Her grandfather may have made a fortune out of chintz, but Beatrix Potter was a woman for our own time: shrewd, practical, and capable of reinventing herself.

She always professed surprise that Peter Rabbit, from her first book, remained the most popular of all her creations: She preferred the kindly mice of *The Tailor of Gloucester*. But at heart she must have known why. Peter is told not to go into Mr. McGregor's garden. So, immediately, he does just that.

Animals squeeze under the fences that confine them. Her secret was to do the same. ♦

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# Lovers of Wisdom

*What began in wonder has ended in pedantry.*

BY LAWRENCE KLEPP



'The School of Athens' by Raphael (1509-11)

George Santayana remarked in one of his books that there is no good reason for a philosopher to make his living teaching in a university. He would probably be better off as the man who collects umbrellas and checks coats in a small, seldom-visited museum. And Santayana's onetime colleague at Harvard, William James, more or less seconded the motion: "What an awful trade that of professor is—paid to talk, talk, talk. . . . It would be an awful universe if everything could be converted to words, words, words."

As Justin Smith points out, the word coined by the Greeks 2,500 years ago meaning "love of wisdom" and implying a simple, serene way of life has come to mean a credentialed, cordoned-off university profession consisting of people who "do philosophy" the way others do accounting. He brings up a prominent professor (unnamed) who, in 2014, threatened

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## The Philosopher

*A History in Six Types*

by Justin E. H. Smith  
Princeton, 288 pp., \$27.95

to sue another, lesser-known professor for having written that he was "not a philosopher" (because, despite his standard academic credentials, he was in a different department). Smith wonders what it could mean if "one could plausibly conceive of 'philosopher' simply as a sort of license or accreditation, and thus . . . think of the claim that someone is 'not a philosopher' as a simple denial of something that is factually true."

It seems to mean that philosophy, which, according to Aristotle, begins in wonder, has ended in pedantry and protocols and office charts.

Justin Smith is, it should be noted, an academic philosopher himself. His career has included positions in Montreal and, currently, Paris. But he's

"never been good at respecting the disciplinary boundaries" imposed by professional philosophy. Ever since a dropout adolescence in California when he began reading avidly on his own, he has felt like an outsider, which is, of course, what almost all really original philosophers have had to be—sometimes to the point of losing their lives, like Socrates or Hypatia or Giordano Bruno.

*The Philosopher* is a far-flung miscellany rather than a history of philosophers. It doesn't mention Hypatia, despite its concern with women as philosophers, or Bruno, so adept at disrespecting disciplinary boundaries himself. Santayana and James are also among the missing—as is Pascal, who wrote, in his *Pensées*, "To mock philosophy is the true philosophy."

But Smith almost achieves this kind of true philosophy himself by asking impertinent questions and rummaging through historical and anthropological odds and ends, looking for ways of deflating professional philosophical solemnity and self-importance. He ponders shamans and women herbalists and medieval monks, Jainists in India and Jesuits in China and dispensers of ancient wisdom everywhere. To these he adds fictional monologues and autobiographical asides, further distancing himself from the meticulously abstract, impersonal, closely argued manner of Anglophone academic philosophy.

The book has no chronological order, which "implies some sort of commitment to the march of progress," or geographical order, either. But it has six chapters, each devoted to one of his philosophical types. These aren't what I had guessed they would be: temperamental types like James's "tough-minded" and "tender-minded" thinkers, or those of Stephen Toulmin, who at Cambridge was told that people who liked the color blue, sweets, and cats also liked Plato, while those who liked green, savories, and dogs were in favor of Aristotle.

Smith's types are archetypes—the "curiosus" (or "curiosa"), the sage, the gadfly, the ascetic, the mandarin, the courtier. They overlap and

can seem arbitrary. You'd be hard put to place most famous philosophers in the scheme. But it's mostly just a way of arranging some "lost, forgotten, or undervalued" conceptions of philosophy. The "curiosi," for instance, are the early modern "natural philosophers" who, collecting fossils and contemplating clouds, were often derided for their excessive curiosity until they suddenly turned into respectable "scientists" in the early 1800s.

The departure of the natural philosophers from their original home in speculative philosophy seems to have been, if not a crisis, an enduring embarrassment. Philosophers kept arguing about the nature and status of truth, while scientists, without worrying much about what it is, were busy accumulating vast quantities of it, which transformed the way people live far more than any philosophy had ever done.

Soon after the natural world was taken from it, philosophy lost its traditional metaphysical mission as well, and it has been in retreat ever since. The Anglo-American "analytic" philosophers have tried to make it a handmaiden of science, much as it had been the "handmaiden of theology" in the Middle Ages, adopting a narrowly logical, technical manner. The mainly French and Central European "Continental" philosophers have meanwhile been attempting to steer it in the direction of literature and psychology but, lacking the stylistic and imaginative gifts of predecessors like Kierkegaard and Nietzsche, have tended to settle for portentous obscurity.

Smith writes plainly and modestly enough to be kicked out of both clubs. He says his book is not about "what philosophy, ideally, ought to be." Still, he clearly would like it to be something a lot more ideal than what it so excruciatingly is. But the exotic specimens he collects from other cultures and epochs are not likely to sweep anyone off his philosophical feet. The homilies of a naked Indian gymnosophist, or the crabbed scriptural commentaries of assorted scribes, are going to be as impenetrable and tedious to most of us as the average slice of opaque academic prose.

More promisingly, he considers retrieving the idea of philosophy as a way of life that was prevalent from the Greeks to early modern times, when to be a philosopher usually meant renouncing worldly pursuits and pleasures in order to live a spare, tranquil life that could show others the way to true happiness. It might, of course, be hard for a happiness-peddling philosophy to get its foot in the door in our therapeutic society, where there is already a large caste of professional healers—psychologists, counselors, life coaches, gurus—who are there to lead us, if not to happiness, at least to abject dependence on themselves.

But it at least raises the possibility that reading philosophy can be a pleasure—if a strenuous one, a steep climb for a perhaps breathtaking view. He implicitly acknowledges this by

turning to writers like Montaigne, Sterne, and Whitman for philosophical sustenance, and you could add many others to the list—Dostoyevsky, Melville, Kafka, Borges, Rilke, Wallace Stevens—in whose work there is a broader philosophical vision, and far more excitement and enchantment, than in all the academic philosophy of the past half-century put together.

Smith's own book, despite its literary touches, doesn't exactly excite or enchant. Its real effect is cautionary. If it offers an imperative, it's to watch out for imperatives. Ideas or practices that may seem universal, or inevitable, or progressive probably are not. What is universal, it suggests, is the human tendency to pause for thought. Smith demonstrates that this has been, can be, and should be done in an infinite variety of ways. ♦

BCA

## It's Cold Outside

*What Baby perceives from inside the womb.*

BY GRAHAM HILLARD

**T**he new novel by Ian McEwan is a loose retelling of *Hamlet* narrated by an erudite, morally engaged fetus. Remarkably, the project is not ridiculous.

Rather, McEwan has crafted a psychological thriller of the first order: a murder mystery set in the London of this instant and propelled by two of the most intimately sketched villains in recent memory. How intimately? Trudy, a self-deceiving egomaniac and adulteress, is the very sea through which our hero swims, her every autonomic twitch observed from the inside. Her lover Claude (fans of Shakespeare will note their names) is a banal psychopath whose libido carries him into a space "inches from" the protagonist's

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### Nutshell

by Ian McEwan  
Nan A. Talese, 208 pp., \$24.95

nose and whose endless whistling ("not songs but TV jingles") is clearly audible through uterine walls.

Locked within an ever-tighter confinement, able to do little more than listen, the unnamed narrator (hereafter "Baby") is audience not only to Claude and Trudy's plot to kill the middling poet who is at once Baby's father, Trudy's husband, and Claude's brother, but to the beating of Trudy's guilty heart, as well. As such, Baby operates as a kind of sentient polygraph, reading in his mother's nervous system the state of her conscience as easily as he hears in her conversations with Claude the progress of their scheme.

The narrative voice that results from this perspective is unlike any the reader is likely to have encountered before: godlike but painfully limited, worldly (due to the endless series of podcasts to which Trudy subscribes) yet “immersed in abstractions.”

It is from the soil of these contradictions that McEwan reaps the novel’s central points of interest: not whether the murder will occur but how the culprits will respond and, crucially, what their crime will reveal to Baby about the world that awaits him. In the case of the former, McEwan shows himself, once again, to be a master of the interior style, albeit with a compelling twist. Because Baby’s circumstances preclude his *seeing*, McEwan is forced to rely on physiological cues as much as on visual ones, a strategy that provides him with a strikingly original vocabulary. Observing Trudy’s reluctant sexual desire for her co-conspirator, Baby notes the “curlicue of thrill, [the] cold contraction [that] lodges in her perineum” upon Claude’s approach. He feels her quick thinking under pressure as a tightening “in her sinews, in the stiffening drapes of her omentum.” Through Baby’s “innocent” eyes—he is, “despite what the geneticists are now saying, a blank slate”—Trudy’s all-too-human shame, self-protectiveness, and fear are given surprising and vital expression, as are such novel (to Baby) ideas as the vagaries of love and hate, the slipperiness of sexual consent, and the cold fact that human beings can’t read one another’s minds. (A late scene in which Baby overhears the chess match of a police interrogation is a marvel of page-turning tension.)

It is in McEwan’s exploration of the wider world, however, that *Nutshell* reaches its greatest heights. A news junkie, Baby knows that he’ll be born into “a condition of modernity (hygiene, holidays, anesthetics, reading lamps, oranges in winter) and [will] inhabit a privileged corner of the planet—well-fed, plague-free western Europe.” Yet he’s aware also that the 21st century is “too complicated and dangerous for our quarrelsome natures to manage,” riven not only by “self-pity and aggression” but by “confusion

about values, the bacillus of antisemitism incubating, immigrant populations languishing, angry and bored.” In short, Baby grasps a theme that McEwan has returned to again and again in his late oeuvre: The world is troubled—the sort of place where mothers can kill fathers and lovers can turn against one another. It is also wondrously, miraculously good. That Baby yearns, despite this incongruity, for his allotted “handful of decades”—for the felt pleasures of “wine by the glass rather than the placenta, books direct by lamplight, music by Bach, walks along the shore, kissing by moonlight”—is a sign of his faith, however tenuous, “in life after birth.” It is, after all, the only thing he has to look forward to.

*Nutshell* is not, mercifully, a pro-life novel. As conservatives, we don’t require the politicization of everything our eyes behold. Yet it is a book with its toes in the cultural water. Pondering his mother’s fleeting sense of remorse, Baby recognizes a strange phenomenon at work. Just as “the almost-educated young” make “a version of a womb for [their] student days,” insisting on the state’s “validation of their chosen *identities*,” so Trudy “marches with a movement. Her status as a murderer is a fact, an item in the world outside herself. But that’s old thinking. She affirms, she identifies as innocent.” The hero of *Nutshell* may not have seen the world, but he most certainly sees its future. ♦



# Hannibal’s Heel

## *Why Carthage failed and Rome succeeded.*

BY J. E. LENDON

It is a symptom of the deplorable state of intellectual life today that readers of this magazine can guess the lineaments of the story told in *Hannibal* the instant they read early in its pages that classical Carthage, the city on whose behalf the great captain of the title fought against Rome, was “diverse” and “multicultural.”

To whatever degree bigoted contemporary observers regarded Carthage as brutal in its politics and religion, oppressive to its subjects, aggressive to its neighbors, and sly in its relations with foreign powers, a city boasting those two glittering qualities nearly divinized by our educators must have been, instead, kind and scrupulous in its dealings foreign and domestic, and victimized in its innocence by less

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**Hannibal**  
*A Hellenistic Life*  
by Eve MacDonald  
Yale, 352 pp., \$38

**Mastering the West**  
*Rome and Carthage at War*  
by Dexter Hoyos  
Oxford, 360 pp., \$29.95

politically correct nations. The countless newborn babies and small children the Carthaginians sacrificed to their gods—the remains of more than 20,000 have been found in Carthage alone—fade into no more than a single facet of the glorious cultural mosaic that was Carthage. And none of this needs to be proved, or even argued, by the author, who is also free to commit no few errors of fact: for a diverse and multicultural people are the good guys by definition, and a writer who sings their virtues is liberated from the dull grind



'Hannibal Crossing the Alps,' engraving by Heinrich Leutemann (1866)

of historical accuracy by the purity of her ideals.

Ancient Carthage was, probably, roughly as diverse and multicultural as Saudi Arabia is today: A wealthy state with a small population, Carthage employed foreigners to do her nasty jobs and relied on foreign mercenaries rather than citizens to do her fighting. The mercenaries Carthage hired certainly felt no sense of belonging to the Carthaginian nation: When the Carthaginians, after their defeat by the Romans in the First Punic War (264-241 B.C.) proved unable to pay them, the mercenaries launched a war of unparalleled brutality—the so-called Truceless War—against their former employers (240-238 B.C.). Ancient authors describe the Carthaginians as harsh overlords and, when offered Roman protection, nearly every polity in Spain and North Africa dominated by the Carthaginians cheerfully abandoned their former masters: Few seem to have participated willingly in the

diverse and multicultural Carthaginian Elysium imagined by our author.

In truth, in the Mediterranean world after Alexander the Great, where the countless cities of the Greeks had become more relaxed than they had been earlier about granting citizenship to in-comers, Carthage may have been unusually exclusive, adorned (like all non-Greek states) with a patina of Greek culture but fully incorporating into her citizen body only immigrants from the region that originally sent her forth as a colony, Phoenicia in the Levant.

At the other, positive end of the spectrum of ancient states welcoming to foreigners and their ways was Rome. Having blessed Carthage as diverse and multicultural, *Hannibal's* author unconsciously imagines Carthage's great opponent to be as monolithic in race, creed, and outlook as a white-shoe law firm in 1950s New York—and therefore (by an inevitable implicit logic) greedy, perfidious, and belligerent. But

the real Romans imagined that their city had been founded from a flotsam of the accursed, exiles, and broken men. And loyal to those origins, Rome energetically split her citizenship into rights and ranks, and granted parts of it to her friends, who could eventually aspire to the whole.

By the time Rome came to fight Carthage, not only the broader nation of the Latins, who were similar to Rome in culture, but Sabines, Volscians, Marsians, Etruscans, Umbrians, Samnites, Greeks, and many more, talkers of strange tongues and harborers of strange habits, had been admitted, to a greater or lesser degree, into this generous system.

For anyone attracted, therefore, to the task of rating the powers of the ancient world in terms of their diversity and multiculturalism as one might the freshman class of an American university, third-century B.C., Rome is a far better candidate for that dubious accreditation than third-century-B.C. Carthage. But if such a question is of historical interest at all, it has a significance quite opposite to that the author of *Hannibal* asserts, because rather than sources of strength, during Hannibal's Second Punic War (218-201 B.C.) diversity and multiculturalism were weaknesses—if not decisive weaknesses—for both combatants.

So, indeed, our author admits when she points to Hannibal's remarkable ability to hold together his crazy-quilt "multicultural" and "diverse" mercenary army by the force of his charisma, by his identification with Hercules, and by his crescendo of military successes. (Rather like a contemporary college dean, Hannibal's real genius, our author thinks, lay in—*ahem*—managing diversity.) But Hannibal's remarkable ability implies an extraordinary need, a need one suspects the Carthaginian would have been pleased to do without: Despite Hannibal's heroic personal qualities, his army was plagued by individual and mass desertion.

As for the Romans, Hannibal's strategy was to defeat them in battle (as he did, handily, in 218, 217, and at bloody Cannae in 216 B.C.) and then to detach from Rome the Italian

STEFANO BIANCHETTI / GETTY

allies who contributed so largely to Rome's military might. And some he did unfasten, especially after Cannae, and especially in the south of Italy. But those who abandoned Rome, almost all Greek or Oscan, were the allies of Rome most alien in culture to the Romans, while a vast swath of Italy, 100 miles north and 75 miles south of Rome (to say nothing of the majority of cities even further south), remained loyal to the Romans despite Hannibal's victories, blandishments, attempts to encourage betrayal, and, finally, his sieges and coercive ravaging of their lands.

The heart of this steadfast region consisted of peoples who had always been (or who had grown) similar in their ways to the Romans. But most Roman allies further off who were not culturally similar to the Romans also remained faithful, and it was they who often suffered the most for it, being located in areas where their neighbors had, indeed, defected to Hannibal. These friends of Rome, however puzzling they found Roman ways, knew this about the Romans, at least: The Romans, unlike Hannibal, kept their word about bringing succor to isolated allies, rewarded the loyal, and punished with terrible cruelty those who betrayed them.

The continuing fidelity to the Romans both of their Italian kin and most of their other allies, however different their customs, is the decisive fact of Hannibal's war in Italy. This story is told (along with those of the First and Third Punic Wars) free of voguish political posturing in Dexter Hoyos's *Mastering the West: Rome and Carthage at War*—the author being himself the acknowledged master of this subject in the current generation. The calculus is this: In his victories of 218-216 B.C., Hannibal killed or captured perhaps 15 percent of the entire male population of those parts of Italy loyal to Rome. No major modern state has ever suffered anything approaching such losses. (Even France and Germany in World War I lost less than 9 percent.)

Yet, against the general expectations of those who did not know her well,

Rome did not sue for peace, and in the year after Cannae, put 75,000 men into the field. In 212 and 211 B.C., 200,000 served by land or sea, something like a third of all the military-aged men in Italy. Rome's ability to recruit such numbers from her own men and her allies is the reason she eventually won the war: Hannibal was kept in check in Italy, other Roman possessions were strongly garrisoned, and Carthage's ally Philip V of Macedon was stymied in Greece, while the Romans still had ample forces to defeat the Carthaginians in Spain, to capture Carthage's mighty ally Syracuse in Sicily, and eventually to invade North Africa, compelling Carthage to recall Hannibal to defend his homeland.

During the 16 years Hannibal remained in Italy, Carthage made fit-

ful attempts to reinforce him with new-hired mercenaries and shiny new elephants. But the need to do so shows that Hannibal, despite his victories and charisma, simply could not—unlike the Romans—recruit on a large scale for years among the inhabitants of Italy. Over time his forces diminished and dwindled, and the Romans increasingly constrained his movements. In the last years before his recall, Hannibal was essentially a bandit chief confined to barren Bruttium, the toe of the Italian peninsula.

Apparently, Hannibal's diverse and multicultural army did not exert the same appeal to potential recruits in ancient Italy as it does to the author of *Hannibal*, comfortable in the intellectually monocultural echo chamber of today's university. ♦

BCA

## Albion's Seeds

*Ideas of conscience in the age of Jim Crow.*

BY EDWIN M. YODER JR.

**A**mong the writers who have had a consequential effect on the issue of race in America, Albion W. Tourgée (1838-1905) may be the least noticed, for reasons unclear. This is the latest of several recent treatments of his life and work that have left him, still, in unmerited obscurity. Perhaps one cause lies in his remarkably varied career, whose many phases began with his arrival as a twice-wounded Union Army veteran in Greensboro, North Carolina. He served as a judge and legal and constitutional reformer during Reconstruction and instituted model courtroom procedures still in use. During that sojourn in potentially unfriendly territory, he befriended ex-slaves and their cause; and he fought

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### A Refugee From His Race

*Albion W. Tourgée and His Fight Against White Supremacy*  
by Carolyn L. Karcher  
North Carolina, 464 pp., \$34.95

the Ku Klux Klan, then and there, and lynching elsewhere.

When Reconstruction faltered, he moved away but drew on these adventures in two revealing novels, *A Fool's Errand* (1879) and *Bricks Without Straw* (1880). Both sold tens of thousands of copies and both reflected the frustrations of his attempt to convert counter-revolutionaries to a receptive view of the changes wrought by the war. His polemics, as Edmund Wilson noted in his magisterial study of Civil War literature, *Patriotic Gore* (1962), did not lack a certain ironic sympathy for the opposition.

Easily his most notable contribution to the history of his time com-

menced in the early 1890s with the battle against railroad-car segregation in Louisiana. This forerunner of Jim Crow law culminated in the Supreme Court case *Plessy v. Ferguson*. Tourgée played a major role in “staging” the provoking incident: Homer Plessy, who looked “white,” was arrested for refusing to move to the Jim Crow carriage. When the case reached the Supreme Court, the odds were stacked against Tourgée, who served, in effect, as counsel for Plessy. The justices before whom Tourgée argued had already reversed the intent of the 14th Amendment, from a charter of liberty for emancipated slaves to a charter of license for corporations.

A court mesmerized by the resurgent doctrine of state sovereignty was unlikely, in any case, to overturn a statute segregating intrastate rail travel. By Carolyn Karcher’s account, Tourgée foresaw that his advocacy against separate-but-equal was destined to fail; but he seized the occasion to denounce the sitting justices for their reversal of the meaning of the postbellum constitutional amendments. His willingness to challenge the mood of the hour, and its judicial ramifications, helps explain why one admiring colleague called him “a refugee from his race.” The label was appropriate—although its adoption as a book title bears the misleading implication that “white” opinion uniformly favored racial segregation. It did not, then or later, not even in the South.

The 7-1 *Plessy* decision ratified, over a single dissent, a two-tier system of law. Justice Henry Billings Brown, writing for the majority, dismissed segregation as a delusion of the black mind: “That the enforced separation of the two races stamps the colored race with a badge of inferiority” exists only “because the colored race chooses to put that construction upon it.” This was the absurdity the Warren Court explicitly repudiated 58 years later. But the end-of-century mood of weariness persisted for more than 50 years and soon soured into blatant racism. The 1900-47 period when

President Harry Truman desegregated the armed forces by executive order, witnessed its apotheosis in the widespread admiration for Thomas Dixon’s novels, including *The Clansman* (1905) and its innovative cinematic offshoot, *The Birth of a Nation* (1915). Even a president, Woodrow Wilson, became an admirer—a symptom of the depth of racism, even among otherwise enlightened Americans.



Albion W. Tourgée

Tourgée did enlist an ally on the Court, John Marshall Harlan, a Kentuckian and former slaveholder. Harlan had previously denounced and voted against the effective nullification of the 14th Amendment and the Civil Rights Acts. Tourgée’s unflattering treatment of judicial hostility in the *Plessy* brief could hardly have failed to sharpen the Court’s determination to cement segregation. But the incorporation of his views in Harlan’s dissent assured Tourgée’s outlook a long life, leading to the eventual overthrow of the separate-but-equal doctrine. Harlan’s dissent, animated by Tourgée’s brief, was an appeal to what a former chief justice called “the brooding spirit of the law.” But in this instance, it was long

a-brooding. And Tourgée, as its originating spirit, received too little credit. (Karcher notes that the Court of that era kept no transcript of arguments; as a consequence we have no archival record of the give-and-take of Tourgée’s big moment before the justices.)

Tourgée’s failure in the *Plessy* case left him disheartened and, incidentally, near bankruptcy. Needing money and rest, he won a respite from President McKinley as American consul at Bordeaux, where he died in 1905. In keeping with the domestic mood of the times, those years witnessed a spasm of imperialism, followed by the blood-soaked annexation of the Philippines. McKinley attributed his decision to emancipate the Philippine islanders from Spanish rule to his prayerful consultation of God, and the imperialist outlook proved contagious, even for Tourgée: His long and ardent dedication to constitutional equality at home stopped at the water’s edge. In its final months, his newspaper column, which he had written regularly for decades, featured defenses of American colonialism and of a two-tier constitution that did not, in the contemporary phrase, “follow the flag” to such destinations as Manila.

Albion Tourgée was a bold polemicist and gifted storyteller whose voice was much applauded in his day by his many black allies, if by few others. In her introduction, Karcher observes that, in recent historical writing, “relentless emphasis on the failure of white progressives to measure up to present-day standards of political correctness has forced a diverse group of people into a single mold, flattened out historical complexities, eliminated nuances and distinctions, and not infrequently ignored the countervailing testimony of the African Americans who worked most closely with the antiracist activists.” No one conversant with recent trends in post-Civil War historiography, where moralism frequently masquerades as historical judgment, will fail to agree. ♦

# Blowed Up

*How things go bust when other things go boom.*

BY JOHN PODHORETZ



There was a recurring sketch on the late, great, still-underrated comedy show *SCTV* in which two farmers in overalls, Big Jim McBob and Billy Sol Hurok, reviewed obscure foreign films and highbrow fare with one common feature: They showed people and things exploding. “I’ll tell you one film I really did like,” says Billy Sol, “Rainer Werner Fassbinder’s *The Third Generation*. . . . People got blowed up good in that one, blowed up real good!”

Well, it’s not a ’70s German art house picture like *The Third Generation*, but if Big Jim and Billy Sol were still in the reviewing business, they would surely view the new Mark Wahlberg film *Deepwater Horizon* as *Citizen Kane*, *The Godfather*, and *Children of Paradise* all rolled into one. Things blow up good in this movie. They blow up real good. They blow up gooder than anything has ever blowed up before. They blow up with all the power and force the special-effects teams of 2016 can muster. They blow up once. They

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## Deepwater Horizon

Directed by Peter Berg



blow up twice. They blow up on the left hand of the screen. They blow up on the right hand of the screen. It’s basically an hour of blowing up.

Perhaps you thought *The Towering Inferno* was an inferno back in 1974; that was like finally lighting a match at a campsite after a gigantic thundershower compared with *Deepwater Horizon*.

Yes, I know *Deepwater Horizon* is a true story about the floating oil rig of the same name 47 miles offshore and the catastrophic failure on April 20, 2010, that caused it to explode, and killing 11 people. The film casts itself as a tribute to those who died, and its central character is *Deepwater Horizon*’s chief electronics technician, who saved at least three lives in the midst of the conflagration.

But a movie is a movie, and while the people who make it may want to piggy-back on the real-life catastrophe to earn themselves brownie points for humanitarianism—and insulate themselves

from criticism lest the criticism seem like an attack on those who suffered and died and acted selflessly—in the end you’re only watching a re-creation, a simulation, of an event. And the part of the simulation that sells this movie is the simulated destruction of *Deepwater Horizon*. The very talented director Peter Berg may want you to shed a tear for the loss and the heroics of those who survived, but what he really wants you to do is gasp when the things go boom. That’s why Summit Entertainment and Participant Media invested \$110 million to make it. And they’d really like it if you “EXPERIENCE IT IN IMAX.”

The weird thing about *Deepwater Horizon* is that it tells the least significant part of the story for which the rig’s name is a synecdoche. While the loss of life in an industrial accident is certainly a terrible tragedy, and heroics performed during any such disaster are worthy of celebration, those phenomena have nothing to do with the way *Deepwater Horizon* became a household name. Its notoriety derives from what happened after the explosions—how the hole the explosion had punched into the gulf’s floor poured 200 million gallons of crude oil into the Gulf of Mexico.

The movie gets into it a little bit with a mustache-twirling villain from BP named Vidrine (played with extreme but amusing hamminess by John Malkovich) oozin’ Cajun-accented menace as he seeks ta charm an’ bully da cap’n ’n’ crew into rushin’ da woik, which do make da system fail and da pipe blow. But Vidrine’s presence muddies the tale Berg wants to tell—after all, he’s on the rig too. As James B. Meigs wrote in *Slate*, “BP’s company man Vidrine certainly didn’t expect that his decisions that day would lead to him to be nearly incinerated by midnight. There has to be a better explanation for why intelligent people sometimes make such terrible decisions.”

That’s something you won’t learn from *Deepwater Horizon*. You won’t learn much from *Deepwater Horizon*, in fact. But who can honestly deny the pyrotechnical pleasures that once made Big Jim McBob and Billy Sol Hurok the Pauline Kaels of blowed-up-dom? ♦

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# Wiccanophobe suspended from Illinois university

## COSTUME STIRS CAULDRON

Case echoes revision of Arizona State mascot demanded by Luciferians

BY ALLISON KLEIN

WEST PEORIA, ILL.—Days of seething tension have gripped the University of Illinois, West Peoria Campus, after sophomore Trudy Engelhardt posted on Instagram a picture of herself dressed as a “witch” for Halloween.

“I can’t tell you how hurtful it is, in this day and age, to be the object of these stale stereotypes,” said Freddie Jenkins, vice president of the school’s Wiccan Student Association. “I mean, you know, pointy black hats? Really?”

After the university announced yesterday her suspension for the remainder of the semester, Engelhardt posted an apology on her Facebook page. “I am so, so, so sorry,” she wrote. “I just always loved the Harry Potter books and so I’ve always dressed up for Halloween as Hermione or Professor McGonagall. If I had had any idea that those portrayals were offensive I would never, never, never have even thought to dress up that way.”

“She thinks that makes things better?” said Jenkins. “We have to put up with all that phony Rowling garbage. You think it would be okay to wear a sombrero and then say, ‘Sorry, I grew up watch-



FACE, MIKE LARREMORE

Erstwhile University of Illinois, West Peoria, sophomore Trudy Engelhardt in custody Saturday.

ing Speedy Gonzalez cartoons? Don’t you see how that makes things worse? I mean, she actually admits she’s read that stuff. Great Horned God! And that means she’s worn that insulting get-up before.”

The controversy has led the student bookstore to remove copies of the J.K. Rowling series. “Hey, man, like, we don’t want any trouble, you know,” said graduate linguistics student River Tweedly, a cashier at the store.

Asked whether any of the Harry Potter books were on university library shelves, librarian Muriel Odette said, “We have moved the Potter books to our special collection in the Bowdler Room.” That is where the university houses such controversial materials as *The Adventures of Huckleberry Finn* and its copy of *The Pocket Constitution*

of the United States. The librarian rejected the suggestion (made by a now-former adjunct professor) that this amounted to censorship. “Students with a legitimate research interest, and with written approval from an academic adviser, will be allowed access to these, admittedly problematic, texts,” Odette said.

Jenkins, the Wiccan Student Association spokesperson, said that the university’s decision to suspend Engelhardt was a start, but didn’t go nearly far enough. If the school is unwilling to expel Engelhardt, he said the W.S.A. would follow its protest with direct action. “We’re prepared to go all eye-of-newt on that little wannabe,” said Jenkins. “And they all better watch out, ‘cause once the cauldron’s bubbling, we might have some toil and trouble left over for the assistant dean.”

Since the image of Engelhardt appropriating the cultural identity of wiccans first came to light, other students’ costume choices have also drawn scrutiny, concern, and criticism. Kyle Jones has agreed to do 40 hours of community service after images emerged of him at a Tri-Delt rager in a “wolfman” costume. He admitted “insensitivity to those with hypertrichosis” and, as he packed up his dorm room, pledged he would never dress up in any way ever again. Also, the League of Romanian Students has filed an official protest over the fraternity member who donned white-tie-and-tails, cape, and vampire teeth in an offensive portrayal of a Transyl-

CASPAR CONTINUED ON A6