

the weekly Standard

MARCH 20, 2017

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The Cultured Life

BY
JOSEPH EPSTEIN

The Long Room in the Old Library
of Trinity College Dublin

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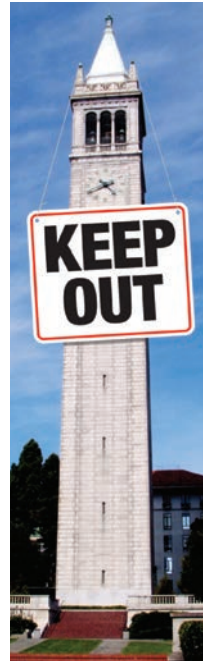
You Aren't From Around Here, Are You?

Non-Californians need not apply. That's the message the University of California system sent last week, when it proposed to limit out-of-state residents to just 20 percent of student slots at its flagship schools. At UC campuses with higher rates of out-of-state students—at Berkeley, for example, nearly a quarter of students hail from somewhere other than California—out-of-state enrollment will be capped at their current highs.

The proposal strikes THE SCRAPBOOK as reasonable enough. After all, part of the heavy tax burden borne by Californians goes to fund their prestigious university system—it's kind of unfair that so many prized slots go to Ohioans, Oregonians, Floridians, and sundry other nonresidents when those would-be students have perfectly adequate public op-

tions back home. To put it in Trumpian terms: *California First!*

Yet there's a wrinkle. For while the UC system wants to build a big, beautiful wall to keep out excess Midwesterners, New Englanders, Southerners, and their ilk, it is also proud to do what it can to make its campuses havens for undocumented immigrants. Back at the end of November, University of California president (and former secretary of homeland security) Janet Napolitano announced the university system will keep at arm's length federal

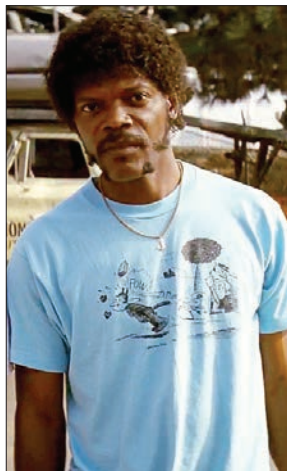


agencies that enforce immigration laws. And, of course, “undocumented students will be considered for admission under the same criteria” as anyone else. In other words, the UC system is happy to accommodate students who are in the country *illegally*, while at the same time limiting Americans from other states access to their system.

With its newly proposed quotas on applicants from the lesser 49, the UC system seems to be saying enough with all the non-Californians already. Unless they're illegal immigrants, that is. ♦

That's Why They Call It Acting

Once it was thought to be a measure of an actor's skill that he or she might play roles at odds with his or her actual circumstances, race, or even gender (Shakespeare's women, after all, were once played by male youths). But the trend—disguised as a moral imperative—has been to demand that characters be played only by those with the correct characteristics. No more casting Charlton Heston as Mexican (as was done in Orson Welles's *Touch of Evil*) or Marlon Brando as Japanese (as was done in the excruciating *Teahouse of the August Moon*). The less said about Mickey Rooney in *Breakfast at Tiffany's*, the better.



And of course, the politics of staging *Othello* have become daunting.

But this week, the racial correctness demanded of Hollywood officially jumped the shark. Samuel L. Jackson, making the rounds to promote his remake of *King Kong*, took the opportunity in a radio interview to denounce Tinseltown's infatuation with black British actors. He wondered how much more compelling, for instance, the new racial thriller starring Brit Daniel Kaluuya, *Get Out*, “would have been with an American brother who really feels that [American racism].” Nor was he happy that David Oyelowo played Martin Luther King Jr. in 2014's *Selma*: “There are some brothers in America who could have been in that

movie who would have had a different idea about how King thinks.”

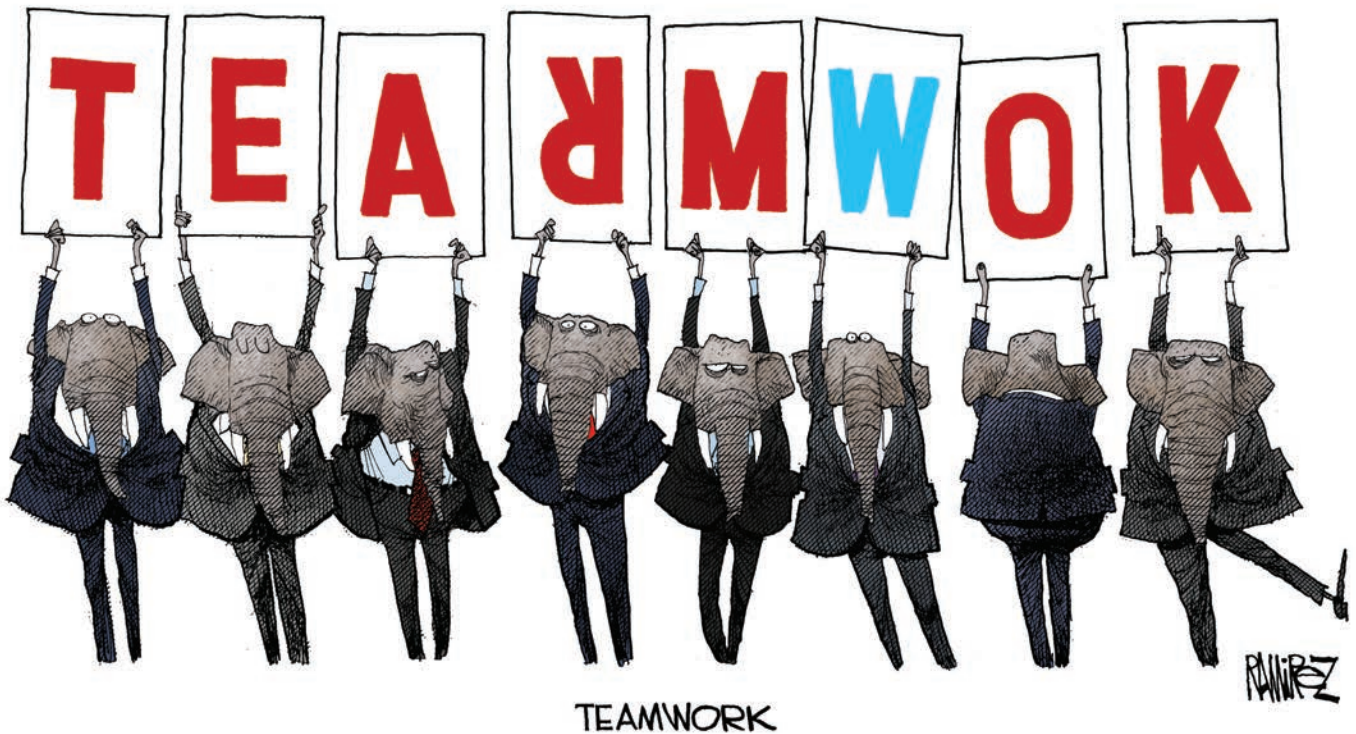
How far will this go? If an actor has to be African-American to play Dr. King, why not be even more specific and demand that the player be from Georgia, or Atlanta in particular? And if the actor is to understand the role, shouldn't his portrayal be informed by a theological sympathy? Should only Baptists be considered for the part?

But of course, Jackson's complaint isn't about accuracy or artistry but guild politics. He explained it quite explicitly: “We've got a lot of brothers here that need to work too.” ♦

Sentences We Didn't Finish

‘Could Joe Biden have been the next Abraham Lincoln? That thought came to mind recently . . .’

—Gregory Cowles,
New York Times Book Review



TEAMWORK

Think Globalistically

It's tough to be a globalist these days. President Trump and his chief strategist denounce you. Alt-right websites ridicule you. The Brexit vote leaves your European plans in limbo.

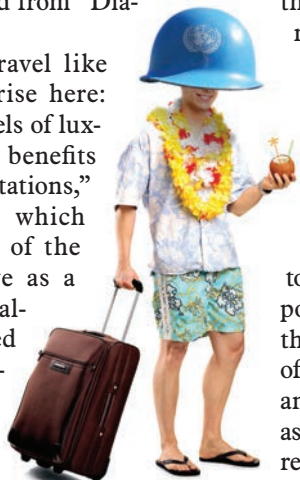
But at least a major international hotel chain is now in your corner. The top tier of Hyatt's loyalty program has been renamed from "Diamond" to "Globalist."

What's it like to travel like a Globalist? No surprise here: "Enjoy the highest levels of luxury, and rewards and benefits that will exceed expectations," says Hyatt's website, which provides a "highlight of the benefits you'll receive as a Globalist." Hyatt Globalist perks include waived resort fees, complimentary suite upgrades, and club lounge access. After all, it's

tough to plot the dismantling of U.S. sovereignty from the cramped confines of a regular old hotel room.

But you'll need to log a lot of nights in Brussels and Davos: Globalist membership is open only to those who stay 60 nights, or spend \$20,000, a year at Hyatt hotels. There are lower levels of elite membership, too—one can be a "Discoverist" or an "Explorist"—but the perks are less generous, naturally.

Hyatt spokesman Russin Royal tells *THE SCRAPBOOK* that the names of the new elite levels were tested with consumers (or is that "Consumerists"?) before they were announced in October. He said: "The contemporary and active names of the tiers reflect the aspirations of our members as they travel and expand their world." We assume "Deplorablist" was already taken. ♦



TOURIST, BIGSTOCK

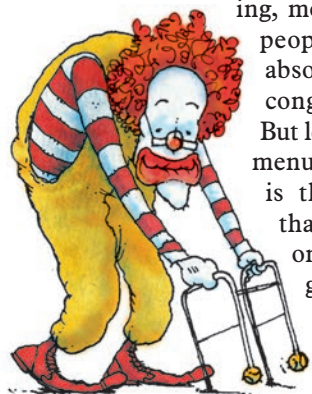
Ponce de León Dept.

The ironists among us—or maybe wiseacres—would be a better term—have always taken macabre note of the premature deaths of health and fitness gurus. One such was Jim Fixx, author of *The Complete Book of Running* (1977), who suffered a fatal coronary at the appallingly young age of 52—while jogging, no less.

But now, a comforting counter-trend has emerged. As we noted in November, Jim Delligatti, inventor of the Big Mac, succumbed at the ripe old age of 98—after a lifetime regularly enjoying his 540-calorie legacy. Two days later, chef Peng Chang-kuei, the maestro behind General Tso's Chicken, died at—yes, 98. Now comes the sad news that Joseph Rogers Sr., cofounder of Waffle House, is dead at age 97.

As his obituaries were careful to note, Rogers was famous not so much for his cuisine but what we might call

his hospitality philosophy. It was the particular genius of Joe Rogers to recognize that at two in the morn-



ing, most tired, hungry people crave either absolute solitude or congenial company. But let's not ignore the menu. Waffle House is the sort of place that slathers butter on the pancakes, gravy on the biscuits, and syrup on just about everything. It is neither hip nor snooty: If the customer wants a steak well done, that's fine with the cook.

THE SCRAPBOOK wouldn't dream of suggesting that a steady Waffle House diet is the key to longevity, but it is worth noting that Rogers was a regular patron. It is also worth noting that his business partner, Tom Forkner, survives him—at age 98. ♦

Code and Man at Yale

As noted recently in these pages (“Nullifying Calhoun,” Feb. 27), Yale University has decided to remove the name of alumnus John C. Calhoun from the “residential college”—Ivy-speak for “dormitory”—it has graced since the dorm was built in the 1930s. Calhoun, class of 1804, senator, vice president, and full-throated proponent of slavery and states' rights, was deemed a “white supremacist,” a belief system that evidently flourished under his Yale education.

Left unmentioned was whether Yale has any plans to rename Morse College, the undergraduate dorm that honors Samuel F.B. Morse, class of 1810. Surely the scholars of the university realize that before co-inventing the telegraph, Morse had a career as a Nativist party politician and virulent opponent of immigration, especially from nations composed largely of one particular religious group.

Morse didn't resort to code to denounce immigrants from Austria, Italy, Spain, Poland, and Ireland and

all their Romish ways. In his 1835 screed, *Foreign Conspiracy Against the Liberties of the United States*, Morse wrote:

Surely American Protestants, freemen, have discernment enough to discover beneath them the cloven foot of this subtle foreign heresy. . . . They will see that Popery is now, what it has ever been, a system of the darkest political intrigue and despotism, cloaking itself to avoid attack under the sacred name of religion. They will be deeply impressed with the truth, that Popery is a political as well as a religious system; that in this respect it differs totally from all other sects, from all other forms of religion in the country.



Samuel Morse, anti-papist

Just imagine what Morse would have said about undocumented Latin Americans crossing the southern border of the United States! So, in the interest of the historical hygiene so important to the modern academy, will Morse's name be scrubbed from Yale's walls? If not, THE SCRAPBOOK will be forced to conclude that Yale actively endorses anti-immigrant bigotry as long as it's paired with anti-Catholic bigotry. *Harrumph!* ♦

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Andrew Roberts is a British historian and author who has written or edited 19 books including: *Masters and Commanders: How Four Titans Won the War in the West, 1941-1945* and *The Storm of War: A New History of the Second World War*, which reached No. 2 on the *Sunday Times* bestseller list and won the British Army Military Book Award for 2010. Based in London, Roberts is an accomplished public speaker regularly appearing on TV, including as an NBC analyst during the 2011 Royal Wedding of Prince William to Kate Middleton. He has delivered the White House Lecture, as well as speaking at Oxford, Cambridge, Yale, Princeton, and Stanford Universities, and at Sandhurst, Shrivenham, and the U.S. Army War College in Carlisle, Pennsylvania. He is presently writing a biography of Sir Winston Churchill.

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The 'Car 54' Model

Who can forget watching in one's youth the great sitcom *Car 54, Where Are You?* It aired for just two glorious seasons, from 1961 to 1963, on NBC on Sunday nights from 8:30 to 9:00 P.M. It was a memorable touch of wry reality, sandwiched between the fantasies of *Walt Disney's Wonderful World of Color* and the drama of the Cartwrights of *Bonanza*. How charming were the comic adventures, the slightly ridiculous trials and tribulations, of those two lovable New York City cops, Officers Gunther Toody (Joe E. Ross) and Francis Muldoon (Fred Gwynne), whose patrol car was—you guessed it—Car No. 54!

And who can forget the great theme song, with its period lyrics from a time when Nikita Khrushchev still ran the Evil Empire and Kennedy airport was still named Idlewild?

*There's a holdup in the Bronx,
Brooklyn's broken out in fights;
There's a traffic jam in Harlem
That's backed up to Jackson Heights;
There's a scout troop short a child,
Khrushchev's due at Idlewild!
Car 54, Where Are You??*



Toody and Muldoon

Where indeed? And despite the double question mark at the end of the song, the fact is that Car 54 usually got there in time. And when they arrived on the scene, Officers Toody and Muldoon would successfully bumble through whatever pseudo-crisis needed attention. They wouldn't actually do very much. But by the end of the episode, tensions were calmed, crises were defused, and the issues were, at least for the short term, satisfactorily resolved.

Things could have gotten worse. Yet they didn't.

In this respect, *Car 54, Where Are You?* was, in its way, a deep meditation on government. Things are chaotic. Situations look as if they call for bold action. But sometimes doing little with a light touch produces the best possible outcome.

Surely this lesson isn't lost on Donald Trump, who grew up in Toody and Muldoon's New York. Perhaps he remembers the show? Paul Ryan, by contrast, wasn't yet born when *Car 54* was on the air. Perhaps that's why he isn't attracted to its lessons. His ambitious effort to repeal and replace Obamacare all at once and as quickly as possible is emphatically not in the spirit of the show.

That effort is already in meltdown. So Donald Trump must wonder: Might doing things less ambitiously and less hurriedly actually produce a better result? For example, can't his HHS secretary, Tom Price, make some regulatory changes that would be widely welcomed, while his legislative staff figures out how to build consensus behind a sensible broader agenda?

And if Trump turns his attention from the morass of health care to take a look at what's happening in the economy, what does he see? Good news—the stock market's up and jobs numbers are strong. And Trump's getting good grades for his management of the economy. But what actual management has he been doing? What has his economic program been so far? A few targeted deregulatory actions, a pro-business attitude, and the expectation not of an ambitious overhaul of the entire tax code but of some targeted tax cuts to make American business more competitive. That's it. Despite lots of big talk during the campaign, Trump has wisely done little to damage the economy in trade and even immigration—and no one's complaining much.

Similarly, in foreign policy, Trump has reverted to something approaching a normal attitude toward NATO and our Asian allies, he's let the military intensify the fight against ISIS, and he's been cautious elsewhere. And even though there's much more that will have to be done, so far he's avoided too much disruption or disaster.

Doing not too much hasn't worked out too badly.

Obviously, Trump's grandiose sense of himself makes him want to do a lot, to think and act big, to follow in the footsteps, as he sees it, of his heroes George Patton and Douglas MacArthur. Still, he presumably knows that MacArthur flamed out and that Patton would have done the same had he lived. And Trump may have enough self-awareness to realize that he's no Patton or MacArthur.

The question is whether Donald Trump can learn the lesson of *Car 54, Where Are You?* Can he accept that he has a role to play more like that of Officers Toody and Muldoon than that of some faux-world-historical figure? If so, the show in which he's currently starring could conceivably have a relatively benign ending.

—William Kristol

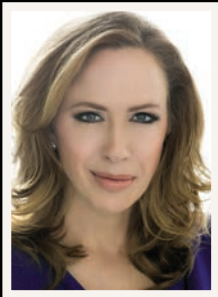
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American Crime Story

For roughly two decades, the United States enjoyed a marked decline in its crime rates. Burglaries, murders, other violent crimes—they all fell steadily. That promising age ended as 2014 gave way to 2015. For the past two years, crime has been rising. And alarmingly, it is violent crimes—particularly murder—that have led the way.

In 2015, according to FBI data, murders ticked up a statistically significant 11 percent over the previous year. During the same period, assaults were up 5 percent and rapes increased 6 percent. The Brennan Center for Justice has confirmed that the troubling trend continued in 2016. (FBI data for 2016 have yet to be released.) The Brennan Center says murders were up 13.1 percent in 2016; this on top of the double-digit increase in 2015. In a two-year period, murders have risen by a quarter in the United States.

Yet despite this undeniable trend—and the suffering among our fellow citizens that it implies—there is a widespread impulse to minimize and wave away the problem. The reason for this morally noxious denial is no mystery. Donald Trump, both as candidate and now as president, has repeatedly—and correctly—raised the issue of America's rising murder rate. Because it was Trump who pointed out the facts, legions of liberal “fact checkers” and bloggers have leapt to the conclusion they must not be true.

The self-proclaimed fact-checking outfit PolitiFact was early out of the gate, awarding Trump a “pants on fire” rating in June 2016 for saying that “crime is rising.” PolitiFact, however, cited 2014 data in making its case and, as an American Enterprise Institute scholar pointed out at the time, ignored readily available data on 2015 and early 2016 that showed crime increasing. Yet PolitiFact's legion of followers was not deterred: Any time Trump mentioned the rising crime rate, “fact checkers,” brandishing outdated charts, called him a liar.

When outright denialism became untenable—the FBI data were irrefutable—the deniers switched tacks. Now, they decided, the crime rise was irrelevant, because it was largely confined to Chicago. “Chicago responsible for rise in U.S. murder rate,” read one typical example, which strongly implied that there is no national crime problem—just a Chicago problem.

First of all, that's not really true: A recent *Wall Street Journal* analysis determined that murder is up in 27 of America's 35 largest cities, and pointed to Baltimore, Milwaukee, and Memphis as cities besides Chicago suffering calamitous murder spikes. But even if it were the case, why

would it matter? Do Chicagoans, residents of America's third-largest metropolis, not count? Imagine similar headlines in 2001 sneering, “Terrorism occurred this year only in New York and Virginia, so therefore it's no big deal.”

National political leaders on the left, for their part, have simply ignored the problem: To the extent that Hillary Clinton even mentioned crime during her presidential campaign, it was to lament tough policies that her husband had signed into law.

And even if it were true that murders were still on the decline, that wouldn't change the fact that the United States has a violent crime problem. For one, despite the undeniable progress since the early 1990s, we far outstrip our peer nations in murders. According to United Nations data, our murder rate is more than three times that of France and nearly four times higher than Denmark's and Australia's. Americans kill each other at more than 10 times the rate of the Japanese. (But don't worry, our murder rate is still lower than that of Honduras or South Sudan.)

A new study in the *Lancet* contains another disturbing finding: By 2030, medical researchers found, America's life expectancy will be on par with Mexico's. And this is in part owing to our high murder rate. If enough people are being murdered to affect national life expectancy, you may have a problem. Yet the crime-deniers would have us believe this isn't a very serious issue.

There are reasons for this denialism beyond the impulse to attribute knavery to anything the president utters. (Were he one day to pronounce the earth round, one would expect a marked increase in the membership of the Flat Earth Society.) Wary of overzealous policing and “mass incarceration,” some worry that fretting about the crime rate will only embolden cops and prosecutors. But this is a mistake: To acknowledge rising crime does not prescribe any form of solution. Indeed, there are myriad theories why murders are rising in the first place. Still others may subscribe to the postmodern relativist notion that “crime” is merely an arbitrary social category designed to keep the underclass oppressed. In this intellectual constellation, to worry about “crime” is to buy into an illegitimate social structure.

But whatever their reasons, by waving away the incontrovertible data, the crime-deniers are effectively saying that victims of crime simply don't matter. And the ghastliest irony is that the worst hit by crime are the people the left claims to represent: ethnic minorities and the poor. A University of Michigan researcher has found that the average 24-year-old black man in Baltimore has had three close friends or family members murdered. In one bleak four-day period in February, three Chicago children—ethnic minorities all—were shot dead. This is an outrage and a tragedy.

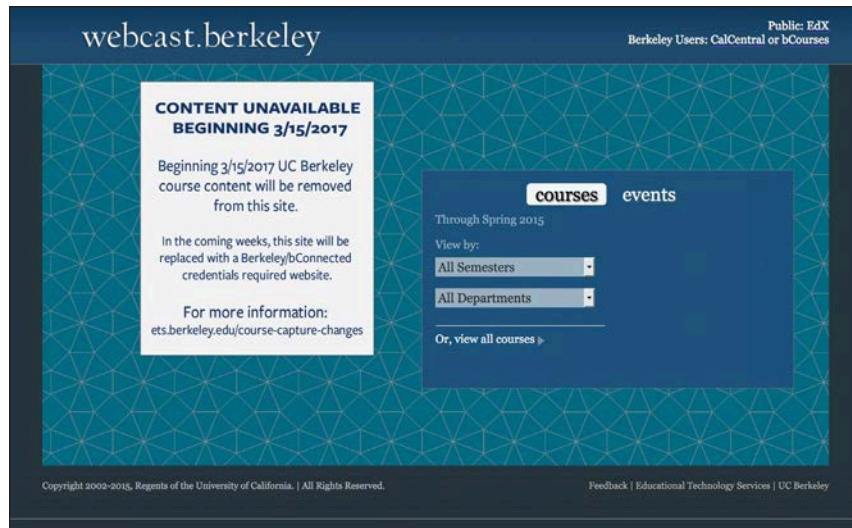
To scoff at this suffering isn't just wrong. Why, it's almost criminal.

—Ethan Epstein

Berkeley Goes Offline

Another victory for the grievance industry.

BY ANDREW FERGUSON



The Berkeley online-course website in early March

A few years ago, an adjunct professor and disability-rights activist named Stacy Nowak went to take a look at a college course offered online by the University of California, Berkeley. The course was called “Journalism for Social Change.” Nowak is deaf. She has no connection to UC Berkeley; she teaches art at Gallaudet University. But she was displeased with the quality of the closed captioning the university provided on the course’s video.

Nowak, who declined to be interviewed for this article, got hold of the National Association of the Deaf, which she’s a member of. In doing so she set in motion a train of events that will come to a head on March 15. Already famous for other reasons, the Ides of March will likely stand as a signal day in the development of modern liberalism, or progressivism,

Andrew Ferguson is a senior editor at THE WEEKLY STANDARD.

as we are supposed to call it. That’s when one bastion of left-wingery, UC Berkeley, will give in to the demands of another, the disability-rights movement, to deprive the rest of us of a uniquely wonderful resource of modern technology. It’s not as complicated as it sounds.

Since 2012, UC Berkeley (among many other schools) has offered video and audio recordings of many of its courses to the general public, via YouTube and iTunes U. The Seussian acronym is MOOCs, for massive open online courses. Over the years Berkeley’s catalogue of MOOCs has grown to more than 40,000 hours of high-end pedagogy. There are introductory courses in economics, European history, statistics, physics, geography, and pretty much everything else. More advanced courses range from “Scientific Approaches to Consciousness” and “Game Theory” to “The Planets” and “Philosophy of Language,” this last taught by John Searle, the

country’s, and maybe the world’s, greatest living philosopher. Not all of the content will be to everyone’s taste, of course, and I’m sure there’s something to annoy anyone sooner or later. Professor Michael Nagler’s simpering “Intro to Nonviolence” makes me want to punch something. I probably wouldn’t like “Journalism for Social Change,” either.

But still, wandering around this digital edifice one can’t help but marvel. Has the Internet ever seemed so close to fulfilling the promise of its salad days? Think of it: Anyone anywhere can take a class at UC Berkeley, at their own pace, without tests or note-taking or waking up before noon! And despite the reflexive slanders from conservatives and its well-earned reputation as a hive of left-wingers, Berkeley remains one of the great intellectual centers of the world when it’s not being torched by its students. Clicking on a course that seems even vaguely interesting, a former liberal arts major will now and then feel a reawakening of the thrill and sense of elation and limitless possibility that are among the great rewards of brainy adventures. Berkeley’s MOOCs constitute an expansion of intellectual opportunity unimaginable 25 years ago.

Unfortunately, that’s about the time Americans saw the imposition of the Americans with Disabilities Act. The act, passed in 1990, ordered American businesses and other institutions, public and private, to make “reasonable accommodations” to employees, customers, or even random passersby, as long as federal regulators dubbed them disabled. The disability could be mental or physical. A drunkard no less than a deaf person is considered disabled for purposes of the ADA.

The law was called “bipartisan”—a word that should ring like a firebell in the ears of every lover of liberty—because it was passed by a Democratic Congress and signed by a Republican president, George H.W. Bush. Mostly, though, it was the work of the newly minted “disability-rights movement.” Disability activists insisted their cause was the next stage in the same movement that brought legal liberation to

African Americans. This has since become a common strategy for rent seekers of all kinds. Yet the rationale for inventing rights based on mental or physical disability bore no resemblance to the civil rights movement of earlier decades. The ADA was a brazen exercise in moral free-riding.

The only opposition to it came from a brave band of libertarians and constitutionalists who saw it as a gluttonous and unprecedented expansion of state power. The ADA gave the federal bureaucracy the authority to muscle its way into the interactions of private citizens as never before. For the first time, a civil servant in Washington could reach across the country to demand, for example, that a store owner in Spittoon, Kansas, build his grocery shelves to whatever height the bureaucrat chose. For good measure the grocer could be fined if his water fountain spouted water at the incorrect angle.

The ADA spread a feast for plaintiffs' lawyers. Its provisions are so comprehensively intrusive that no business could hope to be in perfect compliance. One federal manual, covering the single topic of "accessible design," comes to more than 275 pages. Walter Olson, author of *The Litigation Explosion*, has tracked many of the tens of thousands of lawsuits—from the deaf patient awarded \$400,000 because his rheumatologist failed to provide a sign language interpreter, to the police dispatcher who won a settlement for discrimination after she was fired. Her disability was narcolepsy.

Beyond the fate of individual businesses, and despite the warnings of a few economists, the unconquerable American economy absorbed the expense and market inefficiencies of the ADA with only the slightest indigestion. It swallowed, burped, and moved on. By now the act's reshaping of the landscape is so pervasive as to be invisible—curb cuts on street corners, ramps jerry-rigged on old office buildings, doors that open magically of themselves, and so on. After the ADA the country was much less free but its rulers were much more pleased with themselves.

As for the unintended consequences

of the act . . . well, Berkeley has just learned about those.

After Nowak notified the National Association of the Deaf of her frustration with Berkeley's MOOCs, NAD went straight to the white-hot center of the American grievance industry, the federal government's Department of Justice. The organization filed a complaint with DoJ on behalf of Nowak and a Gallaudet colleague as "aggrieved individuals." The government lawyers got to work.

UC Berkeley, needless to say, is deeply involved in the disability rights

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movement and has gone to great lengths to keep it satisfied. Its Division of Equity and Inclusion boasts a Disabled Students Program that offers a long list of services to accommodate disabled students, including Disability Management Counseling and disability-specific problem-solving groups. The school adheres to an accessibility policy that issues Web Content Accessibility Guidelines that are enforced by the Web Accessibility Services team. There's even a minor in disability studies.

None of this impressed the Justice Department or the aggrieved individuals or the activist organization of which they are a part. Note that the accommodations listed above are for students and faculty only. But Berkeley opened its MOOCs to the general public. Among the videos, the intrepid

DoJ investigators discovered some without captions, thus discriminating against members of the general public who are deaf. Some "contain[ed] text [that] had poor color contrast," thus discriminating against Americans with visual impairments. Others contained graphs and charts in which "information was sometimes conveyed using one color alone," thus discriminating against the color-blind.

In August, Rebecca Bond, chief of DoJ's Disability Rights Section, sent a letter to UC Berkeley administrators demanding that these acts of discrimination be corrected. In addition, the school would have to "pay compensatory damages to aggrieved individuals for injuries caused by UC Berkeley's failure to comply" with the ADA.

The letter was written in the purring tones of an enforcer who loves her work. "The Department prefers to resolve this matter cooperatively through a court-enforceable consent decree," Bond wrote. "In the event that we are unable to reach such a resolution, the Attorney General may initiate a lawsuit pursuant to the ADA." And do have a nice day.

The administrators didn't need an abacus to reckon that complying with the letter and retrofitting all the MOOC videos would be prohibitively expensive. Merely providing captions for all the videos, to say nothing of adjusting their color schemes and formatting, would cost more than \$1 million, one official told the *East Bay Times*.

The easiest course, administrators concluded, was simply to pull all the MOOCs from the Internet, so that disabled members of the general public will no longer have to be subjected to such discriminatory offenses—and, also, so that the federal government won't sue UC Berkeley. Last week Vice Chancellor Cathy Koshland announced that beginning March 15, Berkeley's vast library of online courses would no longer be publicly available. If they couldn't be accessible to a member of NAD, they won't be accessible to anyone.

"The revolution eats its own children," said Georges Jacques Danton. Too bad about the collateral damage. ♦

Which Side Is Gen. Mattis On?

The military budget debate heats up.

BY JOHN McCORMACK

A debate over the military's budget is emerging between defense hawks on Capitol Hill and fiscal hawks in the Trump administration. The fiscal hawks, chief among them Office of Management and Budget director Mick Mulvaney, want the next annual defense budget set at \$603 billion, a 3 percent increase from the last Obama budget request. The defense hawks say that after years of budget caps and cuts known as sequestration, a 3 percent hike won't accomplish President Trump's directive to "rebuild" the military.

As a 16-page letter signed by Chairman Mac Thornberry of Texas and almost every other Republican member of the House Armed Services Committee puts it, the level of funding outlined by the White House "would unintentionally lock in a slow fix to readiness, consistent with the Obama Administration's previous position, from which we would not be able to dig out." These House members concluded in their letter that a 10 percent increase (to \$640 billion) is necessary to support a strategy—including troop levels and readiness, ships, planes, munitions, facilities, nuclear forces, and more—that addresses the threats we face.

Arizona's John McCain, chairman of the Senate Armed Services Committee, is in full agreement with his counterpart in the House. "I'm going to vote against anything that's not at the \$640 [billion] level," he told *THE WEEKLY STANDARD* on March 7. "Anything less than what we want is dead." McCain said his comments reflected

John McCormack is a senior writer at THE WEEKLY STANDARD.



'People knew that Mulvaney wasn't going to be supportive, but the hope was that Mattis was going to be in a position where he could basically roll Mulvaney.'

the "sentiment of the majority of the Armed Services Committee, both Republican and Democrat."

What's unknown—and has sparked

a certain amount of concern among defense hawks in Congress—is what one very important voice, Secretary of Defense James Mattis, may have to say about the debate. "I don't know. I don't know yet," McCain said when asked about Mattis's position on the budget.

"People knew that Mulvaney wasn't going to be supportive, but the hope was that Mattis was going to be in a position where he could basically roll Mulvaney, based on our national security needs. That's not what we've seen," one Republican member of Congress told me. "I'm concerned that we didn't see any pushback from [Mattis] publicly at all when the \$603 [billion] number was floated."

Mattis's private comments have been even more disturbing to some defense hawks than his public silence. Several sources familiar with Mattis's discussions with members of Congress have described Mattis as overly optimistic about the adequacy of a \$603 billion budget. In Mattis's view, these congressional sources say, a \$603 billion budget may not allow the military to rebuild right away but it can restore much of the readiness lost due to recent cuts. Asked for comment about Mattis's position, a Pentagon spokesman told *THE WEEKLY STANDARD*: "Developing the budget is an iterative process. There is still much work to be done in close coordination with [the Office of Management and Budget]."

The debate will ultimately be settled by Congress and the president, but for defense hawks to win it, "I think you need the help from General Mattis," says Rep. Duncan Hunter of California, a Marine veteran who sits on the Armed Services Committee. "Generals are used to saying we can do more with less. That's the old policy line that every general says because they deal with the budget they're given from the commander in chief," adds Hunter, an early Trump supporter: "When you're secretary of defense, you have to fight for what the president says he wants, not with what the military says it can get away with or make-do with." And what the president has said he wants—a rebuilt military—can't be

THOMAS FLUJHARTY

accomplished with a \$603 billion budget, Hunter says. “The budget recommendations we’ve seen so far don’t line up with what the president has said.”

Hunter said that he didn’t know where Mattis stands on the budget, but he expressed concern that there are too many Obama holdovers in the Trump administration comfortable with a \$603 billion budget. “Besides General Mattis, you don’t have any Trump-appointed secretaries yet . . . except for the Air Force. So who’s going to push for it? Not the people who wrote the budget in the first place for the Obama administration. Those are the folks who didn’t want it going up anyway,” says Hunter.

“Part of the Democrats’ strategy is to force Trump to be reliant on Obama appointees,” says Alabama congressman and Armed Services Committee member Mo Brooks. One Republican member of Congress specifically pointed to deputy defense secretary Robert Work, an Obama holdover, who “negotiated the \$603 billion number with the Senate Democrats” and “is advising Mattis this is the best you can do, essentially negotiating against ourselves from the get-go.”

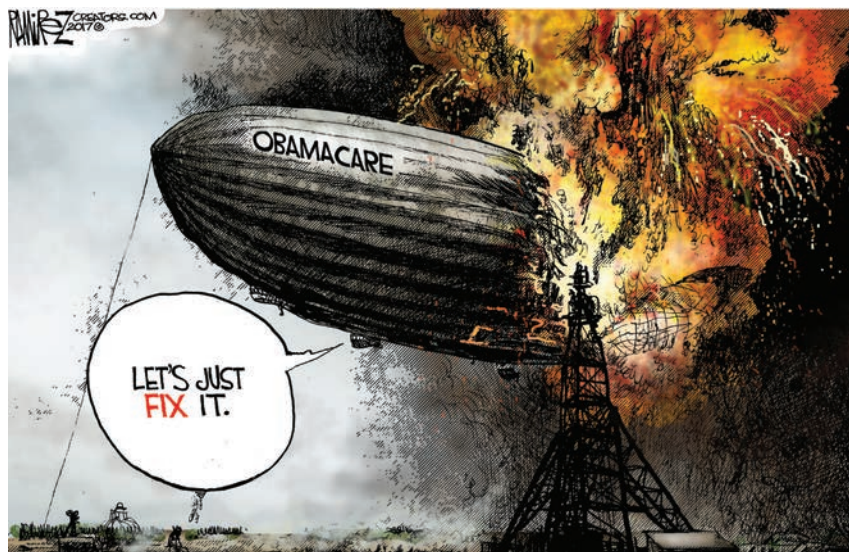
The \$603 billion figure is not set in stone, of course, and discussions between the Trump administration and Congress have only just begun. On March 7, Senator Lindsey Graham talked about the matter over lunch at the White House with President Trump and national security adviser H.R. McMaster.

“The president’s mindset is: ‘I want a military that nobody can screw with,’” Graham told *TWS*. “When it comes to [defense budget] numbers, I think he’s open-minded to whatever number is needed to get our military in shape to deter war, and if we have to fight one, win it,” Graham said. The South Carolina senator, who’s had a somewhat antagonistic relationship with Trump over the past couple of years, said that “when it comes to military readiness and spending, Donald Trump has been a godsend to me in terms of attitude.” Whether or not that attitude results in a rebuilt military, no one can predict. ♦

Repeal, Replace, Regret

A rocky start for GOP health care reform.

BY CHRIS DEATON



Trusting the process makes for good life advice and bad legislating. The morning after congressional Republicans released their Obamacare replacement, dubbed the American Health Care Act, conservative talk show host Laura Ingraham complained it lacked the “Trumpism of the health care reform” the president touted on the campaign trail. “[T]he Trumpiest parts of it were transparency in pricing, competition across state lines. . . . Where is that in this plan?” she asked during an appearance on *Fox & Friends*. That program being the eggs and toast of Trump’s TV breakfast, he quickly responded on Twitter. “Don’t worry, getting rid of state lines, which will promote competition, will be in phase 2 & 3 of healthcare rollout,” he wrote, tagging @foxandfriends.

The implication was that right-of-center critics and nervous members

of the public should be reassured the AHCA is only phase one. Republicans envisaged replacing Obamacare as a multistep effort from the start, but they said so in Delphic terms. The plan was first to repeal, then “to begin that orderly transition to something better,” Vice President Mike Pence conveyed in January. The transition was ill-defined. According to Pence and House speaker Paul Ryan, it would comprise a mix of legislative and executive actions. There was no talk of a specific three-pronged approach—only a bunch of jargon particular to the Capitol. After all, to a fifth of the country, reconciliation is just the modern word for the sacrament of confession.

To the GOP majority in need of a more political kind of grace, it’s a supplement to the budgeting process that makes it easier to enact some reforms. A distilled explanation: Reconciliation expedites the ability of the legislature to adjust taxes and certain

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entitlement programs, which operate independently of the annual appropriations process and consume a super-size portion of federal spending. The AHCA uses reconciliation to axe parts of Obamacare, such as the unpopular individual mandate. But instead of doing so by striking the law, it slashes the mandate penalty, a tax, to \$0. The bill also phases out Obamacare's premium subsidies, swapping them for tax credits, and reworks the statute's expansion of Medicaid.

But Obamacare is not merely a law of revenues and outlays. By rule, the parts of it that aren't cannot be altered through reconciliation—thus Republicans' dubbing the AHCA phase one. Determining those parts is apparently an ongoing task.

Obamacare's regulations to rescue individuals with preexisting conditions are one example. They prohibit insurers from "charging differential premiums based on health status (known as community rating) and require them to offer coverage to all people wishing to purchase it (known as guaranteed issue)," described University of Illinois at Chicago professor Anthony T. LoSasso. Critics have long charged these rules give individuals an incentive to forgo purchasing insurance until they need to use it. In turn, increasing numbers of healthy people exit the market, the premiums of sicker participants rise, and the two forces chase each other down a death spiral. Democrats mitigated the risk by adopting a mandate penalty. But under the AHCA, there isn't one—only a 30-percent surcharge on

premiums for coverage purchased outside an open enrollment window.

Under such a scenario, the community rating and guaranteed issue rules need to go, say conservative and libertarian analysts. But the House GOP bill left them alone. Did it have to because of the limits of reconciliation? The Cato Institute's Michael Cannon, a leading critic of both the AHCA and Obamacare, told *THE WEEKLY STANDARD* he doesn't believe so. "House Republicans still don't understand how harmful Obamacare's preexisting-conditions provisions are. If they did, they would be pulling out all the stops to repeal them," he said, including reconciliation, which should cover regulations that are conditions on spending.

But it's not impossible the House wanted to punt the question altogether, given the Senate rules that permit objections to "extraneous" language in spending legislation of this sort. House Ways and Means chairman Kevin Brady repeatedly referenced the obstacle in explaining why the AHCA skipped several items of interest to the right. "Look, the Senate plays a key role here. Yes, we've been coordinating with them on this, but they may have their own ideas. Or because these are Senate rules we're trying to comply with, they may be able to find a way to do things that the House cannot," he told Hugh Hewitt.

A Senate aide with knowledge of the process left open such a possibility. "Leader [Mitch] McConnell will decide the best way to bring the bill to the Senate floor. Senators have been

and are continuing to be consulted on the content of the legislation, and will have the opportunity to provide amendments and input during the 'vote-a-rama,'" the aide told *TWS*, using the slang for the marathon amendment proceedings to come.

What the Senate can't achieve through reconciliation will fall to another legislative phase: a more conventional component in which the upper chamber's activity is subject to a 60-vote threshold. To get interstate insurance competition and changes to prescription drug prices, President Trump needs support from Democrats. Conservatives who want action on the preexisting conditions issue would need it, too, but they may not get it short of a crisis. Eighty-seven percent of respondents in a recent CNN poll favored maintaining those regulations. There's a reason the president and the GOP have insisted they'll keep them, at least in some fashion.

The remaining phase belongs to Health and Human Services Secretary Tom Price, who has substantial regulatory authority based on the power Obamacare granted to his department. Price can decentralize the "essential health benefits" the federal government says insurers must offer in their coverage, for example, transferring that oversight to the states. He can also undo the law's contraceptive mandate. He was outspoken about both matters during his time as a House member.

Two days after Trump provided only the most cursory hint about all this, Speaker Ryan rolled up his sleeves, rolled out a PowerPoint, and, as a CNN chyron taunted, "attempt[ed] to explain" the details of what the president had in mind. "There's a lot of stuff we would *loooooove* to put in the bill," Ryan said, "but unfortunately, the Senate rules don't allow us to do that." The limitations of reconciliation are the GOP leadership's scapegoat for now, both for legitimate reasons and a few big ones that right-wing skeptics doubt. The process could end up converting them down the road. For now, it's only fazed them. ♦



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The New Assault on Privacy

A burgeoning campaign to deter donors.

BY JAMES PIERESON

On February 27 the Supreme Court turned down an appeal in a case from Colorado that would have decided whether nonprofit organizations that run issue advertisements during election campaigns can be compelled to disclose the names and addresses of their donors. This was one of several cases making their way through state and federal courts that address the issue of donor privacy and the degree to which federal and state governments can use disclosure requirements to regulate political speech. This is the free speech and privacy issue of the hour, one that the Supreme Court has allowed to continue simmering.

In the Colorado case, the Independence Institute, a 501(c)(3) charitable organization, proposed to run a series of “issue advertisements” during the 2014 Senate campaign urging the state’s two senators to support a federal bill to reform guidelines for criminal sentences. The proposed ads addressed only this narrow issue and did not endorse or oppose any candidate for election. Nevertheless, under the McCain-Feingold Campaign Finance Act of 2002, the organization would have been required to make public its list of donors because the ads, though they were focused narrowly on issues, mentioned the name of a senator on the ballot within 60 days of the election. A federal district court ruled against the Independence Institute and upheld the donor-disclosure provisions of McCain-Feingold as they apply to nonprofit groups. The Supreme Court affirmed that decision last week,

thereby creating an environment in which donors, concerned with retaliation, may be reluctant to support issue-oriented campaigns.

A parallel case is also working its way through the courts, testing whether California can require not-for-profit organizations to disclose their donor lists as a condition for raising funds in the state. In 2014, Kamala Harris, California’s attorney general, declared that nonprofits soliciting contributions in the state would have to submit the names and addresses of their donors. Since charities are required to register in California to raise funds there, her order effectively means that nonprofit organizations must release personal information about their donors (or withdraw from the state).

The Americans for Prosperity Foundation challenged Harris’s order in federal district court, which ruled in its favor, arguing that a handover of its donor lists would violate the foundation’s First Amendment rights. However, the court limited relief to the donor list of that single foundation. The APF has since appealed to the Ninth Circuit Court seeking a broader decision that would apply to all nonprofits operating in California. Since Harris won election in 2016 to the U.S. Senate, the new attorney general of the state, Xavier Becerra, is now the named defendant in the lawsuit. As a member of Congress, Becerra was an outspoken advocate for the kind of aggressive disclosure represented by his predecessor’s order.

The decision in *Americans for Prosperity Foundation v. Becerra (Harris)* may affect a similar regulation imposed by the state of New York as well as

legislation being considered in more than 20 states that would restrict donor privacy. Under the guise of transparency, legislators across the country are debating bills that would force disclosure of nonprofit donors. In New Mexico, for instance, the legislature has considered four bills that would have mandated the disclosure of donors to nonprofit organizations that speak solely about issues. Alabama legislators are trying to amend their state constitution to require nonprofits to disclose information about their donors. In Missouri, the legislature has considered bills that would reclassify a variety of nonprofit groups as “political committees,” subject to donor disclosure and government reporting requirements.

Several states, including Minnesota, Montana, and West Virginia, are considering or have adopted so-called DISCLOSE Acts (Democracy Is Strengthened by Casting Light On Spending in Elections), which require nonprofit organizations that sponsor issue campaigns to reveal their donors. These laws are drawn broadly to require organizations as varied as Planned Parenthood and the National Rifle Association to disclose the names of all donors large and small, including the vast majority of contributors who endorse the general principles of these organizations but do not earmark their gifts to the issue campaigns in question. These laws and regulations go well beyond the requirements of McCain-Feingold because they propose to cover all issue ads, not just those that happen to mention the names of candidates in the run-up to an election.

Such laws and regulations are being implemented in order to combat what former Federal Election Commission chairman Ann Ravel called “the nationwide scourge of dark money nonprofit networks hiding the identities of their contributors.” It has become an article of faith among progressives that conservative billionaires are concealing political contributions by funneling them through issue oriented not-for-profit organizations and networks not subject to public disclosure—as if these practices have not been adopted as well by numerous

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liberal and progressive operations.

But claims that “dark money” is corrupting our elections are much exaggerated. The law already requires full public disclosure of contributions to candidates, parties, PACs, and super-PACs. The Federal Communications Commission requires broadcast and cable networks to disclose the sponsors of political advertisements. According to the Center for Competitive Politics, more than 95 percent of all funds spent on election campaigns are subject to donor disclosure. The Federal Election Commission reports that a total of \$7 billion was spent on campaigns during the 2012 election cycle, of which \$257 million—less than 4 percent of the total—was raised and spent by issue-oriented non-profit organizations that are not required to disclose the names of donors. That figure fell substantially during the 2016 cycle to \$148 million out of an estimated \$7 billion spent all told. Moreover, academic researchers have found that mandatory disclosure of donors (beyond what the law already requires) does little to provide useful information for voters. Advocates for donor disclosure are thus deploying scorched earth tactics to address at worst a minor problem, heedless of the consequences of doing so.

The campaign to ensnare charitable organizations in the disclosure regime is bound to hurt the charitable sector in general. According to *Giving USA*, charitable contributions in 2015 in the United States amounted to \$373 billion, or roughly 2 percent of gross domestic product. These funds support a litany of causes that contribute to the vitality of civil society in America. Many of those donors give with an expectation of privacy or anonymity, even if they are donating to museums, orchestras, or food pantries rather than to organizations promoting controversial points of view. The threat of public disclosure will deter some of these donors, or at least give them pause. For this reason, the Philanthropy Roundtable,

an organization representing donors, filed an amicus brief urging the Supreme Court to clarify the issues raised by the Colorado case.

Existing laws and regulations already place strict limits on the extent to which tax-exempt charities and private foundations may spend money on elections and lobbying efforts. Public charities are required by the IRS to submit donor lists with their tax returns, though these lists are not (as yet) made public. Private foundations—those funded by a single donor—must submit lists of their donations with their annual tax returns, which the IRS makes available for public distribution. Those laws and regulations permit charitable



A frame from a Kimberley Strassel video on YouTube

organizations—liberal, conservative, and everything in between—to take public positions or to provide information to the public on controversial issues, so long as they are not involved in electioneering or propaganda. The rules currently strike an appropriate balance between independence and accountability in the charitable sector. There is little to be gained by extending campaign disclosure requirements to these kinds of institutions, as the district court in Colorado, the attorney general of California, and various other states propose to do.

Some have suggested that the real purpose behind this campaign is to deter donors from making contributions to issue-oriented campaigns or advocacy organizations for fear of exposure, harassment, and retaliation. As Kimberley Strassel demonstrates in her book *The Intimidation Game*, progressive groups swung into action in

2010 following the Supreme Court’s decision in *Citizens United v. Federal Election Commission*, aggressively pursuing a strategy of exposure and harassment against conservative donors to campaigns and ballot initiatives.

The press has reported many examples of donors who were harassed after their donations on behalf of controversial causes were made public. Indeed, Tom Matzzie, a progressive activist associated with MoveOn.org, indicated to the *New York Times* several years ago that the aim of the disclosure campaign is “to confront donors to conservative groups . . . to create a chilling effect that will dry up contributions.” Such aims contradict the fundamental principle that all Americans

have the right to support causes they believe in without fear of harassment or intimidation.

Donors are very much aware of this potential danger. In a recent study of voters in six states, Dick M. Carpenter II found that while they tend to support disclosure in the abstract, they change their minds when the issue is personalized. As he wrote, “When participants are asked about their likelihood of contributing to a campaign in the face of disclosure, almost 60 percent would think twice about contributing if their personal information is to be disclosed.” His careful study proved what we already had reason to believe—namely, that aggressive disclosure regulations have a chilling effect on political speech and contributions, particularly where divisive or controversial issues are concerned.

The emphasis on disclosure arose directly from the *Citizens United* decision, which struck down contribution limits for issue-oriented campaigns but left intact the limited disclosure requirements in McCain-Feingold. With contribution limits gone, progressive groups seized on disclosure as the strongest weapon still available to harass conservative donors seeking to support issue-oriented campaigns.

The Supreme Court has long held that the ability to support unpopular causes without fear of reprisal from

neighbors or employers is vital for the functioning of American democracy. In 1958, the Court ruled unanimously in *NAACP v. Alabama* that “freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of the ‘liberty’ assured by the Due Process Clause of the Fourteenth Amendment.” That case addressed an attempt by the state to subpoena the NAACP’s membership list as a means of disrupting its operations. The court ruled in favor of the NAACP, pointing out that turning over its membership list would expose supporters “to economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility” and thereby compromise “their right to freedom of association.”

In the *NAACP* case, the state of Alabama was seeking membership lists rather than lists of donors. But in a subsequent landmark case, *Buckley v. Valeo* (1976), the Court extended that precedent to cover donor lists. Applying its reasoning from *NAACP*, the Court ruled that “past decisions have not drawn fine lines between contributors and members, but have treated them interchangeably.” In that case, the Court drew a line between organizations like political parties or political action committees that exist for the primary purpose of electing candidates for public office and those that primarily seek to inform or persuade the public on issues and controversies. In the first case, donor disclosure is appropriate; in the second, it is not.

The bright line drawn by the Supreme Court in these landmark cases is now being blurred by the incremental extensions of McCain-Feingold, the decisions of the Federal Election Commission and the federal courts, and the flurry of laws and regulations about donor disclosure being adopted by the states. The Supreme Court missed an opportunity last week to uphold that boundary and to strike a blow for donor privacy and robust political debate. But the issues will not go away. The Court will have another opportunity to review the controversy—and to rectify this mistake. ♦

The Brothers Kim

North Korea’s deadly family drama.

BY DENNIS P. HALPIN

Kim Jong-un’s decision to take out his half-brother Kim Jong-nam, with the assassins using an internationally banned chemical agent to do it, is not the usual mode of operation for North Korea’s first family. While the Kims of Pyongyang have not hesitated to purge hundreds by some of the most draconian methods possible, they’ve been more reluctant to slay those who share the “sacred” baekdu bloodline that descends from the dynasty’s sire, Kim Il-sung. Both Kim Jong-un’s father and grandfather also had difficulties with troublesome brothers. They chose, however, to sideline or exile these recalcitrant siblings rather than murder them gangland style. The fact that Kim Jong-un was willing to risk even further international condemnation and isolation by eliminating his already-marginalized playboy half-brother suggests that his hold on power in Pyongyang might not be as airtight as many outsiders assume.

The founding father of North Korea, Kim Il-sung, faced his own sibling rivalry. Kim Yong-ju, who is assumed still alive at the advanced age of 96, was a rising star in his elder brother’s court, holding key positions in the Korean Workers’ party in the 1960s and early 1970s. He was even once thought to be his brother’s likely successor. Kim Il-sung passed him over as heir apparent, however, in favor of his son Kim Jong-il. The

Russian-educated Kim Yong-ju had reportedly opposed the personality cult developing around his older brother, while Kim Jong-il enthusiastically promoted it. In 1975, Yong-ju was sent into internal exile, placed under house arrest in remote Jagang Province and not heard of again for almost two

decades. He was brought back to Pyongyang by Kim Il-sung in 1993, the year before the dictator’s death. Still, being purged and internally exiled was far preferable to Kim Jong-nam’s fate of having poison rubbed in his face. Yong-ju continues to hold the position of honorary vice president of the Presidium of the Supreme People’s Assembly.



Kim Jong-nam in 2007

The founder’s son, Kim Jong-il, chose a different tactic when problems developed with his younger half-brother, Kim Pyong-il. Like the current leader and his murdered half-brother, these siblings shared the same father but had different mothers. And like his deceased nephew, Kim Pyong-il was known as a partier and womanizer in his youth. Pyong-il, though, still managed to gather his own power center of Pyongyang allies around him. He was thus seen as a potential threat to his half-brother’s ascendancy as heir apparent. In 1979, Pyong-il was sent into external exile with a diplomatic posting to Eastern Europe. He became the man who never returned. After serving at the North Korean embassy in the former Yugoslavia, he was named ambassador to Hungary. This was followed by ambassadorships to Bulgaria, Finland, Poland, and, currently, the Czech Republic. Kim Pyong-il did apparently briefly visit

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IMAGES: NEWS.COM

Pyongyang in 1994 to attend his father Kim Il-sung's funeral (although North Korean television reportedly deleted his image) and in 2011 to see his dying mother. However, South Korean officials noted that he was noticeably absent from his brother Kim Jong-il's funeral in December 2011. This was the occasion where his nephew Kim Jong-un stepped into the spotlight as the new ruler of North Korea. Staying away was probably a prudent decision. Kim Pyong-il—unlike his chatty nephew, the ill-fated Kim Jong-nam—has also shied away from giving press interviews commenting on political developments in his homeland. Silence is golden in North Korea and has likely kept Kim Pyong-il alive.

The bloody murder of talkative or ambitious in-laws, on the other hand, has long been standard operating procedure for the North Korean regime. In February 1997, for example, defector Yi Han-yong, Kim Jong-nam's cousin on his mother's side, was gunned down on the streets in the metropolitan Seoul area by suspected North Korean agents. Yi at first tried to conceal his identity after arriving in South Korea, even reportedly undergoing plastic surgery. But after running into financial difficulties with a failed business, Yi decided to earn some money by writing a tell-all book on the inner workings of the Kim family, titled *Taedong River Royal Family*. A fatal mistake. Yi was shot, coming out of his apartment, with a Belgian-made Browning pistol, in a society with strict gun control, by two assailants who successfully made their escape. As he lay bleeding on the street, Yi reportedly cried out "*Bbal-gangyi!*" ("Reds!"), leaving little doubt who had assassinated him.

Yi's book was especially embarrassing because it spelled out the puritanical hypocrisy of North Korean-style Marxism. Yi's mother, who also defected, in Switzerland, was the older sister of prominent actress Song Hye-rim, Kim Jong-il's mistress and the mother of the recently murdered Kim Jong-nam. The Dear Leader, an avid moviemaker, reportedly encountered the lovely Song Hye-rim on

a film lot and quickly forced her to divorce and then exiled her former husband. But Kim Jong-il did not dare tell his father, Kim Il-sung, of his affair, as his father had already arranged a marriage for him with the handpicked daughter of a Korean War revolutionary martyr. Kim Il-sung, who reputedly had a number of mistresses himself, did not approve of the liaison, and Kim Jong-il kept the 1971 birth of his son Kim Jong-nam by his mistress a secret from his father for years. The hapless Kim Jong-nam was raised with his mother's family, including the cousin who would later be gunned down, in an isolated villa in North Korea. His paternal uncle by marriage, Jang Song-thaek, who would also be purged and then executed by Kim Jong-un, took Kim Jong-nam under his wing, per Korean family custom, as he had no male heir of his own.

When Kim Jong-un killed Jang Song-thaek, also his uncle, in 2013, he spared the life of Jang's wife, Kim Kyung-hui. Rumored to have suffered a stroke after her husband's execution, Kim Kyung-hui is thought to be alive but in declining health in a nursing care facility. As a daughter of Kim Il-sung, she is a member of the baekdu bloodline. The decision not to execute his aunt with her husband seemed linked to the enshrinement of the purity of the Kim dynasty in the baekdu bloodline.

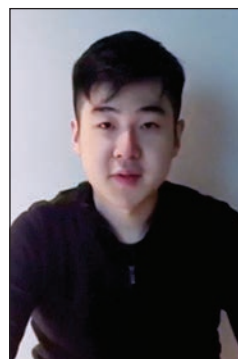
In 2013, the bloodline of the now-three-generation Kim dynasty was codified in North Korean law with the publication of Clause 2 of Article 10 of the Ten Fundamental Principles of the Korean Workers' party, which states that the party and revolution must be carried "eternally" by the "baekdu bloodline." By ordering the murder of his blood half-brother Kim Jong-nam, a member of this same bloodline, Kim Jong-un has crossed a red line that neither his father nor grandfather chose to breach in their own complex dealings with troublesome siblings. Spilling

baekdu blood indicates that Kim Jong-un felt seriously threatened by his brother as a potential alternative power center, even though Kim Jong-nam was exiled and politically marginalized.

The purge of state security minister Kim Won-hong in mid-January on charges of corruption and "human rights abuses" also signals that Kim Jong-un's grip on power may not be as secure as previously assumed. Kim Won-hong had carried out a "reign of terror" for his boss, with more than 100 government and military officials killed, according to the *Guardian*. Seoul's Yonhap News Agency reported on February 27 that five senior security officials connected

to Kim Won-hong were executed with anti-aircraft guns. The five had reportedly "enraged" Kim Jong-un by filing false reports, which were also behind Kim Won-hong's sacking.

Kim Jong-un has demonstrated that he will stop at nothing, even killing his uncle and brother, to retain power. The dictator has a daughter but



Kim Han-sol on March 7

no male heirs, and the late Kim Jong-nam's 21-year-old son, Kim Han-sol, is a fourth-generation descendant of the baekdu bloodline. Kim Han-sol has criticized North Korean rule and is said to have given up his place at Oxford after his father's death amid fears he could be next. In a March 7 video, he revealed, in English, that he's in hiding with his mother and sister. A statement released with the video by the group aiding the family thanked the governments of the United States, China, the Netherlands, and a fourth country "to remain unnamed"—as well as the Dutch ambassador to Korea by name—for their help. The rescue operation sounds very James Bond, and one hopes Kim Han-sol is indeed safely ensconced somewhere. That may be the only way he avoids being struck down by his murderous uncle Kim Jong-un and joining the nephews of Richard III, the famed Princes in the Tower, in legend. ♦

In Harm's Way

The splendid National Naval Aviation Museum.

BY GEOFFREY NORMAN

Pensacola, Fla.

The plane on display outside the museum would look large and lethal even if it were not carrying a full load of bombs and missiles. It is an F-14 "Tomcat," the kind of plane Tom Cruise flew in *Top Gun*.

Inside, there are dozens of other planes on display. Some are made from wood and canvas, their engines less powerful than those in the average suburbanite's lawnmower. It would, you think, require more courage to strap into one of those than to fly the F-14. Attempting to land one of those crates on a ship would, you think, be borderline insane. But the narrative inside the museum—running from primitive biplanes to the F4U "Corsair" to the F9F "Panther" to the A-4 "Skyhawk" all the way to that F-14—is that it not only can be done, but done with competence and courage and even style. This is the story of naval aviation. More precisely, of American naval aviation.

The distinction probably isn't necessary. The story of naval aviation is almost entirely an American story. The United States is the nation that mastered naval aviation and built carriers by the dozens on its way to becoming the world's sole superpower and master of the seas. It is a compelling story and one that you can read, here in Pensacola, at the National Naval Aviation Museum.

Judged strictly as a place to spend a few hours while on vacation, perhaps with the kids or grandkids, the museum is a wonder. There is no admission charge, though donations are certainly accepted. And you will be

charged to watch the IMAX film of the Blue Angels. The Blues are based in Pensacola, and if you are here on certain days in the spring, you can catch one of their practice flights. You will need to come early, however, or bring your own canvas chairs, because the bleachers are quickly filled.

There is an atrium in one of the museum's buildings where the A-4s the Blues flew until the mid-'80s hang



One of the museum's F-14 Tomcats

from the ceiling in perfect and close formation. Your eyes will be drawn back to those planes, again and again, as you walk around admiring the other exhibits. The only thing missing is the sound of jet engines.

There are, however, other sounds, faithfully thematic. As you examine one display, you will hear the call of a bosun's pipe, followed by the words "Now hear this, now hear this."

There are video displays and interactive exhibits. You can "fly" a simulator or stand, more or less, on the deck of the carrier *Carl Vinson* during launch and recovery. It is only a film, of course, but the air in the room is stirred up by a fan to simulate the 30 knots of wind coming across a carrier deck during flight operations. It is a very friendly and accessible place. If there are any of those signs sternly warning against touching the exhibits, they are not conspicuous.

Because it is the story of naval aviation, there is bad along with the good. There is an exhibit on the terrible fires and explosions on the carriers *Oriskany* and *Forrestal* during the Vietnam war as well as the lighter-than-air disasters of the *Akron* and *Shenandoah*. If it flew and has anything to do with the Navy, Marines, or Coast Guard, there will be something here to acknowledge it. This includes the space program, since many of the astronauts learned to fly here in Pensacola.

And they are recognized here, along with many other notable names in the history of naval aviation. John McCain's decorations are on display, behind glass, outside an exhibit depicting the POW experience in Vietnam. The torpedo plane known as the "Avenger" that is on the main floor of the museum has the name of "Lt. Jg. George Bush" stenciled below the cockpit. The name stenciled on the Corsair is "Maj. Gregory Boyington." A different sort of personality but rightfully here.

Others honored on wall plaques include Joe Foss. He received a Medal of Honor as a Marine, flying Wildcats in the Pacific, and his smiling face appeared on the cover of *Life* magazine. He went on to become governor of South Dakota, commissioner of the American Football League, and president of the National Rifle Association.

And that, right there, might capture the spirit of this place and account for the way a visit leaves you feeling invigorated. You can walk past an F-8 Crusader and recall that this is the plane John Glenn flew coast-to-coast, setting a new speed record. And then, across the room, there is an F9F Panther like the one Glenn flew in Korea, when his wingman was Ted Williams.

The Right Stuff? Yes, you could say that.

The larger story, the one that you can't make tactile, is the history of carriers and carrier aviation. This story is still being written. The *Carl Vinson*, for instance, is now deployed in the South China Sea on "routine patrols." Whether the Chinese like it or not.

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

COURTESY OF THE NATIONAL NAVAL AVIATION MUSEUM

There have been plenty of people, “experts” among them, who did not believe that carriers and naval aviation were feasible or, in any case, strategically relevant. General Billy Mitchell, the Army’s fiercest advocate of airpower, believed that heavy bombers had made all warships, including the carrier, obsolete. This was also the argument made by Giulio Douhet, the influential author of *The Command of the Air*, whose mantra was “The bomber will always get through.”

There were admirals in the U.S. Navy who, before Pearl Harbor, argued that carriers were good for raiding and scouting but that the battleship was still *the* centerpiece of naval warfare. The United States began the war with seven operational carriers and was down to only one at a grim point in 1942. The Navy ended the war with more than 100 in the fleet and more on the way.

Many of these were quickly decommissioned and a few were sunk in tests of the atom bomb. The Truman

administration took the side of strategic airpower against the Navy and carriers. Construction of new, bigger carriers was canceled. There were still a few in the fleet when the Korean War began. One, the *Valley Forge*, was deployed and conducting operations nine days after hostilities began.

The argument didn’t really end with Korea. For a time, it appeared that the speed and power of next-generation aircraft would make them too much for carriers to handle. But new designs and technology solved the problems and carriers served during Vietnam and have been deployed in all the nation’s wars and near-wars since then. As the *Carl Vinson* patrols the South China Sea, the *George H. W. Bush* is on station in the Mediterranean Sea, a platform for conducting strikes against ISIS and other targets.

President Donald Trump traveled recently to Newport News, Virginia, and delivered a speech from the carrier *Gerald Ford*, which is under construction. It is the latest in an evolutionary

line stretching back through the *Cabot*, with its wooden flight deck, which is replicated here, all the way to the *Langley*, the Navy’s first carrier, which was converted from a collier in 1920.

President Trump has vowed that the country will have a 12-carrier navy. There will be opposition. The argument will be that the ships are too expensive and too vulnerable. If drones cannot sink them, then they can fatally disrupt flight operations. And then there are submarines and missiles.

It is an old argument, in contemporary clothing. Walking through the displays at the National Naval Aviation Museum, you can’t help thinking they miss something about carrier aviation. Namely, that it is inherently aggressive. That these are the kind of vessels that John Paul Jones had in mind when he said that all he desired was a fast ship, “for I intend to go in harm’s way.”

If he were around today, you just know that he would be on the bridge of the *Carl Vinson*. And eventually immortalized here. ♦

Getting Tax Reform Done—and Done Right

THOMAS J. DONOHUE
PRESIDENT AND CEO
U.S. CHAMBER OF COMMERCE

In the relationship between government and business, no issue is more fundamental, impactful, or important to get right than taxation. It’s one of government’s oldest responsibilities and one of business’ biggest expenses. Taxes are a critical factor in most major decisions a company makes—including whether to expand, hire new workers, or invest in new technologies. Unfortunately, America has one of the most burdensome tax systems in the world. That is why we must seize this once-in-a-generation opportunity to overhaul our tax code in a way that promotes dynamic economic growth.

It won’t be easy. The process of overhauling our tax code is as complicated as the tax code itself. The last time it was successfully done was in 1986, and the U.S. Chamber of Commerce played an instrumental

role in reaching that deal and getting it passed. This time will be no different. The Chamber will be heavily engaged in everything from the technical aspects of reform to the transition rules.

We know that a perfect bill is impossible and many provisions will divide members of the business community, but the Chamber is prepared to champion any final tax reform package that is pro-growth. Most important, we will be at the table throughout the process—because anyone who isn’t at the table risks ending up on the menu. We’ll keep businesses off the menu by focusing on the components of reform that benefit the entire economy.

Pro-growth reform should include lowering tax rates for all businesses and adopting an internationally competitive territorial system—which means no more taxing American businesses twice, once abroad and once here, on their overseas earnings. Next, it needs to eliminate

the current bias against investment in the depreciation system, which would encourage businesses to devote more resources to expanding and innovating. Reform should also bring permanency, simplicity, and clarity to the system and allow the marketplace—not the government—to pick winners and losers.

Our leaders have a lot of priorities competing for their attention, and it’s true that many are easier and less controversial than tax reform. But in government—just as in business and in life—the most difficult tasks are often the most worthwhile. No agenda to promote economic growth and benefit every American will be complete without a plan to tackle the long, complicated, and all-important process of overhauling our tax code. We have a rare chance to get it done—and done right.



Learn more at
uschamber.com/abovethefold.

The Cultured Life

And why it is worth pursuing

By JOSEPH EPSTEIN

During my teaching days, along with courses on Henry James, Joseph Conrad, and Willa Cather, I taught an undergraduate course called Advanced Prose Style. What it was advanced over was never made clear, but each year the course was attended by 15 or so would-be—or, as we should say today, wannabe—novelists and poets. Usage, diction, syntax, rhythm, metaphor, irony were some of the subjects taken up in class. Around the sixth week of the eight-week term I passed out a list of 12 or so names and historical events—among them Sergei Diaghilev, Francis Poulenc, Mark Rothko, Alexander Herzen, the 1913 Armory Show, John Cage, the Spanish Civil War, George Balanchine, and Jean Cocteau—and asked how many of these items the students could identify.

The identification rate among my students was inevitably low, which did not much surprise me. I mentioned that at their age (20 or 21), I should probably not have done much better, and then added: “But if as writers you intend to present yourself to the world as cultured persons, you have to know these names and events and scores of others, and what is important about them. This is not something that one gets up as if for an exam, or Googles and promptly forgets, but that must be understood in historical context—at least it must for those who seek to live a cultured life.”

Joseph Epstein, a contributing editor to THE WEEKLY STANDARD, is the author, most recently, of Frozen in Time: Twenty Stories.

Oddly, no one ever asked what a cultured life was and why it was worth pursuing. This may have been just as well for, though I believed I was myself by then leading (or earnestly attempting to lead) such a life, I’m not sure I could have answered either question. I’m going to attempt to do so now.

In 1952, the anthropologists Alfred Kroeber and Clyde Kluckhohn wrote a famous article, “Culture: A Critical

Review of Concepts and Definitions,” in which they specified no fewer than 164 definitions of culture. Culture can, of course, refer to whole civilizations, such as Western culture or Asian culture; it can refer to national, ethnic, or social-class cultures, such as Israeli culture or Irish-Catholic culture, or working-class culture. In all these senses it refers to the overarching aspirations and assumptions that underlay the ways that different peoples and groups have of understanding and dealing with the world.

Kroeber and Kluckhohn might today have to expand their number of definitions, for the so-called “culture” of corporations, professions, and athletic teams has become among the leading cant phrases of our time. Princeton University Press recently published a book with the title *A Culture of Growth*, and the movie star Gwyneth Paltrow not long ago

noted that her civilized break with her husband contributed to “the culture of divorce.”

What I mean by the ideal of culture is high culture, as set out by Matthew Arnold in his 1869 book *Culture and Anarchy*. Arnold described this level of culture as “the best which has been thought and said,” but in our day it has been enlarged to include the best that has been composed and painted and sculpted and filmed. Arnold believed that



‘Charles Townley and Friends in His Library at Park Street, Westminster,’ by Johann Zoffany

high culture had its “origin in the love of perfection” and the “study of perfection,” and thought it an idea that the new democracy under the industrial revolution developing in his day needed “more than the idea of the blessedness of the franchise, or the wonderfulness of their own industrial performances.”

Behind Arnold’s notion of high culture was a program for the partial reform of human nature. Attaining the perfection of high culture, Arnold held, would bring about “an *inward condition* of the mind and spirit . . . at variance with the mechanical and material civilization in esteem with us.” Properly cultivated, this elevated culture would lead to “an expansion of human nature” and release us from our “inaptitude for seeing more than one side of a thing, with our intense energetic absorption in the particular pursuit we happen to be following.”

One might think Matthew Arnold’s idea of culture is restricted to the well-born. He saw it otherwise. “In each class,” he wrote,

there are born a certain number of natures with a curiosity about their best self, with a bent for seeing things as they are, for disentangling themselves from machinery . . . for the pursuit, in a word, of perfection. . . . And this bent always tends . . . to take them out of their class, and to make their distinguishing characteristic not their [social origins, wealth, or status], but their *humanity*.

Make no mistake: High culture, culture in the sense in which Arnold speaks of it as an ideal, is an elite activity—but one open to everyone with what Arnold calls a “bent” for it.

I should never have thought myself to have had this bent and might never have discovered it but for the somewhat fortuitous event of my having gone to the University of Chicago in the middle 1950s. Neither of my parents went to college, though both were highly intelligent and well-spoken. But anything remotely resembling high culture was simply not on their menu. My father was interested in politics and world events, my mother astute in her judgment of people; ours was a home with lots of newspapers and magazines but no books whatsoever—not even, as I recall, a dictionary. The only performing art of the least interest to my parents and their friends was musical comedy. They and their social set got on well enough without culture, preoccupied as they were with earning a living, raising families,

maintaining friendships, and dealing with life’s manifold quotidian matters.

Doubtless I should have, too, but for my having gone to college where and when I did. The University of Chicago was an institution, unlike the Ivy League schools, without the least taint of social snobbery: At Chicago, wealth, birth, good looks counted for nothing. (In fact, I once heard two distinguished professors there, the social scientist Edward Shils and the historiographer Arnaldo Momigliano, in conversation all but disqualify a male graduate student for being much too handsome to do serious scholarship.) All that mattered at Chicago was knowledge and intellect: what one knew, and how deeply and subtly one knew it.

Many of the most distinguished members of the faculty at the University of Chicago in the mid-1950s were European; several of these part of what one might call Adolf Hitler’s gift to American intellectual life: that is, European Jews who fled the Nazi and fascist Jewish genocide. Among them were the political philosopher Leo Strauss, the physicist Enrico Fermi, the historian Karl Weintraub, the historian-philosopher of religion Mircea Eliade. These people gave a tone to the place—and the tone was that not merely of extensive erudition (some merely) but of an impressive density of culture probably not available anywhere else. I

don’t know about giants, but lots of highly cultured men and women walked the earth in those days.

From the deep abyss of my late-adolescent ignorance, I never for a moment thought I could hope to emulate such men and women. I nevertheless somehow sensed that there was something immensely impressive about them. The philosopher Eva Brann nicely captures my emotional reaction to the cultured men and women I glancingly encountered at the University of Chicago when, about her own students at St. John’s College in Annapolis, she writes:

Those students seem to me most admirable who are captivated by admiration, even adoration—who know what it is to lack and long, quail and emulate—to feel the exultation of being the lesser, bound by love to a greater, the pride of recognizing superiority, the generosity of pure delight in it. You have to be young; with maturity comes a more distant, more mordant view of even of the finest of fellow humans. Yet, if moments of being simply overcome by some magnificence or other have ceased altogether, you’re not so much old as wizened.

Matthew Arnold in *Culture and Anarchy* described high culture as ‘the best which has been thought and said,’ but in our day it has been enlarged to include the best that has been composed and painted and sculpted and filmed. Arnold believed that high culture had its ‘origin in the love of perfection’ and the ‘study of perfection.’

At their best, these figures at the University of Chicago seemed above the fray, the everyday concerns of money-making, partisan politics, crude status gathering. (I would later learn that this was not always—in fact, was sometimes far from—the case.) The world might go about its business, but they were playing the game of life at another, a different and higher level. I yearned to play the game myself; I wondered, longingly, what it took to be allowed onto their court.

What it took to pass through the gates into the realm of high culture was years of thoughtful reading, listening, viewing, thinking. This would develop the critical sense needed to discern the difference between serious and ersatz



Library of the Abbey of Saint-Loup, Troyes, Champagne-Ardenne, France

culture, and a receptivity to the sublime in beauty. High culture critics, meanwhile, saw their job as that of gatekeepers, making certain that no inferior works were allowed to pass themselves off as the real thing. In the 1950s and early '60s, there was much written about highbrow, middlebrow, and lowbrow art—a distinction first made by the literary critic Van Wyck Brooks and, a generation later, expanded by the *Harper's* editor Russell Lynes—and the differences and distinctions among them.

The pursuit of high culture came with a price. Once hooked on it, one was no longer entirely at ease with popular culture—the culture, that is to say, most of us grew up with and that remains the mainstream culture. Once one is devoted to the pursuit of high culture, the bestseller, the Oscar-winning movie, the highest-rated television shows—all uncomplicatedly enjoyed by one's contemporaries—are, if not of no interest, then thought somewhat out of bounds, with the enjoyment of them tending to fall under the category of guilty pleasures.

I had a friend, Samuel Lipman, a piano prodigy as a child, a student of the conductor and violinist Pierre Monteux, later a teacher at Juilliard, a powerful music critic, and publisher of the *New Criterion*, a magazine devoted to the arts. In the realm of culture, Sam was an immitigable, irretreivable highbrow. Once, after a meeting of the Council of the National Endowment for the Arts (of which we were both members), I said to Sam that I noted he rarely mentioned movies or television. “Oh, I consider movies and television,” he said, rather casually, “dog shit.” Dog shit, I thought at the time, lower in dignity even than the excrement of bulls and horses.

Another friend of mine, Hilton Kramer, kept a comparably high standard. Hilton was an immensely amusing and witty fellow, but not a man you asked whom he liked in the World Series or which he thought the best of the songs of The Doors. When art critic at the *New York Times*, he was the only writer on the paper whom, in his exile, the great Russian dissident writer Aleksandr Solzhenitsyn would allow to interview him. Solzhenitsyn agreed to do so because—a great tribute here—he respected Hilton's seriousness.

Not everyone can live on the chaste cultural diets of Hilton Kramer and Sam Lipman. Two highly cultivated men of my

acquaintance—the political thinker Irving Kristol and the historian of modern France Eugen Weber—were devoted to detective fiction; I only recently learned that Walter Benjamin, the metaphysician of language, was also addicted to detective fiction. And so was Gershom Scholem, the great authority on Jewish mysticism. William Phillips, the editor in its heyday of the intellectual quarterly *Partisan Review*, was an ardent New York Giants fan. I once saw the bass-baritone Bryn Terfel perform at the Ravinia Festival in what I took to be a Manchester United soccer jersey.

Sam Lipman and Hilton Kramer were the aesthetic and intellectual equivalent of vegans—extremely cautious about what they consumed. As critics, which both men were, they saw their job as separating the serious from the pretentious, the genuine from the meretricious, the life-enhancing from the amusingly and sometimes perniciously trivial. Whence did their authority derive? What gave them the right to sit in judgment on, and find unacceptable, works that others had sometimes put years into making and which

DE AGOSTINI / X. DESMIER / GETTY

many others innocently enjoyed? Their authority came from their having thought about art for decades, and their passionate devotion to it. They were able to impose their views by the force of the cogency of their arguments.

Culture is continuity with the past: A cultureless person knows only about, and lives exclusively in, the present. Few things are as pleasing—thrilling, really—as reading a classical author and discovering that he has had thoughts and emotions akin to your own. So I have felt, at times, reading Horace, Montaigne, William Hazlitt, and others who departed the planet centuries before my entrance upon it. Edmund Wilson writes splendidly on this point in a brief essay called “A Preface to Persius,” in which he offers his observations on reading a late-18th-century edition of Persius, the first-century-A.D. Latin poet and satirist. Wilson read the preface to this edition in an Italian restaurant and speakeasy in Greenwich Village in 1927, and felt himself “warmed by this sense of continuity with the past, with Persius and William Drummond [the book’s editor], by this spirit of stubborn endurance.” This cultural connection put him, Edmund Wilson, however briefly, outside the politics and noisiness of the present, and forcefully reminded him that for the man or woman of culture,

there was nothing to do save to work with the dead for allies, and at odds with the ignorance of most of the living, that that edifice, so many times begun, so discouragingly reduced to ruins, might yet stand as the headquarters of humanity!

The edifice Wilson refers to is, of course, civilization.

Does all this talk of high culture have a ring of snobbery? If so, I have badly misrepresented it. There is nothing snobbish about seeking out the best that has been thought and said. What it *is*, as noted earlier, is elitist, a word in our egalitarian age in even worse odor, perhaps, than snobbery. Cultural elitists, as do connoisseurs generally, like only the best and seek it out. But how do they determine what is best? From tradition, from the tastes of their culturally elitist forebears, from their own refined aesthetic and intellectual sensibilities. Along with Longinus, they identify as high culture those works of art and intellect that elevate the soul, stay in the memory, and appeal across different cultures. Elitist the cultural ideal certainly is, but with the difference, as noted by Matthew Arnold, that it is open to anyone who wishes to make the effort to attain that ideal.

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Those opposed to the elitist impulse in art make the mistake of confusing the realms of culture and politics. To be a cultural elitist does not eliminate the possibility of one’s simultaneously being a democrat in one’s views politically, or even a man or woman determinedly on the left. The Australian art critic Robert Hughes claimed to be split in this way. Proof that the highbrow and the left-wing radical can live comfortably enough in the same person is illustrated—in fact, highlighted—in the last lines of Leon Trotsky’s *Literature and Revolution*. Trotsky wrote that it was his dream that, under communism, “man will become immeasurably stronger, wiser and subtler; his body will become more harmonized, his movements more rhythmic, his voice more musical. The forms of life will become dynamically dramatic. The average human type will rise to the heights of an Aristotle, a Goethe, or a Marx.” In other words, the end of the class struggle, as envisioned by the Communist revolutionary Leon Trotsky, would be the acquisition of high culture by all.

How, then, does one attain culture? Superior intelligence isn’t the key. I have known high-level physicists and mathematicians—people whose IQs are doubtless stratospheric—who were, so to say, culture-proof. Even the most adroit teachers cannot hope to bestow culture on their students; the best they can do, if they are

themselves cultivated, is provide a glimmer of what the real thing looks like. A university education is never sufficient in itself, though it can give its interested students useful guidance about where culture is available. In the realm of culture, as in all non-vocational education generally, we are all autodidacts—all, that is, on our own. No approved method for acquiring culture is available: There is no useful list of the 100 most important books, 200 essential musical compositions, 300 significant paintings, 400 hundred best films. So far as I have been able to determine, no *Culture for Dummies* has yet been published, though one may well be on the way. No guides, no lists, no shortcuts to attaining culture exist; nor will they ever.

The sad truth, the bad news, is that one never really attains culture in the way one attains, say, a plumber’s license or a CPA. If anyone says he is cultured, or even thinks himself cultured, which no truly cultured person

ever would, he or she, like those who think themselves charming, probably is not. In striving after the attainment of culture, one invariably falls short. Other people are soon enough discovered who have it in greater depth and make one's own cultural attainments seem paltry.

One discovers, straightaway, that earlier eras had a higher standard for culture than our own. In the 19th century, without competence in ancient Greek and Latin, for example, no one could hope to be considered cultured. In the 18th century, George Washington was embarrassed to travel to France because he had no French. One is too clearly aware of the lacunae of one's own cultural shortcomings, the vast gaps in knowledge of the kind a person claiming to be cultured ought to possess: knowledge of the history of the Byzantine Empire, of Gregorian chant, of the influence of Bauhaus, and so much more. To be cultured implies a certain roundedness of knowledge and interests. No one, of course, has all these things. No one is fully rounded—which is why no one is fully cultured and why culture itself remains an ideal and, like so many ideals, may well be ultimately out of reach, though still worth pursuing.

Let me pause here to mention a few of the people I have known who have come closest to this ideal. The first is Jacques Barzun, who was the figure one immediately thought of when thinking of Columbia University during its great days in mid-20th-century America. Born in France in 1907 into a family with serious artistic interests—among his parents' friends were Guillaume Apollinaire, Marcel Duchamp, and Edgard Varèse—Barzun came to America in early adolescence and later returned to remain for the rest of his life. He was a cultural historian, who wrote with equal authority on Marx, William James, Hector Berlioz, Darwin, American university education, French prosody, English grammar and usage, and more. In his nineties he produced a cultural synthesis called *From Dawn to Decadence: 500 Years of Western Cultural Life, 1500 to the Present*. In a dip into popular culture, he also knew baseball and edited anthologies about detective fiction. Jacques was formidable without being stuffy. He taught much of his adult life, yet seemed—in his cosmopolitan culture, his metropolitan spirit—so much more than an academic.

I met Arnaldo Momigliano, long deemed to be the leading figure in the historiography of the ancient world,

through my friend Edward Shils, who arranged to have him teach half the year at the University of Chicago. He was at All Souls College, Oxford, the other half. Mussolini's fascist government caused him to flee to England from Turin, where he was born. I don't know how many languages Arnaldo had, but I once noticed, on the desk in his room at the University of Chicago faculty club, a Dostoyevsky novel—in Russian. He seemed to know everything.

I was having breakfast one morning with Leon Edel, the biographer of Henry James, at that same faculty club when Arnaldo came into the room. I introduced him to Edel, who, I told Arnaldo, was currently writing a book about Bloomsbury. Had you joined us at that breakfast table you would have thought Arnaldo had already written the definitive book on Bloomsbury—"The linchpin figure," he said in his Piedmontese accent, "was of course Duncan Grant"—so complete and penetrating was his knowledge of the subject, even though it was one that didn't remotely touch on what is called his "field." I once wrote that if there had been a game called not Trivial but Serious Pursuit, Arnaldo would have been its champion.

Hugh Lloyd-Jones was Regius Professor of Greek at Oxford and married to Mary Lefkowitz, a professor of classics at Wellesley and herself an estimable writer on classical subjects.

Hugh was a charming man, witty, with a good laugh. Their love for each other, the joyousness of their relationship generally, made it pleasing to be in his and Mary's company. Hugh once told me that when Mary ironed his shirts, he, to relieve the tedium of the task, read Henry James or Marcel Proust to her—a high-culture version of *American Gothic*.

My candidate for the most cultured American novelist of the past century is Willa Cather. Modern American writers have not been notably cultured. Hemingway wasn't, nor was Fitzgerald, nor Faulkner. Talented though all were, none could write beyond his immediate ken or milieu. Cather, born in 1873 in Virginia, grew up in the small town of Red Cloud, Nebraska, and through self-cultivation became a citizen of a much larger world. As a writer, she was above nationality, above politics and gender, androgynous as all the greatest artists are. Willa Cather, in effect, Europeanized herself: She admired the novels of Flaubert, the poetry of Housman, everything of Henry James, himself an

Contemporary American serious music has produced no Aaron Coplands, Virgil Thomsons, Samuel Barbers. The audiences for traditional classical music performance dwindle. The promise of American theater, the theater of Arthur Miller, Eugene O'Neill, and Tennessee Williams, now seems moribund, if not flat-out deceased.

American who had earlier acquired cosmopolitan culture and had (as T.S. Eliot noted) “turned himself into a European but of no known country.” Cather’s personal culture allowed her to write not only about the Scandinavian immigrants she grew up with and knew so well, but about the life of the artist (*The Song of the Lark*), about late-17th-century European settlers in Quebec (*Shadow on the Rock*), about the lives of two 19th-century French priests, Fathers Latour and Vaillant, establishing a diocese in the newly formed territory of New Mexico (*Death Comes for the Archbishop*). Culture cannot make a writer, of course; but as in Cather’s case, by expanding her horizons, it can vastly enlarge her reach.

A small detail from Cather’s *Death Comes for the Archbishop*: Father (now Bishop) Latour is served a soup made by his companion Father Vaillant, an onion soup with croutons, upon which, after tasting it, Latour remarks: “I am not deprecating your talent, Joseph, but, when one thinks of it, a soup like this is not the work of one man. It is the result of a constantly refined tradition. There are nearly a thousand years of history in this soup.” A soup with a thousand-year history—only a writer of deep culture could have written such a passage. Culture itself, one might add, is a soup thousands of years in the making.

For a century and more, the seat of culture for Americans was Europe. Europe had all the great writers, painters, composers, conductors, musical performers, the most magnificent museums and libraries and churches. Americans with cultural interests went to Europe as pilgrims to Mecca, and some with ample financial resources stayed on as expatriates. To be an American was, culturally, to feel oneself a yokel; and at 20 years old or so, even I, a true yokel, sensed that genuine culture lay on the other side of the Atlantic.

For a period of a few decades in the past century, however, this looked to be changing. In New York, the school of Abstract Expressionism became central in the realm of visual art. The important painters were Americans; so, too, earlier, in poetry, where the generation of Robert Frost, Wallace Stevens, the American-born T.S. Eliot rivaled if not surpassed in importance the poetry of Yeats, Housman, and Hardy. The Englishman W.H. Auden, the leading poet of the following generation, chose to spend the years of his literary prime in the United States. European conductors led the Boston, Philadelphia, New York, and

Chicago symphony orchestras. Was culture itself crossing the ocean en masse? Was America to be the new Rome to Europe’s Greece? Alas, the hope now seems altogether too short-lived.

Today, high culture in America is in serious decline. (Nor is it doing much better in Europe, let me add, details on request.) Contemporary visual art, for example, scarcely exists—that is, it seems to be more about financial investment than about ideas or significant aesthetic experience. Poetry, once central to high culture, has become degraded to an intramural sport. Although the audience for poetry in America was never large, today even that audience has diminished, and the only people who seem to read contemporary poetry are those who write it or write about it. Are there substantial numbers of people awaiting the next novels of Michael Chabon, Jonathan Lethem, or Jonathan Safran Foer as they once eagerly anticipated the next novels of Bellow, Malamud, Katherine Anne Porter, and others? I don’t believe there are.

In 1959, the novelist John O’Hara predicted that “the novel will be dead or moribund in less than a hundred years.” This is beginning to look like a sound prediction. Contemporary American serious music has produced no Aaron Coplands, Virgil Thomsons, Samuel Barbers. The audi-

ences for traditional classical music performance dwindle. The promise of American theater, the theater of Arthur Miller, Eugene O’Neill, and Tennessee Williams, now seems moribund, if not flat-out deceased. Contemporary philosophy, which I have seen described as attempting to discover where the flame of a candle went after it burned out, appears more and more (in the words of Michael Oakeshott) devoted to “making riddles out of solutions.” Theodor Mommsen, writing of culture during the reigns of the emperors Claudius, Nero, and Vespasian, noted that “the mark of [the] age is its tedium.” Might this also be true of the culture of the age we are now living in?

Before attempting an answer, perhaps it is worth reminding ourselves of the promise of high culture. What it offered was an escape from the tyranny of the present. Cicero wrote that not to remember your past—by which he meant “the past”—is to remain a child. High culture, even though it often traveled under the banner of the avant-garde, was always about tradition. A cultured person has a standard, a recollection, through literature and



Concert at the Metropolitan Opera House, New York City

history and philosophy—if not necessarily through personal experience—of greatness. Without such a recollection, rising above mediocrity is difficult, if not impossible.

At the death of Winston Churchill in 1965, Leo Strauss spoke to his class at the University of Chicago:

The death of Churchill reminds us of the limitations of our craft, and therewith of our duty. We have no higher duty, and no more pressing duty, than to remind ourselves and our students, of political greatness, human greatness, of the peaks of human excellence. For we are supposed to train ourselves and others in seeing things as they are, and this means above all in seeing their greatness and their misery, their excellence and their vileness, their nobility and their triumphs, and therefore never to mistake mediocrity, however brilliant, for true greatness.

If ours is, culturally, an age of tedium, if the very notion of culture as an ideal is in doubt, how did this come about? Some would say that a digital age cannot be a rich age for culture. In the battle between pixels and print, pixels now seem well ahead. The smartphone, the iPad, the computer, for all their manifold benefits, do not encourage contemplation. They feature information over knowledge, and information is distinctly *not* knowledge. The skim, the scan, the tweet, the Wikipedia entry—they cater to, if they do not in fact breed, the shortened attention span. If I were to pass out a list of names and events of the kind I mentioned earlier to students today, they would wonder what the hell I was talking about: “The Spanish Civil War, the 1913 Armory Show—hey, no problem, I’ll Google it.” Google it up, gobble it up, we are in any case no longer talking about acquiring the necessary context, the delight in the power of making connections, that is the first step in acquiring culture.

The politics of the contemporary university, at least in its humanities and social sciences divisions, has not helped the nurturing of high culture. Quite the reverse. Academic feminists and multiculturalists, early in their rise to prominence, declared their impatience and boredom with (and anger at) the dominance of “dead white European males” in the curriculum. They might as well have declared war on high culture itself, for apart from a small number of notable examples—Sappho, Jane Austen, Madame de Staël, George Eliot—dead white European males *were*, and remain, the substance and pretty much the sum of high culture. In its striving for equality of interest for every culture and ethnic subgroup, the contemporary university has become an intellectual equal-opportunity institution, whereas the realm of art and intellect has little or nothing to do with equality. The result is that the American university, with a few notable exceptions, is less and less likely to purvey cogent samples of high culture, and provides fewer models of its benefits among its faculty.

In the early 1990s, I wrote an essay with the title “An Extremely Well-Informed SOB.” In it I made the distinction among those who knew about the Now, such as the pundit on television, required to be *au courant* on everything in the news; the knowledgeable, which included people who knew both about the Now and a fair amount about the Then; the with-it, who prided themselves on knowing about the Next Big Thing and those myriad other things the rest of us are still in the dark about; and finally, the cultured, who, insofar as possible, restrict themselves to knowing what is genuinely worth knowing.

Most people today prefer to spend their lives gathering more and more information. This plethora, this plague of information, now available to all—to what, precisely, does it lead? The best I can see, it leads to two things: the illusion that one understands the world, and the formation of opinions, countless opinions, opinions on everything. Opinions are well enough, sometimes even required; but I have never quite been able to shake the capping remark made by V.S. Naipaul on a character in his novel *Guerrillas*: “She had a great many opinions, but taken together they did not add up to a point of view.” Culture, true culture, helps form complex points of view.

Some years ago, the English political philosopher Michael Oakeshott was asked what he thought of England’s entering the European Union. “I don’t see,” he answered, “why I should be required to have an opinion about that.” An extraordinary thing for a contemporary political philosopher to say, or so I thought at the time. But later, reading Oakeshott’s *Notebooks*, I came across two interesting passages that made clear the grounds on which he said it: First, “To be educated is to know how much one wishes to know & to have the courage not to be tempted beyond this limit.” And second, that culture “teaches that there is much one does not want to know.” I wonder if, in the current age, our so-called Information Age, recognizing “what one doesn’t want to know” isn’t among the greatest gifts that the acquisition of culture can bestow.

To return to Matthew Arnold’s supposition that culture holds out the promise of a change in human nature, one has to concede that the results, up to the moment, are not especially encouraging. But then, some people, quite without the aid of culture, have naturally good hearts; others have been brought to a high standard of goodness through religion. As for culture conferring virtue on those who possess it, it is impossible to forget that the Nazis played Beethoven at Auschwitz. Still, by removing oneself from the noise and vulgarities of the present, and lending oneself the perspective of the past, an engagement with high culture makes life richer—and thereby immensely more interesting. And that, with apologies to Matthew Arnold, seems to me reward enough. ♦



Clement Attlee (seated, left) at the Potsdam Conference (1945)

Mr. Attlee's Hour

The genteel socialist who transformed Britain. BY ANDREW ROBERTS

Many Americans are astonished by the fact that in July 1945, having won the Second World War in Europe, Winston Churchill was defeated in the general election and had to leave the premiership despite having been so personally popular and militarily successful in that job. Yet that extraordinary phenomenon becomes far more explicable when one learns about the attributes of the man who defeated Churchill in that election—and indeed, in the subsequent one, too: Clement Attlee, the

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Clement Attlee
The Man Who Made Modern Britain
 by John Bew
 Oxford, 688 pp., \$39.95

best of many biographies of whom has just been written by Professor John Bew of King's College London.

Clement Attlee was the most consistently underestimated politician of modern times. Bald, mustachioed, unassuming, quiet, as averse to grandiloquence and grandstanding as Churchill was addicted to them, Attlee seemed hardly to rate beside Churchill. Indeed, Churchill's two best-known

jokes about Attlee, that he was “a sheep in sheep's clothing” and “a modest man with a lot to be modest about”—the first apocryphal, the second genuine—echoed the other remark made about him, that “an empty taxi drew up in Westminster, and Mr. Attlee got out.”

Yet this was the man who defeated Winston Churchill at the height of his powers, who was the leader of the Labour party for 20 years at a time when its upper echelons contained far more flamboyant and seemingly substantial figures than he—including Ernest Bevin, Stafford Cripps, Aneurin Bevan, Herbert Morrison, and Hugh Dalton—and who ended the British Empire in India.

CAPT. W. T. LOCKYEAR / INMI / GETTY IMAGES

Bew is excellent at showing how Attlee was primarily motivated by a sense of social responsibility, which he gained from working with the poor of London's East End before World War I. Although agnostic in religion, the socialist creed to which Attlee belonged owed far more to Methodism than to Marxism—indeed, he fought hard and successfully against all Communist attempts to take over the Labour party he loved. (How he must be turning in his grave today.)

In both of Attlee's longest-lasting legacies, the creation of the modern British welfare state and NATO, Bew shows how Attlee's profound anti-communism was central to his beliefs. The former was largely created in order to fight communism domestically and draw off revolutionary danger through generous social provisions; the latter was intended to prosecute the Cold War actively against Soviet and Chinese communism. Attlee was prime minister during much of the Korean War, in which he supported the U.S.-led United Nations operations at the cost of over a thousand British lives.

Attlee himself had fought bravely in the disastrous Gallipoli campaign, and somewhat surprisingly, it left him with a profound appreciation of Churchill's strategic sense, which stood both of them in good stead when he became deputy prime minister during the Second World War.

Churchill left Attlee to run much of the home front during the war, which he did expertly, as well as presiding over the cabinet on the many occasions when Churchill was abroad. Meanwhile, Attlee let Churchill get on with everything concerning grand strategy and the service departments. Once the 1945 election was won, therefore, Attlee slipped into the premiership effortlessly, and many civil servants, even those devoted to Churchill personally, commented on how much more efficiently he expedited government business than had Churchill.

In many ways, Attlee was extremely

fortunate in his career, not least in having survived Gallipoli, where he was the last man off one of the major beaches during the final evacuation. He was fortunate politically, too, especially in surviving the National Government's landslide victory in 1931 when Labour had only 52 MPs elected, removing many of his rivals for the leadership from the House of Commons. Once the pacifist Labour leader George Lansbury made it clear, by 1935, that he would oppose rearmament whatever Adolf Hitler and the



In the 1930s

Nazis were doing, Attlee managed to dislodge him and take the leadership himself, despite his perceived lack of charisma.

Attlee's lack of pacifism was underlined by his support for compulsory universal conscription in 1939, by his support for Harry Truman's use of the atomic bombs against Japan, and by his pursuit of a nuclear capacity for Britain in the face of Congress's McMahon Act, keeping the decision to go nuclear a secret from most of his cabinet.

The withdrawal from and partition of India in 1947-48 were badly mismanaged by Lord Mountbatten, the viceroy whom Attlee appointed; but as Bew argues convincingly, the decisions of Mountbatten were those

of the man on the spot, who could not be hyper-managed thousands of miles away by ministers in London. The overall policy to quit India was the only one that really lay open to the Attlee government.

Bew rightly makes much of Attlee's hitherto-underexplored (indeed, almost unknown) inner life, especially his reading of the great English poets such as John Milton, William Blake, Percy Bysshe Shelley, and Rudyard Kipling, as well as Attlee's own youthful poetry, which reveals a man with depths that he deliberately kept hidden through an extreme taciturnity, not usually a foremost attribute amongst politicians. It seems that beneath the dull speaker, with his flat and often clichéd rhetorical style, lay a pulsating heart of poetry and romance.

Who knew? I doubt that even his wife, Violet, knew—a lifelong Tory who was generally a mouse, except behind the wheel of a car, when she suddenly became a mortal danger to pedestrians and motorists alike.

Bew presents a scholarly and highly readable picture of Attlee as a profound English patriot, a man who was only persuaded of the importance of installing a ticker-tape news machine in 10 Downing Street when it was pointed out to him that it would let him have the latest cricket scores. One of the underlying

themes of this book is that Attlee and much of the Labour left around him were staunch Atlanticists, and Bew produces several reasons for this.

First, they were more interested in modern American socialist writers like Edward Bellamy because the Americans had a better grasp of modernity and industrial power than the traditional English socialists. Second, and particularly for those who had supported and fought in the Great War, Woodrow Wilson's Fourteen Points really gave them something to fight for that was idealistic but not imperialist. Third, they were much disheartened by American withdrawal from the world in the interwar years, and always preferred the United States to be forthright

and engaged. Fourth, there was a huge amount of fellow-feeling and affection for Franklin Roosevelt and the New Dealers long before the war broke out. The Atlantic Charter bore testimony to the fact that on some issues, FDR was politically much closer to the Labour members of the coalition than to Churchill.

Bew is at pains to point out how Attlee always took Churchill's side against the British service chiefs when they were griping about American commanders at various points in the war. Like Churchill, he understood how much the political optics mattered, and that it was his duty to be supportive both to Churchill and the Grand Alliance. Such pro-American sentiment helped turn what Churchill dubbed the "Special Relationship" into something that long outlasted the Churchill ministry and the war.

Indeed, Bew argues cogently how, in many ways, Attlee and his foreign secretary Ernest Bevin were more forthright cold warriors even than their American counterparts. Attlee soon grasped the fact that the United Nations sadly wasn't up to the job of keeping Soviet (and later Chinese) communism at bay, and that the Western alliance would necessarily remain the key instrument of security. Bew even goes so far as to argue that the decision fully to support the Americans in Korea was the factor that finally brought Attlee's government down because of the budgetary belt-tightening that it necessitated.

Professor Bew, who works in the prestigious department of war studies at King's College London, fully covers Attlee's several visits to the United States, including his emergency trip to try to prevent the nuclear bomb being deployed by Douglas MacArthur in Korea. My favorite anecdote, however, is the homely one of the time, in San Francisco in late April 1945, when Attlee and his private secretary, Captain John Dugdale, went for dinner with Attlee's old friends Robert Collier and his wife at the Colliers' cottage in San Bruno. As deputy premier, Attlee was in California for the opening of the United Nations, but no poli-

tics were discussed and when, at the end of dinner, Mrs. Collier suggested that the men should retire to the drawing room while she washed up, "Attlee just swung his legs out from the table and started washing the dishes, with Dugdale drying them."

It was typical Attlee.

Small wonder that only weeks later, in the general election, Churchill

found it impossible to convince the British people that the mild-mannered, utterly decent Major Clement Attlee would come to rely upon what Churchill called "some form of Gestapo" to impose socialism in Britain. To any American wanting to understand why Winston Churchill was cashiered in 1945, this book will explain everything. ♦

BCA

Birds of Paradise

The amazing adventures of an avian myth.

BY MICAH MATTIX

A bird that lives 500 years before it dies—sometimes by fire, sometimes not—only to be reborn from its ashes and live another 500 years is, today, one of the most widely known mythical creatures. Towns are named after it; its figure adorns coins and publishing logos; and it haunts plays, poems, and novels—from Shakespeare's *Henry VIII* (1613) and Yeats's "His Phoenix" (1919) to James Joyce's *Finnegans Wake* (1939).

It is, of course, the phoenix, and while there is said to be only one in existence at any time, its significance to people and cultures, as Joseph Nigg shows in his survey of the bird, has multiplied over time.

The Western myth was slow to catch on, and originated in Egypt. The Egyptian *benu* was a heron-like bird that was understood to be the physical manifestation of the sun god, Ra. In the Pyramid Texts, for example, it is depicted as standing on the "Primordial Mound" of creation. In the Book of the Dead, the *benu* is a divine guide that helped souls in their spiritual journey through the underworld. Thus, it was associated with both transformation and the sun.

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The Phoenix
*An Unnatural Biography
of a Mythical Beast*
by Joseph Nigg
Chicago, 496 pp., \$35

It is the *benu*, it seems, that Herodotus refers to in his *Histories* (ca. 450-425 B.C.) as an Egyptian "sacred bird called the phoenix," though many of the details vary. The phoenix, Herodotus tells us, is a bird of "great rarity . . . partly red, partly golden" with the "general make and size . . . of the eagle" that lives for 500 years before it dies in Arabia. The bird's child then carries the parent bird's carcass, wrapped in myrrh, to the Temple of the Sun in Egypt, where it is buried.

Nigg writes that there's no mention of the bird's 500-year lifespan in existent Egyptian sources, nor is there any mention of the carcass of its parent wrapped in myrrh. In Herodotus, furthermore, the phoenix is like an eagle, whereas the Egyptian *benu* is always portrayed as a heron.

While Herodotus seems to have been cribbing from another source, it is his account of the phoenix that begins the long history of the mythical bird in the West. In both the *Iliad* and *Odyssey*, the word "phoenix" and its cognates always refers to people



Chinese phoenix by Katsushika Hokusai (ca. 1835)

and things that originated from the ancient island of Phoenicia, not a bird of paradise. And while there is a brief mention of the phoenix in Hesiod's *Precepts of Chiron* (ca. 700 B.C.), which is quoted in Plutarch's *Obsolescence of Oracles* (ca. 100 A.D.), no details of the bird are given, other than its unnaturally long life.

The other ancient propagator of the myth was Ovid. It is in his account of the bird in *Amores* that it is stated that there is only one phoenix in existence at any time, and it is in *Metamorphoses* that we have the first mention of the most striking detail of the phoenix myth: the bird's rebirth from its parent. Ovid writes:

*He winds his nest high up a swaying
palm—
And delicate dainty claws prepare his bed
Of bark and spices, myrrh and
cinnamon—
And dies while incense lifts his soul
away.
Then from his breast—or so the legend
runs—
A little Phoenix rises over him,
To live, they say, the next five hundred
years.
When he is old enough in hardihood,
He lifts his crib (which is his father's tomb)*

*Midair above the tall palm wavering
there
And journeys toward the city of the Sun,
Where in Sun's temple shines the Phoenix
nest.*

Drawing from the lost account of the phoenix in the work of the poet and astrologer Marcus Manilius, as well as older accounts, Pliny the Elder also writes that the young phoenix is reborn; but in his account, it is not from the parent's breast but from "a kind of maggot" in its parent's bones that the young bird emerges. Unlike Herodotus, Pliny describes the phoenix as resembling the Asian golden pheasant, which was the model, Nigg points out, of another ancient mythical bird: the Chinese *fenghuang*.

Nigg traces the changing significance of the bird, and its sudden rise in popularity during the Christian Middle Ages. While the bird was seen by secular Romans as little more than a curious myth, Nigg argues that from Lactantius' *De Ave Phoenice* (which helped establish the tradition further of the bird dying by fire) to late medieval accounts, the phoenix became a symbol and proof of the resurrection and an allegory for virtuous living. According to Nigg, whereas

ancient writers generally treated the phoenix's existence with skepticism, Christians in the Middle Ages took it to be real. The bird's existence, however, was again called into question in the early Renaissance.

While this may be generally true, the timeline is a little too neat. First, both Christian and pagan writers before the Middle Ages occasionally treat the bird as real. The 1st-century Saint Clement I of Rome certainly understood the bird to actually exist when he wrote in a letter to the Corinthians: "Do we then think it to be a great and marvelous thing, if the Creator of the universe shall bring about the resurrection of them that have served Him with holiness in the assurance of a good faith, seeing that He showeth to us even by a bird the magnificence of His promise?" But so did Pomponius Mela, who describes the phoenix in his *De Chorographia* (ca. 44 A.D.) as "the most remarkable bird," of which there is only "one of a kind" in existence at any time. The 2nd-century rhetorician Aelian wrote in his *De Natura Animalium* that the "Phoenix knows how to reckon 500 years without the aid of arithmetic,

for it is a pupil of all-wise Nature.”

Second, while Christian writers in the Middle Ages seem to treat the bird as real in etymologies and bestiaries, this is complicated by the fact that most of them are less interested in animals as animals and more interested in their symbolic significance. While the phoenix may have been more widely treated as a myth after Sir Thomas Browne’s debunking of the bird in his *Pseudodoxia Epidemica* (1646), a number of earlier Christian accounts call the phoenix’s existence into question. Albertus Magnus (1200-1280), for example, writes in his account of the phoenix in *De Animalibus* that ancient writers are “guilty of many untruths” and goes on to relay the bird’s “supposed” characteristics.

What *did* change radically in the Renaissance was the bird’s meaning. Treated for centuries as a symbol of piety—“It brings forth a fire with its wings,” Hugh of Fouillooy writes in his *Aviarium* (ca. 1132-52), “because by the heat of the Holy Spirit, the righteous man kindles the mind aroused by the wings of contemplation”—the bird becomes in Petrarch’s hands a metaphor for the exemplary and beautiful Laura: *The phoenix forges with her golden plumes*, Petrarch writes, *Without the help of art, a jewel bright / For her beautiful neck so smooth and white / That it soothes every heart and mine consumes.*

Chaucer uses the myth in much the same way in his *Book of the Duchess* (1369), where he describes the late wife of John of Gaunt as “the solyn fenix of Arabye.” Queen Elizabeth adopted the phoenix as one of her “personal emblems,” Nigg writes, using it on a silver medal and in portraits. In *The Light of Britayne* (1588), published the year England defeated the Spanish Armada, Henry Lyte honored Elizabeth as “the Phoenix of the worlde” and “the Angell of Englande.”

From Elizabeth on, the phoenix is associated with individuality, creativity, and passion. Shakespeare uses the bird as a metaphor for originality and fame. In Herrick’s “A Nuptiall Song,” the phoenix is a bird of passion. Byron associates the bird with fame, and Keats with inspiration. For D.H. Law-

rence, Nigg writes, the bird embodies “his vision of the self’s realization through primal forces.” For James Joyce, the phoenix is a metaphor for the circularity of human history.

The shift in significance shows a

change in how we think about ourselves. Once preoccupied, at least publicly, with purity and sacrifice, we now live for the moment and burn with desire, not piety. But as Nigg shows, the idea of rebirth has remained. ♦

BCA

Stand on Tradition

Life, liberty, and the European perspective.

BY MARK BLITZ

‘T o put it in a nutshell,” João Carlos Espada tells us, his book “aims at providing an intellectual case for liberal democracy.” This aim puts *The Anglo-American Tradition of Liberty* on a crowded shelf of mostly desiccated husks. What gives his work vitality is his wish to clarify why European democracy differs from England’s and ours, and his search for what is common among various figures from the past 60 years whom he admires, and earlier thinkers similar to them.

These goals lead him to defend the substance and conditions of our Anglo-American life of liberty, not to attempt to explore freedom’s deathless merits. To accomplish his task, Espada briefly discusses a large number of philosophers, statesmen, and scholars. This breadth means that he does not attend to scholarly minutiae, chains of philosophical abstraction, or detailed questions of policy. Each of his discussions is interesting, although some are more telling or reliable than others. I would especially recommend his remarks on Karl Popper, Michael Oakeshott, and Edmund Burke. His discussion of Alexis de Tocqueville is as good a 20-page presentation of what matters in him as one is likely to find.

Espada’s concern is more with tra-

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The Anglo-American Tradition of Liberty
A View from Europe
by João Carlos Espada
Routledge, 222 pp., \$145.45



João Carlos Espada

dition than principle. John Locke’s principled arguments promoting free government were useful in Britain and America because they entered countries that already practiced or defended limited government and the rule of law. In France, however, the “effect of the importation of Locke’s doctrines,”

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Espada tells us, quoting Anthony Quinton, “was much like that of alcohol on an empty stomach.” Lockean principles came to light there as a wholesale reordering or destruction of traditional ways.

In general, indeed, the Europeans made themselves dizzy with rationalistic schemes. Their hope, stemming from Descartes, not to ground politics and morals on anything that we merely assume is, however, doomed to fail. In fact, it leads finally to relativism. For if all is not completely rational, then it seems that nothing is. Along the path to such relativism, however, came the disasters of the Marxist and Nazi attempts at total amalgamation and control. These were liberty’s very opposites.

If the Anglo-American tradition of liberty is vital to liberty’s existence, how can liberty prevail where this tradition never existed, or is now withering? Espada’s answer to this pressing question is not simple, partly because of what he has in mind with “tradition.” Sometimes he points to matters that were, or are, primarily English, quoting John Betjeman and T.S. Eliot on peculiar English tastes that range from “boiled cabbage cut into sections” and dartboards to Tennyson’s poetry and Elgar’s music. Other times he includes American practices advocated or instituted by Madison or noticed by Tocqueville. Occasionally, he points to tradition as attachment to one’s own familiar routines. But we can see that such attachments could, in many places, as easily be illiberal as liberal.

What we most usefully learn from Espada’s approach is that liberty requires (or is strongly aided by) a public and private disposition to allow competitive spheres of social, political, and economic influence rather than social and political monoliths; a proclivity to let people lead their lives without much interference from others; and support of government that is “limited and accountable.” These dispositions and their objects are broader than “traditional” ways simply, and we can see how several concrete practices could be compatible with them. Espada, however,

does not explore the varied ways to advance these liberal dispositions.

To what degree are these dispositions the seedbed or material of liberty, and to what degree are they liberty itself? Espada’s intelligent discussion of liberty’s tradition leads him to downplay some of its concrete institutions and principles. There is occasional mention, but little discussion, of religious toleration, a free and responsible press, free speech, good character, and the rule of law. There is mention, but little analysis, either of the place

Liberty requires a public and private disposition to allow competitive spheres of social, political, and economic influence; a proclivity to let people lead their lives without much interference from others; and support of government that is ‘limited and accountable.’

of expanding economies in modern liberal countries or of their disruptive effects on traditional ways.

Some of these practices—say, religious toleration—could perhaps be dealt with within the general dispositions I just discussed. Some omissions might also be explained by Espada’s wish not to identify liberal democracy with any current political party or movement, or to allow figures who range from Hayek to Oakeshott to near-socialists and social democrats such as Raymond Plant and Ralf Dahrendorf exemplify the Anglo-American tradition. Liberal democracy covers a wide range. Nonetheless, it is important to discuss these practices because instituting them clarifies

areas where the limits, accountability, competition, and variety in authority that Espada connects to liberal democracy must be won and defended, and cannot merely grow. Tradition, habit, or “political culture” are not enough to support them, whatever their importance. This is especially clear with religious toleration and competitive economies.

In general, Espada downplays the place of principles, or the revolutionary ground, of American and even British liberty. He is taken with Hayek’s notion of spontaneous order, and is wary of the schemes of founding and constructing that he believes belong to the hyper-rationalism that is one of liberalism’s enemies. Yet the United States was founded explicitly, England had its own principled revolution in 1688, and the Locke (or Lockean) principles that thrived in welcoming Anglo-American traditions or practices are not identical with those traditions. The meaning and benefits of equal rights, religious toleration, voluntary action, liberated acquisitiveness, and limited government all needed to be rationally explained, justified, and defended, even in welcoming situations.

Indeed, relativism or irrationalism arises not only from an extreme reaction to reason’s disappointed hopes but from eschewing reason in favor of guidance from race, nation, tribe, or other identities. From Nietzsche on, in fact, relativism is defended by some thinkers themselves. Liberal democracy deserves (and its founders present) an intellectual defense that can bring out what is true in it, even if this is not the whole truth about human affairs. Espada offers little defense of liberty itself, or even of the liberal way of life, beyond its moderation and the growth in economic and other information it might provide. He writes thoughtfully about the possibility of truth in the absence of comprehensive certainty, but he reaches no firm conclusion.

We should also point out that liberal democracies do not rely completely on already-friendly soil. They also produce resources with which to

buttress their traditions, and favor practices that are conducive to them. Among these are virtues of character such as responsibility, tolerance, and industriousness that citizens need in order to live successfully in liberal democracies, and the attraction of friends and family that reasserts itself even amidst liberalism's geographic dispersal. In this regard, restless American individualism buttresses free government somewhat differently from the mixture of tradition, respect for authority, limited government, and "inner contentment with life which explains the Englishman's profoundest wish, to be left alone, and his willingness to leave others to their own devices."

It is not clear why the basic goals of liberal democracy could not be approached within several "traditions" were these virtues and natural charms to assert themselves, within limited, accountable institutions. Liberal principles must be asserted and defended—natural rights examined as true guides not arbitrary ones—if one is to see why we should protect them, and how, when their traditional soil seems increasingly barren.

One virtue of Espada's wariness of rationalistic schemes is his distrust of experts and his keen sense of the current gap between ruling elites and many of the people they purport to help. This view informs his discussion of the European Union. Here we should remind ourselves that "experts" do not understand better than their clients the ends they serve, that much specialization is false, and that legalistic or pseudo-philosophic expertise in "just" distribution and "correct" behavior is often mere political imposition.

We cannot take freedom for granted today—anywhere. Liberalism cannot rely on practices, traditions, or dispositions alone, but also requires reasonable, convincing argument. Still, João Espada is correct to point to the importance of liberal traditions, and to the importance of the writers and statesmen who defended them. This thoughtful book will be valuable for all lovers of liberty. ♦

BCA

Mother, May I?

How government encroaches on natural rights and privileges. BY DEVORAH GOLDMAN

In the early 2000s, a widow named Sandy Meadows was demoted from her job in a supermarket floral department because of a Louisiana requirement that she possess a state florist's license. In 2001, Abigail Burroughs, a young woman with cancer, died after repeatedly requesting—and being denied—the opportunity to try a new treatment under review at, and later approved by, the FDA. Martin Luther King wrote his *Letter from a Birmingham Jail* after being arrested for "parading without a permit."

The Permission Society is full of such frustrating, at times devastating, stories about government callousness, ineptitude, and cynicism. But wherein, exactly, lies the problem? There are two forces at work in Timothy Sandefur's answer: He presents a well-documented and persuasive case against ineffective regulation from unaccountable bureaucracies, absurdly restrictive licensing requirements, and other damaging laws. He also seeks to tie valid criticisms of such policies—based on their annoying-to-tragic outcomes—to the idea that they undermine or violate the Constitution. This argument mirrors an ongoing debate, mainly on the right, over the correct interpretation of originalism: Should justices seek to protect our "natural rights" or simply interpret the Constitution as a legal statute like any other?

Sandefur claims that the "Constitution promises more" than what he refers to as a permit system, or "permission society." He rejects the notion that citizens should be required to request permission for any number of things: to try a new medicine, build on one's property,

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The Permission Society

How the Ruling Class Turns Our Freedoms into Privileges and What We Can Do About It

by Timothy Sandefur

Encounter, 296 pp., \$25.99



Timothy Sandefur

or work in the field of one's choosing. A compelling claim, but one which raises the question of how, exactly, the Constitution makes such a promise, and what that promise entails.

Sandefur seems to conflate two arguments: that the permit system is bad policy, and that any laws or regulations that could be construed as permit systems ought to be overturned by courts. (The latter argument is more implied than argued outright.) Similarly, he appears to combine a philosophical opposition to permit systems—arguing that they infringe on natural liberty—with the idea that permit laws almost always yield tangibly negative results.

The book effectively highlights insidious problems with any number of overly restrictive laws or regulations. But while Sandefur makes the fair, albeit broad, argument that many of these policies "[clash] with freedom,"

GAGE SKIDMORE

some of his prescriptions grant sweeping powers to the courts. And if courts have the final say on what rights, privileges, or permissions are or are not warranted, then citizens no longer have the same ability to debate them in the political sphere. This is not an expansion of freedom.

Sandefur also appears to equate permit requirements that are different in kind, such as those from federal and state governments. This doesn't quite work, for while all these policies may stifle innovation and lead to negative outcomes, they are not in the same constitutional category and shouldn't be viewed or dealt with in the same way.

When talking about the FDA, Sandefur's arguments operate well in each respect: The FDA's policies frequently have negative outcomes; it is a federal agency and clearly a federal concern; the "permissions" it requires might conflict with natural liberty; and there is merit to the argument that a number of its policies violate the Constitution. For example, Alfred Caronia, a sales representative for Orphan Medical, was convicted of a crime when he recommended an FDA-approved drug for uses other than those sanctioned by the FDA. Caronia's recommendation was commonplace; physicians do the same thing every day, as many drugs have multiple uses. Yet while Caronia's conviction was overturned on First Amendment grounds, the FDA continues to attempt to censor off-label drug promotion. Sandefur's reasoning that such policies are unconstitutional and ought to be overturned in federal courts is persuasive.

But other stories, while upsetting, are less compelling. The case of Sandy Meadows, the florist who was demoted for failing to obtain a proper florist's license, certainly seems ridiculous and unjust. There is no doubt that, as Sandefur argues, the law had "deleterious effects." But his disappointment that the Louisiana law was upheld by a federal trial judge seems misplaced: Bad state laws that are not unconstitutional should be identified as bad by the people affected, who can and should make their feelings known to their state representatives. ♦

BCA

A Man, A Plan

Wouldn't you really rather have a Tucker?

BY WALTER VATTER



Jeff Bridges as Preston Tucker in 'Tucker' (1988)

Of the 51 Tucker automobiles assembled and ineptly brought to market in 1948, 47 exist today. They're held in the protective clutches of museums and private collectors. The car that Preston Tucker originally planned to sell for \$1,000—dubbed the "Tin Goose" in its prototype stage—can nowadays command upwards of \$3 million at auction.

Preston Tucker and His Battle to Build the Car of Tomorrow describes the gregarious and ambitious Preston Tucker as part Svengali and part rainmaker. He could charm anyone, oversell anything, and win the trust of others, sometimes against their better judgment. He also had the confidence and ingenuity to bring to the consumer automobile industry a wholly new brand, based upon a distinctive exterior design along with various new features that Detroit

Preston Tucker and His Battle to Build the Car of Tomorrow

by Steve Lehto
Chicago Review, 272 pp., \$27.99

automakers had been slow to introduce on their own cars—among them disc brakes, automatic transmission, a roomier step-down interior, padded dashboards, independent suspension.

Tucker's timing was good. American automobile production ceased during World War II as assembly-line plants and metal supplies were taken over to build war vehicles and defense weapons. Once the war ended, the Big Three automakers (Chrysler, General Motors, Ford) were selling new cars that were, in truth, prewar models—some delivered in new colors, yet with the same engines and body designs. Americans wanted a new car, and Preston Tucker had the goods. So great was reaction to the first wave

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The real Preston Tucker (1947)

of publicity about the 1948 Tucker sedan that 150,000 people wrote to the manufacturer to ask how they could buy one.

In his foreword, Jay Leno, himself a tireless car collector, explains that

Tucker . . . promised to build not just any car, but a car that would be revolutionary and futuristic. It would be aerodynamic, rear-engine, and rear-wheel drive. It would have . . . new safety features, like a pop-out windshield and a safety cell a passenger could dive into in the event of a crash. It would have a headlight on each front fender and a cyclops light in the middle [of the front hood] that moved with the steering wheel. It would also have something Tucker called a hydraulic drive that would power the rear wheels using fluid instead of gears—but that never got beyond the experimental stage. And it would be affordable. It was exactly what America wanted to hear.

Unfortunately for Tucker and the talented designers and engineers he hired, the business side of his dream to build and sell a genuinely new automobile was beyond his capability. He managed financials and investors so poorly that rumors of fraud and malfeasance plagued him. The author has been wise to write a comparatively short account: As he describes Tucker's detractors in high places—the federal government, the Detroit

automotive establishment—and his fast dance to keep ahead of production snafus and SEC scrutiny, Steve Lehto introduces many then-important but now obscure names in the auto industry. To follow the machinations of these men in a dense narrative would have been tedious in the extreme—something this book is not.

An ardent family man and provider, Tucker wore a suit and expensive tie at all times, even on the assembly line. Endearing personality traits drew people to him. He was dynamic, with a flare for publicity, and always made good copy. Even his malapropisms—he might say that the Tucker “exhilarated” rather than accelerated, or refer to a “physical,” rather than fiscal, year—seduced most journalists.

He also had luck on his side: During a highspeed test run, the engine of a Tucker model failed—someone had filled the tank with aviation fuel rather than gasoline—causing the car to stall, spin off the track, and roll over three times. The car landed right side up, largely undamaged, and the driver walked away. And the safety windshield popped out, just as it was designed to do. A potential public-relations disaster turned into a positive story about safety features.

Preston Tucker's dream to become a major automaker died on May 28, 1948, the day he was informed by the

Securities and Exchange Commission that it was launching an investigation into his business:

Tucker traveled to the SEC headquarters with an attorney to see what the deficiencies were so he could correct them. Several commissioners indicated they could simply put them together in a letter and Tucker could amend his report. But while they were discussing the matter, SEC attorney James Goode entered the room and announced that a letter would not suffice. Goode said he wanted to subpoena the records at the factory and perform a full-blown public investigation into the company's operation. Tucker left not knowing which way the SEC was going to rule on the matter. Then came the announcement that an investigation was underway.

On June 3, agents descended on the Tucker Corporation's offices and asked to see books and records—with no explanation of what they were looking for or why. Tucker's attorney was assured the investigation would be confidential, but three days later, columnist Drew Pearson announced that the SEC was about to launch a major investigation into Tucker and his corporation. The next day, Tucker stock crashed and, overnight, investors lost \$10 million in value, an immense sum in 1948.

Throughout the turmoil, including Tucker's loss of credit and his inability to buy materials, factory workers continued to assemble cars with whatever parts were available, and finished cars drew rave reviews. But while Tucker was eventually exonerated by the SEC, his business was destroyed: He closed his plant for the long Thanksgiving weekend, and it never reopened.

Preston Tucker's first job in the automobile business was at Cadillac, in Detroit, where he worked as an office boy. To move through the office labyrinth faster and more efficiently, Tucker put on roller skates to make his rounds—and soon after he crashed into his boss as both were rounding a corner, he lost his job. Crashing just when things seem to be going well was the signature move of this flamboyant, charming, ingenious, but ultimately flawed entrepreneur. ♦

AP PHOTO

Superheroes at Bay

In the final analysis, the X-Men are only human.

BY JOHN PODHORETZ

The superhero movie *Logan* doesn't look, sound, or behave like any other superhero movie ever made. It's set around El Paso and the Mexican border town of Juarez, then in Oklahoma, and finally in North Dakota. It's dusty and gritty and mostly rural, entirely unlike the nine world-capital-hopping *X-Men* movies featuring Hugh Jackman's Logan (also known as Wolverine). No major city is destroyed or threatened here; the only urban scene is set at a casino in Oklahoma City. The planet is never in jeopardy, and the movie's climax doesn't involve the world's salvation.

Logan is old, tired, and slowly being poisoned from the inside by the indestructible metal that was inserted decades earlier into his once-indestructible body. Even more striking, his onetime mentor Charles Xavier (Patrick Stewart) is now an unshaven, intermittently senile nonagenarian whom Logan has hidden away in an abandoned smelting furnace in Mexico as Xavier rages against both Logan and the dying of the light.

They don't gleam the way they did in the previous *X-Men* movies. Jackman isn't backlit to make him look like an avenging angel, and Stewart isn't wearing a beautifully tailored suit and rolling around in a brushed aluminum wheelchair. Xavier looks like Walter Brennan and acts like Lear on the heath, while Logan drains bottles of bourbon and looks as if he'd rather be anywhere than here. Logan's life

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Logan
Directed by James Mangold



Patrick Stewart, Hugh Jackman

has shrunk to the sole duty of protecting Xavier for reasons we do not know until a heartbreaking scene two-thirds of the way through. Xavier feels ill-used and ill-treated and tells Logan that he is a great disappointment.

What's going on here? I'll tell you what's going on: James Mangold, who cowrote and directed *Logan*, had a genuinely inspired idea—to show us what life would be like for superheroes at the end of their time, when they are no longer impregnable, and when the forces of nature have caught up with them as they must with us all. And yet despite it all, they are still there, Wolverine and Dr. X, and though they may not have the strength that in old days moved earth and heaven, that which they are, they are.

Rather than borrowing from other superhero epics, Mangold and his cowriters Scott Frank and Michael Green take their cues from more unusual fare. Jonathan V. Last has referred to *Logan* as “Cormac McCarthy’s *No Country for Old X-Men*.” I’ll see that clever bit of rebranding, and raise with *Children of X-Men*, due to the clear influence of Alfonso Cuarón’s amazing 2006 dystopian film (itself a gloss on P.D. James’s 1992 novel).

The world of *Children of Men* is one in which no child has been born for 20 years. In *Logan*, no mutants of the Logan/Xavier sort have been seen on earth in a quarter-century. *Logan* is set in 2029, *Children of Men* in 2027, and in both films, social and scientific progress has come to a halt. The only signs of change are some scary driverless oil trucks and giant harvesting robots at an industrial farm. Just as Clive Owen’s character in *Children of Men* is tasked with protecting the first pregnant woman in a generation, Logan and Xavier are tasked with protecting a feral 12-year-old girl who is (we think) the first mutant in a generation.

When the superpowers of these characters manifest themselves, they do so in situations not entirely divorced from real life. And there is a savagery on display here that is unique to *Logan*. It follows last year’s *Deadpool* as an R-rated film saturated with violence, but *Deadpool* played it all for laughs. In *Logan* you get to see just how Wolverine uses his claws to kill, and it’s shocking in a manner more akin to Martin Scorsese showing us the brutality of gangster behavior in *Goodfellas* or Clint Eastwood doing the same in *Unforgiven*.

Patrick Stewart gives a valedictory performance in this movie that might earn him an Oscar if people are reminded of it 10 months from now. And Hugh Jackman sinks deeply into this part he’s played nine times before and finds new things to do every minute. He’s extraordinary, and *Logan* is just one hell of a good picture. ♦

"Americans have choices, and they've got to make a choice. So rather than getting that new iPhone that they just love and want to go spend hundreds of dollars on that, maybe they should invest in their own health care."

—Jason Chaffetz (R-Utah), March 7, 2017

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American Health Care Act adds phone plan

FRIENDLY ANSWERING SERVICE

Free Jitterbugs for the less fortunate

BY GRANT SCHMITT

After facing fierce criticism over remarks related to the American Health Care Act, Rep. Jason Chaffetz (R-Utah) worked to amend the legislation in order to include affordable cell phones. Chaffetz had previously said Americans had to choose between "getting that new iPhone" and "invest[ing] in their own health care."

"I meant no offense," said Chaffetz during a press conference with GOP congressional leaders. "But I heard an earful from my constituents and the message was loud and clear: Americans need both quality health care and phones. Can you hear me now?"

In the amended version of the AHCA, qualified applicants will be able to receive a free Jitterbug Flip phone, which includes the "5Star button" for emergencies,



Mitch McConnell shows reporters his new AHCA Jitterbug phone.

an easy-to-understand menu, and a voice-dial option in order to access contacts. "It should be noted, the phone needs to be turned on in order for it to work," said Chaffetz. Senate majority leader Mitch McConnell praised his colleague from Utah for finding a compromise solution and showed off his own Jitterbug Flip. "See here? It's got a flash. You can actually take pictures with this thing. But I'm still not sure where the roll of film goes."

The Democratic opposition, however, continued to balk at

the proposal. "This is a truly pathetic ploy by Republicans," insisted Senate minority leader Charles Schumer. (The New York Democrat did concede he liked the large number keypad). "If Republicans were serious about this legislation, they would have proposed something like a Life Alert giveaway," said Schumer, shortly before he stumbled down a flight of stairs. "Help!" said the senator. "I've fallen and I can't

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