

the weekly Standard

OCTOBER 2, 2017 • \$5.99



WHAT REALLY HAPPENED

NOEMIE EMERY
on Hillary Clinton's
self-exculpating new book

Carlin

Contents

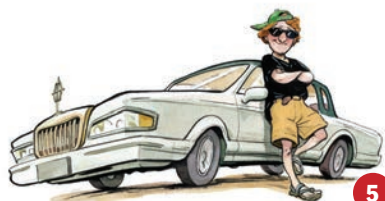
October 2, 2017 • Volume 23, Number 4



- 2 The Scrapbook *Renaming Dallas schools, gawking at North Korea, & more*
- 5 Casual *Grant Wishard's land yacht*
- 6 Editorials
The Surveillance We Need
An Empire for Liberty
Freeloaders
- THE EDITORS
BY THOMAS DONNELLY & WILLIAM KRISTOL
THE EDITORS



- 10 It's the Corporate Tax Rate, Stupid
A scorecard for the GOP bill BY TONY MECIA
- 12 The Art of Losing Gracefully
What Hillary could learn from Adlai BY PHILIP TERZIAN
- 14 The 702 Problem
It's hard to conduct surveillance without eavesdropping BY JENNA LIFHITS
- 16 The Untouchables
Federal spending will never be controlled without tackling entitlement programs BY JAY COST
- 18 Rewarding Rigor
U.S. News tweaks its college-ranking formula BY NAOMI SCHAEFER RILEY



Features

- 22 The Jobs Problem
The worker-training programs that work best are local, not federal BY ANDY SMARICK
- 26 Crisis Pregnancy Centers in Crisis
Attacks on them deform the First Amendment BY JOHN D. HAGEN JR.



Books & Arts

- 30 Why Hillary Failed
Her campaign memoir points fingers at everyone except the chief culprit BY NOEMIE EMERY
- 35 Courting Greatness
At last, a talented new generation of American women tennis players BY TOM PERROTTA
- 37 Writing the Future
Remembering Jerry Pournelle, 1933-2017 BY RAND SIMBERG
- 39 Measuring Up
Ben Stiller tackles the everyday tragedy of status anxiety BY JOHN PODHORETZ
- 40 Parody
Chelsea Manning's dystopia

COVER BY THOMAS FLUHARTY

A Genius, If You Can Keep Him

The Dallas Independent School District has plans to change up to 24 school names with connections to slavery or the Confederacy, according to the *Dallas Morning News*. The district has compiled a list of problematic names they've placed under review, a list that, expansive as it is, could be even more compendious.

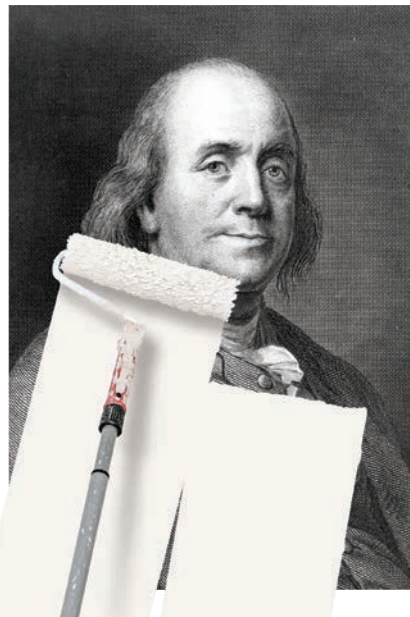
Four schools are slated for definite renaming, ones that bear the names of Confederate flag officers. No surprise there. And there are other figures on the list, such as Sam Houston and Alamo defender William B. Travis, who owned slaves. Fine.

But then things start to get a little more contentious. Up for review are schools named after politicians such as James Hogg, a Texas governor after Reconstruction, when civil rights weren't what they should have been. But if that's the standard, then Franklin Roosevelt High School in Dallas's Oak Cliff neighborhood needs a name-change, as FDR was happy to collect electoral votes from the Jim Crow South (and let's not even mention the internment of Japanese Americans during WWII).

Dallas officials may also want to change the name of Oliver Wendell

Holmes Middle School. Its namesake, after all, wrote the opinion of the 1927 Supreme Court case *Buck v. Bell*, which upheld forced sterilization for the mentally handicapped. In Holmes's words, "Three generations of imbeciles are enough."

Shockingly, there are as yet no plans to rechristen the César Chávez Learning Center in Old East Dallas. Shocking, given the anti-immigrant sentiments of César Chávez—he



referred to strike-breaking immigrants as "wetbacks." For shame.

Of course, W.H. Gaston Middle School is on the list of likely name-changes given that Gaston was a Confederate captain. But what about Samuel Clemens? He too took up arms for the Confederacy. Never mind that he deserted the militia after just two weeks of drills, clearly the Mark Twain Fundamental Vanguard school needs renaming (and not, we should note, just the "Mark Twain" part).

If these suggestions seem fanciful and overwrought, they are nothing compared to what the school district is actually worked up over: Benjamin Franklin is on their list of problematic names. Internationally renowned as the genius of his age, Franklin did briefly, and early in his life, own slaves. But he soon renounced the practice and became an active and outspoken abolitionist and preacher of racial equality. He petitioned Congress to end slavery, arguing that "equal liberty" is the "Birthright of of all men." If Franklin—president of the first abolition society in America—can't be admired, who can? ♦

Some Blight-Seeing

At the United Nations, President Trump warned North Korea that its *jefe* "Rocket Man is on a suicide mission for himself and for his regime." If need be, Trump said, the United States would "totally destroy North Korea." For its part, North Korea has said it would deliver "the greatest pain and suffering," promising "the world will witness how North Korea tames the U.S. gangsters."

Scary stuff, nuclear war and all that. But Chinese tourists seem unfazed. Thousands of them are visiting the China-North Korea border each month, hoping to catch a glimpse of

life inside the hermit kingdom. According to the *Guardian*, speed-boat drivers charge 70 yuan for a fast and furtive hour-long tour along the border, ripping past the supreme leader's rifle-toting guards. "Chinese tourists come to satisfy their curiosity," says one local guide, "they want to see how poor North Koreans are."

Crossing the border is illegal. Signs warn onlookers, "Cherish a good life. Abide by the border regulations." Chinese tourists run the risk, smartphones and selfie-sticks primed for a safari. Reactions range from compassionate to mocking. "They're quite backwards," one sightseer reported,



"they're not living in ideal conditions." You think?

Apparently, the boat pilot was less sensitive. "Look there! Just look at these North Korean private cars," he joked, pointing out a man on a bicycle.

Cruel, perhaps, but it shows there's

a market for touring what may be the unhappiest place on earth. Turning the hermit kingdom into a poverty theme park may be a way out for a dictatorship always on the brink. If the regime can just resist the urge to arrest and murder visitors—something of a challenge, it seems—Kim Jong-un may yet find cash from the morbidly curious an attractive addition to his current side-hustles selling drugs and weapons. ♦

Campus Cowardice

Middlebury College wants to prevent future violence of the sort visited on professor Allison Stanger by thugs trying to keep author Charles Murray from delivering a lecture. The ever-so-brave administrators' solution? Don't let anyone talk who might be the target of violence.

The school put out a document listing "Interim Procedures for Scheduling Events and Invited Speakers." In the midst of all the pedestrian details about reserving rooms, Middlebury announced that those scheduling events, including events involving speakers, will be required to submit a request to the school three weeks in advance. On those requests, organizers are obliged to alert Middlebury to any "security concerns." If there is a likelihood of violence, the school's "Threat Assessment and Management Team will conduct a risk assessment." In those "exceptional cases" where there is a "significant risk to the community," the administration will "determine measures to maximize safety and mitigate risk." If the risk can't be mitigated, the school's president and senior administration will "consider canceling the event."

In other words, as long as the thugs can make a credible threat that they will be thuggish, Middlebury will buckle under and give them what they want. This is supposed to be a strategy for reducing violence?

In related news, there's an update on the recent fiasco at Evergreen State College in Olympia, Washington. Students there, you'll remember, menaced biology professor Bret Weinstein



for objecting to a school diversity initiative that called on white people to leave campus for a day. He was bullied and threatened. The school's administration, rather than moving to discipline the students responsible, acted as though Weinstein was getting what he deserved.

Weinstein and his wife—also a professor at Evergreen—sued the school for \$3.85 million for creating a hostile work environment and failing to protect them. The school has settled with the Weinstens for \$500,000. Both professors have resigned.

Evergreen is finding out that craven pandering to the noisiest of discontents is no way to run an insti-

tution. The school was already struggling financially, starting the year with a \$2.1 million budget shortfall. Where the school is going to get half a million to pay the Weinstens is unclear. What is clear is that any college that's intellectually bankrupt deserves to be literally bankrupt as well. ♦

Dr. Dare Kill

A doctor of THE SCRAPBOOK's acquaintance was alarmed when he heard that the American College of Physicians was revisiting its official policy on physician-assisted suicide. Alarmed, because the ACP has traditionally been a staunch opponent of

having doctors prescribe death. Would the organization succumb to political pressure and try to find a way to accommodate those states that have been legalizing Kevorkianism?



of physician-assisted suicide. This practice is problematic given the nature of the patient-physician relationship, affects trust in that relationship as well as in the profession, and fundamentally alters the medical profession's role in society.

His fears proved to be unfounded. Last week the ACP issued an unambiguous position paper on "Ethics and the Legalization of Physician-Assisted Suicide." The authors allowed they are attentive to those "who speak of the desire to control when and how life will end," but remain firmly convinced by "the ethical arguments against legalizing physician-assisted suicide."

The American College of Physicians position paper concludes, "Society's goal should be to make dying less, not more, medical":

Physician-assisted suicide is neither a therapy nor a solution to difficult questions raised at the end of life. On the basis of substantive ethics, clinical practice, policy, and other concerns, the ACP does not support legalization

Doctors should be grateful for the ACP's unfashionable adherence to basic medical ethics and its resistance to a legal trend that may prove to handcuff physicians who don't want to be in the death business. Once physician-assisted suicide is widely legalized, those advocates who had pushed for legalization will turn their efforts to getting government to force any and every doctor to participate in suicides as a basic sort of care.

If doctors want to have a choice about whether to have a hand in killing patients who request death, they will need all the support they can get from morally serious organizations such as the ACP. ♦

What They Were Thinking



Donald Trump watches Frank Giaccio, 11, of Falls Church, Virginia, mow the Rose Garden lawn as he had volunteered to do in a letter to the president, September 15, 2017.

the weekly Standard

www.weeklystandard.com

Stephen F. Hayes, *Editor in Chief*
 Richard Starr, *Editor*
 Fred Barnes, Robert Messenger, *Executive Editors*
 Eric Felten, *Managing Editor*
 Christopher Caldwell, Andrew Ferguson, Lee Smith, Philip Terzian, *Senior Editors*
 Peter J. Boyer, *National Correspondent*
 Jonathan V. Last, *Digital Editor*
 Barton Swaim, *Opinion Editor*
 Adam Keiper, *Books & Arts Editor*
 Kelly Jane Torrance, *Deputy Managing Editor*
 Mark Hemingway, Matt Labash, John McCormack, Tony Mecia, Michael Warren, *Senior Writers*
 Jenna Liphits, Alice B. Lloyd, *Staff Writers*
 Rachael Larimore, *Online Managing Editor*
 Ethan Epstein, *Associate Editor*
 Chris Deaton, Jim Swift, *Deputy Online Editors*
 Hannah Yoest, *Assistant Books & Arts Editor*
 Priscilla M. Jensen, *Assistant Editor*
 Andrew Egger, *Reporter*
 Adam Rubenstein, Grant Wishard, *Editorial Assistants*
 Philip Chalk, *Design Director*
 Barbara Kytte, *Design Assistant*
Contributing Editors
 Claudia Anderson, Max Boot, Joseph Bottum, Tucker Carlson, Matthew Continetti, Jay Cost, Terry Eastland, Noemie Emery, Joseph Epstein, David Frum, David Gelernter, Reuel Marc Gerecht, Michael Goldfarb, Daniel Halper, Mary Katharine Ham, Brit Hume, Thomas Joscelyn, Frederick W. Kagan, Charles Krauthammer, Yuval Levin, Tod Lindberg, Micah Mattix, Victorino Matus, P.J. O'Rourke, John Podhoretz, Irwin M. Stelzer
 William Kristol, *Editor at Large*

MediaDC

Ryan McKibben, *Chairman*
 Stephen R. Sparks, *President & Chief Operating Officer*
 Jennifer Yingling, *Audience Development Officer*
 Kathy Schaffhauser, *Chief Financial Officer*
 David Lindsey, *Chief Digital Officer*
 Alex Rosenwald, *Director, Public Relations & Branding*
 Mark Walters, *Chief Revenue Officer*
 Nicholas H.B. Swezey, *Vice President, Advertising*
 T. Barry Davis, *Senior Director, Advertising*
 Jason Roberts, *Digital Director, Advertising*
 Paul Plawin, *National Account Director*
 Andrew Kaumeier, *Advertising Operations Manager*
 Brooke McIngvale, *Manager, Marketing Services*
Advertising inquiries: 202-293-4900
Subscriptions: 1-800-274-7293

The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, first week in July, and third week in August) at 1152 15th St., NW, Suite 200, Washington, DC 20005. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-274-7293. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$5.99. Back issues, \$5.99 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1152 15th Street, NW, Suite 200, Washington, DC 20005-4617. For a copy of The Weekly Standard Privacy Policy, visit www.weeklystandard.com or write to Customer Service, The Weekly Standard, 1152 15th St., NW, Suite 200, Washington, DC 20005. Copyright 2017, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.



DEATH: BIGSTOCK; MOWER: MIKE THEILER / AFP / GETTY

Easy Rider

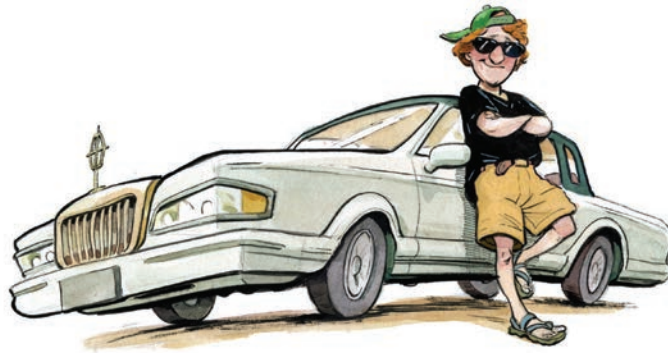
When my grandparents—proud, independent, Greatest Generation types—consented to move into a retirement community, they offered to give one of their cars to us grandkids. They didn't need and couldn't keep two cars, and they offered this vehicle free of charge. It was a lavish gesture, especially coming from my grandfather, a generous but fair man who draws up contracts detailing interest rates and payment plans when his grandkids ask to borrow money.

Which is how my parents, siblings, and I ended up staring open-mouthed at the 2006 Lincoln Town Car in the driveway, even as we politely smiled and profusely thanked our benefactors. We had expected their *other* car, the almost-sporty red Saturn Aura. Instead, we got the old-person car.

It's my family's instinct to fight for ownership, but nobody wanted the Lincoln. Whoever is in the driver's seat—more of a sofa, really—looks ridiculous and out of place, like Judge Judy in swimwear.

The Town Car once held the distinction of being the longest production car in the Western Hemisphere. So my father deserves some sympathy; he shouldn't have to drive Cleopatra's barge to work at peak-midlife-crisis age, while his peers are buying the fast cars they wanted when they were 18. My two youngest siblings are in the throes of awkward adolescence. Imagine being seen at school in a gold sedan the length of a strip mall. Then there's my sister, who just earned her license but was never trained to fly cargo. (You can see where this is heading.)

Surveys say the average Town Car owner is 67 years old. And indeed, everything about the Town Car is designed with the elderly driver in mind. Its rear-bumper parking sensors have probably saved more kids than the polio vaccine, and the extra set of peripheral headlights illuminate the road in a very wide arc as the vehicle is turning. It was the first sedan in the world to earn a five-star safety rating, meaning Grandma can drift from lane to lane with impunity, dreaming of Reagan and Sinatra.



But if they do those surveys again, they'll find the average owner's age is now being dragged down by this 22-year-old.

At first, I drove the Lincoln reluctantly, bitterly even. But last week, on a five-hour trip to Pennsylvania, I sensed a slight rumbling on the left side of the car. I ignored it for more than a mile before pulling over and realizing the tire was completely flat. I noted this with admiration. Like hospice care, the Town Car is committed to your comfort even when everything is breaking down. Sparks could have been flying off all four rims, and it would still have been the most comfortable car I've ever driven. In a hurry to beat Labor Day traffic, I set about changing the tire—something I'd never done before.

Looking in the glove box, I found

the owner's manual, a thick collection of books organized in an elite-looking black leather case. Primal man recognized a test of his prowess and buckled down for a fight. But the Lincoln explained things slowly, using plain American English and helpful illustrations. I needn't have worried. It was as if I had acquired a butler, discreetly whispering in my ear: "One must loosen the lug nuts before raising the jack, if I may be so bold, sir." Suppressing a feeling of gratitude, I was quickly back on the highway.

Hoping to make up for lost time, I put the pedal to the floor and . . . took flight. The Lincoln is surprisingly fast, with a 4.6-liter V8 engine under its mile-long hood. I turned this horsepower into a kind of game—first, affirm the stereotype by driving in the slow lane or leaving a turn-signal blinking, wait for some unsuspecting motorist behind you to try to pass, then burn rubber, and teach a little respect for the elderly. All this power is stowed under a blue-haired, Sunday-hat exterior that gives you a second chance with

highway police and irate drivers. I even rolled through a cash-only tollbooth without paying and never received a fine.

Lincoln discontinued the Town Car in 2011 and is currently in a panic to attract younger drivers to the brand. It took me a while to come around, but I really do love my Town Car and have come up with a slogan: Test-drive old age. Grandparents have the advantage of knowing exactly what they want—in this case, three ashtrays, middle seats for the grandkids, and wood paneling—current trends be damned. At 22, I'm far from sure what I want, but floating around in someone else's dream car is a good start. For now, it's what a luxury car should be.

GRANT WISHARD

The Surveillance We Need

During the George W. Bush presidency, Democrats were vehement and clamorous defenders of Americans' civil liberties. They inveighed against the National Security Agency's surveillance programs as though the agency were spying on ordinary Americans in their homes and generally behaving like the East German Stasi. In fact, the NSA conducted itself with remarkable caution and with a respect for constitutional liberties in the aftermath of the terrorist attacks on 9/11. But such were the civil libertarian sensibilities of liberal politicians when a Republican was president.

Those same Democrats went curiously quiet during the Obama years. In 2015, for instance, when Edward Snowden released documents showing that the Obama Justice Department had authorized the NSA to search domestic Internet communications without warrants, there were few denunciations among erstwhile civil libertarians of the left.

And when Bloomberg's Eli Lake discovered that Obama's national security adviser Susan Rice had requested the "unmasking" of Trump campaign officials in intelligence reports—she wanted to know the otherwise redacted identities of Americans referenced in raw intelligence reports—Democrats didn't care. They were certain that Trump and his associates were guilty of something. Curiously, the possibility that senior U.S. officials had abused the awesome surveillance powers of the government to spy on their political opponents didn't much interest them.

Democrats trusted the Obama administration and distrusted the Bush administration. What looked to them like an egregious transgression of American ideals in 2006 looked like no big deal a few years later.

All of this makes us dread the impending debate over an important foreign surveillance law. Section 702 of the FISA Amendments Act will expire at the end of this year unless Congress acts to reauthorize it. That cannot happen. The program is crucial.

Section 702 was a compromise hammered out in 2008 after nearly three years of argument over the Bush administration's monitoring of terror suspects located outside the United States if their communications involved someone on

American soil. When parts of the "Stellar Wind" surveillance program were exposed by the *New York Times* in 2005, Democrats and libertarians accused the administration of illegally "spying on Americans." The *Times's* headline screamed "Bush Lets U.S. Spy on Callers Without Courts." But the U.S. government had constitutional and statutory authority to eavesdrop on foreign terrorists without a warrant, even if they were speaking to someone inside the country. It's both legally and ethically unnecessary to force American intelligence officials to obtain a warrant from a



judge before they can monitor, say, the text messages of a terrorist in Kabul or Hamburg simply because that terrorist may be contacting a cobelligerent inside this country.

The FISA court vindicated this line of reasoning in a 2009 opinion, but by that time Congress had already reached a compromise and amended the Foreign Intelligence Surveillance Act accordingly with the Amendments Act. The compromise was needlessly protective of foreign terrorists. It was a result of the news media and Democrats insisting, with no evidence, that the Bush administration had collected phone records in an attempt to gather intelligence on Americans.

But the compromise of 2008 at least allows intelligence officials to do their jobs. Under its provisions, the U.S. government may monitor communications of foreigners outside the United States so long as the monitoring doesn't target Americans or anyone located in the United States. The law's strictures are thorough. The director of national intelligence and the attorney general must *both* authorize any surveillance. "Incidental collection"—the inevitable capturing of U.S. citizens' communications in the surveillance of foreign targets—is tightly regulated under 702: Officials may not, for

instance, “reverse target” a foreigner for the purpose of getting information on an American.

Restrictive though the law is, intelligence officials have made it work. For example, using 702 authority, NSA officials intercepted emails about making explosives between an al Qaeda operative in Pakistan and an unknown person in the United States. The NSA passed that information on to the FBI, which went to work and identified the unknown person as Najibullah Zazi, who was living in Denver. A 2014 government report recounts his capture:

The FBI then began intense monitoring of Zazi, including physical surveillance and obtaining legal authority to monitor his Internet activity. The Bureau was able to track Zazi as he left Colorado a few days later to drive to New York City, where he and a group of confederates were planning to detonate explosives on subway lines in Manhattan within the week. Once Zazi became aware that law enforcement was tracking him, he returned to Colorado, where he was arrested soon after. Further investigative work identified Zazi’s coconspirators and located bomb-making components related to the planned attack. Zazi and one of his confederates later pled guilty and cooperated with the government, while another confederate was convicted and sentenced to life imprisonment. Without the initial tip-off about Zazi and his plans, which came about by monitoring an overseas foreigner under Section 702, the subway-bombing plot might have succeeded.

This successful intelligence operation involved no spying on Americans. Using Section 702, intelligence officials discovered a terrorist cell on the verge of attacking an American city.

Congressional reauthorization of Section 702 seems likely, but as Jenna Liffh reports elsewhere in these pages, it won’t be a “clean” reauthorization. The law will be changed. Democrats appear to be largely supportive of reauthorization, perhaps owing to their newfound belief in the value of foreign surveillance, supposing as they do that the 2016 election went awry as a direct result of foreign operatives meddling in our election. Many Republicans support reauthorization, too. But they are spooked by reports that Obama administration officials abused the program for rank political ends late last year.

Some of these worries grow from a misunderstanding of the 702 program and its restrictions. Others are the result of irresponsible theorizing about the omnipresence of the “surveillance state.” But there are legitimate concerns, too.

Fox News reported last week that Samantha Power, Obama’s ambassador to the United Nations, requested more than 260 “unmaskings” in 2016. That seems an astonishingly high number. But it’s not clear that any of these requests were specifically aimed at Trump associates, and there are potentially valid reasons for Power to have made her requests. North Korea and Iran, for instance, both have delegations at the U.N. in New York and do not have a presence in Washington.

If there are valid responses to these concerns, intelligence officials have been slow to provide them to both congressional oversight committees and the public. Those officials’ reflexive secrecy may end up jeopardizing a program they themselves believe to be a vital tool in thwarting terror attacks. They are right. It is vital. They had better start making the case for it.

—The Editors

An Empire for Liberty

To many of those commenting on Donald Trump’s maiden address to the United Nations, especially if otherwise disturbed by the president’s character, his emphasis on state sovereignty was a welcome dose of diplomatic normalcy. For example, David Ignatius of the *Washington Post* found this theme reassuringly “conventional,” joking that Trump’s base might start to worry that he had been “kidnapped by the black-helicopter crowd.”

It was hard to miss Trump’s emphasis: He used the word “sovereignty” more than 20 times in the course of his speech. America’s international success, he argued, “depends on a coalition of strong and independent nations that embrace their sovereignty, to promote security, prosperity, and peace for themselves and for the world.” It was the duty, he said, of states to “respect the rights of every other sovereign nation.”

Alas, such intro-to-international-relations “realism” is not a very useful guide to politics and power, especially to American politics and power, and particularly if the goal is to guarantee a global liberal order. Since the end of World War II, the United States has more or less demanded that its allies—beginning with the resurrected Germany and Japan—renounce the principal measure of sovereignty, that is, national self-defense. Moreover, Americans have long subordinated the claims of sovereignty to the higher principle of legitimacy. Indeed, for Americans, while sovereignty of course matters, legitimacy trumps sovereignty.

Consider the position of the American Founders. They did not deny that George III was their legal sovereign. Instead, in an echo of their predecessors who deposed the Stuart monarchs in the 17th century, the revolutionary generation declared that their sovereign had “unkinged” himself by his failure to secure their natural political rights. Faced with a despotic sovereign, it was “the Right of the People to alter or abolish” even a longstanding, habitual, and otherwise profitable order and to “institute new

Government, laying its foundations” upon the principles of justice.

Indeed, from King George to Saddam Hussein, we have never been especially respectful of autocrats who stand on sovereignty. We have been cautious of their power but unwilling to grant them legitimacy on that basis alone. Conversely, as our own power has grown, we have based our assertions of power and interest first and foremost on their underlying justice.

This, in turn, has been a real source of American power, as any truly realistic appraisal of international politics should comprehend. On a fundamental level, countries like Japan and Germany can accept the loss of sovereignty—of being historically “abnormal” nations—not simply because they can be free riders on U.S. military might but because they believe their liberties will also be better protected. So a more principled strategy is also a more prudent and more effective strategy.

At best, an international system premised simply upon state sovereignty might look like post-Napoleonic Europe. Regional great powers—China, Russia, Iran in its dreams, the nations that today are most assertive of their sovereignty—might establish spheres of influence like the Holy Alliance of czars, kings, and emperors in the mid-19th century. For a time, they could coexist with a more liberal order elsewhere, occasionally partitioning Poland or meddling in the Middle East, but avoiding larger conflicts. Trade might well prosper, giving a gloss of international “interdependence” that would render war an irrational course.

But such a balance of liberal and illiberal powers would prove unstable. State sovereignty is both an expression of national honor and a sign of national fear and, absent a larger purpose to international life, a time-tested recipe for conflict, as historians since Thucydides have observed.

“Sovereignty” is also a term with an unhappy history here at home. Before Trump perhaps the most famous American politician to invoke “sovereignty” was Stephen A. Douglas, who preached “popular sovereignty” as a solution to the question of whether slavery should be permitted to spread westward into territories of the United States. The people of each territory should decide for themselves, argued Douglas, whether to adopt the “peculiar institution” of the South.

Standing in opposition was Abraham Lincoln, who held that an individual’s right to liberty preceded any collective right to sovereignty; this was at the heart of the Lincoln-Douglas debates. When Douglas accused Lincoln of saying that the people of Nebraska weren’t good enough to govern themselves, Lincoln replied, “What I do say is that no man is good enough to govern another man, *without that other’s consent*. I say this is the leading principle—the sheet anchor of American republicanism.”

Of course, there is a world of difference between matters foreign and domestic. But the limitations of “sovereignty” are evident in each sphere. There is not a different standard

for what we deem legitimate government for ourselves and legitimate for others. And while politics demands practical statesmanship and compromise, a worthy definition of justice can’t mean one thing in one place and something quite separate in another.

The antidote to an overemphasis on sovereignty is not, of course, Obama-style “globalism.” International law without a means of enforcement is vanity. In this regard, Trump’s critique of the United Nations was correctly harsh.

A better alternative—and the venerable American alternative—is what Thomas Jefferson and James Madison came to call, in their correspondence, an “empire for liberty.” By that they meant a traditional and calculating pursuit of power, but employed in and legitimated by the pursuit of human liberty. They and the Founders more generally had to implement the principles of the Declaration through the compromised practicalities of the Constitution. Jefferson, Madison, and their contemporaries, though men of the Enlightenment, were in no way Kantian utopians. But facing a Hobbesian world of absolute rulers, the Founders understood the “force multiplier” effect of liberty in helping their republican empire to survive, to thrive—and to grow.

That Donald Trump and the Washington establishment unite in exalting state sovereignty suggests how far we have strayed from our natural and desirable national course. For the celebration of sovereignty will not make America great again; it will instead make America less exceptional, no greater than any other state.

—Thomas Donnelly & William Kristol

Freeloaders

Stories about expensive presidential vacationing appeal to very few people outside reporters and political hacks. For all our belief in equality, we Americans will tolerate a touch of royalism in our presidents. Barack Obama’s travel may have cost taxpayers around \$10 million a year, and Donald Trump’s regular jaunts to Mar-a-Lago will cost more than that, but outrage over presidential sabbaticals will not be widespread. Nobody cared in 1981 when the *New York Times* reported that Reagan’s trips to Santa Barbara were costing hundreds of thousands of dollars a pop (that was a lot of money in those days), just as no one was impressed when Jimmy Carter pretended to carry his own luggage on the tarmac in 1976. Kings don’t carry their own bags and neither should presidents.

But what applies to presidents doesn’t apply to their subordinates. When George H.W. Bush’s chief of staff, John Sununu, was discovered to have used military jets

for ski and golfing getaways and to have traveled via government limousine to a stamp auction at Christie's in New York, the uproar was nationwide. He stepped down a few months later.

Two of President Trump's subordinates have just discovered this principle. Treasury Secretary Steve Mnuchin requested a military plane to fly him and his new wife, actress Louise Linton, on a European honeymoon. Treasury quickly withdrew the request but also suggested the reason for it was the need for secure communication during the secretary's travels. That excuse might have persuaded, if only Mnuchin and Linton hadn't just returned from a publicly funded trip to Kentucky, ostensibly to examine gold reserves at Fort Knox but seemingly timed to view the eclipse.

Of course, the use of a military jet was totally unnecessary, as proved by the department's quick discovery of an alternative. That Mnuchin is a former hedge-fund manager and can presumably afford his own travel only makes his explanations more painful.

Now we discover that another cabinet member, Secretary of Health and Human Services Tom Price, has been taking chartered flights at taxpayers' expense. It's not obvious why Price needed chartered flights to locations easily accessible via Amtrak or commercial airline (Phila-

delphia; Portsmouth, N.H.; and Waterville, Maine). The agency's explanations are expressed in the empty argot of crisis-management verbosity: "As part of the HHS mission to enhance and protect the health and well-being of the American people, Secretary Price travels on occasion outside Washington to meet face to face with the American people," etc., etc.

What we do know is that as a congressman, which he was for 12 years, Price inveighed repeatedly against government waste—on one occasion high-mindedly grouching about a congressional attempt to buy planes for the transport of public officials. He can expect his complaints to be replayed again and again in the weeks ahead.

The prerequisites of public office are a temptation at all times. Mnuchin and Price are far, far from the only Washington politicians to spend public money less carefully than they spend their own. But they work for a president who won office in part by accusing the nation's governing elite of behaving as though public resources belonged to themselves. "For too long," he said in his first address as president, "a small group in our nation's capital has reaped the rewards of government while the people have borne the cost." The people can be forgiven for thinking that some members of that group now have cabinet posts.

—The Editors

Small, Midsize Businesses Hold Key to Growth

THOMAS J. DONOHUE

PRESIDENT AND CEO
U.S. CHAMBER OF COMMERCE

The U.S. economy grew at a rate of 3% last quarter, the fastest pace in more than two years and a welcome sign of momentum following a sluggish recovery. What do we need to do to ensure this progress continues? For one thing, we need to listen to America's small and midsize business leaders. These economic playmakers often get drowned out in our modern political discourse, but the U.S. Chamber of Commerce is working to make sure their voices are heard—because our country depends on them.

We'll never kick our economy into high gear if we don't understand the concerns and goals of the business leaders who are on the ground working to expand their companies every day. In debates over tax reform, health care, regulations, and more, input from these Americans holds the key to boosting the entire country.

After all, two-thirds of new private sector jobs come from our 30 million small and midsize businesses. When we respond appropriately to their frustrations, we end up helping our workers and communities too.

The Chamber conducts surveys of small and midsize businesses every quarter, and we use the results to keep our government in tune with our economy. We also host events such as our recent National Small Business Summit in Washington, D.C., and our Small Business Series of events across the country. Our priority with these is to listen and then amplify what we hear.

In the case of our most recent surveys, about 60% of small business leaders in the second-quarter had a positive outlook for their companies and the environment in which they operate. Our third-quarter survey of midmarket business owners, released last week, was slightly less encouraging. These leaders are still optimistic, yet their outlook had

dimmed from the previous quarter, partly due to a lack of progress on policy reform in Washington.

These business leaders are eager to hold government accountable. At our recent Small Business Summit, for example, we gave attendees the opportunity to engage directly with members of Congress—and the response was overwhelming. About 200 business owners stormed Capitol Hill to talk tax reform and other issues.

With the third-quarter ending this Saturday, we'll soon get another official reading on America's economic performance. The Chamber hopes to see continued momentum with another strong quarter. But regardless of the result, it is clear that small and midsize businesses are ready for real action on vital issues like tax reform and infrastructure. Government leaders would do well to listen up—and get moving.



Learn more at
uschamber.com/abovethefold.

It's the Corporate Tax Rate, Stupid

A scorecard for the GOP bill. BY TONY MECIA

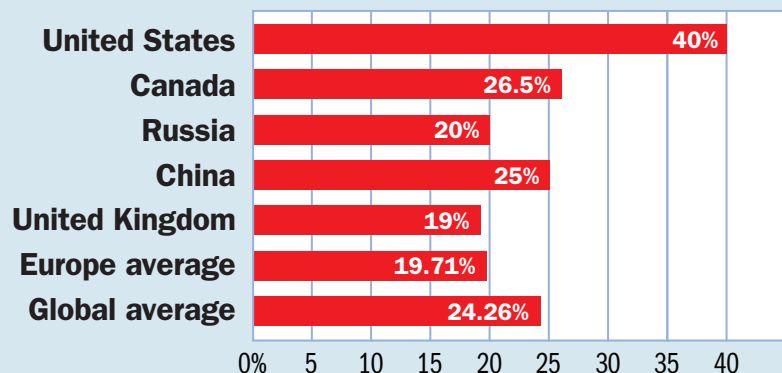
As they devise a strategy to place a tax bill on President Trump's desk, Republicans in Congress are grappling with thorny issues: What can pass the Senate? How much should they add to the deficit? How will tax changes play with voters in 2018?

to tax policy in more than 30 years.

Discussion so far has centered on who would benefit from the numerous policy changes on the table, including repealing the estate tax, eliminating the alternative minimum tax, and slashing the capital gains tax. Would the changes—*gasp*—make the rich richer?

Sky High

Highest statutory rates of federal, state, and local taxes on corporations, 2017



SOURCE: KPMG

These are delicate political calculations, but there's a simpler and better yardstick for measuring their efforts to rework the broken U.S. tax code: What will help the economy the most? That obvious question tends to get lost amid Washington's daily political knife fights.

During the week of September 25, the White House and congressional Republicans are scheduled to release details of their tax plan, the result of months of closed-door negotiations. This could produce the first major legislative victory of the Trump presidency and the biggest change

The purpose of tax reform isn't to ignite or temper class warfare but to spur the economy. The revenue models that we'll hear plenty about in the coming weeks are little more than educated guesses based on many different and competing factors. If you talk to economists, though, what's clear is that of all the possible tax-policy choices facing lawmakers, the one with the biggest potential economic pop is cutting tax rates on business income.

"If the goal is to increase economic growth—and I think I'm in a group of a majority of economists—then changing the corporate tax rate would be the most beneficial," says Michael Walden, an economist at North Carolina State University. "If you look at

the studies, and there have certainly been scores of them over decades about what elements of the tax code increase economic growth the most, it's the corporate tax rate."

The federal government taxes corporations at a rate of 35 percent of their income. Add an average of 5 percent for state taxes, and the typical U.S. corporation pays 40 percent in taxes. Because of loopholes and deductions, the actual percentage is often less, of course, but the statutory figure is more than any other country except the United Arab Emirates, according to a survey by tax consultancy KPMG. The Scandinavian nations, long considered models of humane socialism, have corporate tax rates that average 22 percent.

The economic rationale for lowering the corporate tax rate is straightforward: Cut taxes and companies have more money to pay workers, return to shareholders, and invest—all of which have rapid economic benefits.

The Trump administration has proposed lowering the federal rate to 15 percent. Even with the upsides to the economy from such a cut, federal revenues would be expected to decline. House speaker Paul Ryan said this month that it would be "hard" to cut the rate so much. Trump "obviously wants to push this as low as possible," Ryan told the *New York Times*. "I completely support doing that but at the end of the day we've got to make these numbers work. Our goal is to be at or below the industrialized world average—and that's 22.5 [percent]. So our goal is to get in the mid to low 20s. And we think that's an achievable goal."

Not all companies pay taxes using the corporate rate. Many small-business owners pay their taxes on the individual form, which has a top rate of 39.6 percent. Trump has proposed lowering that rate to 35 percent, and lowering and condensing the other rates as well. Treasury Secretary Steven Mnuchin has suggested letting more of these "pass-through businesses" pay at 15 percent, the same as the proposed rate for corporations.

Walden thinks reducing those rates would result in economic benefits, too.

Tony Mecia is a senior writer at THE WEEKLY STANDARD.

THE WEEKLY STANDARD

“Simple logic says that if you increase the benefit from working and earning, you’ll get more working and earning,” the economist says.

Mark Vitner, senior economist at Wells Fargo, says it’s beyond time to update the tax code to reflect the global economy. Since the last major reform, in 1986, Washington has made piecemeal tax changes, which have distorted incentives for companies, and Vitner thinks the code should be more efficient and logical. But, “The number one thing would be to reduce the corporate rate,” he says. “It’s important to reduce the corporate rate and the individual rate so we have fair treatment for large and small businesses. That, more than anything else, will help the vast majority of businesses.”

The tax debate is playing out against a backdrop of a stable economy. Unemployment is near a 16-year low, growth is steady, and the stock market continues to hit record highs. Those successes remove some of the urgency of passing tax reform. If the numbers were worse, Republicans could pitch the proposals as a financial rescue plan, as President Obama did with the \$800 billion stimulus package of spending and tax incentives in 2009. Trump has faster economic growth as a top goal. He has said he’d like to see annual growth of at least 3 percent, which would be about double the rate in the Obama years. Tax policy could play a big role in getting there.

Interestingly, while the bipartisan 1986 tax reform under the Reagan administration was widely praised for simplifying the tax code, many economists believe it did little for growth. Designed to be revenue-neutral, it lowered corporate and individual rates and closed loopholes, including some that increased taxes on investments. The Tax Foundation found in a later study that the tax package actually reduced gross domestic product by 0.2 percent. The part of the 1986 reform that resulted in the largest GDP growth was slicing the corporate tax from 46 percent to 34 percent, the study found, but that growth was offset by removing deductions and credits. In contrast, the 1981 tax bill

signed by Reagan, consisting mostly of big cuts on individual rates, led much more directly to economic growth.

Some of the economy’s recent gains are due to the expectation of policy changes in Washington. Since Trump’s election, business owners have been more optimistic about the economy—largely due to the tax cuts and decreased federal regulation in the offing. In December 2016, a month after the election, the National Fed-

The federal government taxes corporations at a rate of 35 percent of their income. Add an average of 5 percent for state taxes, and the typical U.S. corporation pays 40 percent in taxes. Because of loopholes and deductions, the actual percentage is often less, of course, but the statutory figure is more than any other country except the United Arab Emirates. The Scandinavian nations, long considered models of humane socialism, have corporate tax rates that average 22 percent.

eration of Independent Business’s Small Business Optimism Index shot up 10 points to its highest level since 2004. In 2017, the organization’s surveys show small businesses have increased their spending on equipment and modestly stepped up hiring, both signs of optimism.

Bill Dunkelberg, chief economist for the NFIB, thinks this is all because of the “change in the management team” in Washington. “One that was just a crazy regulatory team was changed to one much more interested in growth and cutting the tax and regulatory burden,” he says. Small businesses “didn’t know what Trump was going to do with taxes, but they

figured whatever he did was better than what they have been dealing with in the last 10 years.”

If he had to name one change that would help the economy, “what stands out for our members would stand out for everybody, and that would be tax rates,” Dunkelberg says. “Tax rates would be the big, big deal.”

There are plenty of other tax measures, big and small, that could help the economy, from changing the tax rules on depreciation of equipment to an ultra-low tax holiday that would encourage multinational firms to bring foreign profits back to the United States. Even if Congress adopts some of those policies, its effort could still feel small compared with revolutionary reform ideas floated in presidential campaigns of years gone by—like Steve Forbes’s flat tax (1996), Mike Huckabee’s fair tax (2008), and Herman Cain’s 9-9-9 plan (2012).

That’s where financial reform bumps into political reality. Republicans lack the Senate votes for sweeping tax change, just as they have lacked them for repealing Obamacare. Even the White House is sensitive to Democratic charges that its tax reforms will benefit “the wealthy.” The *Washington Post* reported on September 19 that Republicans were considering backing off of repealing the estate tax, a longtime GOP goal, in order to underline the tax package’s appeal to the middle class.

What seems likely to emerge is a plan that carefully balances the economic and the political: Cut tax rates on corporate and individual taxes as much as deficit hawks will allow. Offset some of the hit to federal revenue by limiting certain deductions. Highlight the appeal to the middle class. Argue that the hit to the federal fisc is less than Democrats and congressional budget gnomes project. And proclaim the whole package “the most sweeping tax reform in more than 30 years.”

The reality is more likely a rate cut with window dressing. If that leaves longtime Republican tax talking points unaddressed, it will still answer the most crucial question by boosting the U.S. economy. ♦

The Art of Losing Gracefully

What Hillary could learn from Adlai.

BY PHILIP TERZIAN

One day, when he was running for the Democratic nomination for president in 1976, Jimmy Carter was asked what he thought about Hubert Humphrey. In fairness to Carter, it should be remembered that Humphrey—the former vice president and 1968 Democratic candidate—was lurking in the background that year, awaiting the summons if Carter’s campaign should falter. So Carter, the first self-professed “born-again Christian” to run for the White House, fixed his trademark grin and quoted a favorite aphorism: “Show me a good loser, and I’ll show you a loser.”

I mention this not as a reflection on Jimmy Carter but as a basic truth about politics at the presidential level: All successful candidates—even most unsuccessful candidates—have some percentage of ice in their bloodstreams. We expect them to be intensely driven, ambitious, self-centered, even ruthless individuals; they could not possibly endure the marathon task of running for president if it were otherwise. But defeat and disappointment are revealing in their way. In every contest for the White House there is a winner and loser, and while losers always run the risk of settling into oblivion, history tends to be kind to the good losers. And whatever it means to be a “good loser,” Hillary Clinton seems

Philip Terzian is a senior editor at THE WEEKLY STANDARD.

resolutely determined not to be one.

I should also mention that, while I have not read her campaign memoir and probably never will, like most Americans I have been cognizant of Hillary Rodham Clinton for the past quarter-century or more, and I did wade through her State Department



Adlai Stevenson, right, with son Borden after conceding to President Eisenhower, November 7, 1956

memoir, *Hard Choices* (2014). Now, the near-universal judgment seems to be that *What Happened* is vintage HRC: resolutely self-referential, defensive, vindictive, and alarmingly tone-deaf. The consensus among conservative reviewers is that it reveals (unintentionally, of course) why she lost the election to Donald Trump. Democrats have been lamenting her failure to exit gracefully, stage left.

Nor have her anguished friends been much help. A series of admiring press and television interviews has given her a platform to amplify her worst retrospective instincts. The other weekend the *New York Times*

featured the transcript of a three-way, three-page, fulsomely illustrated chat—“over late afternoon snacks of charred shishito peppers, crispy brussels sprouts and cheese . . . at the Lambs Club restaurant in Manhattan”—with interviewer Philip Galanes and actress America Ferrera, TV’s “Ugly Betty.” The conversation veered predictably between worshipful deference to Mrs. Clinton and angry reflections on the American electorate.

On the one hand, it is possible to feel some tremors of compassion for Hillary Clinton, winner of the 2016 popular vote. She and her husband Bill have been plotting their extraordinary political careers very nearly since the moment they met at Yale Law School in the early 1970s. To have worked so long and so hard over the decades, to have endured an unprecedented series of public triumphs and setbacks, and then to have fumbled the ultimate prize to the unlikeliest of adversaries would be enough to send anyone to the Chardonay cabinet.

On the other hand, there are inconvenient truths about Hillary Clinton that shouldn’t go unmentioned, including her status as a pioneering woman. Yes, she was the first major-party female presidential nominee in American history, but she was hardly the first woman to run for president. Moreover, while no

one would deny her brains and dogged determination, how well would Americans know her—would they know her at all—if she hadn’t been married to her spouse? Margaret Thatcher did not become the first female British prime minister because of her husband Denis; nor, for that matter, was John O’Connor responsible for his wife Sandra Day O’Connor’s historic elevation to the Supreme Court. Hillary Clinton had not “stayed home, baked cookies, and had teas”—in her famously defiant words from 1992—but her stature owed a considerable debt to being Mrs. Bill Clinton.

Indeed, the woman who stepped

BETTMANN / GETTY

aside in 1999 to allow the first lady from Arkansas to run for the Senate in New York the following year—Rep. Nita Lowey—might well have become the first female presidential nominee. Yet Congresswoman Lowey, so far as I am aware, has had little to say publicly about her thwarted ambition. She is a good loser, in that respect. So was Henry Clay, the founder of the Whig party, arguably the most influential American statesman of his era and his fellow Kentuckian Abraham Lincoln’s political hero. Clay ran for president on five separate occasions, was the Whig nominee in three contests—and lost every time. Clay wept in his wife’s arms at the final defeat, but kept his own counsel on the vagaries of ambition.

In modern times, the unsuccessful Democratic candidate Adlai Stevenson (1952, 1956) is another instructive comparison. Stevenson’s reputation as an eloquent orator and droll scholar in politics—“Eggheads of the world, unite! You have nothing to lose but your yolks”—was partly an invention of admirers and speechwriters. But he did use humor to effortless effect. And his public reflections on the pain of political failure were invariably self-deprecating, expressed not in petulant, but genteel, terms. No doubt, Stevenson believed that he was a more suitable White House occupant than his two-time opponent, Dwight D. Eisenhower. But he was equally aware that his chances of success in those elections were nonexistent—an occasion, for him, not to rage at injustice and list, in churlish detail, the excuses for his loss, but to accept reality, rebuild his party, and inspire a rising generation of public servants.

Like Hillary Clinton, Stevenson was from Illinois. She was an infant when he was elected governor in 1948, and only 5 years old when he first ran for president. As the daughter of a staunchly Republican household, the future Goldwater Girl was unlikely to have heard much praise for Adlai Stevenson. But grace under pressure, like unselfishness, knows no partisan bounds—and, in defeat, can be something like redemption. ♦

The 702 Problem

It’s hard to conduct surveillance without eavesdropping. BY JENNA LIFHITS

Unmasking. Leaks. Wiretaps. The mounting surveillance scandals of 2017 are suddenly threatening one of the most effective intelligence-gathering programs in U.S. history.

For months, administration officials have been publicly pressing lawmakers to reauthorize Title VII of the FISA Amendments Act of 2008, which expires in December. Their efforts are focused on Section 702, which permits the surveillance of foreigners abroad who are likely to communicate intelligence information. Director of National Intelligence Dan Coats described 702 as the “crown jewels” of the intelligence community during his February confirmation hearings.

“If we were to lose 702’s authorities, we would be significantly degraded in our ability to provide timely warning and insight as to what terrorist actors, nation-states, criminal elements are doing,” National Security Agency director Mike Rogers told senators in May. “I would highlight much—not all—much of what was in the intelligence community’s assessment, for example, on the Russian efforts against the U.S. election process in 2016 was informed by knowledge we gained through 702 authority.”

“A clean reauthorization of FISA Section 702 does not have the votes to pass in the House,” says House Judiciary chairman Bob Goodlatte. “The House Judiciary Committee is working hard to achieve consensus to reform and reauthorize Section 702, consulting all interested parties including the White House, national security agencies, and privacy advocates.”

A majority of GOP lawmakers supported renewal in 2012. But they’ve

been spooked by recent controversies, from the leaks about Michael Flynn’s conversations with a Russian diplomat to allegations that Barack Obama ordered the wiretapping of Trump Tower. Combined with the concerns of privacy-minded lawmakers on both sides of the aisle, these fresh controversies are making a straight reauthorization of the program less likely.

“I want to renew the program,” says Senator Lindsey Graham, “but I don’t want to renew a program that can be used by political people to gather political intelligence, not national security intelligence.”

At the core of all these debates is a lack of trust, says Alex Abdo, a former ACLU lawyer who is a senior staff attorney at the Knight First Amendment Institute. “Support for reform has grown stronger with the realization that we need limitations and rules in place designed to constrain government officials whose motives we do not trust. Many who were willing to give President Obama a free pass on surveillance now see the folly in entrusting such enormous authority to the good graces of the executive.”

April Doss, a former NSA lawyer, argues that it was precisely this lack of trust that required the restrictions on surveillance written into the law. “Just because a locksmith can open everyone’s doors doesn’t mean that he is,” Doss said in March. (She has since begun working on the Senate Intelligence Committee’s Russia probe.) “You don’t just trust the locksmith and take his word for it that he’s not actually out there, creeping from house to house and car to car and surreptitiously opening people’s doors. You do want to be able to have some way to make sure he isn’t actually doing that. But that’s what we build into statutes like FISA and Section 702.”

Jenna Lifhitis is a staff writer at THE WEEKLY STANDARD.

The February firing of Trump's first national security adviser, Michael Flynn, rekindled long-running surveillance arguments. Flynn's pre-inaugural contacts with the Russian ambassador to the United States had been captured by American intelligence and subsequently exposed in the press. This leak of highly classified information was illegal.

It is unlikely that Flynn's communications were intercepted using 702, since the Russian ambassador spends a large chunk of his time in America—Section 702 does not authorize surveillance on U.S. soil. But to Republicans worried about potential privacy invasions and surveillance abuses, this may be a distinction without a difference.

The issue flared back up in March, when House Intelligence Committee chairman Devin Nunes suggested that the identities of Trump transition officials had been improperly revealed to Obama officials, in a process known as “unmasking.” If Americans' communications are included in intelligence reports, their identities are usually redacted, or “masked.” Administration officials can request that names be “unmasked” when they believe an identity is key to understanding the information in the report. Nunes further charged that details about transition officials “with little or no apparent foreign intelligence value” had been included in intelligence reports. This information, he said, had been swept up via “incidental collection,” which can occur when a foreign target communicates with a non-targeted individual. Incidental collection is an unavoidable result of intelligence gathering and drives civil libertarians' complaints about “warrantless” surveillance.

Nunes has forged ahead with his investigation and subpoenaed intelligence agencies in late May for details about any unmasking requests made by Obama officials, including former national security adviser Susan Rice. “If we find that there's violations of 702, which is part of this investigation, and we find that there was leaking of those U.S. individuals' identities for political purposes, that

is going to be exposed,” says Florida congressman Tom Rooney, a member of the intelligence committee. “It's also going to really hurt our chances of reauthorizing 702.”

“We're not going to reauthorize these surveillance programs if the American people aren't satisfied that their security will be safeguarded,” South Carolina representative Trey Gowdy said in an interview with Fox News in May. “Leaks are one issue. The unmasking within the intelligence community, that is a privilege to be able to request that a U.S. person's name be unmasked.”



Richard Burr, left, with Dan Coats before testimony in the Senate on Section 702 reauthorization, June 7

Republicans in the Senate, though, are rallying behind a bill that would make Title VII of the FISA Amendments Act, including Section 702, permanent.

“Our enemies and the threats to our country don't sunset, so I don't think this critical legislation should sunset either,” says Arkansas senator Tom Cotton, who introduced the bill. “I believe that we'll have a strong majority in the Senate to once again reauthorize 702, and hopefully permanently this time.”

The controversies influencing the 702 debate in the House seem to be having little effect on the Senate. “There's some mythology surrounding that,” says Majority Whip John Cornyn, a leading proponent of 702 renewal. “I'm more than happy to listen to good-faith concerns that would

strengthen oversight. But I'm not for doing anything that would undermine the efficacy of the program.”

Still, asked about the chances for a “clean” 702 reauthorization, Senate Republicans recognized that Washington is on shifting sands. “I don't know what to expect anymore,” says Oklahoma senator James Lankford, a co-sponsor of Cotton's bill.

Intelligence committee chairman Richard Burr, another co-sponsor of Cotton's legislation, says that a clean reauthorization “depends on how you define *clean*.” When pressed, he responded: “There will be changes.”

Senate Democrats are suspicious of Cotton's bill. Making 702 permanent, they argue, would detract from Congress's unique oversight role. “Any reauthorization should include a sunset provision, and without it, it will not have my support,” Dianne Feinstein, the top Democrat on the Senate Judiciary Committee, said at a June hearing. “Society changes,” she went on. “The world changes. Technology and communications change, and a sunset allows us to review and revise such as may be necessary due to technology changes, as well as other changes, that happen at such a rapid pace.”

Beyond the recent controversies linger longstanding concerns about government surveillance programs. Key details of the 702 program were revealed by the *New York Times* in 2013 in the wake of the leaks by former NSA contractor Edward Snowden. His disclosures triggered demands for privacy protections and government transparency that continue to inform this year's reauthorization debate.

One proposed reform centers on closing the “backdoor search loophole”—intelligence agencies' ability to query 702-collected data using terms like an American's email address or social media handle. Privacy advocates have been especially concerned by the FBI's access to 702-acquired information during criminal investigations, arguing that a warrant should be required to perform searches using such terms. National security officials counter that adding a warrant requirement would hamper the government's

ability to “connect the dots” between intelligence-gathering and criminal investigations. The FBI only receives a small subset of 702 information, they point out, and any use of such data in a criminal case requires the specific approval of the attorney general.

Another major reform concerns “about” collection—the gathering of communications that merely mention a specific target rather than being directly to or from a target. After discovering and self-reporting a number of related compliance incidents, the NSA announced an end to “about” collection in April. NSA analysts had inadvertently searched a chunk of intelligence using U.S. person identifiers. Civil libertarians want “about” collection banned because it sweeps up wholly domestic communications.

“The government hasn’t forsaken the authority,” says Alex Abdo. “On the contrary, it has made clear it ended it only for technical reasons, not for legal ones, and so it may one day soon ask the FISA court to reinstate that authority, making a permanent codification of its end critical.”

But the biggest concern for the growing number of Republican skeptics involves the potential abuse of “unmasking” privileges by executive branch officials. Tom Rooney said the intelligence panel is considering reforms that would subject the unmasking process to more oversight, requiring even cabinet members to list reasons for unmasking in detail. These additional requirements, he suggested, could also be introduced as a stand-alone bill rather than being amended to the FISA reauthorization.

“One of the things that we’re looking at specifically with some of these witnesses who are cabinet-level people is how come when you wanted somebody unmasked, there was very little reason given?” Rooney says. “One of the changes you may see is that you have to be much more specific.”

The Florida Republican says that he is “50-50” as to whether 702 will be reauthorized, but predicted that with reforms, the chances for reauthorization would improve. ♦

The Untouchables

Federal spending will never be controlled without tackling entitlement programs. BY JAY COST

President Donald Trump’s new willingness to deal with Democratic leaders of Congress has conservatives worried. Is the president really with us anymore? Is he going to help his fellow partisans in Congress hold the line of spending, or is he going to become a Rockefeller-style Republican, cutting bipartisan deals and spending federal tax dollars on his way to reelection?

Unfortunately, President Trump signaled his lack of interest in conservative fiscal policy long ago—when, during last year’s presidential nominating campaign, he prom-

ised not to reform our entitlement system, especially Medicare. For in truth, bringing federal spending back to sustainable levels requires politicians to do precisely that, and Trump has categorically sworn off doing so.

Fights in Congress about spending cover a very tiny swath of federal obligations. The overwhelming majority of the federal budget is spent automatically, through entitlements. Social Security makes up about 24 percent of federal spending; Medicare accounts for 15 percent; Obamacare, Medicaid, and other health programs make up another 11 percent; various safety net programs, like unemployment insurance and food stamps, account for 10 percent; benefits for veterans and retirees make up about 8 percent. In the realm of discretionary spending, defense accounts for about 16 percent—and conservatives in Congress want to increase, not decrease, spending there. When interest on the debt (another

6 percent) is accounted for, that leaves about 10 percent of the total budget for Congress to fight over. That tiny fraction is usually what the two sides are squabbling over—and even then their disagreements, a couple of hundred billion dollars, are trivial when compared with the \$4 trillion Uncle Sam will spend this year.

Social Security is still more expensive than Medicare, but not for long. According to the Congressional Budget Office, Medicare cost 3.7 percent of gross domestic product in 2017, but over the next 25 years, it will

balloon to 7 percent of GDP, making it the single most expensive federal program. Meanwhile, revenues taken in by the Medicare program (through taxes on wages) will not keep up—the result being an explosion in public debt.

Trump’s solution to this problem? Smoke and mirrors. During the campaign, he talked about eliminating “waste, fraud, and abuse,” as well as promoting economic growth to increase revenue. But this will not be sufficient. The unfortunate truth is that the program needs to be not so much cut as reformed.

When Medicare was passed in 1965, it was premised on several assumptions that no longer hold. First, life expectancy has increased markedly. People who turned 65 in 1970 could expect to live another 15 years, but those who turn 65 this year can expect about 21 more years. That creates a greater burden on the program responsible for their care.

Second, the cost of medical care has increased dramatically. The Consumer



Democrat Charles Schumer chats with Trump, September 6.

Jay Cost is a contributing editor to THE WEEKLY STANDARD.

ALEX WONG / GETTY

Price Index for all goods and services has increased by roughly 650 percent since 1970, but for medical care it has grown by 1,450 percent. Not only are people living longer, their care is becoming more expensive—relative to the cost of other things in society. Relatedly, the lines between different types of care have grown more complex. Medicare originally divided itself between Part A, hospital service, and Part B, doctor care. But that kind of clean dichotomy makes little sense in this age of integrated care.

Third, the balance between those who are eligible for Medicare and those who are paying into the system has changed. In 1970, the over-65 cohort was a little less than 10 percent of the total population, while today it is more than 15 percent. Meanwhile, the percentage of the working-age population that is employed hit a peak of 65 percent in 2000 but has since tapered off. Even though the Great Recession has been over for nearly a decade, workforce participation now stands at just 60 percent—about where it stood in 1980. This means fewer people are paying into the system to fund the growing number who are receiving benefits from it.

Fourth, the economic condition of the elderly has improved dramatically. In 1965, seniors were the least well-off cohort; now they are the most prosperous. This stands to reason. People born in 1900, who had just reached retirement age when Medicare was passed, lived through two world wars and a major economic depression—all of which hampered their prospects for upward mobility. On the other hand, those born in 1952, who reached retirement age this year, hit their peak earning years in the '80s and '90s, amidst unprecedented prosperity.

And yet for all these changes, Medicare has remained basically static. It has been tweaked over the years, no doubt. The government has imposed some cost containment measures on a program that was initially laissez faire in how it remunerated medical service providers. Moreover, Medicare Advantage offers seniors a chance to get care through HMO-style providers, while

Medicare Part D provides coverage for prescription drugs. But the program is remarkably similar to the one created in 1965.

It is desperately in need of reform—of some kind. There are various ideas on the table. Paul Ryan, for instance, has long campaigned to transform it from a defined benefit program (whereby the government guarantees seniors certain treatments) to a defined contribution plan (in which the government provides seniors with a certain amount of money). Liberals staunchly oppose this, but there are other directions we could go in: We might limit eligibility to the needy and require wealthier seniors to pay their own way; raise the eligibility age; change the financing structure of the system to better reflect the reality of 21st-century America; or take a firmer hand in structuring payments to providers.

These are all hard choices, with no easy answers. Somebody is going to end up paying more or receiving less—for the current trajectory of the Medicare program is unsustainable.

In the meantime, quibbling over the small portion of the budget that makes up domestic discretionary spending—money for transportation, the arts and sciences, education, and so on—only diverts public attention from the bigger problem of Medicare.

Unfortunately, neither party is prepared to deal with this issue. Credit is certainly owed to Ryan for calling attention to it, but last year GOP voters supported Trump and his pie-in-the-sky pledge to sustain Medicare with mere tweaks. Indeed, the Republican coalition is not disposed to deal with Medicare, seeing as how it depends so heavily on middle-aged and elderly voters who would bear the brunt of any benefit cuts.

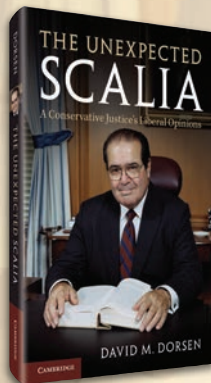
Meanwhile, the Democrats—whose younger coalition stands the most to gain from reforms—are deluding their voters into thinking the program is just fine. In fact, Democratic aspirants for the presidency are lining up to endorse Bernie Sanders's plan to expand Medicare to all Americans.

And many voters operate under the

CAMBRIDGE

A CONSERVATIVE JUSTICE'S LIBERAL OPINIONS

David M. Dorsen, close friend to Antonin Scalia, provides a unique glimpse at the liberal side of one of the most important, outspoken and controversial Justices of the last century.



"This book could well prove to be the definitive review of Justice Scalia's vast body of work."

Fourth Circuit Judge J. Harvie Wilkinson III, author of *Cosmic Constitutional Theory*

"An excellent book whose unique approach sheds new light on the thinking of the most important Justice who has sat on the Supreme Court in decades."

Judge Stephen F. Williams of the D.C. Circuit

OUT NOW IN HARDBACK | \$29.99

For more information, visit
Cambridge.org/Scalia

CAMBRIDGE
UNIVERSITY PRESS

false impression that they have paid for all the benefits they receive. That is simply not true. The wage taxes only cover benefits under Medicare Part A, and on net seniors can expect to take out much more than they put in.

While it no doubt is engrossing, any fight over spending that ignores entitlements is little more than pantomime. It is not a real conflict over

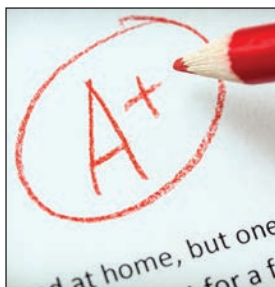
the proper scope of government in modern society. Such a debate would require the political class to deal with Medicare—which, despite a few admirable exceptions, neither side is prepared to do. By signaling his willingness to work with spendthrift Democrats, President Trump is simply reaffirming his lack of interest in budgetary reform. ♦

Rewarding Rigor

U.S. News tweaks its college-ranking formula.

BY NAOMI SCHAEFER RILEY

How bad is grade inflation in the humanities? So bad that when *U.S. News & World Report* issued its annual college rankings last week, it gave more credit to schools for graduating students in math and the hard sciences than it did in other disciplines. According to the publication's press release: "U.S. News made a slight change in the methodology for National Universities to better predict graduation rates. In determining whether



A few too many of these

a school is graduating students at the expected level, U.S. News incorporated the proportion of degrees awarded in the science, technology, engineering and math fields. This was done to better reflect research showing that students in STEM fields generally graduate at lower rates compared with those in other majors."

What does this mean? *U.S. News* determines the quality (and rank) of a school not simply using its actual graduation rate but its expected graduation

rate. This is calculated based on a variety of factors, including what type of school it is and who its students are—whether the school is public or private, how many students receive Pell grants, and their average SAT scores. This is

not entirely unreasonable. It may sound a bit like the "soft bigotry of low expectations," but it's also true that consumers want to know the value added when they are deciding on a school. Sure, there are elite schools that graduate almost all their students, but if the kids are

mostly coming from upper-class families and attended high-quality suburban high schools, the high graduation rate seems a little less impressive.

This slight change has already had big implications for the rankings. According to Robert Morse, chief statistician at *U.S. News*, it is "one reason why MIT moved to tie at No. 5 with Columbia and Stanford and why additional schools like California Institute of Technology, Virginia Tech, and Colorado School of Mines also improved in the 2018 rankings." He adds, "It's important to note that outcomes measures—graduation rate, graduation rate performance, and freshman retention rates—are the most heavily

weighted factors in our methodology at 30 percent. We strongly encourage prospective students and their families to pay close attention to graduation and retention rates because these indicate whether a school is financially and academically supporting its students through graduation."

By rejiggering the rankings formula in this way, Morse and his colleagues emphasize the importance of these factors to their readers. *U.S. News* is giving schools more credit for graduating STEM majors than for graduating people in the humanities or social sciences because, well, it's harder to successfully get students through a STEM curriculum than to teach them sociology and English literature—at least as these latter majors are currently formulated.

This fact is obvious to anyone who has gone to college in the past 40 years. According to a 2016 study by Stuart Rojstaczer, a former Duke University professor, and Christopher Healy, a Furman University professor, GPAs at four-year schools are rising at the rate of 0.1 points per decade and have been doing so for 30 years. A's are the most common grade awarded. In fact, they are three times more common than they were in 1960. Frederick Hess of the American Enterprise Institute notes that the most popular explanation of this trend is the Vietnam war. Professors started to give higher grades so that students wouldn't fail and be drafted.

But this trend did not affect all disciplines in the same way. According to a 2010 paper that Rojstaczer and Healy wrote for *Teachers College Record*, "Nationally for all colleges and universities, science departments grade on average roughly 0.4 lower on a 4.0 scale than humanities departments and 0.2 lower than social science departments."

Why is there such a significant gap? Hess notes that grade inflation is simply easier to accomplish "in courses that are built around subjective measures like essays and class participation. In courses where the bulk of grades are right and wrong answers the curve is unforgiving." But he also thinks it has something to do with the "ideology of the faculty." Humanities and social

Naomi Schaefer Riley, a senior fellow at the Independent Women's Forum, is the author of The New Trail of Tears: How Washington Is Destroying American Indians.

science professors are more likely to be liberal and think “about power differentials.” “One of the arguments against giving low grades is it makes inequities bigger.” In the humanities, in other words, more professors are bleeding hearts.

But this disparity in grading has had unintended consequences—most importantly that students are less inclined to major in STEM fields once they realize how tough the grading can be. A 2013 paper by Ralph Stinebrickner and Todd R. Stinebrickner from the National Bureau of Economic Research found that “students enter school quite optimistic/interested about obtaining a science degree, but that relatively few students end up graduating with a science degree.” While the authors note, “The substantial overoptimism about completing a degree in science can be attributed largely to students beginning school with misperceptions about their ability to perform well academically in science,” the truth may not be that they are unqualified. Rather they have learned that they will have to work much harder to get the same grade than they would in the humanities.

This is not simply a question of laziness. Colleges are sending students a message: Your work in the humanities and social sciences will pay off while your work in the hard sciences does not appear to do so. Or at least not to the same extent.

Not only do these perverse incentives discourage people from going into the fields where they are most likely to find well-paying jobs (and not incidentally the fields where they are most likely to learn something substantive). It also has a disparate impact. A study last year from the Georgetown Center on Education and the Workforce found that black students are less likely to pursue lucrative majors than their white peers: “African Americans account for only 8 percent of general engineering majors, 7 percent of mathematics majors, and only 5 percent of computer engineering majors.” Meanwhile, they are overrepresented in lower-paying fields like “human services and community organization (20%) and social work (19%).”

Some experts have suggested that this is in part the result of the “mismatch” problem created by universities through affirmative action—that is, admitting minority students who are less academically prepared than their white peers and then steering them into easier majors so they will be able to remain enrolled. The other factor here is clearly the vast difference between grading in the humanities and social sciences and grading in the hard sciences.

If we want students who are from lower-income households or those from groups that have been historically oppressed to go into better-paying professions (and break free from the intergenerational poverty trap that we hear so much about), maybe we should give them a fighting chance. Right now, these kids would be foolish to choose a low GPA in chemistry (and risk failing) when they know they could earn all As and Bs in women’s studies.

How much does it matter that *U.S. News* has changed its formula? In the 30 years since the magazine began publishing its annual rankings, there is no doubt it has completely altered the field of college admissions. The fact that *U.S. News* calculated a selectivity rate, for instance, encouraged schools to get more students to apply (even if they weren’t really qualified) so that schools could claim they were being more selective and admitting only a tiny percentage of applicants. Many students these days apply to more than a dozen schools; a couple of decades ago it might have been only three or four. You can blame *U.S. News* for that.

This new weight placed on STEM graduation rates looks like a fairly small correction. But Elizabeth Akers, coauthor of a book called *Game of Loans: The Rhetoric and Reality of Student Debt*, notes: “Historically, schools would have wanted to push students away from STEM to keep up their graduation rates. Now, schools have no incentive to move kids away from low grad rate majors because they aren’t ‘dinged’ for it in the rankings.” Let’s hope consumers of higher education (not to mention its producers) take notice. ♦

“...formidable
villains,
plentiful
action
and
suspense.”
- Kirkus Reviews



**Anti-terror
International
THRILLER!**

A vicious attack at a Jewish day school horrifies Los Angeles. The Joint Terrorism Task Force turns to veteran agent Lara Edmond and her Israeli-Mossad partner Uri Levin. Their mission is to eliminate the gang of brutal perpetrators.

**Amazon.com
Kindle.com
BN.com and
www.JackWinnick.com**

The Jobs Problem

Apprenticeships are the talk of Washington—with calls for a big federal push. But it's local solutions that are putting people to work.

BY ANDY SMARICK

We're suffering a period of remarkably low labor-force participation. The national unemployment rate was only 4.4 percent in August, but just 62.9 percent of the U.S. population is working or looking for work. Ten years ago, before the recession, the number was 65.8 percent. There are around 7 million prime-age men disengaged from work right now. Women's labor-force participation has dropped, too. The Bureau of Labor Statistics recently reported that just 56.7 percent of U.S. women were working or looking for work in 2015, down from 60.0 percent in 1999.

What's anomalous is that, according to federal data released in August, there are 6.2 million open jobs in the United States. How can so many people be out of work while so many jobs are available? Part of the explanation is the "skills gap," the mismatch between what employers need and what the out-of-work possess. In June, the Business Roundtable reported half of its members were having difficulty finding applicants with "employability skills" like math, the ability to read technical manuals, and complex problem-solving. Similarly, the July survey of the National Federation for Independent Businesses found that 35 percent of its members were unable to fill openings—the highest rate since 2001.

There is a debate about the skills gap. Economist Paul Krugman calls it a "myth" invented to "blame workers for their own plight." More modest antagonists make a case that the skills gap is limited to specific industries (especially

information technology); that level wage rates show that employers aren't really trying to fill positions (wages would be rising if there were a tight market for employees); and that business groups have incentives to overstate the problem (e.g., to justify off-shoring).

Wharton School professor Peter Cappelli, a skeptic, has written that employers just need better hiring practices and more on-the-job training. James Bessen, an

economist at the Boston University School of Law, though, believes the skills gap is more difficult to solve. In an article in the *Harvard Business Review*, he discussed the disruption of computers in numerous industries over the last two decades: "new technologies frequently require specific new skills that schools don't teach," he wrote, "and that labor markets don't supply." Despite the different interpretations of the jobs problem among economists, there is a consensus that a combination of factors—too many people out of work, jobs moving abroad, automation, new types of jobs emerging, retiring baby boomers—makes it essential that the nation take seriously career-focused education.



A 1937 WPA poster touts training opportunities.

SUBSIDIARITY IN ACTION

The federal government has intervened in similar situations in the past. Several major New Deal programs, including the Civilian Conservation Corps (which explicitly focused on young, out-of-work men) and the Works Progress Administration, had job-training components. There were a number of federal job-training initiatives during the Kennedy and Johnson administrations, such as Job Corps. The 1962 Manpower Development and Training Act (MDTA) sounds especially relevant today. According to the Department of Labor's historical office, the MDTA was designed to train "workers unemployed because of automation and technological

Andy Smarick is Morgridge fellow in education studies at the American Enterprise Institute.

change.” President Kennedy lauded the law for educating those “denied employment because they do not possess the skills required by our constantly changing economy.” In 1973, Richard Nixon signed the Comprehensive Employment and Training Act (CETA) into law, saying it would “help individuals adjust productively to changing economic conditions.” CETA was then replaced by the Job Training Partnership Act of 1982, aimed by the Reagan administration at helping the young and unskilled enter the workforce.

An energetic federal approach can seem particularly enticing at this moment given that the tangled roots of our predicament—there are arguments that opioids, video games, immigration, Americans’ unwillingness to relocate, the abuse of disability programs, and a lack of entrepreneurialism all contribute to our work problems—seem to call for comprehensive intervention. The “Better Deal” pitch to voters unveiled by Senate Democrats in July, for instance, promised to create jobs through infrastructure spending and new trade policies and offered workers benefits such as paid family leave and a higher minimum wage. It also included workforce-education initiatives like doubling federal spending on apprenticeships; tax credits for businesses that provide education programs that meet federal criteria; and federally supported “partnerships” among employers, training providers, and education institutions. Senator Bernie Sanders has separately proposed \$5.5 billion in federal funds for new job-training programs, and he and other Democrats back free tuition at public colleges.

Nor is it just Democrats eager to act. This summer, Republican senator Susan Collins joined Democratic colleague Maria Cantwell to introduce the Apprenticeship and Jobs Training Act to provide federal tax credits to employers. Collins said it would “better align the needs of our nation’s employers with potential employees” and “bridge that skills gap.” Donald Trump is another fan of vocational training. On the campaign trail, he promised “to start it up big league.” At an April event, the president said, “Vocational education is the way of the future” and “vocational schools are going to be a big factor in the Trump administration.” In June, he declared “Workforce Development Week” and issued an executive order directing his administration to expand federal support for apprenticeship programs.

Yet if the previous federal forays into education and training demonstrate anything, it is the risks associated with empowering Uncle Sam. Nixon believed CETA would tidy up the federal government’s sprawling approach to training and pass authority to the states. His signing statement hailed the law for “putting an end to the patchwork system” of programs and cutting “federal strings.” “State and local governments,” he promised, “will be the decision

makers.” But in 1981, reporting on the Reagan administration’s reform plans, the *New York Times* noted CETA’s “public service employment” provisions had directed most of the funding to “create federally subsidized jobs . . . that grew in wild spurts.” This had “led to scandal and abuse, mostly by municipal governments using CETA funds to pay their regular workers.”

George W. Bush intended his No Child Left Behind (NCLB) legislation to create a national framework for school accountability while leaving key decisions about standards, school ratings, and improvement strategies up to states and districts. “We believe strongly the best path to education reform is to trust the local people,” he said signing the law in 2002. But in 2015 Congress was compelled to dramatically scale back the federal role in schools via the Every Student Succeeds Act (ESSA) after protests that NCLB had warped public education’s approach to instruction and testing. Even well-intentioned federal education interventions distort local activity in unfortunate ways.

LOCAL ISSUES, LOCAL SOLUTIONS

Another reason to reject the federalizing tendency is that the contemporary job-training challenge is screaming for nimble solutions. Jobs demand varies widely by place. In a recent study of state workforces, Rachael Stephens, a senior policy analyst at the National Governors Association, found that Washington, D.C., and Missouri had an oversupply of construction engineers and lower-level construction workers, respectively, while Connecticut needed carpenters and Utah needed electricians and masons. LinkedIn’s June workforce report showed Austin had a shortage of accounting and finance skills while Atlanta needed mechanical and aerospace engineering.

An August report from Burning Glass Technologies, a firm specializing in job-market analysis, found that manufacturers are advertising more openings for software developers in Maryland and Virginia while those in Indiana and Wisconsin need production workers. Burning Glass further suggests that while many future jobs will require the skills currently existing in our workforce, they will require them in new combinations. The challenge is helping a displaced worker acquire the specific skills demanded by a specific job market. This requires knowledge of local labor demand and an agile ecosystem of training providers. Jobs will change over time, and they will change in different ways in different regions. Bulky federal programs seldom have the responsiveness and flexibility to meet varied demand. Indeed, a 2011 Government Accountability Office report found that nine federal agencies were then administering 47 training programs, nearly all of which were required to track multiple national outcomes.

But the most important reason not to pursue a

centralized approach is that state and local governments and civil society are already hard at work on the problem. As Brookings Institution labor economist Harry Holzer noted in 2013, “At the state and local levels, new workforce initiatives have been developed in the past decade that are mostly independent of federal programs or funding.” According to the National Governors Association, these systems serve more than 22 million job seekers each year. It is estimated that employers spend close to \$600 billion annually on formal and informal training.

In the last three years, every state has made some change to vocational-education policy. And it’s happening in many different areas: 43 states changed policies on industry-education collaboration; 37 changed rules related to high school students’ earning postsecondary credentials and credits; and 32 changed how vocational training (aka “career-and-technical education,” or CTE) programs are governed.

There are numerous examples of innovation. Non-profits are using state charter school laws to create CTE high schools, like San Diego’s High Tech High. New Jersey’s county-based technical high schools operate outside of the traditional school-district structure and collaborate productively with local employers. Five of the top 10 high schools in New Jersey, according to the 2017 rankings in *U.S. News & World Report*, are county-based technical schools. For-profit education providers like Coursera and Strayer University are teaming with employers to offer job-specific training. Purdue University acquired Kaplan University, a large online provider, so it could better meet the education needs of non-traditional students. “Boot camps,” like those run by the education company General Assembly, provide bursts of tech training to help workers acquire desirable skills—typically without any federal aid. Lake Area Technical Institute in South Dakota has created tight partnerships with local business leading to higher employment rates and earnings for graduates.

Many of these efforts are designed to help individuals land “middle skills” jobs, those requiring more than a high school diploma but less than a bachelor’s degree (e.g., a certificate or an AA degree). A July report out of Georgetown University’s Center on Education and the Workforce found the United States has 30 million good jobs, averaging \$55,000 in salary, that do not require a college degree but only some type of postsecondary training—jobs spanning manufacturing, health care, finance, and beyond. This is a quicker, less-expensive track at a time when there is growing public doubt about the value of a college degree.

A recent PPRI/*The Atlantic* survey found 54 percent of the white working class believe a college education is a “gamble that may not pay off in the end.” The August *WSJ/NBC* survey reported 60 percent of poor or

working-class voters view a four-year college degree as “not worth it.” A June report by Gallup and the Strada Education Network found those who completed a vocational, trade, or technical program were more positive about their education decisions than those with a bachelor’s degree. The annual survey by PDK, a professional association for U.S. educators, found 86 percent of Americans want high schools to offer career-related courses leading to professional certificates or licenses, and 51 percent want high schools to offer more job-skills classes (only 4 percent want fewer).

PUSHING POWER DOWNWARD

The federal government can help local initiatives. The major federal education law, the Every Student Succeeds Act of 2015 that replaced No Child Left Behind, offers some lessons. It loosened rules and let states experiment with new accountability systems. This freedom helped foster fresh thinking about vocational training. Under ESSA, states have to submit plans for how they will use federal dollars and comply with the law. An analysis by Education Strategy Group and Advance CTE found that of the 17 states to submit plans to Washington this spring, 11 are proposing approaches that link high school studies to careers—giving students credit for earning an industry-recognized credential, for example, or for passing the military’s entrance exam.

Decentralization can equally help empower individuals. Funding could be handed directly to those seeking training, and the tax code can be tweaked to encourage employers to support employees’ continuing education. Equally workers should be able to take federal student-aid dollars to a wider array of providers (such as a boot camp that teaches coding or a community-based group offering re-skilling courses) instead of relying on the traditional higher-education institutions. As higher-education scholars Andrew Kelly and Kevin James noted in a recent report on innovation in higher education for the American Enterprise Institute, “Well-intentioned federal policies designed to limit fraud often serve as key obstacles that discourage innovation in post-secondary education.” In 2016, the Department of Education launched a pilot program—the Educational Quality Through Innovative Partnerships, or EQUIP—to enable some nontraditional providers to participate in federal-funding programs. Study.com, an online university, for example, has partnered with New Jersey’s Thomas Edison State University to create a self-paced, primarily online correspondence program for business administration and liberal studies, and the Dallas County Community College District is working with StraighterLine, an alternative course provider, to offer associate-degree programs.

While ESSA scaled back much of NCLB, there remain vestiges of the old law that limit flexibility. States would have more room to experiment on career training if NCLB's rules on standards, tests, and charter schools had never been created. Similarly, we wouldn't need to struggle to relax eligibility criteria for federal student aid programs were today's rules on accreditation and program requirements not in place. The 2014 Workforce Innovation and Opportunity Act (WIOA) attempted to decentralize authority, but there are still remnants of federal intrusiveness—the mandatory state and local plans to be filed with Washington, the rules related to consolidating service delivery through the nationwide system of “one-stop” centers, and the uniform performance metrics.

The federal government casts a long shadow when it insinuates itself into education policy. At a June hearing, the chairman of the House subcommittee on higher education and workforce development, Brett Guthrie, noted how the WIOA “streamlined the confusing maze of workforce development programs,” and the Congressional Research Service wrote that it was “enacted to bring about increased coordination and alignment.” Forty years earlier, Nixon believed the exact same thing of CETA.

THE APPRENTICESHIPS VOGUE

We should be similarly skeptical of Washington's current fascination with apprenticeships. Popular in many countries, apprenticeships are long-term training programs enabling individuals to earn an income while learning a trade. Some view them as the ultimate bridge from school to career. Issuing his apprenticeships executive order in June, President Trump said he wants them offered in every high school: “Apprenticeships are going to be a big, big factor in our country.”

But apprenticeships are expensive and slow to take effect. It's not clear that they should be prioritized above boot camps, community college, or other nimbler approaches to our present problem. But it is clear that a big Washington program would hog resources and create a host of ossifying federal rules. As if on cue, research from the economists Eric Hanushek, Guido Schwerdt, Ludger Woessmann, and Lei Zhang on “General Education, Vocational Education, and Labor-Market Outcomes

over the Lifecycle” raised a red flag. Studying 11 nations with sizable vocational education systems—including Denmark, Germany, and Switzerland, which prioritize apprenticeships—they found vocational education can increase workers' labor outcomes in the short-term but diminish their long-term prospects as the skills they acquired become obsolete. A more general academic education is the better investment, they argue. A big federal bet on a single approach to CTE might seem attractive in the moment but prove a bust down the line.

Will Washington make a big federal job-training push?

It's hard to tell. On the one hand, President Trump has never been a disciple of localism. Whether declaring “I alone” at the GOP convention or promoting a \$1 trillion federal infrastructure program, he seems to covet strong central initiatives. And the last time a GOP president had a GOP-controlled Congress, two distressing domestic problems (the “achievement gap” and seniors without prescription coverage) were met with big federal initiatives (No Child

Left Behind and Medicare expansion). Trump's antagonism toward congressional Republicans, support for a federal family-leave policy, and the recent debt-ceiling deal with Democrats make it unwise to assume he'd only pursue conservative reform.

On the other hand, Trump's budget proposed cuts to federal job-training programs, and this summer the House's education committee followed ESSA's and WIOA's decentralizing approach when passing a reauthorization of the Carl D. Perkins Career and Technical Education Act, a law providing federal support to CTE programs. The bill garnered strong bipartisan support even though it would limit the powers of the Department of Education and give more authority and flexibility to states and local governments. So maybe grand federal activity isn't in the offing.

We're in an era of deep frustration with Beltway cronyism, elites, and administrative-state bossiness, not to mention swirling social and economic change and federal budget deficits. Handing power to state and local governments, individuals, employers, and an array of civil society entities is the right course of action for our career-education challenge. It might even be the playbook for a host of other domestic policy challenges. ♦



The way it used to work: apprentice mechanics in Brooklyn

Crisis Pregnancy Centers in Crisis

Attacks on them deform the First Amendment

BY JOHN D. HAGEN JR.

Minneapolis

In a crisis pregnancy center in the heart of the Twin Cities in Minnesota, a counselor receives an online message. The sender says that she's pregnant and scared and that she has no one to talk to. She has an appointment scheduled at an abortion clinic that very day. After a brief exchange with the counselor, she agrees to visit the center.

The woman says that everyone in her life is pushing her to have an abortion. After her first child was born, she had strong postpartum depression, and she has mental health concerns. She's been told that it would be "irresponsible" to have another child. The counselor connects her with a mental health professional who has expertise in treating postpartum problems. The woman keeps her baby and forms ongoing friendships at the center. The counselor reflects that others "affirmed her greatest fears," while "we affirmed not just the dignity and worth of her baby, but her own dignity."

Such interactions occur every day in pregnancy centers. Some 3,000 of them operate across the country. They offer counseling, ultrasounds, material help, and community support to women with unexpected pregnancies. Over the last four decades, hundreds of thousands of people have volunteered in the centers, and millions more have donated to their work.

This is one of the great grassroots movements in American history. It has been consistently local in its focus, a Tocquevillean study in neighbors mobilizing to solve a problem. A typical center involves a volunteer board of directors, volunteer professionals (often a doctor and several nurses, a sonographer, a social worker), young women serving as peer counselors, and churches giving financial support. The centers exemplify civil society: mediating institutions working in the vital space between needy individuals and the state.

John D. Hagen Jr. is a lawyer in Minnesota who has provided pro bono assistance to pregnancy centers.

The centers' chief resource is the empathy and commitment of peer counselors, most of whom are volunteers. Their generosity and compassion in answering hotlines, providing unscheduled consultations, and giving ongoing help to clients is the key to the centers' success. Any center can offer compelling stories of assistance rendered to clients—couples living in cars who were helped to rent apartments, single mothers who were given respite childcare, high school dropouts who were helped to find jobs and to obtain degrees.

Many crisis pregnancy centers are organized as clinics, with doctors as medical directors. Thousands of doctors across the country have served as volunteers. They supervise pregnancy testing, ultrasounds, and testing for sexually transmitted infections. Some have onsite prenatal programs. Others (like the Lake Superior Life Care Center in Superior, Wisconsin) provide free clinics, with volunteer doctors and nurses offering a broad range of medical care.

Many clients of these centers are poor. For that reason, most centers offer various forms of material assistance. They can help clients find apartments, sometimes paying the first month's rent. They often provide free baby clothing, diapers, strollers, car seats, and cribs. Many offer "Earn While You Learn" programs, in which clients take classes on various life skills—parenting, budgeting, job-seeking. By attending the classes, the clients earn points redeemable for baby goods.

Centers empathetically mentor women. Many have support groups for new mothers. They make a concerted effort to help women change the trajectory of their lives away from dysfunction and dependency on government assistance. They help women plan to obtain GEDs, find jobs, avoid abusive relationships, and seek stable family formation. Centers are rallying points in the culture, helping young people reorder relationships and aspire to a stable marriage.

The general public strongly approves of pregnancy centers. Many people who identify as pro-choice genuinely want to discourage abortion. The centers give

impressive witness through their commitment and good will. It's hard to think of another grassroots movement that has displayed more generosity with less self-interest, and the public understandably responds with approval. This is seen in bipartisan legislation in some states granting subsidies to pregnancy centers.

At least 11 states give grants of public money to pregnancy centers or have done so in recent years. Other states offer "Choose Life" license plates, with revenue going to the centers, and provide referrals to women seeking assistance. Such programs are offered in numerous swing states—among them Ohio, Florida, North Carolina, Pennsylvania, Wisconsin, and Minnesota—with Democrats as well as Republicans providing support.

Meanwhile, in several very liberal states, crisis pregnancy centers are under attack. Newly enacted statutes compel the centers to promote abortion and expose them to crippling lawsuits should they refuse. The U.S. Courts of Appeals for the Fourth and Ninth Circuits recently have stripped such centers of First Amendment protections. The Supreme Court likely will rule on these statutes, which profoundly threaten the future of the centers, seeking to deprive them of their free-speech rights and religious liberty.

For decades, these centers have been hounded by militant abortion-rights groups. The National Abortion Rights Action League (now known as NARAL Pro-Choice America) has been especially aggressive. NARAL conducts "investigations," in which its activists pose as clients and then issue tendentious reports disparaging the centers' work. But NARAL can show almost no complaints from the hundreds of thousands of authentic clients whom the centers have served.

NARAL depicts the centers as dour, morally judgmental, and rife with misinformation. Some centers undoubtedly could be improved, but NARAL's reports are wild harangues, histrionic, and full of bluster (referring to them as "fake clinics," "antichoice," etc.). Such bombast rarely is given credence by the general public, which respects the centers and continues to support their work.

In recent years, NARAL has focused on lobbying very liberal city councils in large metropolitan areas. Several passed compulsory-signage ordinances, requiring centers

to post signs in their waiting rooms, for example, or on their websites, usually with various disclaimers. Centers successfully challenged such ordinances in court in New York City, in Austin, Texas, and in Montgomery County, Maryland. They are textbook examples of government-mandated speech and of viewpoint discrimination, which courts almost always hold unconstitutional.

In 2013, however, the U.S. Court of Appeals for the Fourth Circuit altered the constitutional landscape. *Greater Baltimore Center for Pregnancy Concerns, Inc. v. Mayor and City Council of Baltimore* was a First Amendment test case. Scores of law professors filed amicus briefs on both sides. The case was decided en banc (all 12 judges weighed in, rather than the usual 3-judge panel). The court upheld the contested ordinance by a vote of 8-4.

The Greater Baltimore Center for Pregnancy Concerns operates in a rent-free space at St. Ann's Catholic Church in the heart of the city. The space is limited, and much of the counseling occurs in a small waiting area. The center tries

to make this area welcoming and expressive of its mission. It contains copies of the Bible, a small statue of Jesus Christ, children's books and toys, and a poster on prenatal development.

The center objected to posting a large, stark, government-mandated sign on its waiting room wall, as an ordinance required. It argued that the sign—specifying that the center does not provide abortions—would distort conversations with clients by making the conversation focus on abortion rather

than on messages of support. It also objected on grounds of conscience to displaying a sign suggesting that abortion might be a good option. Similar arguments have prevailed in almost all First Amendment cases involving government-mandated speech. (In a leading case, the Supreme Court held that New Hampshire motorists could not be compelled to use license plates displaying the state motto, "Live Free or Die.")

The Fourth Circuit's majority, however (helpfully assisted by law professors), raised a novel theory. They held that pregnancy centers may be engaging in "commercial speech," even though they charge nothing for their services. This has fateful implications. "Commercial speech" (unlike political, religious, philosophical, or artistic speech) enjoys less First Amendment protection. It can be regulated, restricted, enjoined, and penalized aggressively under consumer protection laws.



One of the facilities operated by the Greater Baltimore Center for Pregnancy Concerns

Greater Baltimore held that pregnancy centers may be deemed “commercial” because they offer “commercially valuable goods and services” (free counseling, free baby items, free ultrasound tests). The ruling suggested that centers might have hidden economic interests. The court therefore held that centers seeking First Amendment protection must submit to sweeping discovery in lawsuits (examination of their records, sworn depositions of personnel) to determine whether their work is “commercial.”

The dissenting judges in *Greater Baltimore* attacked this rationale. Pregnancy centers are *not* “commercial,” as a matter of common sense and under long-settled standards of law. Forcing centers through arduous litigation in order to vindicate their free-speech rights undercuts the First Amendment. Judge J. Harvie Wilkinson observed in dissent:

[T]he majority has licensed a fishing expedition into the Center’s motivations and operations on the off chance that it might turn up some vaguely “commercial” activity. . . . By encouraging the City to pry into every corner of the Center’s operations, the majority heavily penalizes this organization for attempting to defend its constitutional rights, a penalty that will only dissuade future victims of constitutional violations—and especially those who hold to the Center’s persuasion—from bringing suit in the first place.

Greater Baltimore opened the way for systematic attacks on crisis pregnancy centers. This highly elastic new concept of “commercial speech” could be used to justify onerous regulations, prosecutorial intimidation, and exhausting lawsuits. The first such move promptly came in the state of California, in the Ninth Circuit.

San Francisco has an ordinance exclusively directed at pregnancy centers. The ordinance bans any advertising “which is untrue or misleading, whether by statement *or omission*” (emphasis added). Hostile attorneys can use such a regulation to parse every word on a pregnancy center’s website and to challenge all sorts of “omissions.” Centers can be bled dry through attorneys’ fees, turned inside out by means of discovery, and compelled to speak in terms with which they profoundly disagree.

The San Francisco ordinance was challenged by a Bay Area center called First Resort. In late June, the Ninth Circuit rejected this challenge in *First Resort v. Herrera*. The Ninth Circuit held that First Resort’s advertising is “commercial speech” and therefore subject to strict regulation. It held the advertising “commercial” for two reasons: (1) the center “compete[s] with abortion providers for viewers’ attention” in “a competitive marketplace for commercially valuable services,” and (2) attracting clients impresses donors, who provide the center’s funds.

This is a genuinely radical opinion. Under the Ninth

Circuit’s logic, all sorts of nonprofit activity could be deemed “commercial” and stripped of First Amendment protection. Mentoring and service organizations (the Boy Scouts, Boys and Girls Clubs, the Salvation Army) impress donors by attracting program participants. Church websites, free lecture programs, blogs, and nonprofit media “compete for viewers’ attention” in marketplaces with “commercially valuable services.” The Ninth Circuit’s *First Resort* ruling vastly expands the potential scope of government-mandated speech and of punitive viewpoint discrimination.

Meanwhile, three states have targeted pro-life centers with coercive statutes. California’s so-called Reproductive FACT Act took effect in 2016. The act compels pregnancy centers to publicize “free or low-cost access to . . . abortion,” with a telephone number to call for referrals. State and city prosecutors can sue to enforce compliance, with financial penalties. The Ninth Circuit held this statute constitutional in *NIFLA v. Harris* (2016). It used a “professional speech” rationale (much like the “commercial speech” rationale and likewise radically expansive) to curtail pregnancy centers’ First Amendment rights.

An even more aggressive statute was passed in Illinois last year and took effect in January 2017. It requires pro-life doctors and medical facilities to refer patients for abortion. It also requires them to discuss the “benefits” of abortion with patients. Suits have been filed to challenge this statute, and the issue almost certainly will go to the Seventh Circuit for resolution.

A similar statute has been enacted in Hawaii. Like the California FACT Act, it compels pregnancy centers to advertise abortions, with a telephone number to call. One such center is located in an evangelical church, the Calvary Chapel Pearl Harbor. The statute requires the chapel to post an abortion referral notice on its wall. The statute also expressly authorizes private parties to sue centers that fail to post such notices and to collect attorneys’ fees—an existential threat to the centers.

All these actions by states and cities stand in stark contrast with U.S. Supreme Court case law. Under Chief Justice John Roberts, the Court has been conspicuous for protecting free-speech rights in recent years. It has extended the First Amendment to cover all sorts of repellent expression. *U.S. v. Stevens* (2010) struck down a law forbidding “crush videos,” depicting cruelty to animals. *Brown v. Entertainment Merchants Association* (2011) struck down a ban on violent video game sales to minors. *Snyder v. Phelps* (2011) gave protection to demonstrations at military funerals by the odious Westboro church. *U.S. v. Alvarez* (2012) protected impostors

claiming to have received military honors. *Reed v. Town of Gilbert* (2015) quoted Justice Thurgood Marshall’s famous description of the First Amendment, that government “has no power to restrict expression because of its message, its ideas, its subject matter, or its content.”

These holdings obviously are in tension with anti-pregnancy-center laws and with the judicial opinions upholding those laws. The Supreme Court teaches that outright falsehood and all sorts of vicious speech are immune to government control. But pregnancy centers now are exposed to fines, injunctions, and attorneys’ fees if their ads are deemed “misleading” or fail to include pro-choice messaging demanded by their critics.

This incongruity calls to mind one of Justice Antonin Scalia’s great dissents, in *Hill v. Colorado* (2000). *Hill* curtailed pro-lifers’ free-speech rights by outlawing protests in close proximity to abortion clinics. Scalia accused the Court of using an “ad hoc nullification machine” to bulldoze principles of law whenever abortion comes into issue. He showed how the Court had distorted precedents, relabeled concepts to evade precedents, and disfavored speech that it zealously protects in other contexts.

The “ad hoc nullification machine” is in full gear in the lower courts. The impulse to maximize abortion rights is driving dangerous distortions of First Amendment law. Irresponsible use of the “commercial speech” concept has menacing implications. Judge Wilkinson warned in *Greater Baltimore*: “Today it is the Center; tomorrow it is who knows what speaker and who can guess what point of view.”

NARAL and its allies may overreach in pursuing these attacks. Crisis pregnancy centers enjoy the goodwill of most of the public and most state legislatures. But their best defense is testimony from the hundreds of thousands of women they’ve helped. The Tocquevillean robustness of the movement may yet stop the “ad hoc nullification machine” in the courts.

Pro-life groups and pro-life attorneys are marshaling to resist the legislative and judicial attack. They recently won a key victory in the ongoing *Greater Baltimore* case. The Greater Baltimore Center soldiered through an arduous discovery process and was granted summary judgment. The court found no proof of economic motivation, and it concluded that Baltimore’s ordinance wrongfully burdened the center’s noncommercial

speech. The city has appealed to the Fourth Circuit, and the case is pending there. The center is supported by 29 amici, including 10 state attorneys general (representing West Virginia, Alabama, Arkansas, Kansas, Michigan, Nebraska, Ohio, South Carolina, Texas, and Utah). The city is supported by 16 amici, including NARAL Pro-Choice America, Planned Parenthood of Maryland, and a group from Yale Law School.

Two other encouraging (though provisional) decisions have recently been handed down. The Illinois law compelling health-care professionals to speak of abortion’s “benefits” has been preliminarily enjoined. The federal

district court for the Northern District of Illinois responded to pleas from numerous amici, including Heartbeat International (representing 1,300 pregnancy centers nationwide), the American Association of Pro-life Obstetricians and Gynecologists, and the Christian Medical Association. The court held that Illinois’s law could “implicate them in destroying a human life and violate one of the leading principles of the Hippocratic Oath, that doctors do no harm to those under their care.”

A court also recently refused to dismiss a lawsuit challenging California’s Reproductive FACT Act under the state constitution.

In *Scharpen Foundation v. Becerra*, the Riverside County Superior Court deplored the statute’s coercive nature. It held that the FACT Act forces centers “to point the way to the abortion clinic” and “use[s] the wall of the physician’s office as a billboard” touting abortion. It held that the legislature may not “impress free citizens into State service in this political dispute.”

Meanwhile, a certiorari petition from the Ninth Circuit to the Supreme Court was filed in *NIFLA v. Harris*. Numerous amici joined in support. Supreme Court intervention on this issue is crucial to stop the impetus of *NIFLA*, *First Resort*, and the original en banc opinion in *Greater Baltimore*.

That jurisprudence threatens everyone. It radically deforms the First Amendment. The “commercial speech” doctrine (and the related “professional speech” doctrine) was never intended to silence political opponents. A Supreme Court ruling repelling that threat would be a victory not just for crisis pregnancy centers, but also for the First Amendment and the future of the republic. ♦

The Supreme Court teaches that outright falsehood and all sorts of vicious speech are immune to government control. But pregnancy centers now are exposed to fines, injunctions, and attorneys’ fees if their ads are deemed ‘misleading’ or fail to include pro-choice messaging demanded by their critics.

Why Hillary Failed



Her campaign memoir points fingers at everyone except the chief culprit. BY NOEMIE EMERY

What happened to Hillary Clinton en route to her appointment with destiny? Her new book, *What Happened*, portrays her as a lifelong fighter on behalf of noble causes, a woman whose quest for the

Noemie Emery is a contributing editor to THE WEEKLY STANDARD and a columnist for the Washington Examiner.

What Happened

by Hillary Rodham Clinton
Simon & Schuster, 512 pp., \$30

power she deserved was thwarted by a cabal as vast as the one she once said had been after her husband and which this time included (beyond Donald Trump) Vladimir Putin, Julian Assange, James

Comey, the *New York Times*, the Electoral College, a vast swarming army of sexists and racists, and “deplorables” too many and loathsome to count. Her book does not always exaggerate the role of these bogeymen; in particular, its description of Russian interference in the 2016 election seems to reasonably combine press accounts with modest speculation. But overall, *What Happened* blames everyone but Hillary and her staff for her defeat.

JOE RAEDLE / GETTY

A different view is taken by the journalists Jonathan Allen and Amie Parnes, whose book *Shattered* makes a convincing case that Hillary was a dishonest, evasive, and pretty bad candidate. This is also the conclusion that arises from a look back at her record: With the exception of a brief two-year window just before the turn of the century, she has been a bad politician for all her life. She was a bad politician in 1993 and '94, when she mishandled health care and lost both houses of Congress for her husband and party; a bad politician when she ran for president in 2008 and lost to a novice whom no one took seriously before he began winning; and a very bad politician when she ran again eight years later, nearly losing the nomination to a 74-year-old socialist and then losing the general election to a novelty candidate whom even some of his voters considered a joke.

But the joke as it turned out was the one played on Hillary, who had been told all her life by the people around her that her academic precocity was political genius, that she had a particular gift for inspiring people, that she deserved to be president, and that her ascension was all but assured. Fate seemed to concur and gave her three gifts: a feminist movement that lifted her with it; a president-husband who shared his great power; and a black-swan event in the shape of a scandal that recast her in the public eye. But even these could not overcome her limitations, and she failed twice to achieve her ultimate object—the last time in a way so painful that it almost seemed the universe itself had been taking revenge upon her for her presumption. How did this occur, and what made it happen? Let us look backwards and see.

Hillary Rodham the feminist icon was first unleashed upon an unsuspecting world in the June 20, 1969, issue of *Life*. She had been the first student to speak at a Wellesley commencement, in an address exco-riating the “prevailing, acquisitive and competitive corporate life,” and so the magazine featured her in a pic-

ture spread about five student leaders across the country. From then on, her friends believed she would one day be president, and the publicity sent her sailing into Yale Law School as a person of consequence, a standing she would not thereafter lose.

When she took a job in early 1974 on the staff of the congressional committee working on the impeachment of President Nixon, her friends saw it as her first step towards a political future. That hope seemed dashed when she decamped to Arkansas later that year to marry Bill Clinton—a decision seen

Hillary was told that her academic precocity was political genius, that she had a gift for inspiring people, that she deserved to be president. But in reality, with the exception of a brief two-year window just before the turn of the century, she has been a bad politician all her life.

by her friends as an abject betrayal, the end of her chance at a limitless future, the rejection of all that their feminist movement held dear. A friend who drove with her down to Fayetteville was so distraught that she spent the trip begging Hillary to relent and return to Washington, and Betsey Wright, who would go on to work in the office of Governor Clinton, told biographer David Maraniss years later that she had been “less interested in Bill’s political future than Hillary’s. I was obsessed with how far Hillary might go, with her mixture of brilliance, ambition, and self-assuredness. There was an assumption about all the incredible things she could do in the world.”

That assumption was shared by Bill Clinton, who believed in Hillary’s

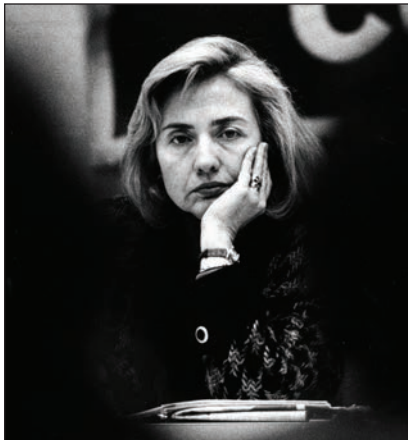
future and had been thinking in terms of his-and-her presidencies—first co-presidencies, then ones in sequence—since they had been in law school together, maybe even since the day they met. Bill marveled before their marriage that Hillary might hitch her future to his. After all, a friend later recalled him saying, “She could have an amazing political career on her own. . . . She could be president someday. She could go to any state and be elected to the Senate.” (The last part would prove prophetic.)

The hopes for Hillary’s political future did not dim even though it was Bill’s career that took them from the Arkansas governor’s mansion to the White House. Their friend Linda Bloodworth-Thomason was fond of telling people that when the Clintons were dead each would be lying next to a president. In *For the Love of Politics*, Sally Bedell Smith quotes a cabinet member as saying that early in Bill’s first term members of “a small group around Hillary . . . were really feeling their oats. . . . There was a lot of loose-lipped undisciplined talk like ‘We’re going all the way.’”

All of this talk disturbed Donna Shalala, a friend of them both and secretary of health and human services in Bill Clinton’s cabinet, who thought “there was too much mythology about Hillary” making the rounds among her friends—talk that *he* was being a drag on her prospects, that *she* was the one who deserved to be president, that if life weren’t so unfair and so rigged against women, she would have held office herself. “They assume that [just] being smart is enough,” Shalala told Carl Bernstein for his 2007 biography of Hillary. “And it’s not enough. It’s judgment. It’s experience. It’s being strategic at the right points.” Shalala questioned not Hillary’s brains but her talents and temperament: She clearly was bright, but she had never proven that she could run large organizations, she had never demonstrated a strength for what Shalala described as “conceptualizing original programs and promulgating breakthrough ideas,” and she had problems with what another



Many faces. Top: a photo from the session shot for Life magazine in 1969. Below: chairing a meeting on health-care reform in 1993. Bottom: sitting in a U.N. meeting as secretary of state in 2012.



president memorably described as “the vision thing.”

None of this would stop Bill from giving his wife full control of health-care policy—his first term’s signature domestic issue—and pitting himself and Hillary’s other boosters against Shalala and most of his aides, who were concerned about his wife’s limited political skills. His gamble would not pay off.

“Much later, when seeing was easy,” Bernstein wrote, “more than a few of the administration’s principals concluded that those first weeks after the election were when Hillary ‘made most of her big mistakes.’” The mistakes would be many, and many were big. She misread Bill’s blowout win in the Electoral College as a mandate for a sweeping change, when in reality he was a minority or a plurality president, elected because the center-right vote split between George H. W. Bush and Ross Perot.

She tried to set up a huge and unwieldy government entity.

She resisted ideas that might have won bipartisan backing.

She jealously guarded her power and resented advice that came even from fellow Democrats with vastly more practical political experience. (Lloyd Bentsen complained about her “holier-than-thou” attitude; Shalala’s tactical objections were dismissed as arising from envy; Alice Rivlin’s suggestions were ignored; Daniel Patrick Moynihan’s proposed compromise elicited scorn.)

After many paralyzing months, her health-care project was pronounced dead in September 1994. Six weeks later came the midterms and one of the greatest electoral bloodlettings ever—a loss by the Democrats of 8 Senate and 54 House seats and of control of both chambers. Hillarycare begat the Republican Revolution.

For the rest of his time in office, President Clinton would be forced to triangulate with the GOP-controlled Congress—a fact that would come to serve him quite well in the judgment of history—while Hillary was forced to cut back her ambitions drastically. She had to act more like the usual kind

of first lady, focusing less on hard policy than on softer issues. She edited a small book of letters that children had sent to her cat and dog.

Had the health-care flop remained the main thing people remembered about Hillary, it likely would have marked the end of her political ambitions. But life with Bill Clinton was hard to predict.

The news that one’s husband has had an affair with a young intern is not the sort of thing that a woman would want to wake up to. By all accounts, the Lewinsky scandal was for Hillary personally excruciating and humiliating. But perversely, for her political fortunes it was the best news she would get in her life. Between January 17, 1998, when word of the impending scandal first leaked online, and February 12, 1999, when her husband’s impeachment trial ended with his acquittal, she would be transformed from a shadowy, cool, and remote technocrat to a sympathetic and highly praised woman, widely admired for the grace and composure with which she had borne her ordeal.

The scandal made Hillary popular for the first time with a wide range of people, even opening the door for traditionalists to respect and support her. And it made her for a time the head, heart, and soul of her party. “During the 1998 midterm campaign,” wrote historian Gil Troy, “with her husband subdued, Hillary Clinton emerged as the Democrats’ star surrogate, in demand nationwide.” In the campaign’s closing weeks, the martyred and stoic first lady would headline 50 fundraisers, appear at 34 rallies, and go to 20 states, visiting 5 of them in a three-day span. “Even in the South, she drew huge crowds, and when she left a state or campaign district, polls showed that the Democrats had invariably benefited,” wrote Bernstein. On Election Day, the Democrats defied expectations and history by holding on to all their seats in the Senate and even winning five new seats in the House, a noteworthy feat in the famously dangerous sixth year of a presidency. Most of the

LEE BALTMAN / THE LIFE PICTURE COLLECTION / GETTY; BILL GREENE / BOSTON GLOBE / GETTY; MARIO TAMMA / GETTY

incumbents she campaigned for held on, and Newt Gingrich, the House speaker who had led the Republican Revolution four years earlier and clashed with the Clintons at every turn, felt obliged to resign in disgrace. The win went to Hillary, the wronged woman who became the right woman at the right time and place. She reigned supreme over the Democrats, empress of all she surveyed.

She set her eyes on the New York Senate seat Moynihan was vacating. Her husband's scandal helped cast her desire to run for the Senate not as the power grab that it might have seemed—she had never lived in New York—but as the normal response of a mistreated woman wishing to remake her life in a wholly new venue, far from the scenes of the past. The Joan-Crawfordesque drama-queen phase of the Hillary saga peaked in December that year, when, fresh from rescuing Congress, she love-bombed New York. She lunched with magazine writers and editors, posed serenely in black velvet on the cover of *Vogue*, and attended the premiere of *Shakespeare in Love* to the welcoming cheers of the Miramax audience.

She was being rewarded, as Maureen Dowd put it, not for what she accomplished, but for what she endured. Understandably, the person most prone to reward her was Bill, who put the force of the White House behind her campaign, holding fundraisers that harvested millions of dollars, turning the party's 2000 convention into her personal showcase, arranging fundraisers, tributes, and prime-time TV speeches, lavishing on her all the attention and money that would otherwise have gone to his vice president, the resentful presidential nominee Al Gore. This was unfair—and was hugely effective: Months later, while Gore slipped into recount hell and then bitter defeat, Hillary sailed to a 12-point win over a hapless GOP congressman. She entered the Senate as the next star of her party—the presidential nominee in 2008 if not sooner. Many Democrats felt relief, convinced they had found their next leader.

Senator Clinton's legislative career was not distinguished by any especially memorable successes or failures, but she was popular enough in New York to win reelection in a landslide in 2006 and, as was predicted, she announced she would run for president in 2008. People sat back and waited for the magic to arrive. And waited, and waited. It never came.

From today's vantage—looking back on her primary loss to Barack Obama and her general-election loss to Donald Trump—it is clear that she *never* really had political magic. The period from 1998 through the 2000 election was a sugar high, an illusion of political strength generated not by her skills but by the drama surrounding her. Once the drama had vanished, the stardust was gone. Even by the end of the 2000 cycle it had begun to dissipate: "Her basic style hadn't changed much. She was still uninspiring," Smith tells us, and goes on to quote a *New York Times* article noting that "it is not uncommon . . . to hear the rustle of conversation rising from the back of the hall before the First Lady reaches the last page" of her speeches.

By 2008, Hillary's appeal was gone as completely as if it had never existed. All her old problems returned. Post-scandal Hillary was pretty much like pre-scandal Hillary: studious and workmanlike, a fine spokesman for her state and her party, but hardly a leader. By 2016, her appeal had diminished even further: She was eight years older and carrying new baggage picked up from her family's foundation and her tenure as secretary of state.

Both of her national campaigns lacked vision, and both resembled the chaos of her health-care project. She was disorganized in 1993-94 when she was working on Hillary-care and disorganized when running for president. In *Shattered*, Allen and Parnes report that Democratic operatives helping out on the 2016 campaign considered it "an unholy mess, fraught with tangled lines of authority, petty jealousies, distorted priorities, and no sense of greater purpose. No one was in charge, and no one had



Thick and thin. Top: the new president and first lady in 1993. Above: on the campaign bus in 1996. Bottom: in the Roosevelt Room, shortly before Bill Clinton said he 'did not have sexual relations with that woman, Miss Lewinsky.'





The last hurrah. Top: In her new memoir, Hillary Clinton recalls Donald Trump ‘literally breathing down my neck. My skin crawled.’ She writes that she wonders whether she should have confronted him in that moment. Above: young staffers in Hillary’s campaign headquarters in Brooklyn. Below: conceding the election to Donald Trump.



figured out how to make the campaign about something bigger than Hillary.” Organizationally, the campaign looked like “a traffic jam on a Venn diagram.” There was “nothing quite like the aimlessness and dysfunction of Hillary Clinton’s second campaign for the presidency—except maybe those of her first.”

Her old character problems had also reemerged. Again and again in *What Happened*, she complains that press coverage of the 2016 campaign was “dominated” by questions related to her use of a private email server for government business; she spends some 30 pages walking through the complexities of the controversy. But while she grasps the details of *what* happened, she never quite seems to understand the *why*—the reason the emails struck such a note in the national consciousness. It was not primarily due to the *New York Times* or to FBI director James Comey’s off-and-on investigation. Rather, the secret-server story played into the long-standing public perception of Hillary as untruthful. At least a third of the Americans who voted in the 2016 election are too young to remember the so-called “pretty-in-pink” press conference of 1994 in which a demurely dressed Hillary tried to put away questions concerning insider trading with carefully phrased answers that in retrospect turned out to be evasive, misleading, or not wholly true. But even though Whitewater and the other scandals of the 1990s are receding from memory, Hillary’s aura of dishonesty, obscured for a time by the Lewinsky scandal, is still aglow.

As with the failed health-care project in 1994, Hillary refused during the campaign to admit to misjudgments related to the server scandal. This alarmed even her allies. As her friend and adviser Neera Tanden wrote in an email leaked during the campaign, Hillary’s

inability to just do a national interview and communicate genuine feelings of remorse and regret is now, I fear, becoming a character problem. . . . I see no downside in her actually just saying, look, I’m sorry. I think it would take so much air out of this.

But she could not admit mis-

takes. Among campaign staffers, “it was a self-signed death warrant to raise a question about Hillary’s competence,” Allen and Parnes note. “Concern about being cast out to the perimeter of Hillary’s overlapping circles of influence far outweighed the itch to tell Hillary what she was doing wrong.” This, too, is not new. As Bernstein wrote of her struggles with health care, to accept others’ judgments “would have meant to convert her most basic notion about herself: that given the responsibility and the power, she could solve virtually any problem she applied herself to.”

While griping about the email controversy is a major theme of *What Happened*, the authors of *Shattered* focus repeatedly on Hillary’s inability to fashion a message that could engage the public in a cause that was more than herself. This arguably was her campaign’s main problem: She tended to think that she herself was enough. Or rather, that she herself as the first woman president was a cause so transcendent that no more was needed. Whereas successful candidates have tended to run for the presidency on the basis of their beliefs—Bill Clinton was a New Democrat, George W. Bush a compassionate conservative, Obama a progressive—Hillary believed she deserved to be president and left it to her staff to build issues around her. “In her view, it was up to the people she paid to find the right message,” Allen and Parnes write, “a construction deeply at odds with the way Trump and Sanders built their campaigns.”

The question of “what happened” to Hillary Clinton in 2016 goes back to 1969, when, not much older than 20, she became a generational icon—contributing to her belief that she deserved to be president and the world was her due.

It goes back to 1974, when the young Clintons decided that they both could be president, before it was known yet if either had any political talent—something that does not always go along with high intellect and that cannot be learned.

It goes back to 1993, when she

RICK WILKING / GETTY; BROOKS KRAFT / GETTY; JEWEL SAMAD / AFP / GETTY

became an instant world figure as a new kind of first lady, a player powerful purely by marriage—without having run something, run for something, or otherwise proven her political worth.

It goes back to 1998, when she became a political power as the woman wronged in an intense and compelling personal drama, and to 2000, when she won a Senate seat for much the same reason.

She turned out to be a good fit for the Senate, functioning well enough within existing structures of power, and, if her personality had been just a little bit different, she might have happily settled there for life. It is her tragedy that her sense of entitlement drove her twice into grueling, exhausting, and heartbreaking contests for the presidency, for which her meager stores of political talent were never enough to sustain her.

Hillary reports that she is consoling herself for her electoral loss by spending time with her grandchildren, decorating her home, and drinking Chardonnay. She still seems bitter and grieving, though, and *What Happened* is ultimately an exercise in finding people to blame for the disappointments she suffered, while the blame clearly lies with herself.

This too is a habit of long standing. In a 1996 interview with Barbara Walters, Hillary used this bit of nursery doggerel to explain what she saw as her bad reputation: “As I was standing in the street as quiet as could be / A great big ugly man came up and tied his horse to me.” Revisiting that moment after a few months, *Washington Post* reporters David Maraniss and Susan Schmidt explained what was missing: “The image is of a mere bystander, a good person victimized. But an examination of Hillary Clinton’s public statements suggests someone less passive in her behavior, less consistent in her answers, and less committed to full disclosure than the figure in her self-portrait.” That, once more, is the Hillary of *What Happened*—conjuring up ugly men who tied horses to her, while the evidence suggests that the horses around her were ones she corralled herself. ♦

BCA

Courting Greatness

A talented new generation of American women tennis players. BY TOM PERROTTA

On September 9, at the beginning of the women’s final of the U.S. Open, Sloane Stephens and Madison Keys walked onto the court carrying flowers. The rest isn’t worth overanalyzing: Stephens won the match in a rout as Keys struggled with her nerves and her mobility. It’s that they were both there that counts—two young Americans in a U.S. Open final for the first time since Venus and Serena Williams met in 2002.

After years of concern that the next generation of American women players was faltering at the game’s highest level, everything went right at Flushing Meadows. American women—Stephens, Keys, CoCo Vandeweghe, and Venus Williams—took every spot in the tournament’s semifinals. This is a level of U.S. dominance not seen since the ’85 Wimbledon. No other country is close to doing this in women’s tennis. In no other country is so much talent to be found among so many players.

“I really feel like the dominoes are going to fall,” says Martin Blackman, the general manager for player development of the U.S. Tennis Association. “Kind of like the way it was when Michael Chang won the French Open.”

Blackman was referring to 1989, when Chang won the French Open at the age of 17. It had been five years since an American man had won a major title, and the teenager’s victory in Paris opened a dominant stretch, with multiple major titles won by Jim Courier, Andre Agassi, and, most of all, Pete Sampras, whose 14 Grand Slams set a record that has since

Tom Perrotta writes about sports for the Wall Street Journal, FiveThirtyEight, and other publications.

been eclipsed by Roger Federer and Rafael Nadal.

Venus and Serena Williams, ages 37 and 35, have been just as commanding in women’s tennis for the last 15 years. Together, they have won 30 Grand Slam singles titles. Their flair and lasting success made it easy for fans to overlook the struggles of the younger Americans as other countries—especially Russia, Belgium, and Serbia—produced No. 1 players and Grand Slam winners. Before Stephens beat Keys, no American woman not named Williams had won a major since Jennifer Capriati in 2002.

Women’s tennis is as competitive as ever these days, with only Serena a genuine favorite against any other player—and no one can know if this will remain the case when she returns to the tour after having her first child this summer. The other top players from all over the world can all beat one another on any given day. To wit: Garbiñe Muguruza, Petra Kvitová, and Angelique Kerber have, between them, won each of the four Slams. Each has the potential to win any major tournament she enters or lose in the first round—as Kerber did at the U.S. Open this year. The difference between being a champ or an afterthought is minuscule on the women’s tour right now.

But the American women are rising, and more are coming. There’s CiCi Bellis, 18 years old and already ranked in the top 50. This year’s U.S. Open girls’ final had two Americans—Amanda Anisimova and Cori Gauff. Anisimova, 16, defeated Gauff, who is all of 13 years old.

Among the professionals, Keys, 22, has the most talent of the new



Sloane Stephens (left) hugs Madison Keys after their match during the U.S. Open final on September 9.

bunch. She is tall—5-foot-10—and impressively quick for her size. Her serve is exceptional and she hits her ground strokes so hard that, at times, her opponents look lost. Keys’s biggest problem: She can struggle with her emotions. In the final, she lost all but three games. But she’ll get over this match. Her coach, three-time major champion Lindsay Davenport, is surely already pushing Keys to learn from her failure. Like the big-hitting Davenport once did, Keys will figure out how to prevent an opponent from doing what she wants on the court.

And when she does, look out. Keys, seeded 15th at the Open, excelled in early rounds, especially her fourth-round, three-set victory over the number 4 seed, Elina Svitolina. It was one of those classic late-night matches, when many fans have already gone home but the ones who stay are excited and loud. Keys trailed 4-2 in the third set, two games from defeat when she took in the noise from the fans and stepped things up. “They are an amazing crowd because no matter what, they’re still there and they’re still cheering for you,” she said. “No matter what the score was, they were definitely behind me.”

If Keys is the young, on-the-rise player, Vandeweghe can be seen as a bit of a late bloomer. She’s 25 and even taller than Keys—6-foot-1. Her game is rugged and her serve has a lot of kick, which means the ball bounces high and makes returns difficult. After years of steady if unspectacular play, Vandeweghe suddenly is a true Grand Slam contender. Earlier this year, she reached the semifinals at the Australian Open, followed by a quarterfinal showing at Wimbledon. Her serve and heavy forehand carried her through the first five rounds of the U.S. Open and brought her to a semifinal against Keys.

The Keys-Vandeweghe match was another potential classic that failed to deliver. Keys blew her opponent off the court: 6-1, 6-2. Vandeweghe admitted she just couldn’t keep up: “Madison played an unbelievable match,” she said. “I didn’t really have much to do with anything out there.” This happens often with players from the same country, especially when they’re close off the court, as all the young Americans are. Players bond in the rigors of the professional tour, and when they play each

other, there is an added layer of stress. Start winning and you’ll likely create further pressure, and then win by a lot. This often happened when the Williams sisters played each other.

Stephens, 24, was not just the biggest star of the tournament, but also its biggest surprise. She missed almost a year after foot surgery and didn’t start playing tennis again until May. She lost in the first round at Wimbledon and had equal trouble as the hard-court season got going—losing to Simona Halep in the first round at the Citi Open in August. But it all clicked in New York. As Stephens rose through the women’s game, she often seemed to lack a love of tennis, as if it were a chore to play, not a passion. Her injury, in the end, may have been a blessing; the time away seems to have made her appreciate the game and her chance to play it at the highest levels.

Her first big challenge in New York came in the second round, against the fast and relentless 11th-seeded Dominika Cibulkova. Stephens, the queen of speed and steady strokes, prevailed in three sets. Her best match was against Venus Williams in the semifinals. It was a classic: When

ELSA/GETTY

Williams was on, she destroyed, but when she wasn't, Stephens took control. Stephens won the first set 6-1, lost the second 0-6. The tense third set was wonderful. Trailing five games to four, Stephens was two points from defeat when she belted a down-the-line backhand winner. Against any opponent, that would be a feat. Against someone whose arms are as long and quick as Williams's, it was a miracle. Stephens wouldn't lose another game. Her attitude, she said, was simple. "I wasn't thinking, 'Oh, I'm totally going to win the U.S. Open,'" she said. "I wasn't thinking any of that. I was just going out and playing and competing. That's all I was thinking about."

Stephens led from the beginning in

the final. The match showed how difficult it can be for American players who are friends to compete in a stylish way. Keys was tight and nervous and perhaps suffering from an injury—her right thigh had been wrapped before play. Stephens's game is all about steadiness and balance, and she won easily. When the match ended, the two young women hugged and then sat together. The match didn't entertain, but after seeing their emotions at the end, it was impossible not to love them. It's a joy to watch players mature and achieve. It is why the decade of Chang, Courier, Agassi, and Sampras was so memorable for American fans. Right now, with Stephens, Keys, and Vandeweghe, it seems like we have a lot to look forward to. ♦

books by various authors and that is still growing today.

Pournelle often collaborated with his dear friend the novelist Larry Niven on wildly imaginative stories. Their book *Lucifer's Hammer* (1977) describes the apocalyptic collapse of civilization in California following a comet strike in the Pacific Ocean. *Footfall* (1985) is about an invasion by a race of extraterrestrial, multi-trunked elephants. And *Fallen Angels* (1991), for which Pournelle and Niven were joined by the SF author Michael Flynn, spoofed climate hysteria with a return of glaciers and the salvation of the planet by space enthusiasts, with many of the characters based on real people.

Perhaps Pournelle's most acclaimed work, also written with Niven, was *The Mote in God's Eye* (1974). The book has humans establishing interstellar colonies by 2020 and beginning a Great Exodus from Earth. The first chapter vividly depicts warfare in space—and nicely represents a certain militaristic and masculine strain of SF prose:

The scars of battle showed everywhere, ugly burns where the ship's protective Langston Field had overloaded momentarily. An irregular hole larger than a man's fist was burned completely through one console. ... Rod Blaine looked at the black stains that had spread across his battle dress. A whiff of metal vapor and burned meat was still in his nostrils, or in his brain, and again, he saw fire and molten metal erupt from the hull and wash across his left side. His left arm was still bound across his chest by an elastic bandage.

Robert Heinlein, no slouch in the manly space-style department, called the book "possibly the best contact-with-aliens story ever written."

Pournelle was one of the very few science fiction authors who in some way helped shape real-world technology. As a consultant at the Boeing company in the late 1950s, he developed concepts for advanced space weapons. His 1970 book *The Strategy of Technology*, cowritten with his mentor Stefan Possony, is still occasionally mentioned in the service



Writing the Future

Remembering Jerry Pournelle, the science fiction author who helped shape technological reality. BY RAND SIMBERG

Writing, Jerry Pournelle liked to say, "is hard work." Not exactly an original observation, but Pournelle, who died on September 8 at the age of 84, strove to make his writerly life a little easier: He was apparently the first person to publish a work of fiction that had been written wholly using a computer. He spent thousands on the machine in the late 1970s but felt that it had paid for itself within a year by allowing him to write and edit with greater haste and accuracy—which meant he could "make a living at it."

Born in Shreveport, Louisiana, in 1933 and schooled in Tennessee, Jerry Eugene Pournelle was just 16 when he enlisted in the U.S. Army in 1949. He shipped out to Korea and suffered hearing loss as an artilleryman.

Rand Simberg, an aerospace engineer, is the author of Safe Is Not an Option.

After four years of service, Pournelle enrolled, via the GI Bill, at the University of Washington. There he met Roberta, who would be his wife of nearly six decades, and earned degrees in psychology and eventually a doctorate in political science. His dissertation proposed a new model for plotting American political actors, wherein one axis represents their "attitude toward political authority and power" and the other their "attitude toward planned social progress." It never really caught on, but became a footnote in the political science literature.

It wasn't for political science but for science fiction that Pournelle would become best known. He first started writing short and long fiction pseudonymously and by 1973 had written under his own name the first novel in the massive "CoDominium" series about future politics and interstellar empires—a project that eventually sprawled to more than two dozen

academies. His prowess in all things computing garnered him a monthly column in *Byte* during that magazine's heyday in the '80s and '90s.

And he had an outsized influence on U.S. space and defense policy. In the late 1970s and early '80s, he and others would gather at Niven's home in Tarzana, California, to hammer out policy recommendations. These meetings evolved into something more formal, the Citizens' Advisory Council on National Space Policy, which Pournelle chaired. In addition to several science fiction authors, the group included Buzz Aldrin and a handful of other astronauts, retired military officers like Army General Danny Graham, and several figures from the aerospace industry. (I was too junior to be invited, but my then-boss at the Aerospace Corporation participated.) Congressman Newt Gingrich was involved, too. The group recommended to Secretary of Defense Caspar Weinberger the commencement of

a missile-defense program, a proposal that helped inspire President Reagan's Strategic Defense Initiative in 1983. To the extent that the prospect of American missile-defense technology hastened the end of the Cold War—by making it plain to Soviet leaders that mutually assured destruction would no longer be mutual—Pournelle can be said to have played a small but not insignificant part in nudging the world toward freedom.

Given his inclination to support military robustness and his disdain for the ideas of the "limits to growth" crowd, it's no wonder that Pournelle's techno-political activism contributed to a rift in the science fiction community. As William J. Broad described it in a 1985 *New York Times* article, camps formed around support and opposition to missile defense, with Pournelle, Heinlein, and other allies pitted against the likes of Arthur C. Clarke and the famously liberal Isaac Asimov.



Pournelle was a member of the Los Angeles Science Fantasy Society and regularly attended its meetings. Here he is pictured holding a sword at a society meeting, circa 1988.

In the early 1990s, Pournelle's space group convened again, joining with Maxwell Hunter of Lockheed to push for government funding for McDonnell Douglas's DC-X. That experimental rocket was intended to demonstrate reusability in vertical takeoff and landing, in the hope of reducing launch costs. The DC-X was "conceived in my living room," Pournelle said—an exaggeration, but forgivable in light of his role in obtaining government support. The program was later subsumed by NASA, and some of the resulting ideas are today being adapted by Elon Musk's SpaceX and Jeff Bezos's Blue Origin.

In recent years, in addition to writing his stories and novels, Pournelle chronicled his reactions to current events in a quirky blog called "Chaos Manor" (also his name for his home in Studio City, California). He sought, as he often put it, to "inject reality" into politi-

cal questions—offering rambling thoughts on such varied subjects as chemical weapons, Obama-care, and immigration. Chaos Manor was often informative and always entertaining, despite, and sometimes because of, its author's lapses into curmudgeonliness.

Although Pournelle often joked that his politics were "somewhere to the right of Genghis Khan," his views might best be described as "conservatarian." But his friendships transcended political differences. After Pournelle's death, Norman Spinrad, a self-described anarchist, recalled on Facebook how Pournelle joined him on the barricades when, as president of the Science Fiction Writers of America (SFWA), Spinrad fought against publishers on behalf of writers. George R.R. Martin (of *Game of Thrones* fame) blogged his own reminiscence about Pournelle, noting that while "his politics were not my politics, there was no one better to have in your fox-hole." Pournelle, during his own stint as SFWA president, fought for Martin in a dispute with a publisher, and

went through the publisher's people like a buzzsaw, and got me everything I wanted, resolving my grievance satisfactorily. ... You were one ornery so-and-so, but you were *our* ornery so-and-so. Hoist a pint for me at that Secret Pro Party in the sky, and say hello to Mr. Heinlein.

After the memorial service for Pournelle last weekend, the novelist Harry Turtledove said in an email that "Jerry was one of the really genuine people I've known. My politics are a good deal to the left of his, but we got on well anyhow." Turtledove, known for his ingenious alternative histories, also remarked that "Jerry was the best plot doctor I ever worked with."

Pournelle was, to the end, a believer in the power of imagination to expand the horizons of humankind. Our world is a better place for having been the home to this man who hoped for worlds yet to come. ♦

PIP R. LAGENTA / FLICKR

Measuring Up

Ben Stiller tackles the everyday tragedy of status anxiety. BY JOHN PODHORETZ



In *Brad's Status*, a 47-year-old man takes his 17-year-old son on a tour of Boston's colleges. A onetime journalist whose award-winning website went bust during the financial meltdown, Brad Sloan runs a nonprofit in Sacramento that seeks to match donors with other worthy nonprofits. His wife works for the California state government. They have a good, solid life. His wife is contented with her lot; on weekends, they have dinner parties and discuss Terry Gross and NPR with their friends. Meanwhile, Brad is quietly, invisibly miserable.

The double-edged title refers both to Brad's classic American status anxiety and to the way social and mass media provide us with constant reminders of the wondrous benefits of wealth and fame enjoyed by the rich and famous through status updates. Brad's standard-issue midlife crisis is exacerbated in a way it never would have been in the 1970s because there was no Facebook back then.

Things have not turned out for Brad as he thought they would. He has ended up a man of the middle, and he is tormented by thoughts of the wild

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

Brad's Status

Directed by Mike White



successes of his close circle of college friends—now a bestselling TV pundit, a hedge-fund billionaire, a successful movie director, and a guy who cashed out on his Silicon Valley startup and lives with two women on Maui.

"Be present," his wife sweetly admonishes him, but he drifts off and imagines their glorious lives based on Instagram and television appearances and magazine articles. The joys of a private plane. The glories of the Hawaiian sand. A red carpet in New York. A beefcake pool party in Beverly Hills.

Status anxiety is a particularly American disease, and one of the great American subjects. Clyde Griffiths becomes Theodore Dreiser's "American tragedy" because this child of penniless street preachers finds unexpected social and financial success very near his grasp until it is threatened by the pregnancy of his working-class girlfriend—which leads to her death and his execution. "What—what's the secret?" the desperate Willy Loman asks in *Death of a Salesman*. Not having enough, not

being contented with your lot by comparison with the successes of others—these are the unforgiving aspects of the American dream.

When Brad unburdens himself to a cheerful and unaccomplished Harvard student who wants to save the world as he once did, she looks at him in exasperated disgust. There are people starving in Delhi, she says. You live a pretty good life, she says. When she accuses of him of white privilege, it's one of the few times the term has ever been used precisely. She's right, of course. Brad lives what is unquestionably an enviable life. But she's young yet. She has not known disappointment and how it can curdle.

Brad learns that his fantasies about the glamorous photographed existences of his former friends have made him blind to the darker aspects of their real lives—sick children, alcoholism. Even more painfully, he is forced to confront the darker aspects of his own relationship with his son Troy. Played by a wonderful young actor named Austin Abrams, Troy is a brilliant and kind kid whose poise and good nature suggest Brad's greatest accomplishment has been as a loving parent. But it's beginning to strike Brad that Troy may well outstrip him, and he doesn't like the idea of it one bit.

Ben Stiller plays Brad, and reminds us—as he did in the even more painful and equally remarkable *Greenberg* in 2010—that he is a fearless actor. It is a sad, soulful, perfect performance. But the star here is writer-director Mike White. He is an unusual cultural voice. He has written works as disparate as the crowd-pleasing *School of Rock* and the extremely discomfiting *Chuck & Buck*, about a man-child's stalkerish obsession with a high-school classmate. Nothing in White's previous work prepared me for the satirical precision and sharp cultural observation evident in every frame of *Brad's Status*. This beautiful, funny, and aching film gets closer to the experience of reading a really good short story than any American movie I've ever seen. It's as if John Cheever and Ann Beattie had a baby—and that baby adapted Andrew Ferguson's *Crazy U* for the screen. ◆

JONATHAN WENK / AMAZON STUDIOS

“Chelsea Manning denies betraying the U.S., feels as if she lives in a ‘dystopian novel’”

—Washington Post, September 18, 2017

PARODY

BRAVE NEW CHELSEA

but of course, that was nothing new, not for Chelsea. Ever since The State had paid for her gender-reassignment surgery, her life had spiraled into a nightmare of psychological torment and confusion.

She had been sentenced for an alleged crime against The State and against The Leader. Treason, some called it, but she knew deep down that she was in the right. The Leader could have put her to death, but that would have been too easy. Instead, she was sentenced to 35 years in prison. Chelsea couldn't imagine a fate worse than that—to be caged like an animal for so long. But that's when the real mind games, the true torture, began.

First came the pardon, just a few years into the sentence. The Leader made a big show of it, of course; everything that The Leader did was for show. He stood at the podium and announced he was setting Chelsea free, that she had suffered enough. Chelsea didn't know what to make of it. She knew, despite his words, that she shouldn't trust The Leader.

Then came the profile in *Vogue*. The blinding flashes of Annie Leibovitz's camera. The questions about the plunging neckline of her Gabriela Hearst dress. And that's when she realized: All of it, the *Good Morning America* interview, the fawning features in *Vanity Fair* and *Rolling Stone*, the offer of a fellowship at Harvard, the celebrity fundraisers, the award galas, the fabulous new wardrobe, the friendly tweets from Lena Dunham—it was all just a new kind of prison. The Leader and The State had her right where they wanted her. She would be lucky to make it out alive.

Chelsea nodded to the doorman as she strode out of her building on Central Park West, an understated but stylish Marc Jacobs silk-jacquard wrap dress dangling from her wispy frame, and