

# the weekly Standard

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## THE PRIMAL SCREAM OF IDENTITY POLITICS

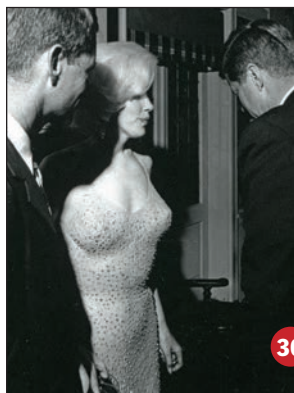
BY MARY EBERSTADT

New York University students,  
November 16, 2016

WEEKLYSTANDARD.COM

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# First They Came for Elmo...

For the vast edifice of baloney that is social psychology, there's been good news and bad news lately. The good news is that Richard Thaler won the Nobel Prize. Thaler is the foremost evangelist for behavioral economics—the parasitic discipline that uses the findings of social psychology to manipulate, or “nudge,” consumers and citizens into certain kinds of approved behavior. Thaler, for example, has promoted the experiments of the Cornell psychologist Brian Wansink as “masterpieces.”

And the bad news? Several of Brian Wansink's experiments have recently been shown to be worthless—unappetizing stews of bad data, statistical errors, methodological incompetence, slipshod reporting practices, and unsupported conclusions. In October, the journal *JAMA Pediatrics*, citing insuperable errors, retracted one of Wansink's most famous and influential studies. The experiment purported to show that middle-schoolers will be more inclined to eat an apple if you

slap an Elmo sticker on it. No joke. Wansink is a star in the behavioral firmament—bestselling author, TED talker, motivational speaker, Oprah guest, and source for countless jour-



nalists, from *60 Minutes* to *Mother Jones*. No less an authority than David Leonhardt of the *New York Times* has called him “brilliantly mischievous.” Wansink runs Cornell's Food and Brand Lab, whose goal is to use “the tools of behavioral science” to change “the way food is purchased, prepared, and consumed.” Michelle Obama's infamous attempt to improve childhood eating habits by turning school

cafeterias into Whole Foods knock-offs relied heavily on research from the lab. If your kids have to peel *Sesame Street* characters off their apples, you know who to thank.

This spring the work of the lab at last drew the attention of skeptics. Reanalyzing four studies claiming to describe the behavior of diners at an Italian buffet, a team of statisticians discovered more than 150 methodological and statistical mistakes, rendering the findings valueless. The Cornell administration undertook its own review and cleared Wansink and his colleagues of “scientific misconduct.” But the work of the lab keeps crumbling, revealing still more errors. Last week's retraction is only the latest admission of shoddy or deceptive research; there will be many more, and not just from the Food and Brand Lab.

Which raises the question: At what point will the codependents who built the baloney edifice—journalists, regulators, even Nobel economists—admit they've been had? ♦

## Red States, Blue Towns

Bisbee, Arizona, is at the center of a jurisdictional tussle with the state government, a kerfuffle that may prove whether there's room in a conservative state for local self-determination—even liberal local self-determination.

THE SCRAPBOOK has to admit a fondness for Bisbee, a former mining town in the desert mountains of southeastern Arizona. Much of the city's late-19th- and early-20th-century frontier architecture has survived, giving the place a quirky Old West quality that helped make it an artsy destination. Which, in turn, has made Bisbee something of a liberal outpost in what has otherwise traditionally been a conservative state.



One way you know Bisbee is liberal is that it has banned plastic shopping bags—a city ordinance that Arizona's attorney general says is illegal.

It was just last year that the state legislature passed a law saying that

only the state government could regulate “auxiliary containers.” As the *Arizona Daily Star* puts it, no local “fees or prohibitions are allowed on containers ranging from bottles and cans to bags.” It doesn't matter if a locality has “compelling reasons” for a bag ban, says state attorney general Mark Brnovich, state law trumps city law and that's that. Bisbee is likely to contest that in court.

It's the sort of tussle that has played out in other conservative states with liberal pockets: Should blue-city governments be allowed to pass laws at odds with the druthers of red-state majorities? This summer, for example, Texas governor Greg Abbott signed a law restricting local tree ordinances in the Lone Star State. The target of the legislation was city environmental

TOP: HORST FRANK; BOTTOM: TWS PHOTO ILLUSTRATION / FIGURE WITH BAG, BIGSTOCK

rules such as those in Austin, a town that combines a funky-left “keep it weird” ethic with liberal nanny-state intrusiveness. Austin has strict regulations about what trees homeowners can cut down on their own property, rules enforced with hefty fines and fees.

Abbott scuffled with Austin over the felling of trees at his own house—one inconveniently placed old pecan in particular. The governor has made the case that such rules erode the conservative “Texas model” that makes the state so attractive. “Texas is being Californianized,” he complained in 2015. “It’s being done at the city level with bag bans, fracking bans, tree-cutting bans,” and other heavy-handed left-wing regulations.

All of which may be true. But THE SCRAPBOOK remembers when it was a cornerstone of conservative thought that the best government was that closest to where people live. Local lawn-cutting ordinances shouldn’t be a federal matter and it’s better for tree-trimming rules to be made by city rather than state lawmakers.

All of which to say, if the people of Bisbee want the obnoxious restriction on choice and convenience represented by a ban on disposable shopping bags, that’s their business. ♦

## Speech-Free Zones

Who said there’s a free speech crisis on college campuses? As everyone knows, that’s just a figment of the right-wing imagination.

For proof of the sacrosanct status of free speech in American higher education, look no further than Pierce College in the Woodland Hills neighborhood of Los Angeles. The school is so committed to free speech that it actually has a dedicated “free speech zone.” Never mind that it isn’t exactly a sprawling space, just 616 square feet (the size of three parking spots, L.A.’s City News Service noted) on Pierce’s 426-acre campus. Strangely, some students think that roping off a frac-



tion of a percent of the school for free speech isn’t space enough.

Last year, a Pierce student named Kevin Shaw showed a callous disregard for the rules and regulations governing free speech at Pierce College. He was attempting to drum up support for the libertarian Young Americans for Liberty by handing out copies of the U.S. Constitution on campus. Imagine that! He was stopped by a school administrator before any damage could be done to the psyches of Pierce’s snowflakes. The

administrator informed Shaw that he needed to stay in the tiny confines of the school’s “free speech zone.” The official also helpfully informed Shaw that, bureaucratic niceties being what they are, he should also reserve a spot in the zone.

Somehow, even with all that administrative helpfulness, Shaw was not satisfied: He has sued Pierce College and the Los Angeles Community College District (LACCD) in federal court, accusing them of infringing on his free speech rights. The lawsuit attracted the attention of the Department of Justice, which has filed a “Statement of Interest” in the case. “In the United States’ view,” the

BOTTOM: THE WEEKLY STANDARD



DoJ weighed in last week, “Plaintiff Kevin Shaw has properly pleaded that speech regulations imposed by [the college and the LACCD] violated his First Amendment rights.”

Asked about all of this by the City News Service, LACCD spokesman Yusef Robb was the soul of reassurance: “We are fully committed to free expression on our campuses,” Robb said. “As a community college district, promoting the free exchange of ideas and knowledge is at the core of what we do, every day.” We’re sure everyone feels better knowing that. ♦

## Troll Tribe

One of the more surprising revelations about Russia’s reported meddling in the 2016 election is that Moscow supported a raft of objectively anti-Trump, left-wing causes. First we learned that the Internet Research Agency, a Kremlin-linked organization, bought social media advertisements that appeared to support Black Lives Matter. Now news has emerged that Internet users with Kremlin ties also ran a popular Instagram account pretending to be Native Americans protesting the Dakota Access oil pipeline.

As *BuzzFeed* reported, a post from that account screams: “IF AN OIL COMPANY DESTROYED THESE ‘SACRED’ BURIAL GROUNDS AMERICANS WOULD LOSE THEIR MINDS,” plastered over an image of a U.S. military cemetery. “BUT WHEN AN OIL COMPANY DESTROYS NATIVE AMERICAN SACRED BURIAL GROUNDS NO



ONE SAYS A WORD.” So now we have Russian “trolls” supporting two popular American left-wing causes. Why, it’s enough to make one wonder whether Colin Kaepernick and Sean Penn are Kremlin plants.

It would appear, then, that the Russian government is extremely shrewd in its understanding of American politics: It figured out that perhaps the only thing less popular than Donald Trump is the excesses of the radical left. (Indeed, according to recent polling, solid majorities—57 percent of Americans surveyed—have a negative view of Black Lives Matter.) Did Moscow spread left-wing messages to help Trump? If so, Team Putin apparently knows more about American politics than the American Democratic party, which is increasingly tethering itself to the most radical groups in its coalition.

The Democrats may want to hire some Kremlin pollsters in the run-up to the 2018 midterms. ♦

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## Season of the Itch

As I drove across the prairie, I saw the corn fields, tall and ripe. I saw the fabled waves of grain, the endless tides of amber wheat. I saw the plains unfold, down miles and miles of blacktop road. Returning to the landscape of my childhood, I leaned my head out the car window to breathe the rich, thick prairie air. Home, I thought. Home. And then I sneezed.

And sneezed and sneezed again, great honking noises like Canada geese. Hay fever, of course. The dust in the air, the wheat chaff, the plant matter kicked up by the harvesters, the compost mold of the cut grass: The annual allergies of the prairie fall, virulent cousin to the annual allergies of the prairie spring, descended on me as I made my return to the flatlands of my youth to start the new academic year. *Season of mists and mellow fruitfulness*, Keats wrote to Autumn, *Close bosom-friend of the maturing sun*. Close bosom-friend of the over-the-counter pharmaceutical industry is more like it. Season of sinus headaches and bleary eyes. Season of the itch.

Over the past decade or so, I have grown increasingly fascinated by the ethical and epistemological changes brought on by 40 years of the computer revolution. And when South Dakota's computer-oriented state college, Dakota State University, offered me an opportunity to start up a little think-tank dedicated to the issues, I seized the chance—packing up some books, some tweed jackets, and some boxes of chalk to drive across to the school in a small town east of the Missouri, out on the prairie.

I should have packed up some pseudoephedrine. The books proved inconsequential for the new work. Few faculty in America today

wear jackets and ties. And chalkboards have all been replaced with whiteboards, the old chalk-dust air exchanged for the sickly sweet odor of the markers' methylbenzene. But my real mistake was not preparing for the allergies.

I knew better. I had grown up in Pierre, on the edge of the prairie, and much of my childhood was spent in semiannual bouts of misery. "Spring



and Fall: To a Young Child," Gerard Manley Hopkins titled one of his most famous poems. You remember it. *Márgarét, áre you grieving / Over Goldengrove unleaving?* the poem begins, and I was grieving, most of those seasons. Grieving the annual prairie bloom and annual leafmeal decay. Hay fever—that's the real blight man was born for.

For years after I had moved back east for college, and then graduate school, and then work, my grandmother would write me letters telling me that this or that house down the street from her in Pierre was for

sale. And I always laughed, thinking how miserable I'd be. How broke, for that matter, since there weren't a lot of jobs in my areas of interest available on the high plateau of the northern plains.

Besides, I felt I had put in my time on the prairie, paid my dues as a child, and I swore that if I ever went back to South Dakota, it would be to the pine and spruce forests of the Black Hills on the western edge of the state, rather than the farmland east of the Missouri. It's out on the prairie that the summer temperatures rise above 100 and the winter temperatures drop to 20 below.

It's out on the prairie that the springs and falls are redolent with allergens.

Still, somewhere along the line, I had forgotten about the effect. A good while ago, we bought a summer house in the Black Hills, and eventually we moved in year-round. My commitment to the state increased as we brought up our daughter to be a South Dakotan. So when opportunity came to help the state and indulge my new interests, off I drove to a small east-river prairie town to teach a little, write a little, and try to think deep thoughts about cyber-ethics and the computer revolution.

And sneeze. And rub my dry eyes. And wheeze and cough and snort and scratch. And spend a small fortune on the over-the-counter hay-fever remedies that pack an entire aisle of the local drugstore. That should have been a warning, yes? A reminder of my youth. But I had missed all the signs, forgotten all the old memories, and now, returning to the prairie, I find it all come roaring back. I find it coming home.

Are these our great plains, visitors ask, ripe with corn and rich with wheat? Are these, they ask, the amber waves? The fields across the flats of America's middle west, like the dancing floor of ancient giants? Why, yes, I tell them. Yes. *Achoo*.

JOSEPH BOTTUM

# The Surrender

Everyone's talking about the civil war in the Republican party. It seems more like a surrender to us.

The great bulk of elected Republicans have surrendered to the forces of Donald J. Trump. And they didn't even put up much of a fight. Has a hostile takeover of a historic institution ever been accomplished with less resistance?

The flag of surrender went up before many blows were even landed.

A reporter for *Politico* recently asked John Cornyn, the second-ranking Republican in the Senate, for his views on a potential bipartisan compromise extending cost-sharing payments under Obamacare. "I'm with the president," Cornyn told Seung Min Kim. When she asked him where, exactly, Trump is on the plan, Cornyn threw his hands in the air. So Cornyn doesn't know what Trump's position is—but he knows that he shares it.

Perhaps such capitulation by the GOP establishment was to be expected. But movement conservatives who pride themselves on their obstinacy have also managed to go along in order to get along.

When Ted Cruz was asked the other day about the criticism of Trump by his Senate colleagues Bob Corker and Jeff Flake, the Texan unloaded. "It's like you're back in junior high. . . . We've got a job to do, dammit, and so all of this nonsense, I got nothing to say on it. Everyone shut up and do your job is my view."

This is the same Ted Cruz who pointedly refused to shut up in 2016, declining to endorse Trump in his convention speech and making an impassioned plea for the defense of a party of principles, a party of conscience. "We deserve leaders who stand for principle, who unite us all behind shared values, who cast aside anger for love," he said from the rostrum in Cleveland. "That is the standard we should expect from everybody. And to those listening, please don't stay home in November. If you love our country and love our children as much as you do, stand and speak, and vote your conscience."

But now it's 2017. The base is said to be unhappy with dissent. Breitbart.com will criticize you. Steve Bannon may fund a primary challenger. Dissent is so 2016.

It is much the same outside of government. A day after Trump addressed the Heritage Foundation, the think tank's president, Ed Feulner, waxed rhapsodic in a pitch to donors. "This morning I woke up still in awe of what I heard last night. As you know, President Trump addressed a group of Heritage members. He confirmed, beyond a shadow of a doubt, that he is on our side."

Takeovers of political parties have happened before. The New Left started as a fringe movement sniping at the well-fortified bastions of the establishment Democratic party in the late 1960s. A decade later, the party had been transformed, and it had happened more by osmosis than direct challenge, as old liberals adjusted to the new dispensation and, incrementally, became more left-wing in numerous ways.

Bannon's threats of primary challenges to Republican senators are largely beside the point. The GOP is being transformed because incumbents are accommodating their new masters

before serious challengers are even on the horizon. The New Left didn't defeat many old-fashioned liberals at the polls. But, because of retirements and individuals accommodating themselves to the new political reality, there were soon no more than a handful of pro-life Democrats or strongly anti-Communist Democrats or color-blind-civil-rights Democrats. The Walter Mondale who ran for president in 1984 was very different from the Walter Mondale who entered the Senate as a disciple of Hubert Humphrey in 1964.

In the case of the Democrats, the transformation was a reasonably clear—if unfortunate—ideological turn. The current transformation of the Republican party is more confusing. At times, it seems the GOP might be becoming a Bannontite nationalist party. At others, it seems more simply a Trumpian cult-of-personality. The result, right now, is a party that is simultaneously corrupted by Trump and disfigured by Bannonomism.

Readers of this magazine won't be surprised to find that we think going along to get along is not in the interest of Republicans, conservatives, or the country. Corker and Flake spoke up, but they're retiring from the Senate. What's



Senator Cornyn: 'I'm with the president.'

wanted is for those with something more at stake to step up. Robert Frost famously described a liberal as someone unwilling to take his own side in a fight. Will that be what is said of conservatives and Republicans? That they stood on the sidelines and watched as the party of Lincoln and Teddy Roosevelt and Reagan was destroyed? ♦

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# The Same Old Clinton Baloney

For a moment, we were transported back to the 1990s. There was Hillary Clinton being asked about yet another highly suspect circumstance involving gross improprieties and brazen lies and sidestepping the question by blaming that ever-present confederation: her enemies. “I think the real story is how nervous they are about these continuing investigations,” she said. “I would say it’s the same baloney they’ve been peddling for years, and there’s been no credible evidence by anyone. In fact, it’s been debunked repeatedly and will continue to be debunked.”

Here, again, was the timeworn Clintonian defense: Claim the “real story” is what somebody else did at some other time, and insist that the Clintons have been repeatedly exonerated—though of course they haven’t.

The story this time—actually stories, plural, for there were two in a single week and both involve Russian interference. The first and simpler is *Washington Post* reporting that confirmed the Clinton campaign and the Democratic National Committee paid for the infamous “Trump dossier.” That document, remember, contained sensational allegations about Donald Trump’s sexual peccadillos and his relationship with Russian intelligence officials. The dossier was compiled by a former British intelligence agent at the behest of an oppo-research outfit called Fusion GPS.

Even if some of the dossier’s claims turn out to be true, it seems likely that some of its more outrageous ones were invented by Russian operatives with the intention of throwing the U.S. general election into chaos.

But who paid Fusion GPS? Back in January, when the dossier was first leaked, some observers theorized that it had been a deep-pocketed Republican donor interested in damaging Trump’s insurgent primary campaign. This was indeed initially the case, but when Trump secured the nomination, Democrats began to pick up the tab. Officials from the Clinton campaign stridently denied they had

anything to do with the dossier. Not true. The campaign, together with the DNC, paid for it.

So defamatory were the dossier’s claims, though, that Clinton herself wouldn’t publicize them. Instead her campaign operatives pitched the allegations to reporters as if the dossier were a thing they had been given rather than a report they had ordered up. Or to put it bluntly: Someone in the Clinton campaign knew the dossier might contain lies and wasn’t prepared to defend those lies but was happy to see if American reporters were sufficiently gullible to print them. It’s nice to report that they were for the most part wrong until *BuzzFeed* showed its true colors and ran with it just before Trump’s inauguration.

For sleaziness and sheer corrupt stupidity, the episode matches the meeting between Donald Trump Jr. and the “Russian government attorney” Natalia Veselnitskaya. It’s also a nice reminder that in 2016 Americans had a choice between the worst and the even worse.

The week’s other revelation—or, if you’re Hillary Clinton, the week’s other piece of “baloney”—involves the far more complicated tale of the Obama administration’s 2010 decision to approve the acquisition by a state-owned Russian energy company of a uranium-mining company with significant U.S. holdings. The sale, for which President Obama and his Treasury Department were rightly criticized by congressional Republicans, gave Moscow effective control over a fifth of America’s uranium supply.



*Let me tell you the real story . . .*

Parts of the story had been reported in Peter Schweizer’s 2015 book *Clinton Cash* and in *New York Times* reporting that drew on Schweizer’s work. Now we learn that the House Intelligence and Oversight Committee, chaired by Devin Nunes (R-Calif.), has launched an investigation of the Obama-era uranium deal. Nunes is exercised by reports in the *Hill* that the Russians undertook a massive project of bribery and extortion to secure the uranium deal. The *Hill* report claims the FBI conducted an extensive investigation but never informed Congress of the inquiry or what it learned. “One of the things that we’re concerned about is whether or not there was an FBI investigation?” Nunes said. “Was there a DOJ investigation? And if so, why was Congress not informed of this matter?” The day after Nunes announced his committee’s intent to investigate, the Justice Department, responding to a letter from Sen. Chuck Grassley (R-Iowa), annulled the non-disclosure agreement that kept the FBI’s key informant from testifying before Congress.

Nunes and Grassley essentially want to know if an FBI investigation turned up suspicious links between the secretary of state and the Russian government and then systematically downplayed the discovery. Foes of

the Clintons and Barack Obama, moreover, can hardly be blamed for pointing out that the head of the FBI during that investigation was Robert Mueller, the man now charged with investigating collusion between the Russians and Donald Trump.

We're guaranteed several more rounds of Clinton revelations and Clinton denials—ugly disclosures about the power couple's dealings, accompanied by smug disavowals and impatient claims that it's all old news. But we don't buy the line, used by the Clintons' many defenders, that Hillary lost the election and isn't important anymore and why can't her critics just let this go? The

argument that a politician's illegal and unethical behavior ceases to be relevant when he or she loses an election is deeply cynical. During the 2016 campaign, Clinton's supporters argued that she was well equipped for office precisely because she had been in public life for more than two-and-a-half decades: as first lady, senator, and secretary of state.

Still, we can't help sympathizing with those who want to forget about what Bill and Hillary Clinton may have done in the past. They're gone, finished. We want to believe it, too. The day when this country can forget about that boundlessly unscrupulous duo will be a happy one. ♦



Senator Jeff Flake, after his big speech

In a speech on the Senate floor on October 24, Sen. Jeff Flake (R-Ariz.) announced his intention not to seek reelection in 2018. We regret his decision and the state of affairs that led him to make it: Flake is a solid conservative and a decent man, an implacable critic of government waste and a consistent and vocal proponent of fiscal judiciousness.

We did not always agree with Flake on national security issues—he's often, and probably rightly, called a “libertarian”—but his reputation as a conservative is well deserved. As John McCormack wrote in this magazine last week, Flake, as a House member from 2001 to 2013, was known “as a budget hawk who bucked congressional leaders and President George W. Bush by opposing earmarks, No Child Left Behind, and Medicare's prescription-drug benefit.” He won a Senate seat in 2012 with the backing of Jim DeMint; and although he has not stood out from his Senate colleagues in the last five years, he is a reliably conservative vote.

Flake did not support Donald Trump's candidacy and, unlike many of his congressional colleagues, never made peace with the new president. He did not endorse Ted Cruz or otherwise take an active role in opposing Trump in the

2016 campaign, but he has not tergiversated on Trump in the manner of Bob Corker, either.

In August, Flake published a book, *Conscience of a Conservative*, in which he censured both Trump and the party that nominated him. “Never has a party so quickly or easily abandoned its core principles as my party did in the course of the 2016 campaign,” he wrote. “Following the lead of a candidate who had a special skill for identifying problems, if not for solving them, we lurched like a tranquilized elephant from a broad consensus on economic philosophy and free trade that had held for generations to an incoherent and often untrue mash of back-of-the-envelope populist slogans.”

In his speech on the Senate floor, too, Flake inveighed against the GOP. “I will not be complicit or silent,” he said. “I've decided that I would be better able to represent the people of Arizona and to better serve my country and my conscience by freeing myself of the political considerations that consume far too much bandwidth and would cause me to compromise far too many principles.”

The high-minded tone shouldn't be taken too seriously. Flake pulled out of the race because he was down by 20 points. If he were up by that margin, we doubt very much

MATT MCCLAIN / WASHINGTON POST / GETTY

he would have decided drop out for reasons of “conscience” or for fear of “compromis[ing] too many principles.”

There is one point on which Flake is absolutely correct, however. To make it, he drew on lines composed by Teddy Roosevelt in 1918 (lines Flake quoted in his book, too). Roosevelt asked: Should the president be criticized in times of crisis? “The President is merely the most important among a large number of public servants,” he said.

He should be supported or opposed exactly to the degree which is warranted by his good conduct or bad conduct, his efficiency or inefficiency in rendering loyal, able, and disinterested service to the Nation as a whole. Therefore it is absolutely necessary that there should be full liberty to tell the truth about his acts, and this means that it is exactly as necessary to blame him when he does wrong as to praise him when he does right. Any other attitude in an American citizen is both base and servile. To announce that there must be no criticism of the President, or that we are to stand by the President, right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public.

Roosevelt had it exactly right, and we wish more members of Congress in both parties would take these words to heart. Rather than praising the president when he does right and blaming him when he does wrong, a great many mem-

bers—and a dismaying proportion of the chattering class—praise him no matter what or blame him no matter what. The citizens of a republic should not behave this way.

We don’t presume to know the reasons for Flake’s struggles in the polls. Nor do we understand why the Trump movement and its celebrity allies—Laura Ingraham, Sean Hannity, Steve Bannon—wanted so much to unseat the junior Arizona senator. Flake’s views differ from Trump’s, to be sure, particularly on trade and immigration, but his views on foreign policy and national security are closer to Trump’s than, say, Lindsey Graham’s.

We are left to conclude that Trump and his confrères wanted Flake defeated merely because Flake says critical things about Trump. We expect this sort of vanity from Trump—it’s his brand—but not from grown-up Republicans.

Flake’s chief primary opponent, Kelli Ward, is a former state senator and current osteopath. She refers to herself as an “Americanist” and a “scurrilous nationalist” and in 2014 expressed an interest in the “chemtrail” conspiracy theory (though she has since disavowed it). Does her candidacy portend a more populist and less ideologically coherent Republican party? Is the party forcing out traditional free-market conservatives in the mold of Jeff Flake? Maybe. But if 2016 taught us anything, it taught us this: No one knows what’s next. ♦

## Tax Reform Cannot Wait, Must Not Fail

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

This month marks the 31st anniversary of the last time Congress passed a major overhaul of the tax code. In the years since, however, our tax system has grown increasingly complex. It has fallen out of step with our economy and become a drag on job creation and wage growth. Major reform is needed to spur economic growth and boost middle class families and job creators. Washington must achieve it, and the U.S. Chamber of Commerce is here to help—just like we were 31 years ago.

I remember how hard it was to reform the tax code in 1986. It took the efforts of political heavyweights like President Ronald Reagan, House Speaker Tip O’Neill, and Treasury Secretary James Baker—and the legislation still collapsed repeatedly before final passage. It also took

the willingness of the business community to stand up and stick its neck out to support a package that wasn’t perfect but much better than the alternative.

Now it’s time to do it again. It will be no easier this time around. But we’ve got a once-in-a-generation chance to get it done—and if we do it right, it can be the single most important step our leaders take to drive the economy forward.

Above all else, the Chamber is pushing for reforms that maximize growth. This includes lowering tax rates for all businesses and infusing permanency, simplicity, and clarity into tax law. It also includes an internationally competitive territorial system, which means America will no longer tax U.S. businesses’ overseas earnings at home after they’ve already been taxed abroad. Tax reform must also eliminate the bias against capital investment and much, much more.

Even as we push for our goals, we must keep in mind that no one gets everything he or she wants out of a bill of this magnitude. The 1986 package wasn’t perfect, but the Chamber supported and helped pass the final compromise because it achieved our ultimate goal of significantly lowering marginal tax rates. Similar compromises will be necessary today, as they are for all major legislation.

Failure is not an option. The U.S. economy is rolling along at a slightly better pace after years of slow growth. If tax reform fails, the economy will likely slow. If it passes, tax reform will be the shot in the arm our economy needs to achieve long-term prosperity. This is why, through thick and thin, the Chamber will be there to help get it done.



Learn more at  
[uschamber.com/abovethefold](http://uschamber.com/abovethefold).

# Steve Bannon, the Man and the Myth

A political magician—to hear him tell it.

BY FRED BARNES

When Steve Bannon became CEO of Donald Trump's presidential campaign on August 17, 2016, Trump was far behind Hillary Clinton, according to Bannon. "We were 16 points down," he said.

That wasn't the only distressing poll number, he said in a recent speech to California Republicans. "I think [we were] double digits down or thereabouts on every battleground state. We were 70 on the generic ballot of Republicans. You gotta be at 90. Nine out of every 10 Republicans have to vote for you for the president of the United States to win."

That Trump trailed Clinton so badly but won three months later would seem to crown Bannon as a kingmaker. But there's a problem: His numbers are way off. On the day Bannon arrived as Trump CEO, the *Real Clear Politics* average of presidential campaign polls put Clinton's lead at 6.7 points.

And Trump was behind by double digits in only 1 of the 11 "definite swing states" in the *RCP* average—Colorado. He trailed by single digits in Florida, Michigan, Minnesota, North Carolina, Ohio, Pennsylvania, Iowa, Nevada, New Hampshire, and Virginia and ended up winning six of those states.

Nor was Trump in deep trouble on the generic ballot. A Quinnipiac poll conducted August 18-24 found that of likely Republican voters, 84 percent intended to vote for him. On Election Day, he got 90 percent. A Bannon surge wasn't needed and didn't happen.

What we see here is the Bannon

myth, created by the mythmaker himself. While it's true Bannon made Trump a better candidate and helped him defeat Clinton, he wasn't responsible for pulling off an amazing come-from-far-behind win. He wasn't indispensable.

Yet the media treat Bannon, 63, as



*Steve Bannon speaks at an event for candidate Roy Moore in Fairhope, Alabama, September 25.*

if he were. Fired in August as Trump's chief strategist at the White House, Bannon is now committed to ousting Mitch McConnell as Senate majority leader and recruiting conservative insurgents to run against incumbent GOP senators in primaries. He says McConnell and establishment Republicans don't know how to win. But *he* does.

"It is about winning," Bannon said in his California speech. "Nothing else matters. . . . We pulled off the win by having the RNC and the Republican establishment put their shoulder to the wheel with the Trump campaign state by state." Nothing new with this. It's Republican politics 101.

"We had a strategy," Bannon said. "We knew we had to win Florida,

North Carolina, Ohio, and Iowa just to get to the table. I don't think a Republican in living memory has done that." Wrong. Nixon in 1972, Reagan in 1980 and 1984, and George W. Bush in 2004 did just that.

Bannon forgets there's one person who was essential to Trump's election. His name is Mitch McConnell, the guy who supposedly doesn't know how to win. Trump could have won without Bannon. Absent McConnell, no way.

When Supreme Court justice Antonin Scalia died in February 2016, McConnell declared the Scalia vacancy would not be filled by President Obama in his final year in office. Democrats protested, though they would have done the same had the roles been reversed. McConnell never wavered,

even when liberals claimed he was required by the Constitution to grant Obama nominee Merrick Garland a vote on confirmation.

Here's how McConnell's intransigence was critical to winning the White House: Trump promised if he were elected to choose a nominee from a list of conservative jurists to fill the Supreme Court vacancy. Millions of Republicans who were leery of Trump—especially social conservatives and evangelicals—wound up voting for him on this issue alone. They didn't want Hillary Clinton to create a liberal

majority on the Court.

Speaking of winning, McConnell has a strategy for gaining Senate seats. His goal, he said at a joint press conference with Trump on October 16, is "to keep us in the majority. The way you do this is not complicated. You have to nominate people who can actually win, because winners make policy and losers go home."

GOP Senate leader since 2007, McConnell didn't intervene in Senate races until 2014, after Republicans had suffered embarrassing losses in 2012. A handful of candidates "were not able to appeal to a broader electorate," McConnell said.

In 2014, "we changed the business model." McConnell and the party's Senate campaign committee intervened

*Fred Barnes is an executive editor at THE WEEKLY STANDARD.*

in five primaries. “We nominated people who could win everywhere.” The result: Republicans won nine seats, captured control of the Senate, and McConnell became majority leader.

The Bannon strategy is to recruit insurgents and Trump enthusiasts and back them in the primaries. In most cases, the best candidates are already taken. They’re either incumbents or establishment favorites—Bannon’s intended victims. To get his approval, these upstart candidates are required to vow to vote against McConnell as Republican leader. But some have balked at this.

Republican leaders, including McConnell, don’t take Bannon lightly. He’s a force they must reckon with. He has ties to big donors and can steer campaign dollars to his candidates. He runs Breitbart News, a significant force on the right. He has allies on Fox News. He’s an intellectually interesting character. Reporters like him. He almost always takes their calls, and he leaks.

And the myth of Bannon the magician works wonders. “This guy is an expert at showing up late and taking credit for the whole thing,” a Republican operative laments. “It’s like the rooster taking credit for the sunrise.”

The latest example came in the Alabama Senate race. Bannon jumped in—late—to back Roy Moore, who won the Republican runoff and is likely to win the general election in December. The press gives Bannon credit but shouldn’t. In the primary, “Moore’s win was baked in the cake from the start because of his loyal following,” says Quin Hillyer, a political columnist in Mobile. Moore is supported by Alabama’s large evangelical community.

“I and almost every seasoned observer down here—in fact, even just people I run into randomly at lunch—think it is absurd for Bannon to get any credit/blame for Moore’s victory,” Hillyer says. “His influence was, if possible, less than zero.”

In polls, Moore led in low double digits before the runoff and won by nine percentage points over appointed senator Luther Strange, a smaller margin than pre-Bannon. But the myth lives on. ♦

# Menendez in the Dock

As always, the real scandal is what’s legal.

BY JAY COST

**T**he biggest scandal that nobody is talking about has nothing to do with the Donald Trump White House or the connection between the Hillary Clinton campaign and the Russia dossier. It involves New Jersey senator Bob Menendez, a Democrat, who stands accused by the federal government of bribery, fraud, conspiracy, and perjury.

Menendez is on trial in Newark federal court for what prosecutors allege was an illegal relationship with Florida ophthalmologist Salomon Melgen, who was convicted in April of wrongly billing Medicare more than \$100 million.

The government claims that Melgen bribed Menendez with private flights, vacations to the Caribbean, and hundreds of thousands of dollars in political contributions. In exchange, Menendez allegedly used his position as a United States senator to secure immigration visas for Melgen’s girlfriends; persuaded the State Department to lobby the Dominican Republic on behalf of one of Melgen’s companies; tried to sway Medicare officials to side with Melgen over a billing issue; and endeavored to stop the Department of Homeland Security from donating equipment to the Dominicans to scan shipments through their ports (a Melgen-owned company hoped to sell security services).

There is little doubt that Melgen is a shady character. In 2009, the Center for Medicare and Medicaid Services discovered that he had overbilled Medicare by nearly \$9 million for use of the drug Lucentis, which treats blindness in the elderly. His office was



Bob Menendez arrives at federal court in Newark for his trial, September 6.

raided in January 2013 after the FBI received info from an anonymous tipster, and in April 2015 he was indicted on fraud charges.

Menendez’s too-cozy relationship with Melgen is clearly unethical and sufficient grounds for the people of New Jersey to remove him from office. An average citizen could not call Senator Menendez’s office out of the blue to secure a visa for a Brazilian girlfriend. But if he were to contribute \$700,000 to the senator’s reelection campaign, it would apparently be a different story.

However, proving a criminal case against Menendez is easier said than done. Last year, the Supreme Court issued relevant guidance in *McDonnell v. United States*, which overturned the conviction of former Virginia governor Robert McDonnell. The federal bribery law prohibits an official from “receiv[ing] or accept[ing] anything of value” in exchange for performing “any official act.” Chief Justice John Roberts, writing for a unanimous court, ruled that an official act implied a decision

Jay Cost is a contributing editor to THE WEEKLY STANDARD.

EDUARDO MUÑOZ-ALVAREZ / GETTY

or action on a matter, not merely setting up meetings, organizing events, or talking to officials, which is all McDonnell was found to have done. Following the Supreme Court's ruling, a federal appeals court in July tossed out the corruption conviction of former New York assembly speaker Sheldon Silver.

Prosecutors in the Menendez trial have to prove that the senator was proactive, using his position not merely to set up meetings and present grievances but actively pushing officials on Melgen's behalf. This has led to some interesting moments in the trial, particularly in Menendez's alleged effort to secure Melgen his Medicare payments.

To that end, prosecutors called former Iowa senator Tom Harkin, who testified that in 2011, when he was chairman of the Senate Health Education, Labor and Pensions Committee, he had a meeting with Menendez and Melgen at Menendez's request. They also called Jonathan Blum, a former administrator at the Centers for Medicare and Medicaid Services, who testified about a "hostile" exchange with Menendez, who was "clearly not happy" about policies affecting Melgen.

In a day of high political drama, prosecutors summoned former Health and Human Services secretary Kathleen Sebelius, who testified that former Senate majority leader Harry Reid asked her to a meeting with Menendez to discuss Melgen's issues. Sebelius recalled thinking that a request from the majority leader to discuss a "billing issue" was "unusual," as the HHS secretary does not normally get involved in such issues (and neither, for that matter, does the Senate majority leader).

The prosecution wrapped up its case in early October, at which point the Menendez defense called for a dismissal, arguing that the government's case did not meet the standard the Supreme Court established in *McDonnell*. While the district judge seemed open to the defense's argument, he ultimately decided not to throw out the case. The defense is expected to be done with its case by Halloween, which means the jury could receive the case

by Thanksgiving, after closing summations and legal arguments regarding the judge's instructions to the jury.

The timing is critically important for the remainder of the current Congress. If Menendez were to resign before January 16, 2018, New Jersey governor Chris Christie would appoint his replacement. On the other hand, if Menendez is acquitted or elects not to resign before that date, Christie's successor will name his replacement. Democrat Phil Murphy is the overwhelming favorite to win that contest; he leads by about 16 points in the *Real Clear Politics* average.

Given the very narrow split in the Senate, the party affiliation of a Menendez replacement would be quite important. Senate Democrats, unsurprisingly,



Salomon Melgen in Port St. Lucie, March 21

have been mum on whether Menendez should resign if he is convicted. He will surely appeal the conviction, so Democrats will likely want to stand by him, at least until January 16. If they do, there is little the GOP could do, as the Constitution requires a supermajority of two-thirds for the Senate to expel a member.

But the implications of the Menendez trial are arguably bigger than the balance of power for the next couple months. Government oversight of Medicare reimbursement is scandalously lax. Melgen's fraud was egregious, but he was taking advantage of a loophole in government regulations that many have used. Avastin works as well as Lucentis to treat vision problems like macular degeneration in the elderly. The main difference is that Lucentis costs \$2,000 per injection while Avastin costs just \$50. Many doctors

naturally prefer Lucentis—Medicare reimburses doctors for in-office procedures by calculating the average drug price plus 6 percent. So a doctor's profit from each dose of Lucentis is in the range of \$120, as opposed to about \$3 for Avastin. It's not surprising that in 2013 Lucentis added a reported \$1 billion extra to Medicare's total annual costs. Considering that Medicare will soon become the largest federal program, and the main driver of the public debt, the government needs to dedicate more resources to developing sensible reimbursement rates.

Moreover, the difficulty of proving a corruption charge should give advocates of good government pause. Like McDonnell and Silver before him, Menendez might very well get off. The burden of proof in such cases is high, as it should be considering a man's freedom is at stake. But public corruption is just as much a civic issue as it is a criminal matter. A voter need not have proof beyond a reasonable doubt to conclude that an official is too corrupt to be reelected. If we really want to root out corruption from the government, we cannot rely upon federal prosecutors and the courts. We have to do it ourselves, via the ballot box.

And what is the difference between Menendez and the average politician? It is really only one of degree. There are all sorts of ways that members of Congress can profit from their public service without breaking the law. If the prosecutors are right, then Menendez was just too greedy and too sloppy. After all, campaigns are explicitly funded on the basis of conflicts of interest. Special interest groups donate to members of Congress who have oversight of their businesses. Would they really be spending all that money if they did not think it worked?

In sum, the shady relationship between Menendez and Melgen is outrageous, but so is "business as usual" in Washington, where all sorts of bad behavior is not only legal but considered *de rigueur*. Our politics will be no less corrupt if the jury convicts Robert Menendez but voters continue to look the other way. ♦

# Solving the Pre-K Mystery

No matter how much we spend, the gains are elusive. **BY NAOMI SCHAEFER RILEY**

‘**H**ere, you can be the policeman.’ Jenna (not her real name), a 4-year-old, hands me one of the dozen small figures spread in front of her, a black woman in a police uniform. “I’m going to be the doctor,” she says as she picks up another black woman dressed in a doctor’s coat. For the next few minutes, in her brightly lit busy classroom at LEAP Academy, a KIPP school in Southeast D.C., we go back and forth.

“Open your mouth please. Say Ahhh.”

“Ahhh.”

“Okay, now I need to look in your ears. You have sick in both your ears!”

“Oh no? Both of them? Do you have medicine?”

“Yes, right here.”

“And now I need to look at your belly. You swallowed a necklace and I need to take it out. Now you have bleed everywhere and you need a band-aid.”

“Obviously,” I laugh. Fortunately she is too immersed in our characters’ conversation to notice my amusement.

If you ask any child development expert, this is exactly what Jenna should be doing. This kind of play-based learning has become the gold standard in recent years, as middle and upper-class parents send their children to preschools that emphasize less direct instruction, academic skills, and technology and more make-believe, time outside, and one-on-one interactions with teachers and peers. In addition to Montessori programs, there’s

also Reggio Emilia, an early childhood approach developed in Italy in the aftermath of World War II, and there are Waldorf schools, which are now a popular option for Silicon Valley families trying to keep their kids away from screens, while at the same time ensuring their readiness for schools and sparking their imaginations.

Success at these schools is not measured by whether students can recognize letters at the age of 3 but by things like their “stamina for play.” When they begin, of course, most students just play on their own, but over time they learn to interact with others and to act out long scenes and games like the one described above. Their ability to immerse themselves, to communicate and negotiate with their peers, and to imagine new scenarios all demonstrate a certain level of development that many kids in other school settings are not achieving.

It is not that Jenna’s pre-K is neglecting academics. Each day the children are asked what they want to do that day when it comes time to go to different centers. They can draw a picture of themselves building with blocks or giving a doll a bath or playing with sand. And underneath they can try to write any letters or words they know to describe it. Teachers look at these papers to measure everything from students’ fine motor skills to their ability to speak well. (Students also tell the teachers about their pictures.) But these papers are also used to improve what’s called executive function—the ability to make a plan and follow through on it. There is a wide variation in each class in what the kids can do, but it is easy for parents and teachers to see progress.

The school day, 8-4, is rather long for kids this age, and they do nap for at least an hour. But the administration also thinks physical education and recess are of great importance. There is a large playground enclosed on three sides by the building, and the KIPP folks (the acronym comes from the Knowledge is Power Program) want to ensure kids who come from neighborhoods where violence is not infrequent and playing outside may not be feasible get ample time outside. Though it’s drizzling the day I visit, the kids still go outside.

Most pre-K programs, and especially most programs geared toward lower-income kids, have emphasized direct instruction—having the kids repeat letter sounds and even use math flash cards—and “seat work” more generally. The idea was that starting kids in school early would begin to make up for the educational gaps that appear later on. But the results have been disappointing. As child development researcher Erika Christakis wrote in a piece for the *Atlantic* called “The New Preschool Is Crushing Kids,” “even as preschoolers are learning more pre-academic skills at earlier ages, I’ve heard many teachers say that they seem somehow—is it possible?—less inquisitive and less engaged than the kids of earlier generations. More children today seem to lack the language skills needed to retell a simple story or to use basic connecting words and prepositions.”

Large-scale testing seems to bear this out. Christakis notes: “A major evaluation of Tennessee’s publicly funded preschool system [published in 2015] found that although children who had attended preschool initially exhibited more ‘school readiness’ skills when they entered kindergarten than did their non-preschool-attending peers, by the time they were in first grade their attitudes toward school were deteriorating. And by second grade they performed worse on tests measuring literacy, language, and math skills.”

A recent paper from the National Bureau of Economic Research actually found that watching *Sesame Street* was

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*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.*

a more effective early-childhood intervention than Head Start. And much more reasonably priced too. Even if pre-K seems to give students a leg up, gains peter out by the middle of elementary school.

But these poor results have not stopped policymakers and politicians from pushing for universal pre-K programs. It is undoubtedly one of the more bizarre policy arguments that school systems, having failed to educate millions of kids during the 13 years they have them, just need another year in order to make things better. But that very argument has led cities like Washington to adopt a universal pre-K program, paying for all of the city's 3- and 4-year-olds to attend. New York too is moving in that direction, having adopted a program for 4-year-olds and promising one for 3-year-olds will spread city-wide within four years. The projected annual cost by 2020 is \$180 million, just for the 3-year-olds. When I asked a professional mother recently about her daughter's experience in pre-K on the Upper West Side, she shrugged. The girl didn't learn anything, but mayor "Bill DeBlasio saved me \$30,000 in private preschool tuition."

As a recent paper from the Brookings Institution noted, "The proposition that expanding pre-K will improve later achievement for children from low-income families is premature. Premature as well is the presumption that solid research exists to guide the content and structure of pre-K programs."

It's not that there has never been a pre-K program that provided benefits to kids, but such high-quality classes are few and far between and no one so far has proved able to scale them up. If these city-wide programs are simply going to repeat the kind of curricula and use the same kind of teaching that they have done for years, this money is being spent on nothing more than

babysitting. If Head Start is just a way to allow parents to have childcare while they work (or don't), then we should acknowledge that and spend a lot less money on it. Head Start spending now surpasses \$9 billion a year.

But if we are aiming for something better, it is worth examining KIPP's story more closely.

The play-based structure that is being used at LEAP has only been in place for a couple of years. Stacie Kossoy, KIPP's managing director of early childhood education in Washington, has told me that they decided to adopt a "research-based" model for the pre-K



*Students at LEAP Academy in Washington, D.C., March 31, 2011*

program, rather than letting teachers design the curriculum. KIPP has developed its own training program for early childhood teachers—the Capital Teaching Residency—in order to put its research to use.

Kossoy emphasizes that though KIPP's pre-K is "aligned" with the goals and curricula of elementary school and higher grades, the administrators and teachers do not see it as "mini-kindergarten." Though they do require kids to be potty-trained before arriving, they are still very young. Some are "nonverbal." In other words, this is a completely different kind of teaching.

Which may be one reason that KIPP's pre-K has not lived up to the expectations that have been created by its K-12 successes. A leader in getting kids not only into college but through it, KIPP has provided its students with an education that is leaps and bounds

ahead of its traditional school competitors (KIPP's network now counts more than 200 charter schools across the country). But when researchers from Mathematica tried to measure the effect of KIPP's pre-K on a few hundred kids over the course of several years (before the new model was put into effect), the results were underwhelming.

In an August report, the authors found that "after five years, KIPP Pre-K combined, with KIPP early elementary school, has positive and statistically significant impacts on reading and math achievement . . . [and it] may also have a positive impact on students' executive function."

It's important to note that this is looking at pre-K and the early grades together. Few people doubt that KIPP's elementary schools are adding value. But the question is the value of pre-K, and there the results are murkier. "KIPP Pre-K may provide an additional benefit for reading achievement above and beyond KIPP elementary school. The KIPP impact on reading

skills persists over time, but impacts on reading comprehension largely dissipate by grade 2."

This is not nothing and it's certainly better than the results that the vast majority of pre-K programs provide, but it also suggests how hard it is to move the needle with this population.

It's possible that the play-based model will bring the kinds of success teachers and administrators have been hoping for. If so it could still be difficult to scale up—because of the high quality of teachers and kinds of training required, for example, to make unstructured play time productive and not chaotic—but KIPP has provided itself capable of such replication in the past. And unlike so many other pre-K programs, the leaders and teachers seem to aspire to more than keeping kids busy and collecting a paycheck. ♦

# The Consolations of Presidents

Sometimes less is more.

BY PHILIP TERZIAN



Cindy Sheehan, center, leads supporters to a checkpoint outside George W. Bush's ranch in Crawford, Texas, August 6, 2006.

At this juncture, we can stipulate that President Trump would probably have been well advised to follow Gen. John Kelly's reported advice and write a letter of condolence to the widow of Sgt. La David Johnson instead of calling her on the telephone. No doubt Trump had reasoned that words of regret, delivered personally, would be preferable to some palliative message mailed from the White House on behalf of the nation. How wrong he was.

To be sure, Donald Trump is scarcely our most articulate president. But his awkward tribute to the Army sergeant killed in action in Niger was, in his fashion, deeply felt and sincerely expressed to the soldier's widow. What Trump failed to realize, and had no way of knowing, was that a bumptious member of Congress would be eavesdropping on

his telephone call—and in the toxic atmosphere of contemporary discourse, eager to denounce him publicly for whatever was said privately.

Rep. Frederica S. Wilson (D-Fla.) may not be quite the “empty barrel” that General Kelly described in his hasty press conference, but her own comportment and words (“I have to tell my kids that I’m a rock star now”) speak for themselves. In a perfect political world, further comment from the president or his chief of staff would have been superfluous. In that sense, General Kelly might have benefited from the same counsel of restraint he had offered President Trump.

So now we are engaged in a great civil war about whether the president of the United States “disrespected” Sergeant Johnson and his grieving widow, and what Rep. Frederica S. Wilson may or may not have said when the ribbon was cut for an FBI field office in Florida. The national press corps is in full umbrage mode—Is the

phrase “empty barrel” a racial epithet? Should retired officers serve on the White House staff?—but it's difficult to avoid the conclusion that the whole sorry episode might well have been avoided if Trump had settled for signing a letter. As usual, no good deed goes unpunished.

The irony, of course, is that expressions of presidential sympathy under such circumstances—the notion that commanders in chief owe survivors their time and attention, as well as detailed explanations of policy—are not just recent in practice. They are symptomatic not of wartime but the semblance of peace. This became evident a dozen years ago, when a woman named Cindy Sheehan, whose soldier-son had been killed in action in Iraq, kept vigil for several well-publicized weeks near George W. Bush's Texas home. Mrs. Sheehan had already met with Bush in the company of other bereaved families, but was subsequently persuaded that her son had “died for oil . . . to make [Bush's] friends rich” and demanded a second meeting to denounce the president personally.

“You tell me what the noble cause is that my son died for, and if [you even start] to say ‘freedom and democracy,’ I’m gonna say, ‘Bulls—t,’” she warned.

Needless to say, Sheehan quickly acquired a following, not least among journalists reflexively hostile to Bush. “The moral authority of parents who bury children killed in Iraq is absolute,” wrote Maureen Dowd of the *New York Times*. But the fury at Bush's refusal to receive Sheehan was based on a curious misapprehension. Not only have war presidents in American history failed routinely to “meet” with survivors of soldiers, sailors, and airmen killed in combat, or attend burials, or write personal letters, but the extraordinary numbers of casualties in the past—406,000 fatalities in World War II alone—would have made such gestures impractical.

Indeed, in the Good War, the bland, impersonal tone of War and Navy Department telegrams to families of the dead—“The Secretary of War desires me to express his deep

Philip Terzian is a senior editor at THE WEEKLY STANDARD.

JIM WATSON / AFP / GETTY

regret . . .”—seems cold, even shocking, by contemporary standards. Americans of the 1940s evidently felt otherwise. The relatively modest number of casualties in the war on terror tends to magnify each individual loss, and in recent years, the pressure on presidents to alleviate emotional distress—after natural disasters, gun violence, military skirmishes—seems to grow with the office.

Then again, as Trump has discovered, it is not always possible to gauge the reaction of bereaved families or of injured warriors. In the hours and days after the death of a child or spouse, most people are likely to welcome words of regret and solicitude, and behave accordingly—but not all. When emotions are raw and shock is immediate, the human animal remains a bundle of nerves. And memories endure: Even so sophisticated and amiable a statesman as Sen. Robert Dole, decades removed from his grievous wounding in Italy in 1945, could not resist an embittered allusion to “Democrat wars” in his 1976 vice-presidential debate with Walter Mondale.

Nor, for that matter, is Trump’s recent embarrassment entirely unprecedented. The most famous presidential letter of wartime condolence—Abraham Lincoln’s 1864 note to Lydia Bixby lamenting the death of her five sons fighting for the Union—is not just problematical but instructive. It is by no means clear that its rococo language—“how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming”—is Lincoln’s own; his secretary John Hay is believed by many to be the author. And only two of Mrs. Bixby’s five sons were killed; two, in fact, seem to have been deserters.

Yet the letter, which was swiftly published in the *Boston Evening Transcript*, no longer exists in manuscript. It might have been discarded by the *Evening Transcript* editor—or, as I like to think, destroyed by Mrs. Bixby, who was reputed to be a Confederate sympathizer and angry at the president. That is to say, Abraham Lincoln had “disrespected” Lydia Bixby, and the rest is history. ♦

# A Strange Captivity

## Why was a Canadian couple in Afghanistan?

BY CANDICE MALCOLM

Their story has all the makings of a Hollywood blockbuster. Caitlan Coleman and Joshua Boyle were idealistic adventurers, a newlywed couple who loved to explore unusual destinations and travel off the beaten path. The North American pair married in 2011, and after spending a few months in Guatemala, they set off for Central Asia, trekking through Russia, Kazakhstan, Tajikistan, and Kyrgyzstan. Afghanistan was not part of their original plan, the couple’s friends and family say, but they met other travelers on their journey who raved about the country and its unique beauty, and, just like that, the carefree duo decided to explore the Wardak Province of central Afghanistan. Within weeks, Coleman and Boyle were abducted by the Haqqani network, a fierce and ruthless faction of the Taliban.

There’s plenty of suspense in this story—even after its ostensibly happy ending. Little is known about the couple’s life in captivity, aside from the occasional ransom video in which Coleman and Boyle appear increasingly frail and disoriented, pleading for the Obama administration to listen to their terrorist captors—or else. Unlike most kidnapping victims, the couple started a family and continued having children while in captivity. Caitlan Coleman, it turns out, was seven-months

pregnant when the couple decided to backpack through the Taliban-controlled region of Afghanistan.

Fast-forward to October 11, 2017, when the 31-year-old Coleman, the 34-year-old Boyle, and their three children were rescued in what was reportedly a daring raid by an elite unit of the Pakistani military. It was a tremendous achievement, and President Trump attributed it to the improved bilateral relationship between the United States and Pakistan. But alongside this good news come endless questions about the couple and the very bizarre circumstances of their adventure. Soon after he was freed, Boyle shaved his mustache and part of his beard—displaying the facial-hair-of-choice of radical

Salafi Muslims. According to media reports, Boyle refused to board a U.S. military aircraft after the rescue and instead waited for the Canadian government to facilitate his travel back to Canada. In Boyle’s frequent interviews since his release, his accent occasionally sounds like that of a native-Arabic speaker, even though he was born and raised in a small town in Ontario. Unlike his Pennsylvania-born wife, Boyle seems more than happy to jump in front of the camera and tell his tale.

And the more Boyle talks, the more he sounds like a religious fanatic. Examining Boyle’s actions and considering his background, which includes a high-profile marriage into a renowned al Qaeda family, it’s easy to become skeptical of his story. Boyle’s eccentricities are so distinct, even the



Caitlan Coleman, October 23

Candice Malcolm is a nationally syndicated columnist for the *Toronto Sun* and a fellow with the *Center for a Secure Free Society*.

Taliban-allied Haqqani network has contested his statements. Islamist terrorists don't usually care to correct the record in North American news, but in this case, the group was quick to release a statement denying some of Boyle's claims, namely that his wife was raped in prison and that the kidnapers "authorized the murder" of his infant daughter. Boyle later clarified that the baby died in a miscarriage, which he blamed on his captors. In his first statement on touching down in Toronto, Boyle decried the "stupidity and the evil of the Haqqani network in the kidnapping of a pilgrim" and referred to the Taliban using its self-styled formal title, "the Islamic Emirate of Afghanistan."

So many things about Boyle and his family's ordeal remain a mystery. Writing in the *Toronto Sun*, Pakistan-born Canadian writer Tarek Fatah says his first questions to Boyle would be: "when did you convert to Islam" and who introduced you to the faith? Boyle's wife hasn't been seen in Canada without a hijab on her head; she "declined" to tell a *Toronto Star* reporter "whether she has converted to Islam."

Looking at Boyle's history, it seems most likely that he was converted by his first wife, Zaynab Khadr—well known to Canadians as the outspoken and radical older sister of convicted war criminal and former Guantánamo Bay inmate Omar Khadr.

Zaynab is notorious for her radical beliefs and praise for Osama bin Laden, who attended one of her weddings (though not the one with Boyle). She appeared in the 2004 PBS documentary *Son of al Qaeda*, covered in a niqab and offering her vile and anti-Western worldview. "They deserve it," she said of Americans killed by Islamic terrorists, while also seeking to justify the 9/11 attacks: "sometimes innocent people pay the price." She also defended her terrorist brother Omar, who admitted to murdering

Sergeant First Class Christopher Speer in Afghanistan, saying that he "killed an American soldier. Well, big deal."

Boyle's marriage to Khadr was as brief as it was high-profile, lasting only about a year. According to a friend, Boyle met Zaynab while working on an advocacy campaign for Omar Khadr, and the two bonded during an anti-abortion rally in Ottawa. Before the couple divorced in 2010, Boyle became the Khadr family's spokesman and organized publicity stunts to raise sympathy for Omar, who was 15 when he fought for al Qaeda and threw the grenade that killed Sgt. Speer. Earlier this year, Omar settled his case against the Canadian government over his Guantánamo experience, receiving CDN\$10.5 million.



Joshua Boyle greets the media, October 13.

Alex Edwards, a friend of Joshua Boyle who penned an article about the kidnapping on Medium, writes that Boyle described himself as a "pacifist Mennonite hippy-child" from rural Canada. Edwards also

notes that Boyle "may . . . have been in the process of converting" to Islam when he traveled to Afghanistan. Far from the caricature of a naïve Western idealist, the Boyle described by Edwards is "an exceptionally cunning and savvy man." Likewise, a former U.S. intelligence official revealed the U.S. government's distrust of Boyle by anonymously telling the *Washington Post*, "I can't say that [he was ever al Qaeda]. He was never a fighter on the battlefield. But my belief is that he clearly was interested in getting into it."

The Canadian government might have shared some of these concerns. "With Mr. Boyle, it was very unclear what he was trying to achieve, and we were very confused about what he thought might happen to him in that part of the world," says Andrew House, chief of staff to the Canadian minister of public safety from 2010 to 2015. "We didn't understand his motives, and that was frustrating." When asked if Boyle

was considered a national security threat by the Canadian government, House explains that while Boyle's intentions remain unclear, his capacity to engage in terrorism was "non-existent." "He had no meaningful understanding of the Middle East," says House. "I don't detect anything nefarious about his motivations, but what I do detect is vast negligence and a complete misunderstanding of the danger in traveling in that region."

House is adamant that Boyle's case be examined more closely. He specifically questioned what Boyle meant when he said he went to Afghanistan to "do good." "What does it mean to 'do good,'" House ponders, "did he want to provide humanitarian aid?" Or did he mean providing aid and assistance to the Taliban in its Islamic cause? For now, House says he's happy the family is home, particularly for the sake of the children, who are "victims and blameless in this ordeal."

The Boyle children are named Najaeshi Jonah, Dhakwoen Noah, and Ma'idah Grace. Najashi is best known as the name of the Ethiopian king who offered protection to Muslim emigrants in the days of Muhammad. The couple called their miscarried daughter Martyr.

T. Lee Humphrey, a retired officer with the Canadian Armed Forces, met Boyle in September 2012 in Afghanistan, weeks before the couple was kidnapped. Humphrey is an international security consultant who was in Kabul on assignment when he met Boyle, by chance, in a restaurant. Boyle was talking about how he wanted to go backpacking through the mountains, and several Westerners were advising him of the dangers of his itinerary.

"He said he's a Muslim and his faith will protect him," Humphrey says of Boyle. "He said he's devout and Allah is with him." "He never mentioned his wife, doing good, or anything like that," says Humphrey, who warned Boyle of the stupidity of his plan, to no avail. "I just thought he was an arrogant idiot."

Arrogant idiot or nefarious Islamist: When it comes to Joshua Boyle, for now, it remains a mystery. ♦

STEVE RUSSELL / TORONTO STAR / GETTY

# The Reformation at 500

The continuing reverberation of Luther's 95 theses.

BY BARTON SWAIM

On October 31, exactly 500 years will have passed since a German monk named Martin Luther posted his 95 theses on the door of the Castle Church in Wittenberg. That's at least the tradition, but certainly Luther circulated his collection of brief contentions. Mainly he intended to provoke a debate over the sale of indulgences, a feature of penance for sins that granted their full or partial remission.

Luther was angered by the crass advertising campaign launched by the papacy to raise money for the construction of Saint Peter's Basilica, but he was not alone in that. What troubled him was the concept of "indulgence" itself. The very idea, he felt, was at odds with the Christian gospel. And so although he meant to start a discussion among academic theologians—his theses were written in Latin—he provoked a Europe-wide dispute over the essential features of Christianity. In 1521 Pope Leo X excommunicated Luther. The pope thought he had taken care of the problem, but in fact the next 150 years would be marked by the argument Luther started—the Reformation and Counter-Reformation—and modern life and culture unalterably transformed as a consequence.

All week, Protestant churches around the world—Lutheran, Reformed, and Anglican congregations in Europe, the Americas, Africa, southeast Asia, and elsewhere—are holding conferences and musical and artistic events to celebrate the

life and work of Luther and other reformers. At issue is this question: Is the Reformation still relevant?

Leaving aside the elevated dogoodism that still uses the trappings of Christianity in some versions of Protestantism and Catholicism, these two manifestations of Christianity have much in common: Both hold the same doctrine of the triune nature of God, both hold that Jesus Christ was fully God and fully man, both believe that He died and rose from the dead to save men from their sins, and both believe—allowing for major differences—that Christ's followers receive

the sign of His favor in baptism and commune with Him at the table. Much attention is given to the variations within Christianity, but this level of continuity is astounding in a 2,000-year-old religion with adherents on six continents.

What most fundamentally separates Protestants from Catholics is more than a specific set of doctrines; it's an understanding of the individual's relationship with God. And it's the Protestant understanding, not the Catholic one, that has left the deeper impress on the American psyche and culture and economy.

In the Catholic view (to oversimplify), the Christian follows God by seeking to conform his life and character to a standard that is *above* and *before* him. Salvation is by grace, and this grace is an unmerited gift. By grace the sinner is called to turn away from sin and repent. But his reconciliation with God requires the sacramental intervention of a confessor-priest, who after forgiving the sins imposes a penance or

punishment. Indulgences make sense in that conception of belief; they are a sort of suspended sentence.

In the Protestant view, the believer follows God by responding to an event *behind* him—in the past—namely the finished work of Christ. Salvation is by grace in the Protestant view too, but this grace has already been imputed to the believer; he responds to it by a life of love and righteousness. In that understanding, as Luther sensed even before he understood the full extent of the problem, the power to grant or assign indulgences must be the work of corrupt money-grubbing ecclesiastics.

The Catholic understanding stems from a view of the church as a global institution given by God to govern fallen man and place a check on his appetites. The Protestant understanding stems from the conviction that the most important thing in the world is for the individual believer to know God as He is and to enjoy His friendship. Both understandings are defensible given different premises; both are reasonable interpretations of the very large and complex book called the Bible; and both lead to their own excesses and idiocies when "secularized" or emptied of content. And of course they overlap: Catholics respond to Christ's work in the past and Protestants strive to meet ultimately unattainable moral standards. But these are the two contrasting manifestations of the Christian gospel that have grown up side by side in the last five centuries.

This week in America will feature retrospective essays and television shows on Luther and the schisms he inspired, and many of these interpretations will treat the Protestant Reformation as though it were merely a thing of the distant past—an important series of events, to be sure, with here and there vestiges of continued significance (within, say, the disparate collection of denominations known as "evangelical"), but essentially an unrepeatable phenomenon of a pre-scientific age when people still cared about heaven and hell. The Reformation may be an unrepeatable event, and the secularists may be right that the world has moved on (or at least that Europe



Martin Luther

Barton Swaim is the opinion editor of THE WEEKLY STANDARD.

and much of North America have moved on), but this complaisant view misses something important. Americans are so profoundly influenced by the Protestant worldview that it's hard for us even to talk about it without employing assumptions unique to a Protestant worldview.

The economic dynamism of America and northern Europe is an upshot of Protestant soteriology. Max Weber's famous argument in *The Protestant Ethic and the Spirit of Capitalism* (1905)—to oversimplify, that Protestants created wealth to prove their own salvation—gets it exactly wrong. Protestants of the 16th and 17th centuries could form creative new business ventures because their salvation had already been accomplished, not because they needed to prove it or live up to it. This is not merely to praise the Reformation and the Protestant work ethic: Divorced from their spiritual and theological moorings, the Protestant cultures would over time transform themselves into societies characterized largely by amoral avariciousness.

The point here is simply to note the degree to which Americans think and assess in terms set by the Reformation. The idea that all forms of work are morally valuable, not just spiritual or ecclesiastical ones, is an American assumption and an outgrowth of the Protestant understanding of salvation as something one responds to rather than strives toward. So too is the belief that it's always, or almost always, morally right to question and resist authority: If God has already declared me righteous, who are you to tell me I'm wrong? George III, remember, is reputed to have called the American Revolution a "Presbyterian rebellion," and precisely for this reason: Americans are Protestants, and Protestants rebel; that is what they do. These ideas sound noble and right to Americans, but they are not always right: As cultural traits (as distinct from religious ones) they can become as twisted and dangerous as their opposites.

Is the Reformation still relevant? Americans can hardly answer that question, because the Reformation is us. ♦

# A Letter That Lasted

The power of Lord Balfour's pen.

BY DOMINIC GREEN

*London*

**O**n November 2, 1917—a hundred years ago this week—the British government sent a letter to Lord Walter Rothschild, declaring its "sympathy with Jewish Zionist aspirations" and promising Britain's support in "the establishment in Palestine of a national home for the Jewish people."

The letter, popularly named for its signatory, foreign secretary Arthur Balfour, is one of a quartet of controversial communications from that lost age when people wrote sentences on paper instead of abbreviations by text. The others are the Zimmermann Telegram of January 1917, the German offer of a military alliance with Mexico, which accelerated America's entry into World War One; the Zinoviev Letter of 1924, which suggested Russian meddling in Britain's general election; and the Anglo-German "understanding" of 1938, which Neville Chamberlain made the mistake of waving upon his return from Munich.

The Zimmermann Telegram was real. The Zinoviev Letter was a fake, probably contrived by White Russian exiles. The Munich "understanding" was a fiction: Hitler deliberately lied to Chamberlain, and Chamberlain credulously repeated the lie to the British public. The Balfour Declaration was an imperial gambit dressed as a friendly gesture, a propaganda ploy based on a false premise and a hypothesis about the future map of the Middle East. But it came true.

By November 1917, the British and French armies in Flanders were exhausted by three years of trench warfare. The summer offensive at Ypres

had run into the mud, with a butcher's bill greater than that of the Somme offensive of 1916. And the Bolshevik Revolution that autumn made clear that Britain and France could no longer rely on their eastern ally, czarist Russia.

The British government believed that the declaration would encourage American Jews to support an expanded American role in the European war, swing German Jews against Germany, and secure the support of the Jews among the Russian revolutionaries. So, for that matter, did Chaim Weizmann, the Zionist negotiator who later became Israel's first president. All of these assumptions were baseless; many of them rested on fantasies about Jewish power that blurred philo-Semitism with anti-Semitism. As a Christian, Balfour had no doubt about the Jewish claim to a national home. As a Conservative politician, however, he had inveighed against Jewish immigration into Britain and supported the Aliens Act of 1905, which was designed to keep Jews out.

Meanwhile, two days before Balfour put pen to paper, Australian troops had attacked the Ottoman forces in Gaza. The British and French had made promises to all and any potential allies in the war against the Ottoman Empire. The Balfour Declaration was just one more sweet nothing. The idea of a "national home" was legally vague; the need to buffer the Suez Canal strategically obvious.

Ideas and events have a power of their own. By the end of 1917, the British were in Jerusalem. The American Expeditionary Forces were on their way to Europe, the Russians were on their way out of the war, and the Germans had made a Balfour-type declaration of their own. The number of American Jews who belonged to Zionist organizations rose from 7,500 in

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*Dominic Green, a fellow of the Royal Historical Society, is a frequent contributor to THE WEEKLY STANDARD.*

1913 to 149,000 in 1919. After World War I, Balfour's note became a cornerstone of international law. The newly created League of Nations entrusted the "Palestine Mandate" to Britain. After World War II, the league's heir, the United Nations, mandated Palestine's partition into Jewish and Arab states. The Zionists, as much despite as because of British patronage, created the state of Israel. The official residence of the Israeli prime minister is on Balfour Street, Jerusalem.

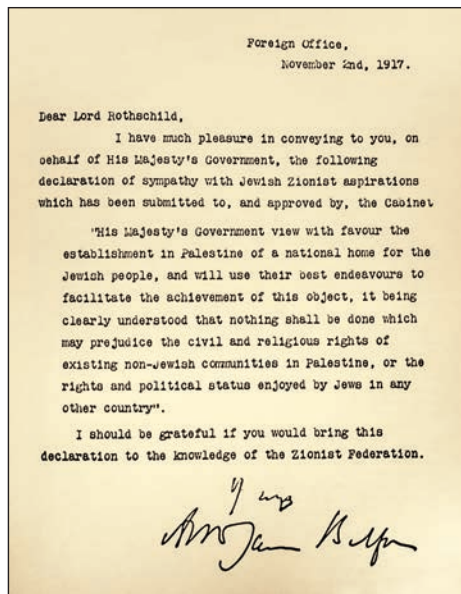
You can imagine how the Balfour centenary is going in Britain. The Christian Zionists, as ever more assertive than the Jewish ones, have booked the Albert Hall for their party. But the official public celebration, a dinner for Theresa May, Benjamin Netanyahu, and 150 admirers of the Zionist Entity, is semiofficial and secretive, hosted not by Balfour's successors in the Foreign Office, but by the current Lords Balfour and Rothschild, and to be held in an undisclosed location.

The Balfour Declaration's offer of political rights to the Jews was premised upon "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine." In 1917, Jews constituted only 10 percent of the population west of the River Jordan. The territories that would become the Palestine Mandate were divided into three Ottoman *vilayets*, and the identity and economy of the "non-Jewish communities" were directed more towards Damascus than Jerusalem. The people who became Palestinians and Jordanians had no political identity and no national history.

By inviting the Jews to reconstitute their polity in modern form, the British forced the "non-Jewish communities" along the same path. But the Zionists were already steps ahead. The Jews were a people with a national identity, already settling the land, already organized diplomatically, and already acting like a nation. The Arabs entered the game late. By the time they realized they were Palestinians, not inhabitants of Greater Syria

or members of this clan or that, it was too late. They have compounded their initial disadvantage by a belligerence and violence which is now lodged at the heart of their political identity.

"We are proud of our role in creating the State of Israel," reads the official statement from the Foreign Office. "Establishing a homeland for the Jewish people in the land to which they had such strong historical and



Balfour's letter to Lord Rothschild

religious ties was the right and moral thing to do."

Britain may have lost its empire, but its representatives have not lost the art of speaking out of both sides of their mouths. A "homeland" is no more of a state than a "national home." Unofficially and anonymously, a "well-placed politician" told the *Guardian* of the need to find "a line" between "bells and whistles to support Israel" and "sackcloth and ashes . . . for those who would recover Palestine." Alistair Burt, the minister for the Middle East, has spoken of "pride and sadness."

For those who prefer shouting, the Balfour Apology Campaign has raised a digital mob to demand that Britain make amends for its "colonial crimes." The Balfour Project, founded by two underemployed groups, Anglican clergymen and academics, demands the same, but more politely. Sir Vincent

Fean, the ex-consul at the non-embassy in East Jerusalem and now a prominent Balfour Projector, has revealed its real purpose—not an apology, but a promise to recognize a Palestinian state at the U.N., presumably regardless of whether Hamas is leading it or not.

Meanwhile, the Stop the War coalition, a "red-green" alliance between the hard left and Islamism whose rallies have been graced by Labour's leader Jeremy Corbyn, will march to Hyde Park under the slogan "Justice Now: Make It Right for Palestine." The march's organizers include the Palestine Solidarity Campaign, which seeks to undo the State of Israel by boycott, divestment, and sanctions (better known as BDS); the Muslim Association of Britain, a local front of the Muslim Brotherhood; and the Friends of Al-Aqsa, at whose previous events Hamas and Hezbollah have been publicly celebrated. Speakers include Palestinian activists, trade unionists, geriatric New Leftists, Labour MPs, and a senator from Sinn Fein.

Israel is the only postcolonial state to have developed into a liberal democracy with the same living standards as its erstwhile colonial power. The Balfour Declaration is one of the roots of that success. It is also one of the roots of the Palestinians' defeat. But it is not the only root of the success and the defeat. In the last century, the Jews and the "non-Jewish communities" have taken charge of their fates, for good and bad.

Britain's diplomats and politicians can talk of "finding a line," but actions, as the Zionists demonstrated after the Balfour Declaration, speak louder than words. Queen Elizabeth II has made state visits to 11 Arab states, none of them democracies and most of them despotisms. She has yet to visit Israel, apparently because the Foreign Office advises against it. The centenary of the Balfour Declaration would have been the perfect time. But the Foreign Office, though it exploited the opportunities of 1917, has missed its opportunity to take an opportunity in 2017. ♦



A 'March of Resilience' at Yale University, March 9, 2015

*Conservatives miss something major about identity politics: its authenticity. But liberals miss something bigger—it springs from the sexual revolution.*

BY MARY EBERSTADT

Just when it seemed as if the election of Donald Trump had rendered his supporters incoherent with triumphalism and his detractors incoherent with rage—thereby dumbing-down political conversation for a long time to come—something different and more interesting happened. A genuine debate has sprung up among liberals and progressives about the subject of the hour: identity politics.

Jump-started by a short manifesto called *The Once and Future Liberal: After Identity Politics* by Columbia University professor Mark Lilla, it's a conversation worth following for reasons beyond partisanship. As in his *New York Times* essay published 10 days after Trump's electoral

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Mary Eberstadt is a senior research fellow at the Faith and Reason Institute and author, most recently, of *It's Dangerous to Believe and How the West Really Lost God*.

victory, Lilla's purpose in this broadside is two-fold: to excoriate identity politics, sometimes called "identity liberalism," and to convince his "fellow liberals that their current way of looking at the country, speaking to it, teaching the young, and engaging in practical politics has been misguided and counterproductive."

The discussion now underway on the left illuminates a fault line that has yet to be sufficiently mapped or explained. The deeper question raised is not the instrumental concern of Lilla and others—how liberalism can retool itself in order to win more elections. Rather, it's the elemental one: How has the question of "identity" come to be emotional and political ground zero for so many in America, and elsewhere in the Western world?

As the online *Stanford Encyclopedia of Philosophy* explains in its entry on identity politics, "whenever they line up in the debates, thinkers agree that the notion of *identity* has become indispensable to

PHILIPP ARNDT

contemporary political discourse.” In *The Once and Future Liberal*, Lilla offers one kind of answer to why that’s so. “[T]hirty years of economic growth and technological advance that followed the Second World War,” he argues, combined with new geographic, institutional, and erotic mobility and led to a “hyperindividualistic bourgeois society, materially and in our cultural dogmas.”

Flush with prosperity and unprecedented new freedoms, we moderns, Lilla believes, went on to atomize ourselves: “*Personal* choice. *Individual* rights. *Self*-definition. We speak these words as if a wedding vow.” By the 1980s, such hyperindividualism coalesced into what he calls the “Reagan Dispensation,” which prized self-reliance and small government over the collective—thus marking a radical break from the preceding “Roosevelt Dispensation” emphasizing more communal attachments, including duty and solidarity.

By embracing the politics of identity, Lilla says, liberals and progressives have unwittingly contaminated their politics with a “Reaganism for lefties,” resulting in the toxic consequences visible today: shutdowns of free speech on campuses, out-of-touch urban and globalized elites, and a political order deformed into a “victimhood Olympics.”

In effect, his is a supply-side answer to the “why” question: Identity politics became the order of the day *because it could*. What’s lacking from this analysis—as from other critiques, right as well as left—is what might be called the demand-side answer: Why have so many people found in identity politics the very center of their political being?

After all: That identitarianism is now the heart and soul of politics for many is a visceral truth—as raw as the footage of violent political clashes making headlines with a frequency that would have shocked most citizens only a decade ago. What’s singular about such politics is exactly its profound and immediate emotivism, its frightening volatility, its instantaneous ignition into unreasoned violence. Lilla acknowledges this reality obliquely in describing “a kind of moral panic about racial, gender and sexual identity”—all true, as far as it goes. But the problem is that it doesn’t go nearly far enough.

When a mob of young men attack a 74-year-old man and a middle-aged woman, as happened at Middlebury College in March in the case of Charles Murray and

Allison Stanger, something deeper is afoot than American individualism run amok. When debate after campus debate is preemptively shut down due to social media threats of violence, reasoned talk of a “Reagan Dispensation” doesn’t begin to capture the menace there. Berkeley spent \$600,000 on “security” for a visit by the conservative author and pundit Ben Shapiro. Non-progressive speakers who have nothing to do with racism or supremacism are regularly harassed, threatened, disinvited, and shouted down on campuses across the country. To ascribe these transgressions to identitarian narcissism alone is to miss what’s truly novel about them. And most chilling.

What’s unfolding on campuses today isn’t merely the “pseudo-politics of self-regard” of Lilla’s description. It’s all panic, all the time. Even “assaults on free speech” doesn’t capture the gravity of the new menace, though of course they are that, too. *Dangerous collective hysteria* is more like it.

Writing after she gave a 2015 lecture at Oberlin on feminism that was mocked and jeered and protested, including by people whose mouths were covered in duct tape, Christina Hoff Sommers observed that “some of those students need the services of a professional deprogrammer. What I saw was very cult-like.” “The inmates ran the asylum,” Charles Murray reported of the attack at Middlebury, adding that he had “never encountered any-

thing close to this. . . . and the ferocity.” Ben Shapiro, who has been heckled all over the country, has pronounced his protesters “delusional.”

The trend toward preemptive silencing is, moreover, escalating. As Stanley Kurtz has documented in *National Review*, there were as many anti-speech incidents on U.S. campuses in the first six weeks of the fall 2017 semester as in the entire spring semester, including the “disruption of a lecture at Reed College, the shout-down of former FBI Director James Comey at Howard University, the disruption of an immigration debate at the University of Pittsburgh, the shout-down of a spokesman for the ACLU at William and Mary, and the attempted shout-down of the President of Virginia Tech.”

This aggressive irrationalism goes missing from *The Once and Future Liberal*, as it does from most other

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Middlebury College students turn their backs on Charles Murray in protest of his appearance at the school, March 2.

accounts by liberals of identity politics. It is true, as Lilla observes, that today's culture of victimization encourages people to "descend into the rabbit hole of self." But the question remains: What gravitational force pulls them toward that hole in the first place?

In a widely discussed essay in the *Atlantic* in 2015, "The Coddling of the American Mind," Jonathan Haidt and Greg Lukianoff offered another answer of sorts. "Something strange is happening at American colleges and universities," they reported, and "some recent campus actions border on the surreal." The authors dubbed the phenomenon "vindictive protectiveness"—a runaway effort to protect students from psychological harm, including by punishing putative transgressors.

Alarmed by this development for several reasons—not least because they fear that it teaches students to think "pathologically"—the authors pointed to empirical measures of campus devolution. Most arresting, they noted,

rates of mental illness in young adults have been rising, both on campus and off, in recent decades. Some portion of the increase is surely due to better diagnosis and greater willingness to seek help, but most experts seem to agree that some portion of the trend is real. *Nearly all of the campus mental-health directors surveyed in 2013 by the American College Counseling Association reported that the number of students with severe psychological problems was rising at their schools [emphasis added].*

The authors also mentioned "The rate of emotional distress reported by students themselves is also high, and rising."

Such a generation-wide descent into psychiatric trouble calls for explanation. Haidt and Lukianoff, to their credit, were uncertain about the *why* question, writing, "It's difficult to know exactly why vindictive protectiveness has burst forth so powerfully in the past few years." They zeroed in on several possible contributors: the surge in crime in the 1960s and '70s that made parents more protective of their children; the "zero tolerance" policies in schools after the Columbine shootings; increased political polarization; and the rise of social media.

No doubt social media are an inescapable part of what ails us. The question is no longer whether Google is making us stupid, as Nicholas Carr put it in 2008. It's instead whether Facebook and Snapchat and Instagram are driving many to mutually assured social destruction. Yet for

all that public life is being configured and disfigured by connectivity, even social media and the Internet do not answer the *why* question about identity frenzy. They beg it, for two reasons: first, because identity politics predates the Internet; and second, because the self-absorption and insecurity amplified by nonstop introspection online just summon the point of causality all over again. *Why can't Narcissus stop looking at himself?* The frantic, habitual electronic construction of one's self or selves underscores that identity is all the rage—often literally—especially, though not only, among people in their teens, 20s, and 30s.

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**Identity politics isn't just a left-wing thing. As *Washingtonian* magazine noted of a pro-Trump rally on the National Mall in September, 'There were Hispanics for Trump, Grandmas for Trump, Gays for Trump.' A member of the last explained, 'Identity politics is very popular, and very important.'**

Other writers suggest a third explanation of sorts for the fury behind identity politics: white racism.

In a piece titled "America's First White President," published on December 10, 2016, *Salon* executive editor Andrew O'Hehir delivered an example of this line of thought. "Trump," he wrote, "is the first president defined by whiteness, the first whose glaring and overwhelming whiteness is a salient issue that lies at the core of his appeal." The "presidential candidate's race played a central role in his campaign, and is one

of the key factors that got him elected." The 2016 result, in O'Hehir's telling, amounts to retribution of some kind for America's having, twice, elected a black president ("the election of Barack Obama inflicted a psychic wound that demanded immediate payback, at almost any cost").

In an essay published in September, "The First White President," bestselling author Ta-Nehisi Coates issued a related indictment in the *Atlantic*. Drawn from a new collection called *We Were Eight Years in Power: An American Tragedy*, Coates's piece asserted that: "To Trump, whiteness is neither notional nor symbolic but is the very core of his power"; Trump "is a white man who would not be president were it not for this fact"; and Trump is "the first president whose entire political existence hinges on the fact of a black president." The essay also included an attack on a number of high-profile writers, Mark Lilla among them, as unreliable commentators on identity politics—on the grounds that "those charged with analyzing [Trump] cannot name his essential nature, because they too are implicated in it."

As these analyses and associated commentary show, the idea that contemporary politics is rooted fundamentally

in white racism endures. Once again, though, as an explanation for the prevalence and emotional staying power of identity politics at large, white racism doesn't suffice—for the simple reason that so many other members in the identitarian coalition claim other motivations, other oppressors, and other grievances.

For starters, identity politics isn't just a left-wing thing. As *Washingtonian* magazine noted of a pro-Trump rally on the National Mall in September, "There were Hispanics for Trump, Grandmas for Trump, Gays for Trump." A member of the last explained, "Identity politics is very popular, and very important." Some on the "alt-right" regard themselves as identitarians, too.

Then there are, perhaps most notable of all, the identitarians of sexual politics, whose influence on law and culture has been especially prodigious during the past quarter-century. In addition to the epiphenomenal manifestations of the obsession over sexual and gender identity—Facebook's 71 genders, media focus on intersex and transgendered people, the "bathroom wars," and the rest—there are areas into which sexual identitarianism has sunk lasting roots.

At least eight countries—including India, Germany, and Australia—now allow for identification as something other than male or female, and a growing number of states and other authorities leave gender identity in official forms to personal say-so. Marriage, adoption, commercial surrogacy, and other areas of family law have been reconfigured around the world. In fact, viewing the whole of "identity politics" through the single lens of public efficacy, one would have to say that sexual identitarians have both exercised and obtained more power than any other single group.

The legalization of same-sex marriage, as observers both for and against the 2015 *Obergefell* decision came to agree, owed most to one factor: empathy for the moral claim that attraction to one's own sex is like pigmentation or DNA, immutable and immune to change. Yet a split cultural second later, exactly the opposite case has come to be made for the intersex, transgendered, and other sexual minorities: that identity is fluid, indeterminate, perhaps even recalcitrant, rather than born that way.

In this head-on collision of purported creation stories about sexual and gender identity that cannot possibly both be true, we see once more that the question *Who am I?* is the most fraught of our time. It has become like a second skin: something that can't be sloughed off, or even scratched, without excruciating pain to the subject—reason and logic and the rest of persuasion-as-usual be damned.

White racism, past and present, explains many terrible things. So do other evils, including the kind just revealed

in the Harvey Weinstein scandal. But neither racism nor sexual predation nor related injustices can explain the primordial emotionalism and fierce irrationality that have come to be part and parcel of identitarianism for all.



A man (above) holds a sign proclaiming 'Hispanics For Trump' at a campaign rally in Anaheim, Calif., May 25, 2016. 'Blacks for Trump' (below) take part in a rally in front of Trump Tower on Manhattan's Fifth Avenue, October 29, 2016.



Writing in *New York* magazine in September, Andrew Sullivan delivered an insight in the direction of the *why* question. American politics, he wrote, has become a war between "two tribes": "Over the past couple of decades in America, the enduring, complicated divides of ideology, geography, party, class, religion, and race have mutated into something deeper, simpler to map, and therefore much more ominous."

Yet what, exactly, has caused so many Americans to want to join one of these tribes in the first place? Sullivan advanced a list of many "accelerants" from the past few decades: the failed nomination of Judge Robert Bork to the Supreme Court, mass illegal Latino immigration,

Newt Gingrich's GOP revolution, talk radio, Fox News, MSNBC, partisan gerrymandering, the absence of compulsory military service, multiculturalism, declining Christianity, the rural brain drain, and more.

No doubt, taken together, these disparate events explain *something* about the political trajectory now behind



The Black Brilliance Collective (above) marches in Pittsburgh, August 19. Enrollees (below) in a program for single mothers under 18 at James Monroe High School in Portland, Oregon.



us. But does one really become part of a horde, defined in opposition to other hordes, over relatively quotidian prompts like these? Doesn't the very word "tribal" suggest that something more primal may be in the mix too?

Of course it does.

Just as "tribe" is antecedent to the state, something else is antecedent to the tribe—something missing from all the high-profile talk, pro and con, about how American and other Western societies have become mired in identitarianism.

In laying out the particulars of today's "tribes," Sullivan wrote of "unconditional pride, in our neighborhood

and community; in our ethnic and social identities and their rituals; among our fellow enthusiasts. There are hip-hop and country-music tribes; bros; nerds; Wasps; Dead Heads and Packers fans; Facebook groups. . . . And then, most critically, there is the *Uber*-tribe that constitutes the nation-state, a megatribe that unites a country around shared national rituals, symbols, music, history, mythology, and events." And here we reach a turning point, not just in this essay but also in the widening argument, because that list omits what the majority of humanity would call the most important "tribe" of all.

It's not that "America Wasn't Built for Humans," as the title of Sullivan's piece has it. It's rather that America, like other civilizations, was built for humans who learned community not from roving bands of unrelated nomads, but from those around them—beginning in the small civilization of the family.

In *Democracy in America*, Alexis de Tocqueville wrote of how democratic governance shapes familial relations, rendering fathers and sons more equal and closer and less hierarchical than they are in its aristocratic counterparts. If it's obvious that a form of government can shape the family, isn't it even more obvious that the first polity to which future citizens belong—the family—will shape the kind of citizens they become?

Our macro-politics have gone tribal because our micro-politics are no longer familial. This, above all, is what's happened during the five decades in which identity politics went from being unheard of to ubiquitous.

To quote from the *Stanford Encyclopedia of Philosophy* once more, "although 'identity politics' can draw on intellectual precursors from Mary Wollstonecraft to Frantz Fanon, writing that actually uses this specific phrase, with all its contemporary baggage, is limited almost exclusively to the last thirty years." Its founding document is "The Combahee River Collective Statement," a 1977 declaration that grew out of several years of meetings among black feminists in Massachusetts.

The key assertion of this manifesto, which prefigured the politics to come, is "This focusing on our own oppression is embodied in the concept of identity politics. We believe that the most profound and potentially most radical politics come directly out of our own identity, as opposed to working to end somebody else's oppression."

And who is the "somebody else" to whom the document refers? Men. "Contemporary Black feminism," the Combahee River Collective explained, "is the outgrowth of countless generations of personal sacrifice, militancy, and work by *our mothers and sisters* [emphasis added]." When men are mentioned in the Combahee statement, it is largely as adversaries with "habitually sexist ways of interacting

TOP: JEFF SWENSEN / GETTY; BOTTOM: SHEPARD SHERBELL / CORBIS SABA / GETTY

with and oppressing Black women.” The writers mourn that male reaction to feminism “has been notoriously negative.” Most evocative of all is the note of dejection: “We realize that the only people who care enough about us to work consistently for our liberation are us.”

The founding document of identity politics, in other words, reflects reality as many African American women would have found it in the 1970s—one in which they were the canaries in the coal mine of the sexual revolution. It’s a world in which men are ever less trusted, relations between the sexes are chronically estranged, and marriage is thin on the ground. African American women were—and still are—disproportionately affected by aspects of the sexual revolution like abortion, out-of-wedlock births, and fatherless homes. Isn’t it suggestive that the earliest collective articulation of identity politics came from the community that was first to suffer from the accelerated fraying of family ties, a harbinger of what came next for all?

Identity politics cannot be understood apart from the preceding and concomitant social fact of family implosion. The year before the Combahee document’s publication—1976—was a watershed of a sort. The out-of-wedlock birth rate for black Americans tipped over the 50-percent mark (the 1965 Moynihan Report worried over a rate half as high). This rate has kept climbing and exceeded 70 percent in 2016. At the same time, other measures indicating the splintering of the nuclear and extended family expanded too. By 2012, Millennial women—who were then under the age of 30—exhibited for the first time the out-of-wedlock birth rate of black women in 1976: i.e., more than 50 percent. Millennials, of course, are the demographic backbone of identity politics.

And the out-of-wedlock birth rate is just one measure of the unprecedented disruption of the family over the last half-century-plus. Consider, just in passing, the impact of abortion. In 2008, the Guttmacher Institute reported that 61 percent of women terminating pregnancies were already mothers of at least one child. Many children—and many grown children—have been deprived of potential siblings via pregnancy termination.

**A**bstortion, like single motherhood, is only one engine of a phenomenon that has come to characterize more and more American lives during the past half-century: what might be called the “family, interrupted.” Many post-sexual revolutionary people now pass through life vaguely aware of family members who could have been but aren’t—whether via parental disruption in

childhood or the long string of exes now typical in Western mating or abortion or childlessness by choice or other romantic and sexual habits that did not exist en masse until after the 1960s.

Many of us now live in patterns of serial monogamy, for instance, in which one partner is followed by another. When children occur, this means a consistently shifting set of family members to whom one is sometimes biologically related and sometimes not: stepfathers, half-siblings, “uncles,” and “cousins.” As couples form and un-form, finding new partners and shedding old ones, these relations morph with them. The result for many people is the addition and subtraction of “family” members on a scale that was unimaginable until reliable contraception for women—the FDA approved the first oral contraceptive

in 1960—and the legalizing of abortion. Together they made the de-institutionalization of traditional marriage and family possible.

P.D. Eastman’s famous children’s book *Are You My Mother?* was published in 1960. In it, a baby bird goes from one creature to another trying to find one like him, finally to be re-united in a happy maternal ending. Imagine playing something like that game today.

*Is That Your Stepsister?* Maybe yes—if your mother is still married to that person’s biological father. If instead this parental unit has split up and her father has moved with his daughter to a new state and acquired a new stepmother and new stepsiblings, likely no.

*Is That Your Uncle?* This too depends entirely on what other adults in the picture have decided to do. If your so-called “uncle” was your mother’s boyfriend several boyfriends ago and she hasn’t seen him in years, then you and he are probably not “related” anymore—or anyway, would be unlikely to describe yourselves as such. On the other hand, if that “uncle” is your biological father’s biological brother, then likely the bond still holds—even if your biological mother and father never married.

*Is That Your Niece?* If she’s your sister’s biological or adopted child, you’d probably say yes. But if instead she’s your sister’s new live-in boyfriend’s child from a previous liaison, you’d hesitate. By similar logic, say, the adult children of a man who takes a trophy wife their age are unlikely to refer to her as “Mom.”

And round and round the game of musical identity chairs goes.

The result of all these shifting and swirling selves is that many people no longer know what almost all of humanity once knew, including in the great swath

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**Black women were the canaries in the coal mine of the sexual revolution—disproportionately affected by abortion, out-of-wedlock births, and fatherless homes.**

of history that was otherwise nastier, more brutish, and shorter than ours: a reliable circle of faces, many biologically related to oneself, present during early and adolescent life. That continuity helped to make possible the plank-by-plank construction of identity as son or daughter, cousin or grandfather, mother or aunt, and the rest of what's called, tellingly, the family tree.



Yale sociologist Nicholas Christakis (above, in blue) is confronted by undergraduates protesting an email written by his wife, Erika, in which she criticized university efforts to restrict students' choice of Halloween costumes. A screenshot from YouTube (below) of a white San Francisco State University student being accused of 'cultural appropriation' for wearing his hair in dreadlocks.



For many people, for all kinds of reasons, the roots of that tree no longer hold. Whether you miss *Ozzie and Harriet* or are instead *Modern Family*'s biggest fan—as the previous president claimed to be—is immaterial. The relative stability of yesterday's familial identity could not help but answer the question at the heart of today's politics—*Who am I?*—in a way that many of us can't answer it anymore.

And, of course, these tributaries poled by isolated pilots are pulled into powerful currents of politics. It is in this sense that identity politics does indeed explain something

of Donald Trump's election—not so much because he is “our first white president,” but because he's obviously a placeholder for something else. The faction of the country that includes the “resistance” treats him more like an abusive stepfather than an elected head of state. Then there is his base, whose loyalty in the face of one transgression after another has been remarked upon for many months. For at least some of those people, Trump is—as the alt-right provocateur Milo Yiannopoulos put it—“Daddy.”

As a final proof that the roots of identity politics owe much to what used to be called modern nurture—or the lack of it—consider one more phenomenon baffling to non-identitarians that becomes clearer on applying this proposed familial lens: the otherwise-inexplicable frenzy over “cultural appropriation.”

The emblematic eruption came at Yale in 2015, when the university's intercultural affairs committee preemptively asked students to avoid certain Halloween costumes that might offend. Faculty member Erika Christakis offered a mild demurral, suggesting in an email the logical consequences of such a policy—that it might bar blonde toddlers, say, from dressing up as Asian characters from a popular Disney film. Her dissent sparked a protest letter signed by hundreds; an ugly public confrontation between menacing students and Christakis's husband, sociologist Nicholas Christakis; a social media campaign against both of them; and, ultimately, her departure from Yale.

Yet this was only the most visible of the costume controversies. The president of the University of Louisville issued a public apology in 2015 after it was revealed that he and a group of staffers had worn sombreros and other Mexican-themed attire at a lunch party. Surveying the Halloween-costume parameters handed down by authorities at Tufts, a writer for the *Daily Beast* in 2016 noted that “students who heed the above guidelines are presumably restricted from dressing up as samurais, hombres, geishas, belly dancers, Vikings, ninjas, rajas, French maids, Bollywood dancers, Rastafarians, Pocahontas, Aladdin, Zorro, or Thor.” Even lingerie peddlers aren't immune from the politics of “appropriation.” Victoria's Secret was outed in the fashion pages last year not because of what its models weren't wearing, ironically, but because of what they were: accessories that made sartorial reference to Chinese New Year and similar taboos.

Again, to perplexed bystanders who think a bongo drum is just a bongo drum and that tacos can be enjoyed by everyone, the cacophony over cultural “ownership” makes no sense. That's why appropriation-protesters are typically written off by non-progressives as “snowflakes,” say, or the products of misguided “helicopter parenting”—i.e., spoiled brats. But what if the truth lies somewhere else?

TOP: VIA YOUTUBE; BOTTOM: NICHOLAS SILVERA VIA YOUTUBE

“Mine! Mine! It’s mine!” The manifest panic behind cries of “cultural appropriation” is real—as real as the tantrum of a toddler. It’s as real as the developmental regression seen in the retreat to campus “safe spaces,” those tiny non-treehouses stuffed with candy, coloring books, and Care Bears. In social science, the toddler’s developmental “mine!” is called the “endowment effect”—the notion that humans ascribe extra value to possessions simply because they’re theirs. Some theorists consider it a subset of another human proclivity: loss aversion.

Maybe that cultural scream of “mine!” is issuing from souls who *did* have something taken from them—only something more elemental than the totemic objects now functioning as figurative blankies for lost and angry former children. As of today, less than 65 percent of American children live with both biological parents, even as other familial boughs have broken via external forces like the opioid crisis, criminality and incarceration, and globalization. Maybe depression and anxiety have been rising steadily among children and teenagers for a reason. Maybe the furor over “appropriation” unveils the true foundation of identity politics, which is pathos.

**D**id anyone really think things would turn out otherwise—that the massive kinship dislocations of the past 60 years *wouldn’t* produce increasingly visible, transformative effects not only in individual lives and households, but on politics and culture, too?

After all, it defies common sense to believe that the human surroundings during one’s formative years have *no* effect on the life to come. There’s also a library of social science, now over half

a century in the making, tracing the links between fatherless homes and higher risks of truancy, criminality, psychiatric trouble, and the rest of the ledger suggesting that ripping up primordial ties hasn’t done society any favors. It’s all there, no matter how many of us have deep reasons for wishing otherwise.

One irony is certain. While identity politics has

become an object of conversation in the left-leaning circles of Anglo-American and European political thought, deliverance from today’s disfigurements cannot come from the same quarter. The reason is simple. Not only identitarians but also liberals and progressives who are now anti-identitarian or identitarian-skeptical all agree on one big thing: The sexual revolution is off-limits for revision anywhere, anytime. It is their moral bedrock.

No-fault divorce, out-of-wedlock births, paid surrogacy, absolutism about erotic freedom, disdain for traditional moral codes: The very policies and practices that chip away at the family and drive the subsequent flight to identity politics are those that liberals and progressives embrace.

Then there are related family-unfriendly social realities that they also deem benign. Pornography, which once upon a time some feminists objected to, is now the stuff of their full-throated enthusiasm. Prostitution has been re-defined as the more anodyne “sex work.” And, of course, abortion is—in the unnervingly theological modifier applied to it by Hillary Clinton and many others on the left—“sacrosanct.” In the end, asking liberals and progressives to solve the problem of identity politics is like asking the proverbial orphan with chutzpah who murdered his parents.

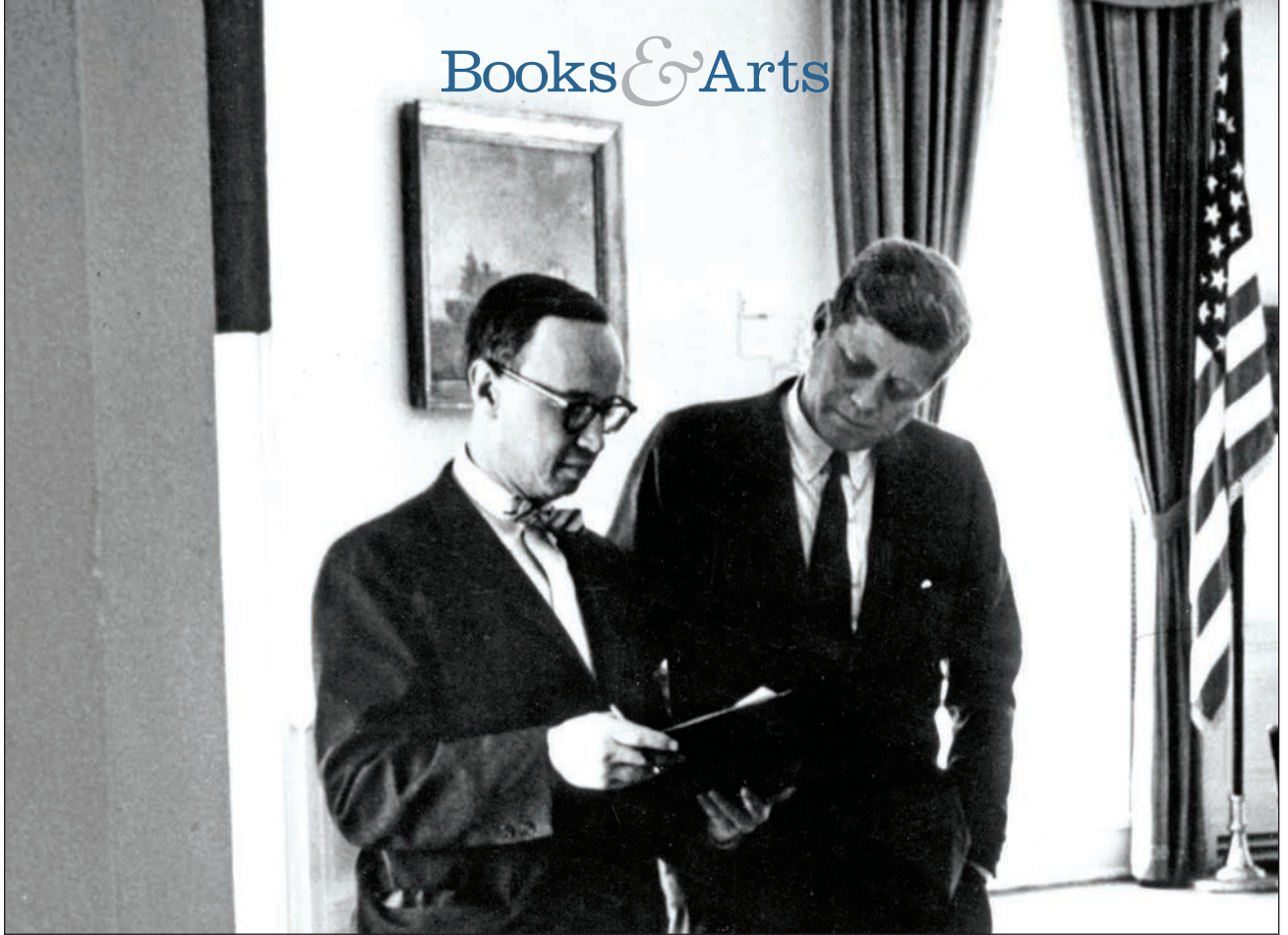
Yes, conservatives have missed something major about identity politics: its authenticity. But the liberal-progressive side has missed something bigger. Identity politics is not so much politics as a primal scream. It’s the result of what might be called the Great Scattering—the Western world’s unprecedented familial dispersion.

Anyone who’s ever heard a coyote in the desert, separated at night from the pack, knows the sound. Maybe the otherwise-unexplained hysteria of today’s identity politics is just that: the collective human howl of our time, sent up by inescapably communal creatures who can no longer identify their own. ♦

**Victoria’s Secret was outed in the fashion pages last year not because of what its models weren’t wearing, but because of what they were: accessories that made reference to Chinese New Year and similar taboos.**



*A scandalous Chinese-dragon motif at a Victoria’s Secret show in Paris, November 30, 2016*



Arthur M. Schlesinger Jr. and President John F. Kennedy in the Oval Office in July 1962

# Liberalism's Historian

*The dual careers of JFK's chronicler.* BY JAMES M. BANNER JR.

Arthur M. Schlesinger Jr. possessed the most sparkling intelligence of his generation of historians. He may not have had the most subtle or profound mind, but his was the most effervescent disposition, and no one could surpass him in sheer energy, knowledge, and skill as scholar and writer. Prodigiously productive, he could turn out 5,000 words of prose a day—roughly 20 double-spaced pages of text. Known for his bonhomie, he was a delight in company. And as I learned from my associations with him as a fellow historian, he

*James M. Banner Jr.'s second edition of The Elements of Teaching, coauthored with the late Harold C. Cannon, has just been published by Yale.*

**Schlesinger**  
*The Imperial Historian*  
by Richard Aldous  
Norton, 486 pp., \$29.95

was also a consummate professional, one who treated the welfare of the discipline in which he was a leading figure with the same seriousness he devoted to historical study and public affairs.

No one is likely to complain that Richard Aldous's new biography of Schlesinger has failed to capture the totality of its subject's life, from youth to old age. Aldous writes with a verve and clarity that matches Schlesinger's, and offers as balanced a presentation as can be imagined of a man who, while considering himself

a figure of the political center, usually found himself, as most others saw him, on the left. An appropriately hard critic of Schlesinger's faults and errors, Aldous, a professor of British history and literature at Bard College, takes care to allot Schlesinger's critics plenty of ink in the book's pages. This is by no means a whitewash.

Schlesinger was a son of the Midwest, not of the New England with which he's so often associated. His father's family was of German-Jewish stock, his mother of deep New England roots and distantly related to the great historian George Bancroft. Arthur M. Schlesinger Sr. long served as a noted member of the Harvard history faculty, in whose orbit Arthur Jr. grew up and into professional maturity. One can complain that Aldous

CECIL STOUTON / JFK LIBRARY

fails to give adequate emphasis to the context of the Schlesinger family's progress into the American middle class. Upward-striving German Jews' assimilation proved easier than that of their Eastern European coreligionists (from whom they often stood apart) because they arrived earlier and in smaller numbers. But Aldous's short-wordedness on this account is understandable inasmuch as by the time Schlesinger Jr. was an experienced historian, the world took him, as it took his father, to be *echt* Harvard. And why not? The younger Schlesinger had gone to college there and been a member of its prestigious Society of Fellows. Assimilation had been relatively quick and complete. Not for nothing would Schlesinger's future critics deride him and many others who likewise served in John F. Kennedy's administration as "the Harvards." Could there be assimilation any more successful than acceptance as a leading member of the northeastern elite?

Aldous deals with the facts of Schlesinger's rise to success more fully than he does the family's integration into the northeastern intellectual empyrean. It comes as a revelation—one strengthened by the author's having secured interviews with Arthur Jr.'s children and two wives—how emotionally and professionally dependent the younger man remained on his father. A pedal point of the entire book is the way the father promoted his son's advancement while the son sought guidance and succor from his parent and seemed unable, despite some evidence of his wish to do so, to break free of his father's enveloping oversight.

Schlesinger initially came to public notice as a scholar—one, it should be noted, who never secured a Ph.D. in history. His first big book, *The Age of Jackson*, was a kind of scholarly *coup de foudre*. It forced reconsideration of a hoary line of argument going back to the days of the great historian Frederick Jackson Turner, whose "school" had situated the center of Andrew Jackson's majority Democratic party in the West and on farms. By contrast, Schlesinger situated Jackson's antebellum party among urban working people of the East. As a result of his book, which won

Schlesinger his first Pulitzer Prize, the history of 19th-century American politics has never since been the same. One has to contend with Schlesinger's interpretation every step of the way.

Then came what has to be considered Schlesinger's major scholarly achievement—his three-volume *Age of Roosevelt*, published between 1957 and 1960, a massive, propulsive outpouring of more than 1,600 printed pages in three years. Here's where Schlesinger showed his full colors as a New Deal Democrat. Despite a near-idolization of the hero of these books, the historian, then teaching at Harvard, captured as no one else ever has the sheer experimental vitality of the first four years of FDR's administration. While there could be no question that Schlesinger's sympathies lay with the New Deal, he was evenhanded in analyzing the Roosevelt team's successes and failures as it tried to dig the nation out of unprecedented crisis.

For long years, historians awaited more from Schlesinger's deft pen about the nation's greatest set of public-policy innovations since the Washington administration. Schlesinger hinted that eventually they'd appear. But they didn't. How any succeeding volumes would have dealt with the New Deal's aging as Schlesinger himself aged can't be known. Instead, putting the subject behind him, Schlesinger allowed himself gradually to be drawn off to Washington and to Democratic politics.

Aldous does a fine job of relating Schlesinger's growing immersion in public affairs as he grew fatigued with academic life. It was Adlai Stevenson who first appealed to Schlesinger's bumptious liberalism. But it was not until he became a special assistant to President Kennedy that the Schlesinger whom the public recalls first came into general public view. It's this phase of Schlesinger's life that continues most to interest historians as well as students of politics. How does one reconcile a historian's professional commitment to "objectivity"—however tattered that ideal may be today—with commitments he may coincidentally possess to try to better the public welfare, whether on

the right, on the left, or, as Schlesinger himself believed his position to be, from the center? This question, which continues to bedevil the academic world, played out and affected Schlesinger throughout his active, varied career, even though he never wrote about it.

He did, however, set down a defense of political centrism, one from which he never deviated. In *The Vital Center*, his brilliant, muscular, optimistic 1949 testament to centrist democratic politics, Schlesinger provided what's likely to prove his most lasting contribution to American political thought and action. It's impossible to single out any one of his many other books more relevant to our day's political troubles. It can also be read, as it rarely if ever is (and as Aldous could have made more of in his otherwise effective account of its origins and reception), as an implicit statement of scholars' responsibility to civic life. Schlesinger was emerging as a major postwar public intellectual.

Schlesinger's late New Deal liberalism had already tainted his reputation among conservative academics. His active assistance to Adlai Stevenson in the latter's 1950s presidential campaigns, then his membership in the Kennedy White House opened the way for leftist Democrats to begin to question Schlesinger's reliability as an adequately committed Democrat and conservatives to question his reliability as a historian. The publication in 1965 of his laudatory post-assassination, on-the-spot Kennedy administration account, *A Thousand Days*, turned the radical New Left against him, too. He was now caught, as historian as well as public figure, between the upper and lower jaws of American politics—and in an era whose political participants weren't inclined to forgiveness. This probably explains why Schlesinger, surely deserving of the post, was never elected by his colleagues to be president of the American Historical Association, a scandalous blot on the record of the largest and most important organization of historians in the world. He'd become a victim of the bitterness that by 1970 began to infect every corner of American life.

Aldous's pages on Schlesinger's role at the center of things are among his

most revealing. Wanting to be more than the “historian-in-waiting” of Kennedy’s achievements, a role he disclaimed, Schlesinger nevertheless understood that his job was to protect the president’s legacy. To do so, he helped see to the amassing of a huge record of the administration. But despite, in Aldous’s view, being sometimes naïve and out of his league, Schlesinger, as the author makes a strong case, was also an active, even a formative, participant in some major policy-making matters, especially Kennedy’s approach to the crisis over the Berlin Wall. And this despite being held in suspicion by those (especially Ted Sorensen) who resented his closeness to the party’s Stevenson wing and others who looked down on Schlesinger as nothing but an egghead.

Schlesinger considered *A Thousand Days* a memoir, not a history. It was written in a single year, at roughly 3,000 words a day. Yet even the insider-historian missed much. He simply couldn’t know, as no single participant in any set of events is ever able to know, all that was going on around him. Schlesinger, Aldous concludes, may have been an insider, but he was fooled into thinking that he was in on it all.

After leaving the post-Kennedy White House, in 1965 Schlesinger took up an academic berth at the Graduate Center of the City University of New York and returned to his role as public intellectual. He became known around New York, writes Aldous, as a kind of “swinging soothsayer,” one much in demand and enjoying life immensely. His biography of Robert Kennedy appeared in 1978, a decade after the senator’s assassination. Although Schlesinger’s experiences with both deceased Kennedys might have made him just another

disillusioned intellectual of the kind that characterized so much of the East Coast intelligentsia in the 1970s, he instead became a practiced and distinctive analyst of big public issues, viewing the nation without irony and with a robust confidence in its improvability as he saw it.

Through it all, he continued to produce books of widespread impact, both publicly and among historians. *The Imperial Presidency* (1973) popular-



Schlesinger (at right) at a party for President Kennedy in 1962, with Attorney General Robert Kennedy, Marilyn Monroe, and the president

ized a name for a development that we continue to wrestle with. Schlesinger returned to an earlier interest of his father, the ever-recurring general pattern of historical change, and gave us *The Cycles of American History* (1986). He also waded into the controversy over multiculturalism with *The Disuniting of America* (1991). That book lost as well as won him friends but proved, as so many of his works had, that he remained true to his commitments to the political and cultural middle road. And unlike so many other popular historians—who either write biographies of figures already over-biographed or who deliver strings of narrative facts without analysis—Schlesinger always tackled large issues and waded with powerful historical arguments into current debates. There are too few like him.

By the end of his life, with many other books also to his credit, Schlesinger had amassed two Pulitzers, two National Book Awards, one Bancroft and one Parkman prize, and the National Humanities Medal—a record never equaled. Yet such accolades didn’t protect the man, just as they never protect anyone, from controversy. Schlesinger’s politics were always fair game for criticism. But what, in the end, are we to make of any historian’s role in public life? Where’s the line to be drawn between abstemiousness and engagement; on what grounds is it to be defined; and who’s to do so?

Here’s where Aldous misses a chance to dig into what’s likely to prove the enduring question raised by Schlesinger’s life and career: To what degree can a scholar be an engaged public official—and play a legitimate role as scholar in public life—while remaining true to professional canons? Americans seem to be particularly bothered by the crossover. By contrast, in Britain Lord Clarendon

and Winston Churchill and in France Adolphe Thiers, François Mignet, Jean Jaurès, and other historians have led and adorned their nations’ governments. Even Thucydides, the very cofounder of historical inquiry, was deeply involved in the Peloponnesian War. But Americans seem to expect a kind of saintly purity of those whom they pigeonhole into particular categories: You’re either a “pure” scholar or “just” a politician.

The distinction doesn’t hold up in fact, nor can it be justified. Aldous’s otherwise fine biography could have been enriched by tussling with this issue in the context of Schlesinger’s eventful life or at least concluding with reflections upon it. Despite the author’s silence on this score, his book is likely to long endure as the standard work on its gifted title character. ♦

# Marvel-ous Creator

*It's Stan Lee's universe. We all just live in it.*

BY SONNY BUNCH

Imagine getting worked up about the difference in quality between Pizza Hut and Domino's. Or being agitated to the point of heart palpitations when someone says Dunkin' Donuts coffee is leagues better than the offerings from Starbucks. Or blowing a gasket when some Star Wars nerd suggests that, actually, a squadron of TIE Fighters would easily take down a Galaxy-class starship like the NCC-1701-D. (That's the *Enterprise* from *Star Trek: The Next Generation*, duh.)

This is how a certain subset of comic-book fan goes through life: as a DC zombie or a mighty member of the Merry Marvel Marching Society, condemned to spend all eternity at war with his enemy on the other side of the comic-book-store aisle. And for that, we can thank one Stanley Lieber.

It was Lieber—aka Stan Lee—whose tireless efforts and endlessly cheery demeanor transformed comic books from an impersonal enterprise aimed at children's pocket money into something a bit friendlier, a bit more impassioned. As biographer Bob Batchelor documents, Lee began working for Marvel's predecessors—Timely, Atlas, etc.—as a teenager, briefly ducking out of the comics bullpen to serve in the U.S. Army Signal Corps during World War II. Lee's first credit came in 1941 in an early issue of *Captain America*, and the aspiring novelist suffered any number of indignities at the hands of his boss, Martin Goodman, before coming up with the comic book that would forever change the cultural landscape: *Fantastic Four*.

*Sonny Bunch is executive editor of the Washington Free Beacon.*

## Stan Lee

*The Man Behind Marvel*  
by Bob Batchelor  
Rowman & Littlefield, 229 pp., \$22.95

## Slugfest

*Inside the Epic 50-Year Battle Between Marvel and DC*  
by Reed Tucker  
Da Capo, 286 pp., \$27



Stan 'The Man' Lee

Lee was among the first to recognize and harness the power of fandom to help build and expand a book's reach. Given the impossibility of tracking sales in anything resembling real time—distributors shipped copies to newsstands and then tracked returns; if, six months later, you saw that more than 50 percent of your run ended up in the hands of paying customers, it was considered a win—Lee relied instead on fan letters to gauge which characters

were hits and which misses. Perhaps intuitively grasping that a letter writer hopes to have his affections returned, Lee began answering the missives in the comics, building out a whole new regular feature for readers to enjoy. Lee's "jokey, easygoing interaction with fans," Batchelor writes, helped establish him as "the central public persona of not only Marvel, but the comic book industry."

Lee seemed like every reader's favorite uncle, always willing to share a wisecrack and some insider gossip going on behind the scenes at the company. The play between reader and writer/editor turned many young people into lifelong fans. Readers felt as if they were there in New York City with Stan and his "bullpen" collaborators, whom they imagined they knew based on the colorful nicknames the editor gave them and the way he touted both their skills and quirky personalities.

The characters and stories Lee created at Marvel while working alongside artists Jack Kirby, Steve Ditko, and others were unlike anything the comic-book industry had seen to that point: Rather than cardboard-cutout good guys in the Superman mold, the Marvel stable featured people with problems, heroes like the Fantastic Four, who squabbled with one another; like Spider-Man, who struggled to hold down part-time jobs and get dates with his high school classmates; like the outcasts, misfits, and miscreants who were brought together to form the X-Men. It was a formula that resonated at the time and, judging by box-office receipts, still strikes a chord today: What would the box office look like without the exploits of Spider-Man, Iron Man and his pals in the Avengers, the X-Men, and other Stan Lee creations?

Lee has been accused over the years of hogging the spotlight and claiming glory that ought to belong to Kirby, Ditko, and other Marvel employees and freelancers. Kirby had a rather famous falling out with Lee over money and credit—Kirby would go so far as to pen a comic for DC in which a character resembling Lee

operates a plantation—and Batchelor seems pained by the conflict, believing it could have been worked out if they just confided in each other more: “Neither realized the immense frustration each secretly held. They both detested many facets of the comic book industry and its seemingly continuous boom-and-bust financial cycles.” Color me skeptical; Kirby may be the favorite of creators and connoisseurs, but Lee’s telegenic, manic presence rendered him better suited to be the face of comic books.

The truth about the so-called “Marvel Method” of writing, in which artists worked from rough scripts by Lee who then filled in the dialogue once the pages were ready, is hard to know (especially since Kirby is dead and Ditko hasn’t given an interview in almost 50 years). Following a series of contentious lawsuits, Kirby received co-creator standing while Lee, now 94, remains in a very real way—despite not having made a creative call in decades—the face of Marvel: He pops up in cameos in almost every Marvel movie, delighting people who haven’t read a comic book in decades by giving them a chance to feel as though they’re in on some sort of sly joke. Kirby may have been King, but Stan is very much The Man in the mind of casual fans.

Batchelor’s book reads a bit like an extended research paper, with much of the information cobbled together from primary sources like autobiographies and documentary films, and his writing is occasionally grating in its repetitiveness (e.g., “but the demand for comic books by servicemen kept demand skyrocketing”). Still, *The Man Behind Marvel* is a handy document that not only tracks the career of the best-known man in comic books, but also traces the rise of Marvel from copycat also-ran to industry king.

**R**eed Tucker’s *Slugfest: Inside the Epic 50-Year Battle Between Marvel and DC* tracks both sides of the

most interesting era of the struggle for the soul of comic-bookdom. Featuring new interviews with a bevy of industry heavyweights, Tucker’s book is lively and engaging. He does a good job of capturing some of the confusion DC Comics—home of, among other superheroes, Superman, Batman, and Wonder Woman—suffered in the mid-1960s as it saw its market share slipping away to the upstarts over at Marvel. “So DC did what any big company does when facing declining sales and potential ruin: it called a meeting.” DC staffers pored over Marvel books, analyzing the

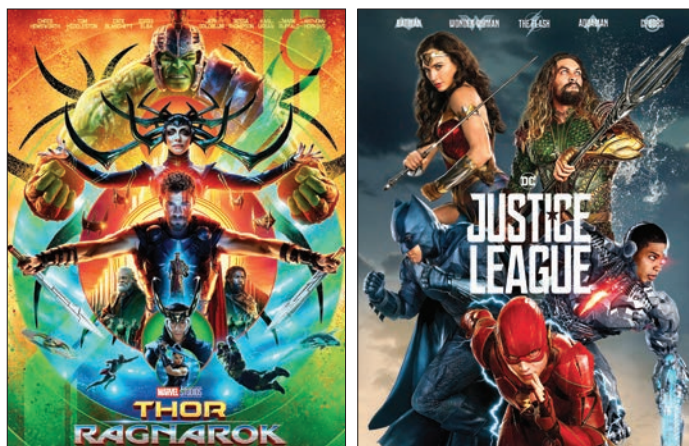
affected by the Great Depression and absorbed the ethic that a good job was worth tolerating all manner of crap, so long as you’re putting food on the table. That Lee transcended this limitation even as his enemies at DC struggled with it helps demonstrate just how special he was.

Tucker’s book will probably be more interesting to devoted comic-book fans than laymen: If you’re not only familiar with names like Chris Claremont and Dennis O’Neil and Todd McFarlane and John Byrne but also interested in the machinations that sent those artists,

writers, and editors back and forth across the (relatively porous) wall separating the two companies, you’ll find much to love here. And it is a reminder that sometimes-heated competition ultimately served both companies well: “We were concerned about DC’s sale numbers, to be honest,” says Peter David, a writer who worked at Marvel in the 1980s. “Whether there’s rivalry or not, let’s face it, the comic book industry can’t really survive if DC goes away. We always felt our mutual survival depended on each other.”

That rivalry continues today, but not on magazine racks. The comic book itself has devolved into a niche product aimed at a shrinking market; whereas bestsellers in previous decades would sell millions of copies, the highest-grossing titles today are lucky to crack into six figures. There are event-driven booms followed by individual title busts. The lifecycle of Marvel’s rebooted *Black Panther* series is instructive: Debuting atop the charts in April 2016 by moving just more than a quarter-million units on the news that best-selling activist-author Ta-Nehisi Coates was writing the new book, the title’s sales dropped to just over 25,000 copies by this summer, and a Coates-written spinoff has been canceled.

No, the new battleground is your friendly neighborhood multiplex, where



The next movies set in the Marvel Cinematic Universe and DC Extended Universe open in November.

covers, the colors, the logos, the word balloons, the art. Jim Shooter, who worked at DC as a teenager in the 1960s and would later go on to be Marvel’s editor-in-chief, recalled one theory his mystified DC colleagues aired: “They thought maybe the readers liked bad art because [Marvel’s was] crude, like a kid would draw. ... ‘Maybe we should tell the [DC] artists to draw worse.’”

DC didn’t get it because compared to Marvel DC has long been a more corporate entity, an organization that made as much revenue from licensing its iconic characters as from its creative storytelling. Plus, there was a generation gap. “DC’s brass grew up during the Great Depression, which had imprinted on them a respect for work and the firm that employed you,” Tucker writes. “In short, they were company men.” Ironically, that description will sound familiar to anyone who has read Batchelor’s book on Lee, who was himself deeply

LEFT, DISNEY; RIGHT, WARNER BROS.

stories and characters derived from comic books have become a powerful driver of our popular culture. Of the 25 highest-grossing movies in the U.S. box office since 2000, 9 were based on comic books. Many of the Marvel movies have shared characters and plot points, since they are set in the unified Marvel Cinematic Universe. The success of the MCU—its movies have so far earned a total of \$5 billion at the domestic box office—has led other studios to consider how they might turn their intellectual property into engaging “universes.” And this trend in the manufacture of our pop culture, too, can be traced back to Stan Lee, since it was his idea more than anyone else’s to show the characters from Marvel’s various comic books interacting with one another in a single shared universe, a half-century ago.

Now that Marvel’s chief comic-book competitor is building out its own DC Extended Universe—with the latest installment, *Justice League*, opening in November—the clash between partisans of the MCU and the fewer, but more vociferous fans of the DCEU will only grow more heated. While the average filmgoer just wants to see something fun—maybe with a few one-liners and a handful of CGI explosions—the MCU/DC fanboy death struggle plays out on social media in full view of the world. Woe betide the critic who suggests that Marvel’s technical proficiency masks a smallness of spirit and a lack of individual style or that DC’s intellectual ambitions sometimes come at the cost of entertaining storytelling; your Twitter notifications will quickly be a dumpster fire. And, while it’s occasionally annoying to be on the receiving end of these tantrums, there’s something refreshing about the passion of those involved. Yes, it can be subliterate and somewhat idiotic. But it’s cheering that art intended for the masses can inspire such angst.

Even if, in the case of Marvel Studios, the angst comes on behalf of cookie-cutter motion pictures built to succeed overseas at the expense of more provocative and interesting storytelling. That’s right: DC rules, Marvel drools. Please be sure to email me your complaints; I love your passion. ♦

BCA

# Defending Offense

*The new free-speech crisis on American campuses calls for revisiting old arguments.* BY JONATHAN MARKS

There is nothing natural about tolerating the views of others. If someone stands, as today’s righteous say, on “the wrong side of history,” why refrain from shutting him up? Yes, Justice Holmes warned against “attempts to check the expression of opinions that we loathe and believe to be fraught with death.” But it is a wonder that this dissenting view became conventional American wisdom. It is a wonder, too, that as a young man and proud Jew I was taught to think that neo-Nazis should be permitted to march on a public street in a predominantly Jewish neighborhood in the United States. One can reject this teaching. One cannot deny that it is remarkable and fragile.

In *Free Speech on Campus*, Erwin Chemerinsky, dean and professor of law at the University of California, Berkeley School of Law, and Howard Gillman, chancellor and professor of law at UC Irvine, recognize that “tolerance of views considered wrongheaded or dangerous is not a natural condition.” They worry that recent campus protests, which include calls to punish offensive speech, ask us to choose between protecting freedom of expression and protecting “the learning experience of students, especially minority students.” They worry, with good reason, that students will choose against freedom of expression.

In 2015, the University of Oklahoma expelled two students for leading a racist chant. In so doing, the university probably violated the First Amendment. But when Chemerinsky and Gillman described this incident on the first day of a seminar they were

*Jonathan Marks is a professor of politics at Ursinus College.*

## Free Speech on Campus

by Erwin Chemerinsky  
and Howard Gillman  
Yale, 197 pp., \$26

## Safe Spaces, Brave Spaces

*Diversity and Free Expression in Education*  
by John Palfrey  
MIT, 192 pp., \$19.95

co-teaching, their students sure didn’t believe any constitutionally protected rights had been violated. Not one thought that the First Amendment protects racist speech. As their class sided week after week with “punishing offensive speech,” Chemerinsky and Gillman concluded that the problem was not a misunderstanding of the law. Rather, their students had a heartfelt “urge to protect others” from discrimination, but only an abstract sense of why one might tolerate offensive speech. The “pro-free speech case needs to be made anew,” with special attention to how it is compatible with the fight against unjust discrimination.

Chemerinsky and Gillman agree with the student protesters who believe that this fight is urgent, while disagreeing with them on the substance. The professors take as their thesis “that all ideas and views should be able to be expressed on college campuses, no matter how offensive or how uncomfortable they make people feel.” Campuses “can and should take” steps to be more “inclusive.” They should, for example, “try to sensitize their communities to the kinds of words and statements that might be unintentionally offensive.” But they must not censor or punish even expressions of hatred.

In arguing for this position, Chemerinsky and Gillman do not try to

innovate. But when not only students but also faculty members and administrators support speaker bans and speech codes, old arguments need rehearsing. Freedom of thought is compromised when opinions can be kept from us. Democracy is compromised when citizens can be prevented from sharing what they think and know.

Yet, the authors note, “most democratic nations prohibit hate speech” without descending into tyranny—so why not prohibit hate speech on campus? Chemerinsky and Gillman helpfully address the most influential arguments for hate-speech bans. The authors grant that speech can do psychological damage, that it can be deployed to demoralize minority populations, and that even speech free of malice, when grounded in prejudice, can burden students. It is therefore tempting to prohibit, at a minimum, hate speech. Their response breaks no new ground but is still good: There is “no evidence” that hate speech prohibitions lessen discrimination. The recent history of campus speech codes suggests that they will often be used against those they are intended to protect, and that they cannot avoid the risk of suppressing merely unpopular ideas. Finally, left-liberal students need to understand how “important free speech [has] been to vulnerable political minorities” in causes like the civil rights and antiwar movements and in “efforts of historically marginalized people to challenge convention.”

Another virtue of *Free Speech on Campus* is its attentiveness to the history and importance of freedom of speech and thought in higher education. The courts, Chemerinsky and Gillman think, have been wise to recognize the unique role universities play in our democracy, as homes for the unrestricted pursuit of truth. Academic freedom is essential to that pursuit, and so the courts have considered it, as Justice Brennan put it a half-century ago, “a special concern of the First Amendment, which does not tolerate laws that cast a pall of ortho-

doxy over the classroom.” Universities, with few exceptions, have adopted the courts’ understanding of their role. So, Chemerinsky and Gillman argue, even private institutions not bound by the First Amendment should insist that “free speech principles . . . require even stronger protections in academic settings” than they do elsewhere.

If *Free Speech on Campus* is less a work of original scholarship than a reminder, John Palfrey’s *Safe Spaces, Brave Spaces* shows, alas, why such a reminder is needed. Palfrey, now head of school at Phillips Academy, Andover, but formerly a professor and vice dean at Harvard Law, knows univer-

the context of an academic community does not compensate for the distraction and harm caused to students.

Concerning Nazi marches, Palfrey opines that although the residents of Skokie may have to suck it up and tolerate them, an academic community need not. Nowhere does he explain why college students, surrounded by professional educators in a community supposedly more devoted to free thought than the wider community, merit more protection from distressing displays than that wider community does. And while Palfrey sometimes mentions the kinds of arguments Chemerinsky and Gillman make, he never explains why his are better. For example, Palfrey knows that those “arguing for stronger speech codes during the Obama administration may be thinking twice” about it under President Trump. But he does not take seriously the argument that one cannot prohibit “the most hateful speech” in such a way as to save speech one does not think hateful. What response can Palfrey give to a university that forbids a pro-choice demonstration because some students think abortion is murder? The only honest one I can think of is “I reckon you’ve got me.”

Palfrey, like Chemerinsky and Gillman, wants the case for free speech to address the priorities of campus protesters. But he doesn’t grasp those priorities. Consider the very title of his book, which calls for universities to have some “safe spaces” and some “brave spaces.” Contrary to Palfrey’s usage, “safe spaces” are not just places, like “the locker room of a sports team that a student plays on,” where one feels at home. “Safe spaces,” as conceived by their proponents, would not be needed by women if the outside world were not deeply hostile to them. Black students would not need them if the outside world were not characterized by “systemic racism” (a term Palfrey blithely uses). A systemically racist society, as opposed to a society in which racism is a fading anomaly, is



Protesters disrupt a speech by Secretary of Education Betsy DeVos at Harvard in September.

sities. But unlike Chemerinsky and Gillman, he betrays little loyalty to the university as uniquely devoted to free inquiry. The University of Chicago’s “full-throated support for free expression” is fine, but other institutions—Palfrey gives the example of Catholic and Jewish universities—might choose to put other priorities first. So universities devoted to social justice might choose to restrict speech more than the University of Chicago does.

In stark contrast to Chemerinsky and Gillman, Palfrey wants to make full use of the fact that “by and large, private institutions are not bound by the First Amendment.” Indeed, if Palfrey had his way, the law would allow even public universities to shut out “the most hateful speech,” since

the value in terms of teaching and learning of this sort of expression in

infected at its core; where a liberal society is systemically racist, liberal principles, including the freedom of speech, are called into question.

“Brave spaces,” meanwhile, are not, as Palfrey’s use implies, places to “search for the truth.” Rather, social justice educators have noticed that the “privileged” use the idea of safe spaces to shield themselves from discomfort-inducing criticism. As Brian Arao and Kristi Clemens, whose work is frequently used to explain “brave spaces,” put it, “the pervasive nature of systemic and institutionalized oppression precludes the creation of safety in a dialogue situated, as it must be, within said system.” Brave spaces are less about the pursuit of truth than about the pursuit of justice through the dismantling, albeit in speech, of a presumptively oppressive order.

Palfrey is free to invent novel uses for these terms. But by barely acknowledging their typical uses, he masks the deep disjunction between the social justice and diversity teachings that inform the protesters and the principles that underlie the case for free speech.

Even Chemerinsky and Gillman neglect this disjunction. Consider their recommendation that universities should “sensitize” everybody on campus to language that “might be unintentionally offensive.” That advice must be evaluated in the context of the movement to include statements like “America is a land of opportunity” among those that might inflict harm. Such statements are “microaggressions” because they deny that oppression is systemic. But from that standpoint, the argument for free speech—including the suggestion that we can achieve progress through, rather than against, American liberalism—also denies the unfathomable depths of American injustice and therefore is part of the problem.

That argument may not dominate our campuses, but it is certainly powerful on them and likely to grow more powerful as old-school liberals like Chemerinsky and Gillman retire. Defenders of free speech on campus must confront it directly. ♦

BCA

# The Art of Place

*The annual competition that turns a Michigan city into one big exhibition.* BY JONATHAN COPPAGE

*Grand Rapids, Mich.*  
**A**rtPrize is a queer sort of gallery show. There is no gallery, for one thing. Nor is there any particular curator. Instead, there is an urban core with a big pot of prize money in the middle of it.

For two weeks every autumn in the West Michigan city of Grand Rapids, more than 1,000 registrants set up their entries in some 175 downtown venues and word is sent out that anyone who cares to do so may swing by to take a look. Any adult may enter a work by registering online, provided he or she finds a venue that agrees to display it. Any facility—from grand hotel to parking lot, from city jail to restaurant—within the three square miles of downtown Grand Rapids may display entries. At the contest’s close, two grand prizes of \$200,000, in addition to a variety of smaller prizes, are awarded, with one of the grand prizes elected by the attending and voting public, the other selected by a jury of experts.

The brainchild of Rick DeVos—grandson of Amway founder Richard DeVos and son of Secretary of Education Betsy DeVos—ArtPrize was an urban experiment launched in 2009 with few expectations. The scale and immediacy of the success came as a surprise: The first weekend, the restaurants ran out of food. The second weekend, the hotels ran out of rooms. By 2017, the ninth annual festival, all such logistical problems appear to be in the past. The official app not only worked but worked well, perhaps benefiting from the continued involvement of chairman DeVos and his tech-startup experience. Although it’s not necessary for the enjoyment of

the show, the app does make the experience easier: It maps out the art, with links and images, and only opens voting capabilities once a device provides GPS verification of having been within the ArtPrize district.

ArtPrize sets no restriction on the form of artistic submissions, so strolling around the city center can leave a visitor slightly off-balance. The evaluative gaze that one cultivates at a professionally curated museum exhibit gets unconsciously flicked on with any glance, from storefront to storefront, taking note of a painting, then a sculpture, then a painting, then a Jimmy John’s, then a diorama. One’s head swivels to look for oncoming traffic before crossing the street, and that gaze turns onto a purple and blue mural of an ethereal creature painted upon a parking lot’s wall, a legacy of some previous ArtPrize. And the gaze doesn’t flick off when you look away from the obvious art: It sweeps back across the bricks and limestone stacked into Italianate façades on a neighboring 19th-century commercial block. Downtown Grand Rapids doesn’t just house art during the festival, it becomes art—or, rather, the everyday art of the city is revealed for what it is. The historic buildings more than reward such consideration.

Again, the border between the art and the everyday blurs: Standing in the convention center one will start to examine the artistic message and merits of an advertising banner. Passing by the shop windows on the arts-and-ministries corridor of Division Avenue, one looks back to be struck by a diorama of life-size human sculptures sitting around faux park benches and a modern bus stop. It’s the foreground to a pastel mural conveying historic Grand Rapids: rugged townfolk felling trees

*Jonathan Coppage is a visiting senior fellow at the R Street Institute.*

are set over an arched portal displaying a classic low-rise downtown, where motorcars and streetcars run together. The portal is flanked by examples of the fine, austere furniture that built up Grand Rapids from a fur-trapping outpost to an early commercial center.

Then one blinks. The park benches aren't faux and the human forms aren't sculptures. The figures at the bus stop are just people waiting for the bus. The loungers on the benches may be here for ArtPrize, but they aren't art. The painted mural of historic Grand Rapids is indeed art, but it precedes any ArtPrize by half a decade. It was commissioned by the local community development nonprofit Heartside Mainstreet. When art is everywhere, no place's conventionality is safe.

The quality of the submitted art—and, refreshingly, the politics of the submitted art—range widely. A novice painter's tribute to police hangs in one building's street-side window while a hallway in the convention center displays a photorealistic image of women, made with mixed media and dedicated to female empowerment. Down the hall, a photo collage protests white supremacy's threat to the black body while a mural on the other side of the building honors the 9/11 victims and first responders.

Even though many of the submissions—a substantial minority—are political in some way, they rarely come off as jarring in the way that socially conscious art often does. Among many other idiosyncratic submissions spanning the entire city center, the political pieces feel appropriately situated, even natural. Politics belongs in a civic space, after all, a proposition the local libertarian candidate handing out flyers in Rosa Parks Circle seems to have embraced enthusiastically. It is only when the political totally consumes the civic space that disorder sets in, and here in Grand Rapids such disorder is kept at bay.

There are Tocquevillean elements to this deconstructed art competition.

While the festival now runs on a \$3.5 million annual budget and organizes seed grants and pitch nights to recruit prospective entrants, the core competency and main attraction, the art on display, is purely the product of negotiation between artists and venues.

Longtime Grand Rapidians say that ArtPrize winners are made by word-of-mouth and frequently by acclamation. The grand-prize-winning submissions often are quite large and possess some charismatic quality that keeps their viewership lines growing. An elderly couple reports overhearing the clean-



Composed of more than 24,000 Lincoln pennies, *A. Lincoln* by Richard Schlatter won ArtPrize's top award in 2017.

ers they now hire to help maintain their home shouting back and forth from room to room about which exhibits they had seen and offering direction on what was not to be missed. In past years, the popular vote has rewarded everything from quilts of unusual size to allegorical carvings of dogs representing and honoring the military's wounded warriors to a stunning installation that projects classic Islamic designs of the Alhambra through a carved box via interior lighting.

This year, the popular grand prize went to *A. Lincoln* by Richard Schlatter of Battle Creek, Mich. A faithful replica of Alexander Gardner's *Gettysburg Portrait* composed entirely of pennies, the 8-foot-by-12-foot display hung in the lobby of the Amway Grand Plaza, glittering in shades of copper brown and steel-penny gray. It's not great art, if one is to just come out and be straight about it. But then, it doesn't have to be.

In his reporting for *Land of Lincoln: Adventures in Abe's America*, Andrew Ferguson chased the American preoccupation with our 16th president from statutory disputes to museum construction to reenactments. Russell Lewis, the chief historian of the Chicago History Museum across Lake Michigan from Grand Rapids, explained that museum's removal of its longstanding shrine to Lincoln by telling Ferguson, "We've been much less interested in the icon, more interested in a Lincoln that's much more human." Another museum official explained, "A good exhibit makes people see themselves. People come to places where they see themselves." The expert jurors of ArtPrize made a similar judgment in awarding the other \$200,000 grand prize to a 250-seat community picnic in the city's Heartside Park, a project aimed at encouraging people to think more about healthy eating and local ingredients. But the picnic had been held on a hot day, so not all the seats were occupied.

Yet the people turned out for *A. Lincoln*. Ferguson ends his book with the conclusion that Lincoln is still so adored precisely because he is an icon, no matter how many ordinary community trappings historians wrap him in. To be more precise, he is an icon of the nation's founding propositions of human equality and self-governance, and the existential test those ideas underwent. Statues of and monuments to Lincoln dot the American landscape because of an implicit sense—or hope—that so long as he endures in our memory, so will his nation and its self-governance endure.

This year's ArtPrize voters may have been drawn to the towering representation of the towering president to look Lincoln in the copper eye and seek reassurance of his relevance in their own time of democratic uncertainty. Americans may not have high taste in art, but they insist on their self-governance. ♦

COURTESY OF ARTPRIZE



# Balfour and Beyond

*A century on, what are the prospects for peace?*

BY MICHAEL M. ROSEN

In recent months, Palestinians and several figures on the British left have called on the United Kingdom to apologize formally for its imperialistic audacity in issuing the Balfour Declaration—the November 2, 1917, pronouncement in which Foreign Secretary Arthur James Balfour stated that “His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people.” The declaration was the first serious international recognition of the right of Jewish self-determination. The British government has refused to capitulate. An April statement from the Foreign Office put it this way: “Establishing a homeland for the Jewish people in the land to which they had such strong historical and religious ties was the right and moral thing to do.”

Wary that “the centenary year of the Balfour Declaration would bring out strong views about the validity of that Declaration, and hence about the legitimacy of Israel itself,” Lord Leslie Turnberg—a distinguished physician and Labour peer—sets out to correct the historical record in his new book.

He begins by examining the deeply flawed Sykes-Picot agreement of 1916, in which Britain and France, even before they had vanquished the Ottomans and taken control of Asia Minor, divvied up the Near East. Drawing arbitrary lines in the desert and empowering minority religious factions in Iraq and Syria, Sykes-Picot’s effort to impose “Western-style structures on sectarian divisions across the Middle East was resented at the time and led to today’s instability.”

*Michael M. Rosen is an attorney and writer in Israel.*

## Beyond the Balfour Declaration

*The 100-Year Quest for Israeli-Palestinian Peace*  
by Leslie Turnberg  
Biteback, 294 pp., \$35.95

Into the frothing unrest entered Lord Balfour, an amiable aristocrat who, “though logical and persuasive as a parliamentarian,” was “not a politician in the modern sense and ... did not obviously strive to climb any greasy poles.” Turnberg describes the foreign secretary as “absolutely committed to his ideals with a strong British nationalistic, conservative backbone.”

If not exactly a Zionist himself, Balfour, in Turnberg’s depiction, was something of a fellow traveler: “There seems little doubt that the main driver was his innate sense of justice for the Jewish cause. His interest in the Jews and their history was life long, originating in his Old Testament training.”

Contemporary Arab leaders in Damascus and Mecca expressed early support for the declaration. But their successors initiated a campaign to exterminate Palestine’s Jews, one that has continued more or less unabated through today. *Beyond the Balfour Declaration* offers a broad history of this military and diplomatic conflict, the resolution of which Turnberg earnestly seeks—and believes may be within reach.

He surveys the various peace efforts, successful and not, that have marked the last seven decades and distills certain principles underlying effective negotiation. Drawing lessons from past steps toward peace, Turnberg argues that resolving the conflict will require both a courageous, “far-sighted leader of an Arab state” and a “strong, Israeli

leader with a stable government capable of overcoming resistance at home.” It will also demand “locally inspired initiatives between the parties,” backed by “American pressure and unwavering presidential involvement.”

While previous efforts at securing peace have foundered, Turnberg reckons that current circumstances present a new opportunity. Saudi Arabia presented its Arab Peace Initiative some 15 years ago. Its basic terms—Israeli withdrawal to the 1967 lines, the establishment of a Palestinian state with a capital in East Jerusalem, and a “just solution” for Palestinian “refugees”—differed little from typical proposals. But remember the context of that 2002 proposal: It came during the “second intifada,” the spate of Palestinian terror attacks that claimed about 1,000 Israeli lives over the course of several years. The Saudi proposal was anathema in Israel.

Today, however, with Shiite Iran ascendant, the Saudis and their Sunni allies in the Gulf states “have an added reason to see a strong Israel at peace with its neighbour as they face common enemies.” And for Israel, “gaining normal and full diplomatic relations with fifty-seven Arab countries would be a seismic change,” potentially justifying painful sacrifices and major electoral risk.

Turnberg is exceptionally well-read for an amateur historian, although his lack of formal training occasionally causes problems. He asserts that the Balfour Declaration “was never a legally binding document”—but, as Martin Kramer recently explained in an important essay in *Mosaic*, the declaration’s inclusion in the League of Nations-authorized mandate for Palestine did indeed give the declaration the status of binding international law. In addition, Turnberg’s relatively equal treatment of all negotiations between Arabs and Israelis sometimes elevates the importance of trivial efforts while muting more significant ones. Overall, though, Turnberg’s evenhanded treatment of the declaration, its origins, and its implications offers us not just a better understanding of the past but a glimmer of hope for the future. ♦

**"We had a great conversation yesterday, John McCain and myself, about the military. I think we had a tremendous—I called it a love fest. It was almost a love fest. Maybe it was a love fest."**

**—President Donald Trump, October 25, 2017**

**PARODY**

# THE WASHINGTON POST

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*With Great Power Comes Great Responsibility*

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## President treats critics to Sandals vacation

**CORKER: 'I HAD THE TIME OF MY LIFE'**

*'Unity' weekend—with a banana boat ride*

BY JOHNNY CASTLE

Appearing tanned, rested, and ready, President Donald Trump held a press conference and shared details of his weekend trip to Jamaica with Republican senators John McCain (Ariz.), Jeff Flake (Ariz.), and Bob Corker (Tenn.). "I can say with certainty that this was a lovefest," said the president. "And it's all thanks to Sandals."

Opting for the weekend package at Montego Bay, Trump and the three senators—arguably his fiercest opponents in the GOP—took a break from politics to enjoy the sun, surf, and amenities at this all-inclusive resort. "Believe me, it was an amazing stay," said the president. "From the all-you-



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As Sen. Bob Corker Nordic-walks toward the surf, President Donald Trump and Sen. Jeff Flake enjoy the Caribbean sun.

can-eat buffet to the Boonoonoos Beach Party, these guys had a great time. But don't take my word for it, ask them yourselves."

"I had the time of my life," said Sen. Corker, "and I never felt this way before. Yes, I swear, it's the truth, and I owe it all to President Trump." Sen. Flake spent most of the weekend doing solo excursions but admitted the banana boat ride was a highlight. "It was the president's idea, it was a great bonding

experience, and frankly it's the best idea he's had since nominating Neil Gorsuch."

"I was pleasantly surprised," conceded Sen. McCain. "It's not at all what I imagined, considering I once did a trip to Jamaica with Teddy Kennedy. Of course, that wasn't at Sandals. It was at a place called Hedon-

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