

A close-up portrait of Fred Barnes, a middle-aged man with short, graying hair, wearing a dark suit, white shirt, and a patterned tie. He is looking slightly to the left of the camera with a neutral expression. The background is blurred, showing what appears to be an indoor setting with warm lighting.

the weekly Standard

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THE MAN THEY LOVE TO HATE

FRED BARNES on
EPA administrator Scott Pruitt's
recipe for success: fearless
defiance of his political
and media foes

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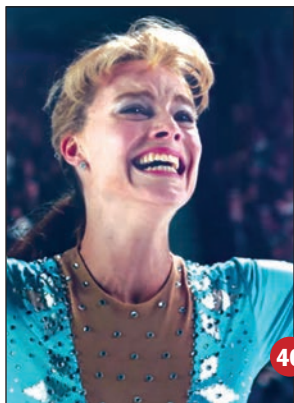
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A Surcharge on the Charge, Sir

If there's one modern pricing phenomenon THE SCRAPBOOK loathes, it's the add-on surcharge—a deceptive little proviso in the consumer/service-provider compact whereby the latter essentially says to the former, “We’re going to fleece you, but not tell you by how much until later.” There’s nothing worse than having cashed out the college fund so that Mom and Dad and Buddy and Sis can afford airfare to Wally World, only to find out that they are additionally facing bag fees and snack fees, and soon enough, there will likely be a fee to have the 350-pound man sausaged next to Sis in the middle seat keep his meaty elbows out of her ribcage.

So we watched with some consternation, earlier this year, when the *San Diego Union-Tribune*’s Lori Weisberg reported that all manner of San Diego restaurants, from Sammy’s Wood-Fired Pizza to Rockin’ Baja Lobster, were tacking on a surcharge—an average of 3 percent of a meal’s cost—to help offset the fourth California minimum-wage hike in two-and-a-half years. Restaurateurs wailed and gnashed teeth over everything from how they’re supposed to break even to how kitchen staff see their above-minimum-wage jobs dwarfed by servers, who now make a higher minimum wage, plus 20-percent tips.

Or what will be a 17 percent tip, if THE SCRAPBOOK is eating in their restaurant and gets a gun stuck in its back while being told to reach for the sky with a bogus 3-percent surcharge.

BY THE WAY, WE HAVE A POLICY OF ADDING A SURCHARGE TO COVER THE COST OF MY WAGES.

REALLY? THAT'S FUNNY, BECAUSE I HAVE A POLICY OF SUBTRACTING SURCHARGES FROM MY TIPS!



Some, of course—and not just uncompassionate conservatives—have predicted that mandatory minimum-wage hikes could be disastrous for the service sector. As the *Washington Post* reported, citing a study earlier this year, even among highly rated restaurants, every \$1 hike in the minimum wage increases a restaurant’s chances of closing by 14 percent.

And while we like to think ourselves a Friend of the Working Person, what about all the working

people who now, according to *Bloomberg*, spend more money eating out per year than they do on groceries, even as, according to the *Nation’s Restaurant News*, the cost of preparing food at home has dropped by 0.5 percent, while the cost of eating out has gone up at least 4 percent in the last couple of years? Why, the family just running out for fast casual at Chipotle these days can easily set themselves back 50 bucks, and that’s without Buddy ordering extra guac, let alone the emergency room bill after Mom falls ill to norovirus.

Now, Weisberg is reporting that a local consumer rights law firm has spent months filing lawsuits against more than a dozen San Diego restaurants and dining groups over the surcharge. Some of the plaintiffs are other attorneys who ate in these restaurants. The lawyers almost sound personally wounded that others, besides them, would try to sneakily inflate their fees. As one of the plaintiff’s attorneys said, “We’re just really trying to stop this and if they cooperate, we will not sue them. We’re not looking to gouge anyone. They can pay us for our hours and we’ll go away.”

This leaves THE SCRAPBOOK in a quandary: who to root against, the greedhead restaurants or the greedhead lawyers? Here’s hoping they can all sit down and work out their differences, preferably over a platter of superannuated shellfish at Rockin’ Baja Lobster. ♦

Hunger? Or Just the Munchies?

Wisconsin governor Scott Walker recently announced that he would continue pushing for rules that would require individuals to complete a drug test when applying for food stamps. Instead of free groceries, able-bodied adults with no children who test positive for drugs would be pointed

toward rehab, generously paid for by the state if they cannot pay themselves. “What a reasonable idea,” you might be saying to yourself. After all, if you’ve got the money for opioids, you’ve got the money for SpaghettiOs.

Walker’s proposal is indeed sensible, and not even hard-hearted: “This rule change means people battling substance use disorders will be able to get the help they need to get healthy,

and get back into the workforce,” read a statement from the governor.

But as the Associated Press was eager to point out in its coverage, the effort faces legal headwinds. There are Obama-era federal regulations restricting any requirements for food stamps imposed by the states. A federal lawsuit filed by Walker in 2015 aimed at gaining approval for his rule got hung up in legal technicalities. Walker has

BIGSTOCK

asked the Trump administration to jettison the Obama administration's ban on food-stamp restrictions, but at least for now Team Trump has more pressing things on its plate. It might pique its interest, however, if it takes note that other states would like to pass similar requirements. As the AP reports, 11 governors asked the federal government to approve similar measures in 2016.

Even if Walker's drug-test plan gets a federal assist, count on plenty of litigation to block his effort. And even if the bureaucratic stars aligned and there was an immediate go-ahead, testing wouldn't begin for a year. In the meantime that's a whole lot of smack-consumption, much of it lethal. THE SCRAPBOOK hopes that one day we'll feel morally squeamish enough about subsidizing heroin addiction to do something about it. ♦

Subway Grinches

The Archdiocese of Washington, D.C., is currently engaged in a legal battle with the city's Metro system. The Washington Metropolitan Area Transit Authority has declined to run Christmas ads from the church. The ad design is fairly subtle in its suggestion of the Nativity—an outline of shepherds against a night sky with a prominent star and the words “Find the Perfect Gift.” However, WMATA has a policy of refusing ads “that promote or oppose any religion, religious practice or belief.”

Regardless, THE SCRAPBOOK lives in Washington and finds the Metro system's inability to be discriminating when it actually matters infuriating. WMATA is hemorrhaging money



but feels the need to further waste tax dollars going to court to defend its refusal to run benign Christmas ads. Yet this is the same organization that last year put up sizable posters in Metro stations around town for a self-described “gay hookup, dating, cruising and sex site” called, we kid you

not, “Squirt.” The ads were about as tasteful as you might imagine.

The official response to complaints about the Squirt subway ads was also what one would expect but raises questions about the public transit agency's legal scuffle with the archdiocese. “Metro advertising space has



Quick! Which of these two ads violates Washington, D.C., Metro advertising rules?

THERE is NO TRUTH
to the CHARGE THAT
MY ADMINISTRATION
USED the FBI to SPY
ON the TRUMP CAMPAIGN
and GO AFTER OUR
POLITICAL OPPONENTS...



WE WOULD
HAVE USED
the IRS.

RUIRZ

been ruled by the courts as a public forum protected by the First Amendment of the Constitution, and we may not decline ads based on their content, provided that they conform with our Board-approved ad policy,” WMATA spokesperson Morgan Dye told CNS News last year.

For now, a federal judge has sided with Metro in upholding the ban on the archdiocese’s ads, even though the ban appears to be a clear violation of “viewpoint neutrality,” the legal doctrine that dictates governments can’t discriminate against a particular set of views. The ban may yet—and should—be overturned on appeal. ♦

Socialism—National Socialism, That Is

If you’re ever looking for a hearty chuckle, the *Nation* never fails to deliver. It fashions itself as a “progressive” magazine—if your notion of progress is reviving Marxist nostrums of yesteryear.



Statist Richard Spencer—hey, want some breakfast?

There’s nothing much funny about white supremacists. But reading along as a left-wing *Nation* correspondent hangs out with white supremacists and realizes she shares some political beliefs with them? Well, this should be entertaining.

Writer Donna Minkowitz describes a secret meeting organized by alt-right figure Richard Spencer that she crashed in mid-November at an organic winery in Maryland. Upon arrival, Minkowitz writes that she was surprised to find that the discussion

centered not only on the usual brown-shirt Jew-hating you might expect from neo-Nazis, but also on what she says is a “new emphasis on economic issues” that she found “seductive.”

Why seductive? Because the white supremacists’ views on economic issues sound a lot like, well, like views espoused by the *Nation* and Democratic party progressives. In what could pass for Bernie Sanders campaign literature, she quotes Spencer saying “I support national health care” and railing against “the trillions spent in insane wars.” Minkowitz also quotes Spencer blasting the GOP tax plan as “stupid . . . Reaganite nostalgia” and supporting a universal basic income. Another speaker decried that everything is seemingly becoming “corporatized and capitalized.” Wait—is this a white supremacist conference or a *New York Times* editorial board meeting?

She quotes another speaker exclaiming that “2018 is going to be the year of leftists joining the white-nationalist movement!”

It’s apparently easy to work up an appetite railing against minorities, Jews, and capitalism: Minkowitz reports that the conference featured “an omelet station for a luxurious brunch of liquored fruit salad and scrambled eggs with house-smoked salmon and delicious vegetables.” (We’ll leave it to others to judge if this constitutes normalizing white supremacists.)

While clearly bashing their abhorrent views on race, Minkowitz also seems sympathetic to the new white supremacist focus on income inequality: “The main reason they talked about it is because it’s there. Even middle- and upper-middle-class white folks face rising rents, falling wages, and increasingly inadequate and shoddy health insurance. Even they are dealing with ever rising work hours and the consuming need to increase income to fill the gaps.”

All this leaves THE SCRAPBOOK wondering: With white supremacists developing a left-wing political agenda, why have Chuck Schumer and Nancy Pelosi been so slow to disavow them? ♦

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Murray Kempton at 100

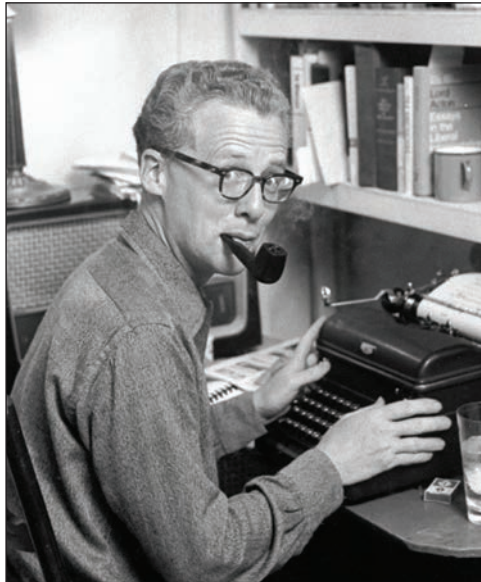
The occasion of Murray Kempton's centenary—he was born December 16, 1917—has attracted little attention. As a columnist for the *New York Post* and later *Newsday* he wrote more about New York than Washington or national politics, but one had a right to expect a biography or maybe a few essays or a short PBS documentary or at least an NPR spot. Nothing so far, except for an appreciation in his hometown *Baltimore Sun* and the little piece you're reading.

It's not that Kempton is forgotten. His brilliant book on the 1930s, *Part of Our Time* (1955), is still in print, and his name still pops up in the pages of newspapers and intellectual magazines. He wrote somewhere around 10,000 columns and scores of essays for the *New Republic* and the *New York Review of Books*. He won a Pulitzer for commentary in 1985, yet somehow his fame didn't extend far outside New York City. "It required a Pulitzer Prize to alert some editors to the very existence of Murray Kempton," wrote his vastly more famous friend William F. Buckley in 1986.

Kempton could write perceptively about Machiavelli's letters and Conrad's *Nostromo* but also about the New York mafia and Huey P. Newton and the Marxian assumptions behind the Master of Business Administration degree. His politics were liberal but unpredictable, and he often approached his subjects from some angle that only made sense if you followed him all the way to the end.

In his essay on Alger Hiss in *Part of Our Time*, for instance, he assumes his subject's guilt (still widely doubted among Kempton's left-liberal peers in the 1950s) but interprets Hiss's decision to engage in espionage for the Soviet Union as an outgrowth of the shabby-genteel hypocrisy of Baltimore in the 1920s. Communism

allowed the highly respectable Hiss to steal and malign and destroy in a highly respectable way, Kempton suggests. "The Communists offer one precious, fatal boon: they take away the sense of sin. It may or may not be debatable whether a man can live without God; but, if it were possible, we should pass a law forbidding a man to live without the sense of sin."



Murray Kempton in New York, June 1968

Just as unpredictable was Kempton's prose. Few accounts of his life fail to use the word "baroque" to describe his style. I am not sure that's right. The word implies gratuitous ornamentation, frill for no purpose, but his style isn't ornamented. I would call it relentlessly, sometimes perversely, inventive. His word choice is never quite what you would have predicted; his sentences are like little excursions, sometimes resolving in the ordinary way, sometimes fading into grammatical uncertainty or trailing off into a marathon dependent clause. It doesn't always work, but it's evidence of a mind steadfastly refusing to think or express anything in the usual tired old way.

Here is a passage, taken more or less at random from a 1990 column (included in his 1994 collection *Rebellions, Perversities, and Main Events*) about an assault on nine homeless men and the murder of a tenth, Carlos Melendez, by a pack of Halloween revelers on Wards Island.

After a while it seems useless to try to explain things that cannot be possibly excused. It is, as an instance, often said that the lynch spirit draws its fires from fear and hatred of the Other. And yet, whenever a derelict is beaten or set afire in this city, his assailants generally turn out to be children whose own pinched existences are not far from the edge their victim has crossed and fallen over.

That is perhaps more complicated than it needs to be, but it has a kind of syncopated lilt to it and it's memorable in its way. And the thought it expresses is, for an opinion writer anyway, as unorthodox as the style: You can't explain the pointless murder of a homeless man, Kempton is saying, by some facile reference to ignorance or social pathology; you can't explain it at all and shouldn't try to. (He was right, incidentally—five men and boys were later arrested for the crime, aged 23, 22, 18, 15, and 13, all from nearby housing projects.)

When Kempton died in May 1997, his funeral included no eulogies of any kind, at his instruction. His name wasn't even mentioned. The service, at St. Ignatius of Antioch, an Anglo-Catholic church on the Upper West Side of Manhattan, went strictly by the 1559 prayer book. That was tough for the mourners, who included some of New York's glamorous politicians and intellectuals. They had expected a more social affair with anecdotes and tearful goodbyes, but all they got was a glum rite. Kempton, though far from unsocial, was a humble man and a Christian. Maybe it's apt that his hundredth birthday has gone mostly unremarked.

BARTON SWAIM

Good News, for Now

Despite the best efforts of the president and the Republican National Committee, voters in Alabama didn't elect a man credibly accused of sexual predation to the U.S. Senate.

It isn't much to celebrate, particularly as the candidate who won, while undoubtedly the better man, is a progressive Democrat. But for conservatives who have worried about the corruption of their movement and wondered whether each new low was, finally, the nadir, the fact that Roy Moore is not headed to Capitol Hill counts as good news. Republicans won't have to answer for his everyday ignorance and open bigotry in Washington. And Democrats lose the opportunity to portray Moore as the face of an intolerant and amoral Republican party, an effort that would have been amplified by unending coverage of his every kooky utterance.

It is good news, but it won't last.

If Democrats don't have Roy Moore to paint as the face of the GOP, they will have the man most responsible for the party's embrace of him: Donald Trump. And at this moment—not quite a year after his inauguration and not quite a year before the 2018 midterms—that's a grim prospect for Republicans.

Smart analysts are warning against predicting a Democratic wave next November, particularly with a Republican-friendly Senate map. They may be right. Eleven months is a long time in politics. There will be issues of consequence that no one can anticipate.

Trump's inside-the-beltway enthusiasts understandably highlight his accomplishments. Deregulation. Fewer illegal border crossings. Reversing Obama's failures against jihadism. Leaving the Paris Accord. A cascade of strong judicial appointments led, most importantly, by Supreme Court Justice Neil Gorsuch. These achievements prove the doubters wrong, they say, and show Trump on the path to a successful presidency. And this list doesn't include the likely passage of tax reform, a prospective big policy win that Republicans hope to ride through November. These are achievements, we agree. But they don't camouflage the electoral problem.

The tax plan is unpopular. So is Donald Trump. And so are Republicans.

Just 29 percent of Americans support the tax-reform proposal, according to a recent Quinnipiac poll. In a Monmouth poll released on December 13, one day after Moore's defeat, just 32 percent of voters approved of Trump's job as president. On the generic ballot test that asked voters whether they're likely to vote for a Republican or Democrat in next year's midterms, Democrats had a 15-point advantage: 51-36.

In strictly electoral terms, Republicans face a dilemma. Trump is wildly popular with the party's base. He is intensely disliked by everyone else. To win primaries, Republicans think they have to run as



The vanquished: Roy Moore on election night

Trump acolytes. Doing so makes them considerably less appealing in the general election.

Ed Gillespie discovered this running for Virginia's governorship. Gillespie, a mainstream conservative, didn't embrace Trump personally, but he ran on unmistakably Trumpy themes. The result is that he barely survived a primary challenge from a clown-show Trumper and then lost the general by nearly double-digits. When David Axelrod recently asked Gillespie if he'd recommend other Republicans run for office in this environment, Gillespie responded, "I don't think I would."

Too many Republicans on the Hill have come to precisely the same conclusion, opting for retirement rather than fighting to keep seats in competitive districts and states. Those who remain seem determined to bind themselves ever more tightly to an unpopular president.

House Freedom Caucus members, who came into office as the most ideologically pure of conservatives, now speak of the anti-ideological Trump in reverential terms. Senator Lindsey Graham isn't up for reelection until 2020, but his efforts to stave off a primary challenge in South Carolina have started early. Not long ago, Graham was warning his fellow Republicans about the perils of embracing the "kooky" Donald Trump, whom he declared "unfit for office." Lately, he has preferred to

ingratiate himself with the president, praising Trump's political instincts and offering tributes to his golf courses and his golf game.

What many Republicans on the Hill fail to understand, and what the debacles in Virginia and Alabama ought to have taught them, is that what works for Donald Trump doesn't work for others. Trump's aims are primarily personal. You don't have to be part of the "resistance" to acknowledge that Trump seeks personal adulation over everything else. His self-regard may lead him to make a wise decision or a stupid one. But it is what drives him, not any particular set of principles or ideals. For Republicans to emulate him or embrace his brand will bring about nothing but the party's ruin.

We don't pretend to have a solution to this dilemma. We're heartened by the willingness of some Republicans to defy Trump's awful judgment on Roy Moore. It was the right thing to do and, in the long term, the smart thing to do. This emperor has no coattails. ♦

So Much to So Few

Very few congressional Republicans wanted Roy Moore to win. They knew, for one thing, that Democrats were prepared to link them to him for at least the next three years. Rather than make it clear that Moore had no place in the GOP, however, many referred blithely to "the will of the people" and the necessity of "letting the people of Alabama decide."

Of course that was garbage. Moore had been credibly accused of pursuing teenaged girls—one of them 14 at the time—when he was in his 30s. He claimed that

sharia law was in force in Illinois and Indiana. He said the United States was "the focus of evil in the modern world" on the grounds that it glorifies immorality. Situation normal for a man twice removed as chief justice of the Alabama supreme court for refusing to obey lawful federal authority.

Republicans on the Hill knew full well that Moore's behavior nullified any moral claim to sit in the U.S. Senate. Almost all said so privately. Some said so publicly with a conditional clause: "if these allegations are true" or "if the story is credible." But that was a truism, on the order of say-

ing, *If he embezzled money, he should turn himself in.* We didn't need truisms; we needed judiciousness and clarity.

Those who said openly that they credited the allegations against Moore and that they would have nothing to do with him whatever the voters might say deserve great credit. The most important was Alabama's senior senator, Richard Shelby. On the Sunday before Election Day, speaking to Jake Tapper on CNN's *State of the Union*, Shelby said what (we hope) every Republican thought: "So many accusations, so many cuts, so many drip, drip, drip. When it got to the 14-year-old's story, that was enough for me. I said I can't vote for Roy Moore." From a man who rarely appears on the Sunday morning television circuit, and for whom there was very little political upside, these words meant something.

Cory Gardner of Colorado, chairman of the National Republican Senatorial Committee, announced that his committee would not fund Moore's campaign—and unlike the Republican National Committee did not change his mind. Mike Lee of Utah withdrew his endorsement without hedging, as did senators Steve Daines of Montana, John McCain of Arizona, and Bill Cassidy of Louisiana. "I believe the women," Nebraska's Ben Sasse said on Twitter, and offered no weasel words. Arizona's Jeff Flake wrote a check to Moore's opponent, Doug Jones, and posted a picture of it on Twitter. Representative Lee Zeldin of New York said it quite colloquially: "That creepy Roy Moore dude should exit stage left."

Democrats will no doubt claim Republicans were silent about Moore, and many were. But not all. And only one high-profile Republican was enthusiastic about his candidacy and stuck with him to the end—Donald Trump. The Republicans who defied the president and opposed Moore deserve our admiration and our gratitude.

Others in the sordid affair acquitted themselves well, too. The *Washington Post's* team of investigative journalists brought us the story of Moore's sexual aggression through solidly sourced work and when Project Veritas attempted to trick them into running scurrilous lies easily

passed the test. Exemplary reporting; real news.

More than anything else, though, we salute the valor of the women who spoke to the *Post* for the November 9 story. By putting their names to the allegations and inviting the scorn and abuse of Moore's most ardent supporters, they exhibited the sort of uncalculating courage we don't see very often in Washington. Their conduct put us in mind of Winston Churchill's remark about courage. It is, he wrote, "rightly esteemed the first of human qualities because . . . it is the quality which guarantees all others." ♦



Sen. Richard Shelby to Jake Tapper: I can't vote for the man.

Who's to Blame for the Moore Fiasco?

Start to finish, there's enough to go around.

BY JOHN McCORMACK

For a Republican to lose the Senate seat vacated by Jeff Sessions one year after Donald Trump beat Hillary Clinton in Alabama by 28 points, everything had to break just right for the Democrat. And it did. Turnout was high in heavily African-American Democratic counties. It was low in rural and white Republican counties. Many Republicans disgusted by Roy Moore simply stayed home, but the electorate that showed up on December 12 still tilted Republican. The exit poll found that by a 5-point margin (50 to 45 percent), Alabama special-election voters wanted Republicans to control the U.S. Senate. By a 10-point margin (52 to 42 percent), Alabama voters said they wanted abortion illegal in all or most cases.

While 99 percent of voters who wanted Democratic control of the Senate voted for Democrat Doug Jones, only 91 percent who wanted GOP control voted for Moore. Just enough Republicans who showed up to vote ended up writing in some other name on their ballots or crossing over to the liberal Democrat to hand him a victory and cut down the GOP Senate majority to 51-49. Jones won by 1.5 percentage points; write-ins accounted for 1.7 percent of the vote.

Simply as a matter of electoral politics, Republicans losing a Senate seat in Alabama is stunning. In September after the primaries, *Real Clear Politics* elections analyst Sean Trende said a Democratic victory in Alabama would be “on the magnitude of Massachusetts 2010,” referring to the Democratic loss

of the late Ted Kennedy's Senate seat just a year after Barack Obama was inaugurated—a seemingly once-in-a-generation spectacle. The national



Doug Jones celebrates December 12 . . .

political environment was important in both elections, but Alabama 2017 was much more of a referendum on a particular candidate. Already a highly controversial and weak candidate, Moore was fatally wounded by credible accusations that in his 30s he dated and kissed teenaged girls, molested one, and assaulted another.

In the wake of the GOP defeat, recriminations are in full swing. How did Republicans wind up in this situation in the first place, with Roy Moore as their standard bearer? Some have tried to pin it all on Steve Bannon, the former Trump White House chief strategist who backed Moore till the end. Others blame it all on Mitch McConnell for meddling in the GOP primary. The truth is that while Moore himself bears the most responsibility for his loss on December 12, there's plenty of

blame to go around for his nomination.

The case some conservatives have made against McConnell is that the super-PAC tied to him, the Senate Leadership Fund, spent at least \$1.5 million to defeat Alabama congressman Mo Brooks in the three-way primary and didn't go after Roy Moore until he made it through to the runoff. McConnell wanted incumbent senator Luther Strange and reasoned that Strange stood a better chance of beating Moore in a head-to-head contest than he did of winning in a one-on-one runoff against Brooks. Brooks is something of a firebrand—a member of the House Freedom Caucus and an immigration hardliner—but he did not come anywhere close to representing the toxic threat that Roy Moore did. In the August 15 primary, Brooks came in third with 19.7 percent of the vote. Roy Moore, who finished first with 38.9 percent, and appointed senator Luther Strange, who finished second with 32.8 percent, advanced to the September runoff.

Why did McConnell's allies go after Brooks and not Moore? According to a Senate GOP campaign strategist with ties to leadership, “based on early polling Roy Moore appeared to have a ceiling on his image, a ceiling on a head-to-head ballot [against Strange] because while he has long-time supporters, there are plenty of Republicans who were very concerned [Moore] might embarrass Alabama.”

While Moore was well-defined statewide, Mo Brooks, a congressman from northern Alabama, was not. And because Brooks had spent time on TV attacking Donald Trump as a surrogate for Ted Cruz during the 2016 GOP primaries, “we had an ability to introduce him to voters for the first time as someone who was bashing Trump,” says the GOP operative.

Many Republicans now argue correctly that Mo Brooks—or just about any other Republican with a pulse (or without one)—would've easily won the general election. But it's not at all clear that Brooks would have won a runoff against Moore. If the TV ads showing Brooks criticizing Trump were so deadly in the three-way race, there's

John McCormack is a senior writer at THE WEEKLY STANDARD.

good reason to think that same message would've sunk Brooks in a head-to-head match-up with Moore.

There's something to the backlash narrative—Brooks voters broke heavily to Moore in the runoff—but the case against McConnell glosses over the fact that Republican primary voters are not mindless zombies. If voters really wanted to stick it to the establishment, they didn't need to wait until September 26 to vote for Roy Moore (who won it by 9 points)—they could have voted for Brooks on August 15. If Trumpism were more of an ideology than a cult of personality, you'd expect an immigration hardliner like Brooks to get more than 19.7 percent of the Republican primary vote in Alabama, of all places.

The stronger case for recriminations against McConnell and Senate Republicans is that they failed to see that incumbent Luther Strange was a dead man walking from the very beginning. Strange was Alabama's attorney general when he was appointed by Governor Robert Bentley, who was under an investigation that Strange had been overseeing. Bentley resigned a few months later amidst a campaign-finance and sex scandal that appeared certain to result in his impeachment.

While rumors of a corrupt bargain dogged Strange, Senate Republicans not only failed to push him out, they actively discouraged stronger candidates from entering the race. "McConnell is very much at fault," says Quin Hillyer, a conservative journalist based in Mobile. Hillyer argues that a candidate like Alabama state senate leader Del Marsh could have united the party and easily won. "I know people who were the epitome of establishment Republicans," says Hillyer, "even ones who had long been friendly with Luther Strange, who voted for Roy Moore because they were so disgusted by Luther accepting the appointment under those circumstances."

As Kyle Whitmire wrote in the *Birmingham News* on May 3, two weeks before the deadline to declare one's candidacy for the special election, Marsh had considered a campaign and even selected a national firm to run his

campaign. But then that firm pulled out after being threatened with being blackballed by the National Republican Senatorial Committee.

"We have made it very clear from the beginning that Sen. Luther Strange would be treated as an incumbent," an NRSC spokeswoman told *Politico* at the time. "It has also been a clear policy that we will not use vendors who work against our incumbents."

Yet even with the ethical cloud hanging over Strange, it's hard to see how a vote for Moore on September 26 was justified by anything other than ignorance of Moore's record. Even



... as Roy Moore tastes defeat.

before the accusations that he preyed on teen girls, Moore had revealed that he had a vile character. He had argued that American Muslims, simply for being Muslims, must be denied seats in Congress—which is as flatly unconstitutional and un-American as arguing Christians or Jews may not serve in Congress if elected.

Moore has consistently argued that homosexual acts should be illegal. When asked in 2015 if he supported the death penalty for sodomy, he demurred: "Well, I don't, you know, I don't—I'm not here to outline any punishments for sodomy." He clarified in September 2017 that he doesn't back the death penalty for homosexual conduct. On August 9 of this year an interviewer made an allusion to Ronald Reagan's "Evil Empire" speech about the Soviet Union, and Moore replied

that America occupied that role in the world today because of gay marriage.

All of this was a matter of public record while Steve Bannon, the president's former chief strategist, was backing Moore to the hilt in the primary. It was all public record when, after the primary and with a few notable exceptions, almost the entire Republican party rallied behind Moore. It wasn't until November 9, when the *Washington Post* reported allegations that Moore had molested a 14-year-old, that almost the entire Senate GOP abandoned him.

The most influential Republican in America, however, after initially keeping his powder dry, went all in for Moore. President Trump's decision to back Moore meant that the Republican National Committee, having pulled out in November, began funding Moore's campaign efforts again. According to the *New York Times*, Trump was lobbied by Bannon and saw "the calls for Mr. Moore to step aside as a version of the response to the now-famous 'Access Hollywood' tape, in which he boasted about grabbing women's genitalia, and the flood of groping accusations against him that followed soon after."

While the choices of Republican leaders influenced the Alabama debacle, the voters themselves of course made crucial decisions each step of the way. A better candidate could have stepped forward despite the threats of the National Republican Senatorial Committee. Alabama GOP primary voters could have nominated Mo Brooks despite the opposition of a McConnell super-PAC. Alabama Republicans could have decided en masse to write in a Republican who had not been credibly accused of child molestation. Pro-life Republican Lee Busby, who honorably served as a colonel in the Marine Corps, put his name forward.

Instead, on December 12, while most Alabama Republicans decided to stick with Moore, many stayed home, and a smaller but critical number cast write-in ballots or backed Jones. Here, the people rule. And that's ultimately why Alabama will be sending a liberal Democrat to the Senate soon. ♦

While Truth Puts On Its Shoes

The media's reign of error.

BY MARK HEMINGWAY

Covering the Trump presidency has not always been the media's finest hour, but even grading on that curve, the month of December has brought astonishing screwups. Professor and venerable political observer Walter Russell Mead tweeted on December 8, "I remember Watergate pretty well, and I don't remember anything like this level of journalistic carelessness back then. The constant stream of 'bombshells' that turn into duds is doing much more to damage the media than anything Trump could manage."

On December 1, ABC News correspondent Brian Ross went on air and made a remarkable claim. For months, the media have been furiously trying to prove collusion between the Trump campaign and the Russian government. Ross reported that former national security adviser Michael Flynn, who had just pleaded guilty to lying to the FBI, was prepared to testify that President Trump had instructed him to contact Russian officials before the 2016 election, while Trump was still a candidate. If true, it would have been a gamechanger. But Ross's claim was inaccurate. Flynn's documented attempts to contact the Russians came after Trump was president-elect, allegedly trying to lay diplomatic groundwork for the new administration. Ross was suspended by ABC for four weeks without pay for the error.

Later that same weekend, the *New York Times* ran a story about Trump transition official K. T. McFarland, charging that she had lied to congressional investigators about knowledge

of the Trump transition team's contacts with Russia. The article went through four headline changes and extensive edits after it was first published, substantially softening and backing away from claims made in the original version. The first headline made a definitive claim: "McFarland Contradicted Herself on Russia Contacts, Congressional Testimony Shows." The headline now reads "Former Aide's Testimony on Russia Is Questioned." The website Newsdiffs, which tracks edits of articles after publication, shows nearly the entire body of the article was rewritten. (The *Times* website makes no mention of the changes.)

Still in that first weekend of December, Senator Orrin Hatch criticized the excesses of federal welfare programs, saying, "I have a rough time wanting to spend billions and billions and trillions of dollars to help people who won't help themselves." The quote was taken wildly out of context. MSNBC's Joe Scarborough as well as journalists from *Mic*, *Newsweek*, and the *Los Angeles Times* reported that Hatch was directly criticizing the Children's Health Insurance Program, with some suggesting Hatch thought children should be put to work to pay for subsidized health care. Not only was Hatch not criticizing the CHIP program, he cowrote the recent bill to extend its funding.

On December 5, Reuters and Bloomberg reported that special counsel Robert Mueller had subpoenaed Deutsche Bank account records of President Trump and family members, possibly related to business done in Russia. The report was later corrected to say Mueller was subpoenaing "people or entities close to Mr. Trump."

Then on December 8, another Russia bombshell turned into a dud. CNN's Manu Raju and Jeremy Herb reported Donald Trump Jr. had been sent an email on September 4, 2016, with a decryption key to a WikiLeaks trove of hacked emails from Clinton confidant and Democratic operative John Podesta—that is, before the hacked emails were made public. (WikiLeaks is widely surmised to act as a front for Russian intelligence.) MSNBC and CBS quickly claimed to have confirmed CNN's scoop. Within hours, though, CNN's report was discredited. The email was sent on September 14, *after* the hacked Podesta emails had been made publicly available. CNN later admitted it never saw the email it was reporting the contents of.

This is just eight days' worth of blundering. Since October of last year, when Franklin Foer at *Slate* filed an erroneous report on a computer server in Trump Tower communicating with a Russian bank, there have been an unprecedented number of media faceplants, most of them directly related to the Russia-collusion theory. The errors always run in the same direction—they report or imply that the Trump campaign was in league with Moscow. For a politicized and overwhelmingly liberal press corps, the wish that this story be true is obviously the father to the errors. Just as obviously, there are precedents for such high-profile embarrassments in the past. (Remember Dan Rather's "scoop" on George W. Bush's National Guard service?) But flawed reporting in the Trump era is becoming more the norm than the exception, suggesting the media have become far too willing to abandon some pretty basic journalistic standards.

Editors at top news organizations once treated anonymous sourcing as a necessary evil, a tool to be used sparingly. Now anonymous sources dominate Trump coverage. It's not just a problem for readers, who should rightly be skeptical of information someone isn't willing to vouch for by name. It's a problem for reporters, too, because anonymous sources are less likely to be cautious and diligent in

Mark Hemingway is a senior writer at THE WEEKLY STANDARD.

providing information. According to CNN, the sources behind the busted report on Trump Jr.'s contact with WikiLeaks didn't intend to deceive and had been reliable in the past. Maybe so, but given the network's repeated errors it's difficult to just take CNN's word for it.

But it's one thing to use anonymous sources; it's quite another to be entirely trusting of them. CNN decided to report the contents of an email to Donald Trump Jr. based only on the say-so of two anonymous sources and without seeing the emails. "I remember when I was [a staffer] on the Ways and Means committee and I would try and give reporters stories, and I remember the *Wall Street Journal* demanded to see a document," former Bush administration press secretary Ari Fleischer tells THE WEEKLY STANDARD. "They wouldn't take it from me if I didn't give them the document, and I thought, 'Good for them!'"

What makes the botched story of the WikiLeaks email more troubling is how quickly MSNBC and CBS ran with CNN's scoop. "It's hard to imagine how independent people could repeatedly misread a date on an email and do so for three different networks," says Fleischer. "Whose eyesight is that bad?"

This points to an additional problem with the sourcing on these unfounded reports. The only way three networks could claim to have verified the same specious story is if they were all relying on the very same sources. Many of the flawed Trump reports appear to be sourced from a very narrow circle of people, who no doubt share partisan motivations or personal animus.

Certainly, it appears a number of recent spurious stories have originated as leaks from Democrats on the House Intelligence Committee. In Raju and Herb's report, they revealed that Trump Jr. had been asked about the WikiLeaks email in closed-door testimony before the committee. After CNN's scoop imploded, a spokesman for Adam Schiff, the ranking Democrat on the committee, issued a classic non-denial denial, telling *Politico* "that

Comparing: Former Aide's Testimony On Russia Is Questioned

<https://www.nytimes.com/2017/12/04/us/politics/kt-mcfarland-flynn-russia-emails-congressional-testimony.html>

- Pink: Archived December 04, 2017 at 8:10pm EDT
- Green: Archived December 04, 2017 at 8:58pm EDT

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Dec. 4, 2017

McFarland Contradicted Herself on Russia Contacts, Congressional Testimony Shows
By MICHAEL S. SCHMIDT and SHARON LaFRANIERE

WASHINGTON — An email sent during the transition by President Trump's former deputy national security adviser, K.T. McFarland, appears to contradict the testimony she gave to Congress over the summer about contacts between the Russian ambassador and Mr. Trump's former national security adviser, Michael T. Flynn.

Ms. McFarland had told lawmakers that she did not discuss or know anything about interactions between Sergey I. Kislyak, who had been Moscow's ambassador to the United States, and Mr. Flynn, according to Senate documents.

But emails obtained by The New York Times appear to undermine those statements. In a Dec. 29 message about newly imposed Obama administration sanctions against Russia for its election interference, Ms. McFarland, then serving on Mr. Trump's transition team, told another transition official that Mr. Flynn would be talking to the Russian ambassador that evening.

The discrepancy is likely to add to mounting troubles for the White House that stem from Mr. Flynn's interactions with Russian officials. He pleaded guilty on Friday to lying to F.B.I. agents about his discussions with Mr. Kislyak about the sanctions.

leading Democrat on the Senate Foreign Relations Committee questioned on Monday whether a high-ranking official in Donald J. Trump's transition team had been deceptive over the summer about her knowledge of discussions between Michael T. Flynn, the former national security adviser, and a former Russian ambassador.

K. T. McFarland served on the presidential transition team before becoming the White House deputy national security adviser. In July, she was questioned in writing by Senator Cory Booker, Democrat of New Jersey, on whether she had ever spoken to Mr. Flynn about his contacts with Sergey I. Kislyak, who was then the Russian ambassador to Washington, before Mr. Trump took office.

"I am not aware of any of the issues or events described above," Ms. McFarland wrote in response, sidestepping a direct answer to the question.

An email exchange obtained by The New York Times indicates that Ms. McFarland was aware at the time of a crucial Dec. 29 phone call between Mr. Flynn and Mr. Kislyak that was intercepted by American intelligence. During that call, Mr. Flynn urged Moscow to respond cautiously to sanctions just imposed by the Obama administration for Russia's interference in the presidential election.

Mr. Flynn pleaded guilty on Friday to lying to F.B.I. agents about that conversation and other interactions with Mr. Kislyak. He promised to cooperate with the special counsel, Robert S. Mueller III, who is investigating possible collusion between Russia and the Trump campaign and obstruction of justice by Mr. Trump.

If senators on the Foreign Relations Committee find that Ms. McFarland was evasive in her testimony, it could complicate her nomination to become ambassador to Singapore. Repeated attempts to reach Ms. McFarland, who served until May, left her post as deputy national security adviser and is now awaiting Senate confirmation as ambassador to Singapore, were unsuccessful.

This screen image from NewsDiffs.org shows the deleted headline and text (in red) in a New York Times article originally reporting that a Trump official lied to investigators; new, green sections indicate that virtually the entire article, with its headline, was replaced. The version of the story on the Times website makes no mention of the wholesale corrections.

neither he nor his staff leaked any 'non-public information'" about Donald Trump Jr.'s testimony.

Meanwhile, the Russia investigation has been very good for raising Schiff's profile. A December 13 press

release from the Republican National Committee notes the congressman has at that point spent 20 hours, 44 minutes, and 49 seconds on television since Trump took office, talking mostly about the investigation (pity

the low-level staffer who must have had to do the research for that release). During that time, Schiff has always declined to discuss the particulars of the intel committee's work. Nonetheless, consideration of his sensitive position hasn't stopped him from offering all manner of innuendo to national TV audiences about evidence suggesting Russia collusion.

For their part, the media don't seem to be coming to grips with the damage they're doing to their own credibility. CNN, which calls itself "the most trusted name in news," didn't retract their WikiLeaks report but rewrote it in such a way as to render the story meaningless. They also came to the defense of Raju and Herb, saying the reporters acted in accordance with the network's editorial policies. And of course they didn't out their sources—the ultimate punishment news organizations can mete out to anonymous tipsters who steer them wrong.

It understandably infuriates the media that President Trump remains unwilling to own up to his own glaring errors and untruths, while news organizations run correction after correction. And it also understandably upsets the media to watch the president actively attack and seek to undermine their work, which remains vital to ensuring accountability in American governance. What they haven't grasped is how perversely helpful to him they are being: On a very basic level, President Trump's repeated salvos against "fake news" have resonance because, well, there does indeed appear to be a lot of fake news.

"There is nothing wrong with holding powerful people accountable. There's nothing wrong with investigating whether or not collusion took place. But there's a lot wrong when because you want to believe in the story so much you suspend skepticism," says Fleischer. "You let your guard down. You abandon the normal filters that protect journalistic integrity. And you fail to also hold to account powerful leakers, or powerful members of Congress who themselves have an anti-Trump agenda. It's called putting your thumb on the scale." ♦

Exits, Graceful and Otherwise

Early departures from Team Trump.

BY MICHAEL WARREN

Washington was surprised to learn that Dina Powell, the deputy national security adviser for strategy, will be leaving her post early in the new year. Powell, one of the few veterans of the George W. Bush administration to take a senior role under Trump, had been something of a rock of normalcy in an abnormal White House. In the administration's first few weeks, her experience was a prized asset. Powell is, moreover, personally close to both Jared Kushner and Ivanka Trump—which is the nearest anyone without the last name "Trump" can get to job security in the West Wing.

Her desire to leave after one year was apparently well known, according to administration officials. Powell's family remained in New York—where she had been a partner at the investment bank Goldman Sachs—and she commuted back and forth weekly. She timed her exit to follow the release of the president's national security strategy, on which she worked closely with National Security Council staffer Nadia Schadlow.

Powell's decision to move on

Michael Warren is a senior writer at THE WEEKLY STANDARD.

from the White House so early in the administration was her own, and she leaves with many fans. "We are losing an invaluable member of the president's national security team," says Defense Secretary James Mattis.

"She is one of the most talented and effective leaders with whom I have ever served," says her boss, H.R. McMaster. But it remains a very unusual choice, and the White House door may only just have started revolving.

In most administrations, senior staff stick around for at least two years. This is not most White Houses. Rumors of Gary Cohn's exit have been swirling ever since the head of the National Economic Council—another ex-Goldman banker—was passed over for the job of Federal Reserve chairman. The domestic policy director, Andrew Bremberg, has expressed frustration and may be looking to leave soon. Administration officials are expecting more departures within the next several weeks.

"All White House jobs are burn-out jobs," says Ari Fleischer, who was George W. Bush's first press secretary. "It's just in this White House they burn out a lot faster."

Karen Hughes, Bush's communications director and counselor, was



Above, Dina Powell; below, Omarosa Manigault



TOP: CHIP SOMODEVILLA / GETTY; BOTTOM: JABIN BOTSFORD / WASHINGTON POST / GETTY

the first major figure to head for the exits in that administration, doing so in July 2002, some 18 months after Bush was inaugurated. There are scant other examples of senior West Wing staff leaving after a single year. The highest-profile name to leave the Obama White House in early 2009 was Desirée Rogers, the social secretary who served in the East Wing—and that was shortly after her involvement with a scandal at a state dinner. Roy Neel, a longtime aide to Al Gore who was deputy White House chief of staff to Bill Clinton, announced his departure at the end of 1993—becoming a lobbyist for the telecom industry the next year.

But if more choose to follow Powell out the door, it won't be a shock to those familiar with the internal strife in the Trump West Wing. Officials frequently complain about the chaos of a White House that is chronically understaffed. There's been plenty of turnover already in Trump's first year: national security adviser Michael Flynn, communications director Mike Dubke, deputy chief of staff Katie Walsh, press secretary Sean Spicer, chief of staff Reince Priebus, communications director Anthony Scaramucci (who served for just 11 days!), and chief strategist Steve Bannon.

Then there's Omarosa Manigault, the breakout star from Trump's reality show *The Apprentice*, who wound up as director of communications for the Office of Public Liaison. Her bizarre exit from the White House on December 12—she says she resigned, reports say she was fired—was hardly a critical blow to the West Wing's operations. But the episode was indicative of the disorder that makes working at the Trump White House difficult.

"I just think it's hard enough to work in a White House when it is functioning perfectly and when the president is popular," says Fleischer. But in a tumultuous West Wing whose president is looking at a dismal 36 percent approval rating from Gallup? Don't be surprised to see more staff heading for the door soon. ♦

Wisconsin, the Surveillance State

The 'John Doe' scandal widens.

BY CHRISTIAN SCHNEIDER

On May 23, the Wisconsin Department of Justice (WisDOJ) received a call from the state's ethics board. An employee rummaging around in the basement of the building had found a filing cabinet full of material from the now-defunct "John Doe" investigations into the state's Republican governor, Scott Walker, and his supporters.

WisDOJ was investigating the illegal 2016 leak to the *Guardian* of confidential details from the investigations, and in January, it had ordered that all John Doe records be turned over immediately. Yet this unexpected trove appeared four months later. The new evidence included three hard drives, 10 optical disk drives, a thumb drive, and paper files, which contained nearly 500,000 private emails and text messages collected from Republican political aides and staffers between 2009 and 2012. Among the millions of pages were discussions of the most personal nature—Wisconsin GOP staffers talking with family members about illness, helping friends through precarious relationships, and discussing money troubles with their spouses. Not knowing government bureaucrats were monitoring their discussions, some saved sensitive passwords in Gmail accounts; others sent pictures of themselves trying on clothes to friends and asked how they looked. Many of these messages were filed in a folder marked "opposition research."

On December 6, the WisDOJ released a 91-page report on the leak, and what it shows is that Wisconsin

public officials set up what amounts to a political spying operation.

The John Doe investigations have been a fixture of Wisconsin politics and courts for more than half a decade. Originating in 2010 with a request from Milwaukee County executive Scott Walker—who was running for governor—to investigate some missing money in his own office, they metastasized into a series of wide-ranging witch hunts used to harass and intimidate conservatives. In both the 2012 recall election to unseat Walker and the 2014 gubernatorial race, Democrats frequently cited the investigations as evidence of his "corruption."

John Doe proceedings are initiated by a judge to see if a crime has been committed; investigators and suspects are prohibited from discussing the case. The Wisconsin law, dating to 1889, was intended to protect the identities of those being investigated. Yet the inquiries into Walker and his supporters achieved the exact opposite effect. While confidential details about Republicans leaked freely to the media, those under investigation were barred from defending themselves. The gag order against the investigation's targets prompted U.S. Circuit Court judge Frank Easterbrook to call the John Doe framework "screamingly unconstitutional."

In 2012, the Milwaukee County district attorney asked for a second John Doe probe, into Walker's gubernatorial campaign. This one gained national notoriety in October 2013, when law enforcement officers began making paramilitary-style, pre-dawn raids on the homes of unsuspecting private citizens. With

Christian Schneider is a columnist for the Milwaukee Journal Sentinel.

floodlights trained on the targets' homes, armed officers threatened to beat doors down with battering rams; rifled through rooms; and seized phones, computers, and bank records without allowing the subjects to contact their attorneys. Groggy families awakened to the sound of police boots running through their homes were told that they could not tell anyone what had happened.

Their crime? Supporting conservative causes in Wisconsin.

The legal basis for the second investigation was specious as prosecutors were accusing Walker of illegally coordinating with third-party groups during the recall elections in 2012. But that interpretation of state law relied on an outdated reading of election law—which had been overturned by the Supreme Court's 2010 *Citizens United* decision. In January 2014, Judge Gregory Peterson effectively shut the second investigation down, noting that the conservative groups were engaged in constitutionally protected speech. In July 2015, the Wisconsin State Supreme Court ended the investigation for good and ordered that all the evidence be destroyed or returned to its owners.

It was only after this court order that dozens of conservative activists learned that three years' worth of their private email and text messages had been seized. With the release of the WisDOJ report, the public found out that this mountain of intimate, private correspondence had been sitting for years in an unsecured filing cabinet in the basement of what used to be the offices of the Government Accountability Board (GAB), which enforced the state's ethics and elections laws until 2015, when it was replaced by two separate watchdogs. Much of this material had been reviewed and filed by GAB staff when they began the secret investigation that WisDOJ calls "John Doe III."

The existence of this third investigation came as a complete surprise to the state's attorney general when he learned of it last year. WisDOJ agents

surmised it was instigated by staff at the GAB when they had caught wind of "illegal" campaigning by legislative staff during the 2012 recall elections that swept Wisconsin in the wake of Scott Walker's controversial union reforms.

It was many of these staffers whose private emails and chats showed up in the basement. Investigators identified 35 campaign workers whose personal accounts had been obtained by search warrant, and in its report, WisDOJ said it was "deeply concerned by what



Shane Falk

appears to have been the weaponizing of GAB by partisans in furtherance of political goals." The list of people subjected to the search includes not just people who worked on the 2012 recall campaigns, but also Republican Party of Wisconsin staffers and Scott Walker aides. One former Senate aide says he had spent two weeks in Wisconsin's North Woods in 2012 volunteering for a Republican candidate, and for this innocuous act, three years of his emails were seized.

Republican state senator Leah Vukmir, who will be running for the U.S. Senate in 2018, was also subject to the spying. WisDOJ found files with more than 150 emails between Vukmir and her daughter—many of which contained "private medical information and other highly personal information." In an op-ed for the *Wall Street Journal* on December 10, an outraged Vukmir announced she was looking into her legal options for the violation of her privacy. "This was

criminal behavior, and the individuals involved ought to see jail time," she wrote. Vukmir says that despite the court order, she was never notified that her emails had been seized.

As Vukmir's daughter's case demonstrates, it wasn't simply the targets of the investigation whose personal information ended up before the leering eyes of the GAB staff. All those who emailed one of the subjects on the list were unwittingly spilling their personal secrets to government bureaucrats, whether they had any connection to the ill-fated investigation or not.

WisDOJ investigators never conclusively identified where the leak to the *Guardian* came from, but the report noted that the only place where all the relevant documents were ever held all together was a portable hard drive belonging to a GAB investigator named Shane Falk. According to the same report, the file cabinet holding all the seized personal emails and documents was adorned by Post-it notes suggesting that Falk was also its owner.

A Democratic appointee to the GAB, Falk made the news in 2015 when his zeal to take down Scott Walker was revealed in leaked emails. In an email to prosecutors in November 2013, Falk wrote that the alleged coordination between Walker's campaign and conservative groups was a "bastardization of politics" and that the state was being run "by corporations and billionaires." According to emails released by WisDOJ, Falk frequently harangued other John Doe prosecutors for not going after Walker vigorously enough and questioned their knowledge of campaign finance law. Ironically, it was Falk's legal reasoning that was repeatedly rejected in court after court.

In interviews since the WisDOJ report was released, Falk has said he doesn't know anything about the leak and that he doesn't know how the personal emails obtained by GAB came to be marked "opposition research." In its report, WisDOJ called the leak a crime, but concluded that it

VIA YOUTUBE

couldn't identify who had made it—so instead of criminal charges, Wisconsin attorney general Brad Schimel forwarded contempt of court charges against Falk and eight other GAB investigators for their reckless handling of records.

Those records include numerous

details of state Republicans' private lives, collected with little probable cause in the course of a bogus investigation. To date, WisDOJ agents have not been able to locate Falk's external hard drive, which mysteriously went missing after he resigned from the board. ♦



Protesters in Philadelphia, November 13, 2016

Is the Electoral College Doomed?

Let's hope not.

BY ALLEN C. GUELZO

Every four years we elect a president. And every four years someone emits a squeak of protest that the method we use for electing presidents under the Constitution—the Electoral College—is unfair, undemocratic, antiquated, or

Allen C. Guelzo is the Henry R. Luce Professor of the Civil War Era at Gettysburg College. His book Gettysburg: The Last Invasion won the Lincoln Prize for 2014 and the Guggenheim-Lehrman Prize in Military History.

unpopular and should therefore be eliminated. Most of the time, this is no more than a squeak, since in all but five presidential elections, the Electoral College has ratified the choice of the nation's voters. When it doesn't, the squeak is heard a little more loudly, but usually subsides after Inauguration Day.

Some of those squeaks were heard early in the nation's history, after the devious Aaron Burr in 1800 polled the same number of electoral votes as the man he was supposed to be

supporting as the presidential candidate, Thomas Jefferson, and tried to use that as a way to nudge Jefferson aside. The Twelfth Amendment fixed that, and the squeaks receded, until the election of 1824, when none of the presidential candidates won a majority of electoral votes, and the election had to be decided in the House of Representatives (which gave us President John Quincy Adams). In 1860, Abraham Lincoln polled only 39 percent of the popular vote, but won a whopping majority in the electoral vote-count. That, just by itself, would have become a point of argument had the nation not had a lot more volatile things to argue about—civil war, for instance. The elections of 1876 and 1888 also generated squeaks about the inequities of the Electoral College. But it was not until after the razor-thin victory of Richard Nixon in 1968 that a serious effort emerged within Congress to abolish the Electoral College, proposed in 1969 by Rep. Emanuel Celler and Senator Birch Bayh. Neither this legislation nor a 1977 proposal sponsored by Bayh with backing from President Jimmy Carter made it out of Congress.

This time, it's been different, and it may signal the doom of the Electoral College in the not-too-distant future.

The reason it's different is because the 2016 election seems like a genuine aberration. What alarmed Birch Bayh in 1977 was that Jimmy Carter's popular margin of 1.7 million votes could easily have been erased by a change of just 25,000 votes in Ohio and Mississippi. In 2016, Bayh's nightmare came true. Hillary Clinton earned a 2.86-million vote plurality over Donald Trump across the country. (Notice that this was a *plurality*; Mrs. Clinton received only 48.2 percent of the overall popular vote.) But she ran up the score in a limited number of densely populated (and densely Democratic) points on the map. This allowed Donald Trump to sweep up the electoral votes in far-more-numerous but less densely populated (and less densely Democratic) areas elsewhere. This gave him a sizable Electoral College majority of 304 to 227—larger than the Electoral College majorities of

MARK MAKELA / GETTY

Nixon, George W. Bush, Carter, and even John F. Kennedy.

So what has usually been a squeak is now a sustained howl. Hillary Clinton herself took the opportunity of an interview with CNN's Anderson Cooper on September 14 to declare that the Electoral College "needs to be eliminated." She has been joined by Tom Perez, the chair of the Democratic National Committee, who blasted the Electoral College as "not a creation of the Constitution" and by a Democratic former Labor secretary, Robert Reich, who has called upon Americans to "abolish the Electoral College" or at least "make the Electoral College irrelevant." Even Barack Obama, in his last presidential news conference, described the Electoral College as "a vestige . . . a carryover from an earlier vision of how our federal government was going to work." There's a good chance that the next Democratic president will make the substitution of a direct popular vote for the Electoral College a major initiative.

Which will not, as it happens, be a very good democratic idea. For one thing, the Constitution actually stipulates only one way to elect presidents, and that is the Electoral College. There is no provision for a popular vote, although many people assume there is. Eliminate the Electoral College (as it appears in Article Two of the Constitution) and it would then be necessary to replace it with an amendment detailing the nature and conditions of a national popular vote. Given the complexities of federal election laws, the result could be an amendment longer than the rest of the Constitution; or it could be a quick fix—"Congress shall have authority to pass appropriate legislation"—which will generate political conflict more acrimonious than anything we've seen in the past century.

Of course, it might be possible to slip past the acrimony through something like the National Popular Vote Interstate Compact, an agreement among states that pledges state electors to cast their votes for whichever presidential candidate wins a national

popular majority, rather than just a majority in their state. But the NPVIC has been endorsed by only 11 states (all of them Democrat-blue) and the likelihood is slim that the Republican-dominated legislatures of the other states will rise to this suggestion. There is also some question whether the NPVIC itself would be a violation of the Article One section that prohibits states from entering "into any Agreement or Compact with another

Abolishing the Electoral College assumes that there is only one democratic way to elect a president, and that is by a national popular majority. But if that were true, then logically the only democratic way to make national laws would be by a national majority, too. Why, in that case, have a Congress? The answer, of course, is that democracy works best in slow motion.

State" without congressional approval. Above all, the NPVIC is a *compact*, not a law; it has no enforcement mechanism, so even the state legislatures that signed up for it enthusiastically could decide at the last moment not to cooperate after all.

Abolishing the Electoral College also assumes that there is only one democratic way to elect a president, and that is by a national popular majority. But if that were true, then logically the only democratic way to make national laws would be by a national majority, too. Why, in that case, have a Congress? The answer, of course, is that democracy works best in slow motion. The virtue of a democracy is that every citizen is assumed to have an equal competence for government; the flaw of a democracy is that not every citizen acts competently. Demagogues can create urgencies over

miserable issues that carry away even the best citizens. We would not, after all, want to make legalized slavery a matter of simply counting the number of hands willing to endorse it at some evil moment. The genius of American democracy is how it breaks down the decision-making process into checks and balances, and (as Madison illustrated in *Federalist* No. 10) divvies up political power among various sources (like the executive, legislative, and judicial branches).

The Electoral College is a particularly good example of how that genius works. It takes the election of the chief executive officer of the republic and makes it a deliberation among the states (and their electors), and not just an auction at the county fair. The concern of the Founders in the Constitutional Convention was that direct election by the people might give a president Caesarian illusions that he had the authority to override Congress in the name of the people. The countervailing solution proposed in the convention was to have the president elected by Congress—only to have the convention realize that this would merely reverse the polarity and make the president the puppet of whatever majority in Congress had elected him. The Electoral College laid out a middle path: have the states elect the president, giving each state a number of electors equal to its representatives and senators in Congress.

We are, after all, a federal union, in which the states that form that union have a say in how it is governed, fully as much as the national body of voters and the federal administration in Washington. Eliminating the Electoral College would change an enormous part of that make-up and might not bode well for the survival of the others.

The Electoral College may not be the most elegant idea of the Founders; but it was certainly not the worst, and they devoted more attention to it than to any other single issue in the Constitution. Before we begin messing with it in the name of democracy, let us—in the name of real democracy—hesitate, and deliberate, and as citizens. ♦

Don't Let the Parties Off the Hook

Along with the voters, they deserve blame for lousy candidates. **BY JAY COST**

In the wake of Democrat Doug Jones's surprise win over Republican Roy Moore in the Alabama special election to replace Jeff Sessions in the Senate, pundits and prognosticators were scrambling to make sense of the new political landscape. The verdict was almost all bad for the Republican party.

The silver lining is that Mitch McConnell and his GOP Senate caucus do not have to deal with Moore in the upper chamber and are spared the difficult process of an Ethics Committee investigation into Moore's past behavior. That benefit is dwarfed by the fact that Democrats now have a real shot at reclaiming a Senate majority next year. Prior to the Alabama election, this was seen as a virtual impossibility.

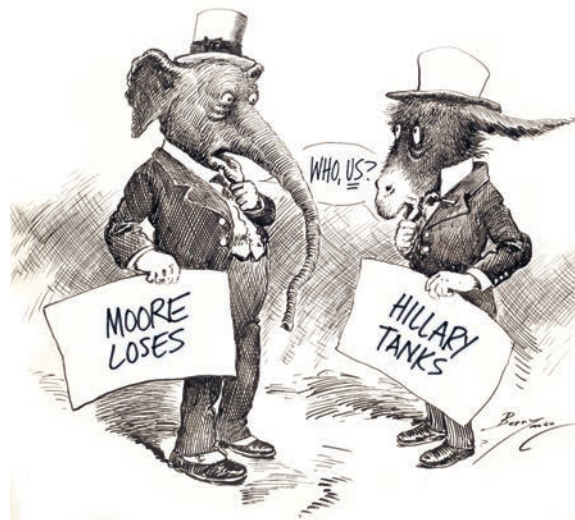
Yet results in Alabama tell us about more than the relative strength of the two parties. They also serve as yet another warning that our two major parties are badly misfiring and undermining our democracy as a result.

Parties serve a lot of purposes, many of which we are familiar with. For instance, they organize both chambers of Congress, corralling House members and senators to vote for a legislative agenda. They also present voters with positions on a basket of issues that basically follow one of the two major ideologies. In both cases, it is the conflict between the two parties that structures and gives meaning to our politics.

But there are other functions parties

serve in which they work together. Importantly, they act as a cartel with regard to the voting booth—controlling access to who is allowed to appear on the ballot, and who is and who is not considered a serious candidate.

This can be a good thing. Imagine a world with no political parties, in which each ballot is a very long list



of independent candidates to choose from. It would be difficult for voters to figure out which candidate best fits their views. And the winner would likely receive far less than 50 percent of the vote, leaving the majority of voters frustrated that their elected officials do not represent them.

When the parties are functioning properly, they limit ballot access to fit candidates who are of good character and generally reflect the views of a significant chunk of the electorate. This is what makes parties essential to a well-functioning democracy, for it is only when voters have good candidates to choose from that the ballot

box actually serves as a useful check on our governing institutions.

But what happens when the parties fail to do this? What happens when they nominate morally dubious candidates or candidates from outside the mainstream? That undermines democratic accountability, as voters face a choice that does not reflect their values or interests. If good parties enhance democracy, bad parties weaken it.

It is increasingly clear that today's parties are screwing up the nomination process. This was on full display during last year's presidential campaign, when the Democrats and Republicans nominated the two most unpopular candidates in the history of public-opinion polling. They gave voters a choice between a boorish, unprepared Donald Trump and an out-of-touch, corrupt Hillary Clinton. It is no surprise that despite the fact that we have only two major parties, *neither* earned half the vote, as millions of voters cast protest ballots.

Party dysfunction was also on display in Alabama this year. The voters in this deeply conservative state were faced with a choice between Moore, a candidate credibly accused of sexual assault, and Jones, a pro-abortion Democrat who received the overwhelming majority of his financing from out-of-state liberals. Did either candidate really reflect the values and interests of the state? Of course not, which

is probably why neither candidate managed to win a majority, and about 23,000 voters wrote in another person's name.

These are big elections in which the voters feel unrepresented. What is going on? One problem is our system of primary elections. Conceived in the early 20th century as a tonic for corrupt political machines, primary elections have become the main form of nominating candidates. Unfortunately, they come with problems of their own. The biggest one is relatively low turnout, which favors candidates who appeal to an intensely loyal minority of voters.

Jay Cost is a contributing editor to THE WEEKLY STANDARD.

WITH APOLOGIES TO THE LATE CLIFFORD BERRYMAN

Indeed, the GOP's problems with Moore began when he finished in first place in the first round of the primary—winning just 165,000 votes (Trump won the backing of 1.3 million Alabamians in 2016). Moore was the first choice of a *tiny* segment of all Republican voters. The same is true of Trump in 2016, who was able to win the party's nomination despite the fact that a majority of GOP voters supported somebody else. Yet Trump had a diehard following that helped him win contest after contest.

Another problem with primaries is they favor well-heeled candidates, who may seem moderate in their views but whose financing tilts them to the interests of their donors. The choice of Republican elites in Alabama was Senator Luther Strange, whose elevation to the seat was ethically questionable. Strange had been the state's attorney general and was appointed to fill Sessions's Senate vacancy by Governor Robert Bentley, who was under investigation by Strange's office at the time and eventually resigned. It looked like a quid pro quo, which turned voters off. Yet in the first round of the primary, the national party went all-in for Strange, at the expense of Rep. Mo Brooks, who finished third.

Similarly, the preference of the high-dollar donors helps explain the Democrats' nomination of Clinton last year, a candidate just as disagreeable to voters as Trump. Despite decades of ethically dubious practices, Clinton more or less had the market cornered on big donors, which scared away arguably stronger candidates and left as her only serious challenger Bernie Sanders, a radical candidate whose appeal was too narrow.

Money also influenced the Democratic side of the Alabama ballot this year, as Democrats spent more than \$10 million on behalf of Jones. That cash came largely from outside the state, from liberal donors who no doubt will expect Jones to represent their interests, as opposed to the conservative views of Alabama.

Perhaps the biggest problem with our nomination system is that public intellectuals and voters at large have

invested little effort in examining it critically, identifying weaknesses, and recommending changes. Liberals spend lots of time thinking about health-care policy, conservatives do likewise with tax policy, but hardly anybody scrutinizes our nomination system. There is instead a collective shrug of the shoulders, as people respond to these dissatisfactory results, "Well, the voters have spoken. What are we to do?"

The truth is, we could alter the primary process if we wanted to. Today, a shocking number of Americans feel alienated from our political process. Is it any wonder why? Increasingly, they see candidates who do not reflect their values or interests—but instead represent wealthy donors or ideologically extreme groups. Our shoddy nomination process is one reason why. ♦

A President Has No Friends

Trump is far from the first to have no close pals.

BY PHILIP TERZIAN



Frank Bruni had an interesting column the other day in the *New York Times*. Naturally, it was about Donald Trump, and naturally, it registered disapproval. But the point was more psychiatric than political: Entitled "Donald Trump Could Really Use a Friend," it assembled a host of testimonials to show that Trump, while a man of wide acquaintance, has no close confidants, no old chums with whom he can unwind, no buddies in whom he can usefully confide.

Philip Terzian is a senior editor at THE WEEKLY STANDARD.

"Show me a person who has no true friendships," Bruni wrote,

and I'll show you someone with little if any talent for generosity . . . who can't see the world through another's eyes. . . . Show me a person who has no true friendships and I'll show you someone with no adequately moderating influences on his whims, no sufficient cushion for his moods. I'll show you a full-blown narcissist or full-throttle paranoiac or some combination of both. I'll show you the president of the United States.

You might call this the Barbra Streisand theory of statecraft: People

who need people are not just the luckiest people in the world but make the best political leaders—much to be preferred to introverts, the phlegmatic, or the naturally aloof. A convivial president, so the thinking goes, would be much more likely to empathize with his fellow countrymen, to seek out their company, yearn for their approval, strive to understand what makes them tick.

George W. Bush's appeal, for example, was explained by the assumption that voters would rather have shared a beer with Bush than with his political opponents, Al Gore and John Kerry. It's a reasonable assumption—certainly true in my case—and a compliment of sorts to the former president. But of course, as a key to classifying presidents, or judging their quality, it's nearly meaningless.

Indeed, Frank Bruni's argument for "true friendships" probably tells us more about the needs of Bruni than the defects of Trump. For what Bruni wants in a president is not so much an effective politician or shrewd statesman but a well-adjusted monarch, a comforting paternal figure, an empathizer in chief who will answer prayers, pronounce the right platitudes at just the right moment, put the faithful at ease.

The trouble is that there's little evidence in history that such admirable people make good presidents, and considerable evidence that the sort of Trumpian character that Bruni cites with horror—solitary, self-regarding, ruthless, defensive—describes some of our most successful, even popular, presidents. George Washington was notoriously somber and laconic, deliberately forbidding. Andrew Jackson may have been the people's president but few people found his close company a delight. Abraham Lincoln liked to make wisecracks and was kind to subordinates, but was also afflicted with a deep, even morbid, melancholia.

Would any of these Olympian figures, or America, have benefited from infusions of true friendship? I doubt it.

For the blunt fact is that the pursuit of the presidency has long required a single-minded purposefulness and

drive that self-selects humans with whom you might not wish to share a beer—and some of our more "normal" presidents (the elder George Bush comes to mind) have had a better gift for friendship than for politics.

This is a characteristic, incidentally, that transcends ideology. Bruni may have guessed that his description of Trump's friendless ambition and brutal calculation is unique or uniquely Republican; but there were moments when he could easily have been rendering a sketch of, say, Franklin Roosevelt. Bruni was struck last year when Ivanka Trump and her brothers told CNN's Anderson Cooper that when they sought "quality time" with their father, "they went to his office, his construction sites. They met him on his terms and terrain." But of course, the very same was true of FDR and his sons, who had to make appointments to see their father in the White House.

One might argue, in fact, that our most admired recent presidents have been those who shared the same coldblooded instincts but managed to communicate empathy and cheer. Dwight Eisenhower was a taciturn career officer with a sharp mind and few close friends, but Americans tended to see him as a benevolent average joe. Ronald Reagan's appeal was intense and bipartisan, but he was a stranger to his children and devoid of boon companions. Barack Obama still inspires something like adoration among Democratic voters; but Democrats in Congress saw him rather differently, and even his legion of admirers in the press noticed his distant, disdainful arrogance.

None of this is meant to explain, or rationalize, President Trump's behavior in office, which veers dramatically between the conventional and the astonishing. But just as the country squire Roosevelt managed to convey an unlikely affinity for the Forgotten Man, so our own Forgotten Men discovered hope last year in the nouveau riche Trump. Whether their faith will be justified has nothing to do with Donald Trump's non-existent circle of friends. ♦

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The Man They Love to Hate

EPA administrator Scott Pruitt's recipe for success: fearless defiance of his political and media foes

BY FRED BARNES

Every Sunday evening, the press office at the Environmental Protection Agency receives emails from the *New York Times* and *Politico* asking for EPA administrator Scott Pruitt's public schedule for the coming week. The press office ignores the emails.

The *Times* hasn't given up. It has sued the EPA for allegedly violating public records laws by not releasing the weekly schedule. But the agency has not buckled. "We're not going to roll out the red carpet for the *New York Times*," an EPA official says.

It's a small matter but points to a much bigger one. It involves Pruitt, who has run the agency since February and is a favorite of President Donald Trump. He's different from previous EPA bosses, notably in his attitude toward the political class in Washington, including the media. Pruitt is not afraid of them.

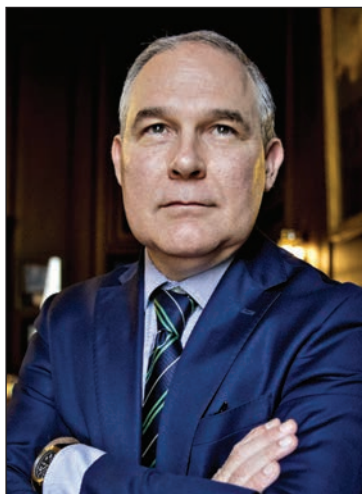
His fearlessness shows up in doing things most of Washington frowns on—or that are politically dangerous. Refusing to pamper the *Times* and the national press is the least of his offenses.

In the weeks before he took office, staffers from the agency openly protested his appointment. So when Pruitt arrived at EPA headquarters across the street in downtown Washington from the new Trump International Hotel, it was thought prudent for him to make peace with the bureaucrats, to woo or even appease them. He hasn't. He's merely treated them professionally.

Next, were he eager to get along, a smart step might have been to meet with the environmental interest groups whose

lobby has become a powerful force, especially on Capitol Hill. Pruitt hasn't taken the time to do so.

Instead, he's traveled out of town to confer with trade groups for manufacturing, mining, and fossil fuels. "We don't have enough resources . . . to hire enough personnel in this agency to stand on every corner in this country and say 'Thou shall' and make sure people do this or that," he told the *Washington Post*. "We need commitment from the private sector."



During his tenure as attorney general of Oklahoma, in the six years leading up to his appointment to the Trump cabinet, Pruitt filed 14 lawsuits against the EPA, a record that outraged environmentalists and liberals. In Washington, he has redoubled many of these efforts. He once sued to halt the EPA's Clean Power Plan (CPP). Now he's implementing an executive order to rescind it. The same is true of an EPA rule known as Waters of the United States (WOTUS). In Utah in August, when a U.S. Army Corps of Engineers official pointed to a tiny body of water and said it was regulated under WOTUS, Pruitt replied, "Well, it's not going to be anymore."

Pruitt isn't anti-regulation. It's regulatory overreach he regards as a menace to freedom and economic growth. Rather than concentrating on new regulatory targets, he's attacking the massive backlog of problems neglected by his predecessors, such as finally cleaning up the toxic waste at 1,300 Superfund sites and dealing with 700-plus state air quality plans left behind by earlier administrations.

Pruitt's biggest clash with the accepted wisdom of Washington has come over the Paris Accord, the international treaty to deal with climate change. In his campaign, Trump had promised to withdraw from the pact, only to be

Fred Barnes is an executive editor at THE WEEKLY STANDARD.

ANDREW HARRER / BLOOMBERG / GETTY

pressured to renege by top cabinet officials and his daughter and son-in-law once he got into the White House.

The president was rescued by Pruitt. In meetings at the White House, he provided Trump with a series of reasons to oppose the accord. It turned out that Pruitt knew more about the subject than the others. Trump stuck to his guns and pulled out.

Trump was so impressed he invited Pruitt to speak at the Rose Garden event in June to announce the withdrawal. This was highly unusual since Trump rarely shares the limelight, much less credit.

Pruitt lauded the president for his “unflinching commitment to put America first” and followed with what has become the theme of his EPA tenure. The United States does “better than anyone in the world in striking the balance between growing our economy, growing jobs while also being a good steward of our environment,” he said. Between 2000 and 2014, America reduced “its carbon emissions by 18-plus percent. And this was accomplished not through government mandate, but accomplished through innovation and technology of the American private sector.”

Pruitt, 49, would not have been at the White House that day in June without the intervention of Harold Hamm, the billionaire oil and gas entrepreneur. Hamm was an ardent Trump supporter in the presidential race in 2016. Pruitt wasn't. He was aligned with Jeb Bush.

But the Bush connection wasn't an impediment when, soon after the election, Hamm asked Trump for one favor. Hamm, who is also an Oklahoman, wanted Pruitt to be EPA administrator, an associate said. Hamm was an admirer of Pruitt's efforts as state attorney general to thwart EPA abuses.

Trump, who had met Pruitt years earlier at an Oklahoma-Texas college football game, quickly agreed to Hamm's request. In short order, Pruitt joined meetings at Trump Tower where the transition team was working on plans for the new administration. He was nominated for the EPA post in early December. After an intensive bid by Senate Democrats to block Pruitt, he was confirmed, 52-46. One Republican, Susan Collins of Maine, voted no. Two Democrats, Heidi Heitkamp of North Dakota and Joe Manchin of West Virginia, voted for Pruitt.

His political advancement, uneven at best, had another patron, Republican senator Jim Inhofe, who was a neighbor of the Pruitt family in Tulsa. While a state senator, Pruitt was not a major figure in Oklahoma politics. He was a well-regarded lawyer, but he'd lost races for lieutenant governor and the U.S. House of Representatives. His future was unclear.

His decision in 2010 to run for attorney general would change that. He wasn't a household name statewide,

though seven years as general manager and part-owner of the Oklahoma City Redhawks minor league baseball team—he went to college on a baseball scholarship—had given him some notoriety. Then Inhofe, who pilots his own plane, flew Pruitt to gatherings around the state, giving his campaign a boost. He was elected in a landslide.

“In 2010, I saw the importance of being attorney general,” Pruitt told me. “It was the most important office at the state level of any in the country because of our ability to actually enforce the rule of law. You know how to hold the federal government accountable for decisions they were making outside of that authority. I think I was able to see that a little bit ahead of the curve.”

Pruitt emerged as a leader of a pack of state AGs who were “ruthlessly committed,” as he put it, to blocking the expansion of the federal government at the expense of the states. They championed states' rights, limits on federal power, and federalism. Pruitt established a federalism unit in his AG office.

He succeeded in killing an EPA rule that blamed air pollution from Oklahoma and Texas for harming Granite City, Illinois. Pruitt took the lead in suing the federal government over the Dodd-Frank financial reform bill, insisting it could damage state pension funds. He made a last-ditch effort to stop Obamacare's health-insurance exchanges from offering subsidies.

In 2014, he was tempted to run for the U.S. Senate. But he was advised—by Leonard Leo of the Federalist Society, among others—that his AG work was too important to give up. It was a close call, but he agreed to stay put. “My time as attorney general wasn't complete, and the cases and things we were focused upon—I ran for certain things, and our work wasn't done,” he says. He was unopposed for a second term as attorney general.

Fred Davis, his political adviser and media consultant, says Pruitt came to regret that decision. “He likes to do things that are important,” Davis says. “He missed his golden opportunity.” Maybe, but another one came along three years later.

In his 23 years in the Senate, Jim Inhofe says the confirmation hearing for his friend Scott Pruitt in the Committee on the Environment and Public Works was the most hostile he's ever witnessed. He is Pruitt's friend and mentor and is viewed by environmentalists as an enemy, just like Pruitt. If he's exaggerating, it's only a little.

The first Democrat to speak was Tom Carper of Delaware. “Too much of what I have seen of [Pruitt's] record on the environment and his views about the role of EPA are troubling and in some cases deeply troubling,” he said.

Carper quoted former EPA administrator Christine Todd Whitman, a Republican, saying she “can't recall



Pruitt is presented with his own customized helmet by coal miners in Sycamore, Pennsylvania, April 13.

ever having seen an appointment of someone who is so disdainful of the agency and the science behind what the agency does.” He added: “Coming to this hearing today, I fear she has gotten it right.”

It was downhill from there. Anti-Pruitt outbursts from the audience were “extraordinary,” Carper said. “We don’t often have [the] kind of disruptions . . . we are witnessing here today.” There was a mind-numbing examination of phosphorus levels in the Illinois River. Bernie Sanders (I-Vermont) twice cited a debunked “poll” in which 97 percent of scientists supposedly said global warming is man-made. A retired employee from Oklahoma’s environmental office turned out to be the head of the state’s Sierra Club branch. Committee Democrats asked for an outside hearing, which they didn’t get, and an extra round of questioning, which they did.

Pruitt had plenty of time to speak. Listing his principles, he started with one he often mentions. “We must reject as a nation the false paradigm that if you are pro-energy, you are anti-environment, and if you are pro-environment, you are anti-energy. I utterly reject that narrative. . . . It is not an either-or proposition.”

The *New York Times* is Pruitt’s most vigorous media critic. In August, it featured a front-page story under the headline “Scott Pruitt Is Carrying Out His E.P.A. Agenda in Secret.” The story, among other things, noted he’s “the first head of the agency to ever request round-the-clock security.”

Smart move by Pruitt. Given the way he’s been demonized, he needs the security. In September, the *Washington Post* reported that his guards—“triple the manpower” of his predecessors—are pulling agents away from “pursuing environmental crimes.” The story didn’t mention the EPA has 15,000 employees.

If the secrecy is supposed to mean Pruitt is in hiding, it’s failed. In recent weeks, he’s spoken to a packed crowd at the Federalist Society’s annual meeting. He’s not

ubiquitous, but he’s also addressed the Hoover Institution, the Cato Institute, the American Principles Project, and the American Council for Capital Formation (ACCF). Last week, he testified before the House Energy and Commerce Committee and briefed reporters at the White House.

I’m told Pruitt has a strategic plan for dealing with the media. But it sometimes seems to be improvised. Yet it works, keeping negative stories to a minimum. Some appearances, like the Federalist event, are on-the-record. Others aren’t. Pruitt took questions, mostly from energy industry officials, at the ACCF. But several were from a *New York Times* reporter, Lisa Friedman, who has repeatedly asked for Pruitt’s weekly schedule. The issue was climate change. Their Q-and-A was off-the-record.

The truth is, everyone from Washington to Morocco, where Pruitt dealt with a trade-related issue last week, knows what he’s up to. Some like it, some don’t. It’s clear he has both long-term goals and a short-term agenda.

He’s reformed the 22 panels of science advisers at the agency, kicking those who get EPA grants off to avoid conflicts of interest. And he has barred the practice of “sue and settle” whereby EPA consents to a settlement in litigation, often with environmentalists. It’s a backdoor way to create regulations that Congress would be unlikely to enact.

In his speeches, Pruitt talks about EPA’s core responsibilities. They’ve been downplayed as climate change has become the overriding issue for the scientists and bureaucrats who work for him.

One of his pet peeves is the Superfund site West Lake Landfill near St. Louis. It contains waste from the Manhattan Project, which led to the atom bomb. It’s been left alone for 27 years with no decision on how it should be disposed of. Pruitt has set a deadline for a decision.

After Hurricane Harvey, Pruitt learned of another dangerous site on the San Jacinto River near Houston. “All they’ve done for like 10 or 11 years is put rocks on top of a covering to prevent the release of toxic dioxin . . . into the water supply there,” he told me. In September, he personally checked out the site and promised an answer before the OU-Texas football game on October 14. The EPA announced a \$115 million fix on October 11.

Last month, the EPA put out a candid news release that said Pruitt “isn’t just dismantling the Clean Power Plan and other high-profile environmental programs of the Obama era. He’s on a mission to re-engineer the agency’s culture by returning power to states and away from the Washington bureaucrats and coastal elites he said have led it astray.” Those bureaucrats work for Pruitt. He was not fearful of antagonizing them.

JUSTIN MERRIMAN / GETTY

In October, he went to Hazard, Kentucky, and told coal miners “the war on coal is over.” Senate majority leader Mitch McConnell, in introducing Pruitt, said it was “great” to have an EPA administrator “who’s not afraid to come to Kentucky.”

Pruitt’s fondest dream is to stir two national debates, one on climate change, the other on the question of what is true environmentalism. He believes the science is not “settled” on climate change. And “at its core, environmentalism is about stewardship . . . not putting up fences” around natural resources.

But there’s a problem. Inside the Trump administration, there’s skepticism about the value of debates on matters outside the comfort zone of many Republicans. And the skeptics have a point.

The Paris Accord is an exception. Pruitt spent more than a month advising Trump on that issue. It wasn’t easy. John Kelly hadn’t arrived as chief of staff, and the discussions in the Oval Office were disorganized. The deck looked stacked against withdrawal. Secretary of State Rex Tillerson was against it. So was deputy national security adviser Dina Powell. Economic adviser Gary Cohn was wary. And Ivanka Trump and Jared Kushner were flatly opposed to withdrawal.

The discussions were “competitive,” Pruitt says. Other countries and multinational companies “were very, very intentional about staying in the accord. The Paris Accord was, in my view, never about CO₂ reduction. It was clearly putting this country at an economic disadvantage.”

“Why do you go to Paris to apologize . . . when you’re already reducing CO₂ levels? Why do you go to China and India and say, ‘Oh, by the way, you don’t have to do anything until 2030’? And India? ‘You get \$2.5 trillion.’ And why did Russia [get] to increase its emissions?”

This was music to Trump’s ears—exactly what he needed to hear. And when he announced he was pulling out of the accord, his speech was brimming with figures and technical points that sounded as if they had come from a Pruitt position paper.

Pruitt is now a rock star to conservatives. The American Principles Project (APP) gave him its Human Dignity award last month. Why? “Because he’s shown a lot of courage in his willingness to do the right thing and absorb attacks without deviating from his agenda and what he thinks is right,” says APP’s Jeff Bell.

In Washington, most don’t dare, but fearlessness can be the secret to success. Just ask Trump. ♦

Regulatory Relief: The Untold Story of 2017

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

After coming into office on the heels of a relentless regulatory onslaught from the Obama administration, President Trump and leaders in Congress worked diligently throughout 2017 to rein in the regulatory state. These actions didn’t always make big headlines, but their results certainly have. Soaring business confidence, a robust stock rally, and consecutive quarters with growth rates of 3% tell the story of an economy finally feeling relief from overregulation.

President Trump started quickly upon entering office, promptly halting all pending regulations and signing executive orders to ensure that new rules were issued only if old ones were eliminated. Congress also took bold action early to seize a narrow window of opportunity to invalidate regulations using the Congressional Review Act (CRA).

Under the CRA, Congress reversed 14 midnight regulations issued in the

waning days of the Obama administration. One example was the Federal Contracts Blacklisting Rule, a devastating regulation that could have barred businesses from federal contracts for mere allegations of labor violations. Congress more recently used the CRA process to rescind the anti-arbitration rule, which would have effectively banned arbitration clauses in consumer contracts and forced all disputes to be dealt with in court. It would have amounted to an enormous gift to the trial bar.

The Environmental Protection Agency was another bright spot for rule reversals. It took action to repeal harmful regulations like the sweeping Waters of the U.S. rule, which broadly expanded the definition of federally regulated bodies of water, and the Clean Power Plan (CPP), which sought to regulate large swaths of the economy.

Harmful labor regulations were also rescinded, including the Department of Labor’s (DOL’s) joint employer rule, which created confusion and threatened

the ability of businesses to work with each other, particularly in the franchising setting. DOL also delayed key portions of the Fiduciary Rule, which would have further increased costs and limited choices for retirement savers.

A final example was a court’s blocking of the overtime rule owing to a legal challenge brought by the U.S. Chamber of Commerce. The rule would have doubled the salary level for exemption from overtime pay, raising costs for businesses and causing workers to have their hours cut.

The Chamber set the table for this historic regulatory relief through many years of lobbying Congress, engaging with agencies, and fighting in the courts. Heading into 2018, we stand ready to build on these results and advance a smart regulatory approach that will allow businesses to invest, expand, and hire with confidence.



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Deceptive Déjà Vu

Defending the Iran deal by lying about the Iraq war

BY REUEL MARC GERECHT
& MARK DUBOWITZ

In France, all right-thinking people know instinctively what the *pensée unique* is—the socially acceptable view on any subject that ensures a Parisian won't get axed from the better dinner parties and weekends in Normandy. The Democratic party, which remains a more coherent concatenation than the Republican party, has long been the camp in America more prone to virtue tests, which can, if you fail, get you sent to the woodshed or worse. The age of Barack Obama and the rise of Donald Trump have certainly constricted acceptable conduct among liberals (and blown away the guardrails for conservatives). In foreign affairs, there is one overriding inquiry that must be passed by any Democrat hoping to gain entry to or remain among the elite: Are you loyal to the Joint Comprehensive Plan of Action, Obama's nuclear deal with clerical Iran?

This strategic fastidiousness has become nastier as President Trump has appeared more determined to down his predecessor's only significant diplomatic achievement. Obama's minions, and leftists in general, have come out in force, replaying well-worn arguments and pushing a new, especially sinister one: Trump is leading America to war against the Islamic Republic in the same hyperventilated, dishonest way that George W. Bush led the country into Iraq. Iterations of this theme, with little variation, recently appeared in the *New York Times*, *Politico*, and the *National Interest*. On December 12, the 60-day congressional review period Trump triggered in October by declaring he would not certify the agreement ended, with Congress making no move to reinstate any of the sanctions the JCPOA set aside. As we draw closer to another deadline—January 13—for a decision on certification, which the Iran Nuclear Agreement Review Act requires the president make every 90 days, the deal's supporters are likely to become even more fearful that Trump this time might actually reimpose substantial sanctions on Iran. Such anxiety is bound to produce more acrimony and tendentiousness.

Reuel Marc Gerecht, a contributing editor, is a senior fellow at the Foundation for Defense of Democracies, where Mark Dubowitz is the chief executive officer and heads its Center on Sanctions and Illicit Finance.

We can't speak for the president, but we can emphasize how sensible people can be gobsmacked by all the deficiencies and deceit in Obama's atomic accord and the defenses made of it. It's not surprising that the same people who engaged in intellectual dishonesty during the 2015 debate over the deal—including against members of their own party—would now throw Iraq war shibboleths and canards into current Iran deliberations. We do wonder whether it's a fool's errand to set the record straight on the past and present when even experienced foreign-policy hands think Armageddon is around the corner; apocalyptic feverishness can throw one's analytical faculties off the rails. In Washington, memories are like silly putty, to be molded, recolored, and pinched off to further a grand cause. Da Vinci was right: "Whoever in discussion adduces authority uses not intellect but memory."

Keep that in mind as we consider one of those recent critiques, published in *Politico* and written by Philip Gordon, the former coordinator for the Middle East, North Africa, and the Gulf Region in Obama's national security council, who was intimately involved in the JCPOA deliberations. "Trump's Iran Strategy Looks Ominously Familiar" offers an excellent opportunity to revisit the Iraq war and the Iran nuclear accord and juxtapose the two in a less surreal manner. We would have exempted Gordon from Obama's deceptive entourage since when he was in the NSC, he matter-of-factly told us, referring to the nuclear agreement, that "a bad deal is better than no deal at all." We ardently disagree with that position, as did, at least publicly, President Obama, secretary of state John Kerry, and Foggy Bottom's primary nuclear diplomat, Wendy Sherman, who regularly repeated the refrain that "no deal is better than a bad deal." Gordon's assessment is, of course, a rare honest accounting of his boss's nuclear diplomacy: It allowed Washington to kick the can down the road. That is, in itself, a logically defensible position if openly expressed. If you're prepared to concede a nuke eventually to the clerical regime—if you're not prepared to go to the mat, economically and, if need be, militarily—then any temporary limitation on the mullahs' nuclear ambitions is success.

Gordon's assessment of the JCPOA was not a solitary insight: Others in the White House, not to mention the State Department, the Pentagon, and the Central

Intelligence Agency, were underwhelmed with President Obama's diplomacy. It takes a peculiar lack of imagination to believe that a more forceful, dread-inducing diplomat (a Dean Acheson, George Shultz, or James Baker), backed by a president willing to abandon negotiations, could not have done a better job than Kerry and Obama. It is hardly a Washington secret that Kerry's inclination to believe Iranian foreign minister Mohammad Javad Zarif, a disposition that national security adviser Susan Rice apparently shared, caused concern among more experienced Iran hands in the U.S. government, among Democrats in Congress, and among the French and British diplomats involved in the nuclear negotiations. Yet Obama, Kerry, Sherman, energy secretary Ernest Moniz, and so many others sold the deal with effusive Panglossian language. Wrapped up in deputy national security adviser Ben Rhodes's spin machine, they depicted an agreement that would "permanently" close down "all pathways to a bomb," with an "intrusive" and "rigorous" inspections regime, "the best ever," to ensure the Iranians couldn't cheat. This is particularly audacious given that after the JCPOA was concluded, we are reliably told, senior Obama officials began writing up internal memoranda on how to "fix" the deal's most glaring problems. When the United Nations' International Atomic Energy Agency was obliged to agree to an inspectors-may-not-enter, remote-controlled soil sampling of the Parchin Islamic Revolutionary Guard base, where the agency and Western intelligence services believe the clerical regime worked on nuclear triggers, we thought that Monty Python had been reborn. The Obama administration defended the arrangement and when this sampling revealed man-made uranium particles, which would have made anyone serious about proliferation demand a physical IAEA inspection of the site, chose to ignore the issue. We are where we are with the Islamic Republic because the clerical regime, matured on a diet of *machtropolitik*, had our number.

Gordon sees President Trump, like President Bush before him, "politicizing intelligence, making false claims about weapons of mass destruction, overselling the benefits of confrontation, and pulling members of Congress—afraid of looking soft on terrorism and WMD—along in his wake." He also is concerned about another supposed similarity with 2003: Certain think tanks are again

deceptively leading America into disaster. With Iraq, it was the Project for the New American Century and the American Enterprise Institute; today, it is the Foundation for Defense of Democracies. We find this think-tank conspiracy-plotting bizarre, although we are deeply honored that Gordon thinks that FDD has this much influence. (One of us feels especially proud since he worked at PNAC and AEI, too; the other was in 2003 a venture capitalist in Toronto who, if pushed, could have located Iraq on a map.) We would think that Gordon, who has worked at a few think tanks, would understand how these organizations operate: They engage in largely public debates, often

most effectively through criticism of the administration in power, and fight an inevitably uphill battle to get congressmen and senior government officials to see the big picture beyond the immediacy of Washington politics and the vast sea of paper pushed up by the bureaucracies.

Gordon ought to recall his own work from 15 years ago, when he advocated essentially the same position as his Brookings colleague Kenneth Pollack, whose book *The Threatening Storm* was influential in laying out the case for, and reservations about, war against

Saddam Hussein. Gordon's November 2002 essay "Iraq: The Transatlantic Debate" was a sober CliffsNotes version of Pollack's tome; parts of it are even applicable to the current debate on Iran (more on that later). We are convinced that Gordon, at least, wasn't led astray back then by any hyperbolic comments made by Vice President Dick Cheney, secretary of state Colin Powell, or national security adviser Condoleezza Rice, even though he seems to believe that so many other Democrats were. Like most sensible folks on the left-wing side of the foreign-policy establishment, Gordon advocated the likely need to use force against Saddam because of the monstrous, bellicose, WMD-loving history of the Iraqi dictator. The United States did not go to war against the Butcher of Baghdad because a cabal of bad or deceptive analysts and senior officials successfully sold the idea that Saddam and al Qaeda were in cahoots in the attacks against New York and Washington, as some of Obama's people sensationally suggest. We'd be shocked if the Democratic senators who backed the war, including Hillary Clinton, gave the al-Qaeda-Iraq-9/11 conspiracy more than five seconds of thought. *Mutatis mutandis*, if the United States ever goes



Javad Zarif and John Kerry in New York, April 19, 2016

to war against the Islamic Republic, Iran's longstanding outreach to Sunni terrorist groups, undoubtedly strained by its embrace of sectarian war in Syria, Iraq, and Yemen, won't be among the top reasons, contrary to what Gordon and other pro-deal enthusiasts are suggesting. The Iran-al-Qaeda connection, however, unlike the Saddam-al-Qaeda speculation, does deserve serious historical attention. We are inclined to believe the story told by a confidant of Mohammad Khatami that the former president (1997-2005) was concerned that the ministry of intelligence and the Islamic Revolutionary Guard Corps might have had some role in assisting al Qaeda with the 9/11 operation. As the 9/11 Commission Report reveals, Khatami had cause to worry, given the pre-9/11 contact between al Qaeda and the Iranian-created Lebanese Hezbollah and the laissez-passers given to members of al Qaeda by the Iranian security services. Khatami would have been the last to know.



U.N. ambassador Nikki Haley reveals a missile—provided by Iran to Houthi rebels in Yemen, she said—in Washington, December 14.

It's downright bizarre that so many Democrats seemed so fearful of Osama bin Laden's Abbottabad files finally being released to the public. We are proud that the government gave FDD a first-look into these documents: No one has worked harder to get all the information released than our colleagues Bill Roggio and Thomas Joscelyn. Would that the Obama administration had been more open and less selective about its (tiny and misleading) release of bin Laden's files—the more sunlight the better.

It was the powerful, post-9/11 strategic and moral arguments against Saddam—an Orwellian savage who'd invaded his neighbors, slaughtered his own people in vast numbers, and possessed longstanding ties to terrorist groups and an impressive appetite for unconventional weaponry—that carried the day in 2003, not the CIA's assessment of how Saddam was reconstituting his WMD after the first Gulf war. As Gordon, a Europeanist, is well

aware, those assessments were largely shared by French intelligence, which we assume wasn't subject to the manipulations that Gordon now imputes to the Bush administration. Amusingly, the Iranian regime, which doesn't share intelligence with the CIA, appears to have largely agreed with Langley's analysis of Saddam's weapons-of-mass-destruction programs. If deception played any role in the events that led to the Anglo-American invasion of Mesopotamia, it was Saddam's determination to make others believe that he'd retained his unconventional laboratories and ambitions. Tyrants always are acutely sensitive to any perception of weakness.

Shellshocked by the Iraq and Afghan wars, eagerly seeking American retrenchment and a “reset” of U.S.-Iranian relations, Obama was opposed to taking a hard line in the nuclear talks with Tehran. He crafted

a deal that Ali Akbar Salehi, the MIT-educated head of Iran's Atomic Energy Organization, was delighted with, especially since the JCPOA's limited restrictions on advanced centrifuge production dovetailed with the time Iran requires to perfect the IR8, the development of which is allowed by Obama's nuclear accord. Once the highly efficient centrifuge is deployed, with its small cascades that can easily be put in a warehouse, the surveillance of known and the detection of unknown sites become practically impossible. Thousands of IR8s could be spinning, producing so much enriched uranium that diverting sufficient fuel for a bomb would not be demanding even in a plant monitored by IAEA inspectors.

The deal's sunset clauses—we can't think of another arms-control agreement that superannuates itself so quickly—that begin taking effect in six years are plainly absurd unless one really believes the Islamic Republic is going to transform itself, really soon. As Gordon has himself pointed out, that's unlikely. Why in the world would any serious administration—which means a White House willing to use military force to back diplomacy—have agreed to separate the issue of long-range ballistic missiles from the JCPOA and then, to add insult to injury, agreed to weaken an existing United Nations Security Council resolution that had prohibited ballistic-missile development and testing to one that now only “calls upon” Tehran to refrain from such actions for another six years? Even U.N. secretary general Antonio Guterres is now complaining about the Islamic Republic's behavior in this sphere, telling the Security Council that Iran might have given ballistic missiles to Houthi rebels in Yemen,

JIM WATSON / AFP / GETTY

who used them to attack Saudi Arabia and one of its airports. U.N. ambassador Nikki Haley held a press conference near Washington on December 14 standing in front of one of the recovered missiles.

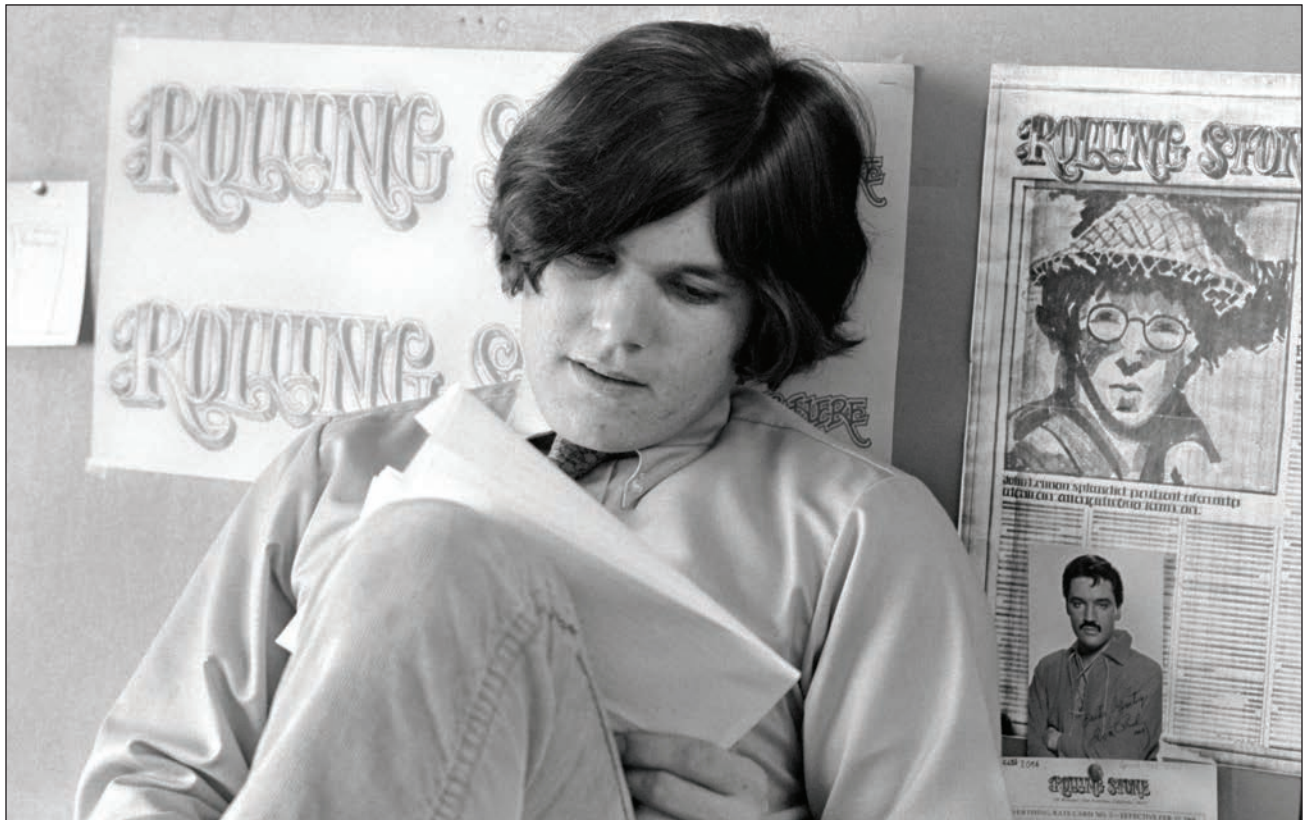
There isn't a soul in the CIA or the Pentagon who believes the Iranian missile program has been designed exclusively for conventional warheads. Sherman's remark that the administration decided to put its emphasis on preventing the development of nuclear warheads, not missiles, is just head-spinning. The CIA, which has failed to detect with any reassuring accuracy the development of nuclear arms by hostile countries, is going to detect the clandestine development of a warhead in Iran? Langley would need to be luckier—have just the right Iranian scientist, cleric, or Revolutionary Guardsman volunteer his services to an American operative—than it has ever been. Former CIA director John Brennan's suggestion that Washington had the intelligence capacity to verify Iran's compliance with the JCPOA is only truthful (read non-politicized) if you assume that Langley's intelligence doesn't have to compensate for the gaping holes in Obama's agreement, that the only thing the agency has to do is confirm the IAEA's monitoring of *declared* sites. President Obama allowed the clerical regime to wall off from IAEA examination Revolutionary Guard bases, Iranian nuclear scientists, and the massive stacks of paper that have charted Iran's progress since the mullahs got serious about developing nuclear weapons in the 1990s.

Secretary Kerry cavalierly ignored all the “possible military dimensions” (PMD) of Iran's nuclear program by asserting that we knew the past; what's important is the future. Really? Given Iran's longstanding mendacity and nuclear aspirations, given its proven propensity to use clandestine sites to further its atomic ambitions, deploying George Santayana's warning about remembering the past seems obligatory and actionable for an American administration.

We think Obama and Kerry ignored the PMD concerns because they were scared. They knew what the supreme leader, Ali Khamenei, and the Guards didn't want to share and that the disclosure of such information would profoundly complicate American diplomacy. But the model that Gordon insisted on in 2002 is still good today. The Gordon Standard for Iran would be, replacing the word “Iraqi” where needed, the “insistence on a full declaration of [Iranian] WMD programs within a short and defined period of time; unfettered and immediate access to all suspected weapons sites that UN inspectors want to visit . . . ; the ability to interview [Iranian] weapons scientists without the presence of an [Iranian] ‘minder’ and if necessary the ability to take them out of the country; full UN control over the make-up of the inspections teams; and reinforcement of the sanctions regime.”

Last and not least, concerning Gordon's assertion that one of the authors has been misrepresenting Europeans' willingness to join Washington in amending the JCPOA: We don't know whether the Europeans will support any American effort to correct Obama's mistakes. It is a pivotal question for the Trump administration as it develops a sanctions policy toward Tehran—and most specifically, as it decides whether to approve the license for the export of American parts in new Airbus planes destined for Iran. French president Emmanuel Macron has recognized the need to address the agreement's sunset clauses and its omission of the clerical regime's ballistic-missile program. That's a first among European leaders. Macron may be just highlighting these issues in an effort to dissuade President Trump from walking away from the accord and downing the Airbus sale. Nonetheless, it behooves the administration to explore whether the French are serious about correcting these deficiencies before the sunset clauses give the Islamic Republic an industrial-size uranium-enrichment capacity. As Gordon knows, the French and the British were, almost miraculously, willing to hold firm against Iran's enrichment demands before Obama started his secret bilateral diplomacy with Tehran. Atypically, the Americans, not the Europeans, were on the cutting edge of making concessions. The nuclear deal has, however, successfully re-whetted European commercial appetites. Nonetheless, we should always try working with our allies. If we have to coerce them into greater economic restraint towards the Islamic Republic, then we should. And we can, given the power of secondary sanctions that are already keeping most European banks on the sidelines. Transatlantic ties, wide and deep, can take the stress. As Gordon himself has shown in his fine book on the Iraq conflict, *Allies at War*, Americans and Europeans have had worse disagreements.

As a rule, we don't believe that it's ever a good idea to punt down the road risks that will intensify. If President Trump has the fortitude to stop the JCPOA from becoming the mullahs' pathway to a bomb, we support his effort. If he has the fortitude to stop Iranian imperialism and the slaughter in Syria that was unleashed after President Obama decided to downsize American influence, we support that, too. It isn't clear, though, that the president and Congress have the requisite will to push back Iranian advances. We wonder whether Gordon, who seems to think that congressmen are credulous and bellicose, spends much time on the Hill. In any case, the Democratic foreign-policy elite should calm down. It's entirely possible that Obama's accomplishments in the Middle East, such as they are, will stand. The odds are certainly high enough for the intelligentsia to stay well-mannered. No matter what happens, however, its rehashed, fretful memories of what happened 15 years ago will remain sheer illusion. ♦



Jann Wenner, the founder and editor in chief of Rolling Stone

Rock-and-Roll Editor

From counterculture to establishment. BY ANDREW FERGUSON

Joe Hagan has written what promises to be the standard biography of Jann Wenner—standard, because it’s hard to imagine anyone working up the energy to take another stab at it. Fifty years ago, at the age of 21, Wenner founded *Rolling Stone* magazine, and he’s been editor in chief ever since. Thanks to the anniversary, he has lately been much in the news. Not only has Hagan’s very long biography appeared, but so has a coffee-table book, *50 Years of Rolling Stone*, a slab of self-congratulation recounting the magazine’s most celebrated articles and writers, with a not-humble introduction by Wenner.

Andrew Ferguson is a senior editor at THE WEEKLY STANDARD.

He has made the rounds on the chat shows, morning and evening. HBO, meanwhile, is airing a two-part, four-hour documentary, *Rolling Stone: Stories from the Edge*, produced by Wenner and codirected by the gifted left-wing documentarian Alex Gibney. Altogether it is enough commotion to cause the average consumer of media to rear back and ask: “But why?”

As it happens, there are at least two answers to that question. One is that Wenner possesses superhuman powers of self-promotion. In the journalism business, it is usually the writers who leap onstage to gyrate and shimmy in hopes of pleasing an indifferent public, while their editors keep shyly to the shadows, feigning modesty and smoldering with envy. Not our Jann.

He has made himself more famous than all but a handful of his writers; the rest bear on their backs the skid marks from his powder-blue 1963 Porsche 1600-N Cabriolet.

The other answer is this: Wenner was a genuinely great editor, and as with all great editors his magazine was an extension of his ambitions and enthusiasms. *Rolling Stone* and its founder are worth attending to, if not celebrating, because for two or three decades the magazine served as the most articulate promoter of the 1960s counterculture in all its guises: sexual, political, musical, and artistic. By now, of course, the counterculture has dropped the “counter” and assumed dominance over every significant American institution short of the Mount Vernon Ladies’

BARON WOLMAN / HBO

Association. Wenner's instincts told him where everybody was headed, whether they knew it or not, and he hopped to the front of the parade. As a result he became not only famous but rich—and not just rich but shamelessly, ostentatiously rich, a man who enjoyed his filthy lucre perhaps a bit too much. (The powder-blue Porsche was just the beginning.)

And many of his early allies, who once considered him a fellow radical, have never forgiven him for it. Hagan, a magazine writer who once interned for Wenner, seems as preoccupied with the ebbs and flows of his subject's net worth as Wenner is. It's said that most biographers come to loathe their subjects sooner or later, on the principle that no man is a hero to his valet, and the trick is for them to claw their way back to some measure of toleration, if not affection or respect. Hagan fell into contempt and couldn't climb out. Aside from an occasional nod to his editorial gifts, the biographer never gives Wenner an even break.

A quick flip through the index shows the story as Hagan wants to tell it. Under the heading "Jann Wenner" we find: *celebrity worship of; driving ambition of; establishment espoused by; as exploitive and opportunistic; narcissistic self-importance of; relationships betrayed by; wealth, status, and power pursued by; authoritarian managerial style of; weight control issues of* . . .

And then the lowest blow of all: *Trump compared with* . . .

The biographer lobs insults into the oddest places. After the death of one of Wenner's contemporaries, Hagan tells us that "death always had a dramatic and transformative effect on Wenner," which places Wenner on the side of roughly 99.9 percent of all the human beings who've ever lived. But Hagan follows up with a quotation from an estranged ex-employee to make a dark non sequitur: "Jann loves death." There are lots and lots of estranged ex-employees, happy to squeal on or off the record. Hagan likes sarcasm, too. After describing some instance of Wenner's posh lifestyle, for instance, he sniggers: "A street-fighting man indeed." Burrrrrrn.

The biographer's contempt is more than offset by the puffery of the HBO film and the *50 Years* book. Anyone who takes the trouble can piece together a balanced and more plausible view of Wenner with snatches from each. Like most success stories, his begins in ravenous ambition. Reared in prep-school comfort in Los Angeles, Wenner had dropped out of UC Berkeley and was working a series of low-end reporting jobs in San Francisco when he got the idea for *Rolling Stone*. According to his inaugural editorial, it would be

Sticky Fingers

The Life and Times of Jann Wenner and Rolling Stone Magazine

by Joe Hagan
Knopf, 547 pp., \$29.95

50 Years of Rolling Stone

The Music, Politics and People That Shaped Our Culture

edited by Jodi Peckman and Joe Levy
Abrams, 288 pp., \$65

Rolling Stone: Stories from the Edge

Directed by Alex Gibney and Blair Foster



a magazine "not just about music but also about the things and attitudes that music embraces."

That scope—going beyond rock and roll to the larger cultural changes it symptomized—was crucial to *RS*'s success; up to then magazines devoted to pop music operated on the fanzine level of *Tiger Beat*. As co-conspirator and *éminence grise*, Wenner enlisted Ralph J. Gleason, 30 years his senior. Gleason was a widely admired jazz critic who himself had become besotted by rock and roll. His fascination led him to make the sartorial mistakes common in those days to the 50-year-old men who embraced rock culture and, they hoped, the young women who came with it. At *Rolling Stone* he dropped the hipster duds and acquired the bushy sideburns, the billowing mustaches, the turtle-necks, the peace symbols dangling here and there.

Still, Gleason was a serious man. He had just made the case for rock's artistic significance in a long, learned, and rather pompous essay that would appear in the *American Scholar*, of all places. This was 1967, the year of *Sgt. Pepper*. Like Wenner, Gleason believed that as a musical form rock was substantial enough to bear the critical weight that hep-cat intellectuals had earlier placed on jazz. Unlike Wenner, he had a keen appreciation for professionalism. Gleason tempered his young colleague's youthful exuberance and wit—the magazine's self-mocking motto was "All the News That Fits"—by insisting they meet printers' deadlines, stick to a regular editorial schedule, set up a system for fact-checking, and hire real reporters rather than deep thinkers. The first issue contained a grown-up exposé of the sketchy financing of the recently concluded Monterey Pop Festival, an event that even the straight press was celebrating as a hippie idyll. Popular music journalism had never seen anything with the heft and ambition of Wenner's magazine.

From the first, Hagan makes clear, Wenner was as much a fanboy as a journalist, hoping to use his position as editor of a rising publication to bathe in the nimbus of his favorite rock-and-roll celebrities. The ambition often paid off editorially. Wenner's obsession with John Lennon led to other early scoops and made *Rolling Stone* seem indispensable to anyone following the counterculture. In 1968 word came that Lennon and Yoko Ono had posed naked, front and back, for the cover of a new album called *Two Virgins*. After Wenner's relentless transatlantic hectoring, Lennon agreed to license the photos to *Rolling Stone*, if only because no one else would take them. (Asked about the significance of the *Two Virgins* cover, Lennon's bandmate George Harrison said everything that needed saying. "It's just two not-very-nice-looking bodies," said the Quiet Beatle. "Two flabby bodies naked.") Wenner put the flabby backsides on the magazine's cover and tucked the other, full-frontal photo inside. It made a worldwide sensation. Multiple printings of the issue sold out. "Print a famous foreskin,"

Wenner said, “and the world will beat a path to your door.”

And Wenner had made a new friend. The HBO documentary gives Homeric treatment to the relationship between Wenner and the Lenons, from foreskin to aft. The friendship was transactional, as friendships between journalists and celebrities usually are. Lennon had a constant need to generate publicity, especially for the new commercial entity known as “John and Yoko,” and Wenner craved proximity to a Beatle. A few months after the Beatles broke up, Lennon agreed to grant Wenner a long interview. Coming off years of drug abuse and months of psychotherapy, Lennon was as garrulous as any ex-junkie analysand could be.

He hammered his former bandmates personally and musically and careened from self-adulation (“If there’s such a thing as [a genius], I am one”) to self-loathing (“the Beatles are the biggest bastards on earth”). The interview, its extravagant profanity uncensored, appeared over two issues and again generated headlines everywhere. In his nationally syndicated column William F. Buckley Jr. referred to the interview as “How I Wrecked My Own Life, and Can Help Wreck Yours.”

By this time Wenner was presenting himself as an intimate of the couple—such good pals indeed that Lennon bestowed upon him a pen-and-ink drawing of Yoko, naked with legs akimbo. The Lennon association gave Wenner and his writers credibility as they set out to woo other stars for profiles and interviews. The intimacy was surely exaggerated, but in any case it didn’t last long. Lennon quickly came to regret the interview with its multiple indiscretions, and he assumed that its one-time appearance in *Rolling Stone* would be the end of it.

He assumed wrong. Wenner knew editorial gold when he saw it. After promising Lennon never to reissue the interview in book form, Wenner waited a few weeks and then incorporated his own book-publishing company to reissue the interview in book form. Furious, Lennon never spoke to him again and badmouthed him to anyone who would



Annie Leibovitz signs a copy of the *Rolling Stone* issue that features her photo of John Lennon and Yoko Ono taken hours before Lennon was shot.

listen. Hagan says Lennon quietly funded a rival countercultural magazine in San Francisco in hopes of driving *RS* out of business. By then it was too late.

Stories from the Edge, the HBO documentary, fails to mention the falling out between Jann and John, leaving viewers with the impression of an enduring friendship. Presumably the filmmakers omitted the rupture because it was caused by Wenner’s duplicity and avarice, which soon became his favorite tactics as a businessman. Yet even discounting for the whitewash, *Stories from the Edge* persuades a skeptical viewer that Wenner had his own kind of integrity. The fanboy in him ran puffers on his rock-star friends, but as the magazine grew in circulation and seriousness the editor in him knew enough to print the facts as his reporters found them.

The magazine’s first impressive act of journalism was a meticulous re-creation of the Rolling Stones’ Altamont music festival in late 1969, where four people died, one of them in a murder committed a few feet from the stage while Mick Jagger crooned “Sympathy for the Devil.” (“We always have something very funny happen when

we start that number,” he reportedly said.) The *Rolling Stone* article placed blame for the calamity squarely on the Stones, even though Wenner at the time was sucking up to Jagger like a DustBuster. In the same way, while Wenner might occasionally insist on a favorable review of some performer he was busy romancing, the list of albums by big stars that he let his writers pan is long, and surprising even now. The Stones’ *Sticky Fingers* and *Exile on Main Street*; Crosby, Stills, Nash, and Young’s *Déjà Vu*; albums by U2; and nearly every note of music released by Led Zeppelin (“the limp blimp”) were slammed at their debuts.

The magazine was indelibly Wenner’s, but he didn’t mind surrounding himself with witty and independent minds. Often he let his staff mock his pretensions or politics in print. The editor of the magazine’s Random Notes gossip column once got so sick of Wenner inserting plugs for his pal Mick that he wrote up an entire column with nothing but references to Jagger—his name bold-faced no fewer than 26 times. Wenner saw it, thought it was funny, and let it run, including the thinly veiled reference to him as part of “the rising tide of groupieism which has widely affected the journalistic community.”

If you concluded from this free-wheeling atmosphere that the people who worked for Jann Wenner liked him, you would be misled. Ten years ago, when former and current staffers held a 40-year reunion, they decided not to invite him so everybody could have fun. Many paragraphs in Hagan’s book simply dissolve into a mess of unflattering quotes from former employees. A lot of the enduring animosity is rooted in Wenner’s habits of betrayal and disloyalty. Wenner is one of those bosses who’s careful to aim his micturition downward, never sideways or up. Hagan gathers enough evidence to make the case that his subject is petulant, self-centered, miserly, cold-blooded, infantile, and quite willing, in the wink of an eye, to turn friend, family, or foe into objects to be manipulated for his own advancement or satisfaction. Not a lot

LOGAN FAZIO / GETTY

of fun to date, work for, marry, have sex with, parent, be raised by, or do business with, is Jann Wenner.

But what about his work? The editor that Wenner is most often compared to—by Hagan, by journalism professors, and by Wenner himself—is Hugh Hefner. The comparison is probably unavoidable. Both men single-handedly founded famous magazines in the second half of the 20th century that shambled, still upright but much the worse for wear, into the 21st. Both men became famous for the polymorphous perversity of their (semi-)private lives. Wenner, Hagan writes, told an employee in 1973 that “he had slept with everyone who had ever worked for him,” men and women alike, and Hefner . . . well, we know enough about Hef already.

Professionally, though, the comparison is inapt and unfair—to Wenner. Hefner was a humorless flesh-peddler, a pompous publicist. His method of editing was to pay high fees to first-rate writers who sent him their third-rate stuff. It’s an impressive achievement: Over more than 60 years Hefner managed to edit a magazine whose contributors included Nadine Gordimer, Marshall McLuhan, John Updike, Vladimir Nabokov, Eric Hoffer, and John Cheever and still failed to publish a single landmark piece of fiction or journalism.

Not so with Wenner and *Rolling Stone*. As an editor Wenner was panoptic, widely curious, and tuned to talent. He discovered writers (Cameron Crowe, Joe Klein, Tim Ferris, Joe Eszterhas, Jon Krakauer) and revived writers with stalled careers (Greil Marcus, Hunter S. Thompson) and bought up writers (Tom Wolfe, P.J. O’Rourke) in the fullness of their prime. He squeezed all of them for their best stuff, through charm, cajolery, and cash. His greatest gift to them, aside from bottomless expense accounts, was patience, bordering on indulgence.

There are two kinds of writers, someone once said: “putter-inners” and “leaver-outers.” As an editor, Wenner was a putter-inner. Many of the magazine’s most famous articles ran to 30,000 words, at a time when an average cover story in *Time* or any other middlebrow title might top out at 3,500; the Lennon

interview, for instance, was 36,000 words (about half of them were *f*ck*). An issue of *Rolling Stone* in its glory days offered vast hectares of prose, printed in stately columns with neoclassical trimming, marching down the page between illustrations of the highest quality (photographs by Baron Wolman, Richard Avedon, and Annie Leibovitz; pen-and-ink grotesques by Ralph Steadman; caricatures by Philip Burke and Steve Brodner). Imagine if the *New York Review of Books* had hired a slightly stoned Edwardian fop as art director and you’ve got the look of *Rolling Stone* at its point of highest development.

The kind of latitude Wenner allowed his writers might have resulted in one of the dullest creatures in publishing: the so-called “writers’ magazine,” which is to say, “not a readers’ magazine.” If Wenner’s experiments in editorial indulgence were occasionally failures, at least they were noble ones. And they reflected a high opinion of his audience, maybe undeserved. In the HBO documentary, Tom Wolfe says, “In an era in which young people were supposed to have [the] shortest attention spans,” *Rolling Stone* “started running articles that were endless.” Elsewhere Wolfe has called Wenner the best editor he ever had, and it’s true: In a long and dazzling and multifarious career he produced his best work for Wenner’s magazine.

It was Wenner who sent Wolfe to Cape Canaveral in 1972 to write about a moon launch. When Wolfe came back with a different story—a long look at what made the first generation of astronauts extraordinary, titled “The Brotherhood of the Right Stuff”—Wenner understood what he had, and the book that grew from the piece and its sequels, *The Right Stuff*, is an indispensable work of Americana and of narrative journalism. A decade later, Wolfe got stuck trying to write a novel about New York City. Wenner offered to publish the book in installments, Dickens-style, on the hunch that the greatest magazine writer of his time might force himself to write against an immovable deadline. “I found the only marvelous maniac in all of journalism willing to let me do such a thing,” Wolfe says in *50 Years*. The money helped, too—nearly \$500,000

in today’s dollars, for a year’s worth of biweekly installments. *The Bonfire of the Vanities*, revised and placed between hard covers, caught American life more precisely and hilariously than any other novel of the time—or of our time, for that matter.

The writer most associated with *Rolling Stone*, and Wenner’s greatest editorial conquest, was Thompson, who went to work for him, after a fashion, in 1970, in what looked like another detour in a middling, itinerant career in newspapers and magazines. His first piece, about his own campaign for sheriff in his hometown of Aspen, Colorado, was extremely funny, but the next, “Fear and Loathing in Las Vegas,” was a rocket launched into the uncharted stratosphere of magazine writing. We read in *50 Years* that the article, and later book, became “a defining literary experience for several generations of readers,” and while “several generations” might be an overstatement, it’s no credit to our 1970s educational system that book-minded kids who couldn’t tell you where “Call me Ishmael” came from could recite the first line of “Fear and Loathing” in their sleep: “We were somewhere around Barstow on the edge of the desert when the drugs began to take hold.”

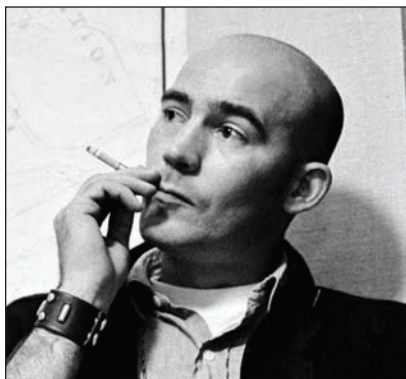
Wenner turned Thompson into a brand, long before it occurred to anyone else that a self-respecting writer would put up with such an indignity. They called it “gonzo” journalism, and the word is still overused. His editor thought Thompson’s range as a writer was limitless. And Wenner might have been right—we’ll never know. Because Thompson liked politics, Wenner sent him out in 1972 to stalk the hapless gang of Democrats who were competing for the party’s presidential nomination and the chance to get creamed by Richard Nixon in the fall. (Wenner already had one writer, Timothy Crouse, covering the campaign. Why not two? Crouse’s coverage became another classic of American political writing, *The Boys on the Bus*.) Thompson filed 14 dispatches in all. For anyone who swallowed them whole as they appeared, and who never quite recovered from the experience, the story of their publication seems heroic, even oddly moving.

After a few days reporting, Thompson typically would hole himself up in a hotel and postpone writing for as long as possible—he once compared his method to a jackrabbit on a highway, waiting till the last second to jump out of the way of the car. At last, fortified with bourbon and methedrine (often supplied by Wenner), he might begin his story in the middle or at the end. He sent the sections as they rolled from his typewriter, out of sequence and at all hours, across a Teletype-like device to the *RS* offices in San Francisco. With the deadline pressing in, Wenner and a deputy would man the machine round the clock, and as the pages tumbled out they tried to arrange them into a coherent whole. “This looks like an ending here,” an editor would say, while Wenner fished around for transitions and a beginning.

“Fear and Loathing on the Campaign Trail in ’72,” like its predecessor from Las Vegas, is a masterpiece of a kind. But what kind? The prose moves at lightning speed, tossing off wild images and wacky observations as it races down the page. Whatever it is, it’s not journalism. Long stretches of the book are simply made up, a fact that Thompson and Wenner assumed readers would tumble to. The rest comprises energetically written bits of mediocre, and ultimately mistaken, punditry, with intimations of an onrushing apocalypse as a backdrop to the fireworks. Indeed, it’s fair to say that the closer Thompson got to conventional journalism, the less interesting he was. In the end it didn’t matter that he invented so much of his material. Grand claims are still made for Thompson’s genius, but at bottom he was a clown, a humorist of the highest order, in the grip of mania. His enduring gift to his readers was to make them laugh. Which should be enough.

Thompson was once asked whether any other editor would publish writing like his. “Probably,” he said, “but they wouldn’t pay for it.” Thompson was well paid, especially after *Rolling Stone* made him famous and he could give college speeches at \$20,000 a toss. Money was always a point of contention between Wenner and Thompson. (You could plug the names of any

writer and editor into that sentence.) The disputes got personal as Thompson’s long, steady decline began, shortly after his campaign book was published in 1973. Until his suicide 32 years later, his stuff appeared only sporadically in *Rolling Stone*—or anywhere else. The booze dragged him down and down. For all his trademarked talk about his prodigious intake of exotic drugs—his packing list for Las Vegas: “two bags of grass, 75 pellets of mescaline, five sheets of high-powered blotter acid, a salt



Hunter S. Thompson in 1970

shaker half full of cocaine, and a whole galaxy of multicolored uppers, downers, screamers, laughers . . .”—the evidence suggests Thompson’s real problem was not much more than a roaring case of garden-variety alcoholism; the drugs were a way of keeping him awake so he could drink more. But such an admission would cripple the franchise. How could the man who invented gonzo suffer from something so . . . ordinary?

In retrospect, despite his celebrations of anarchy and chaos, Thompson’s politics were pretty conventional too. His ideal presidential candidate was Jimmy Carter. The same can be said about Wenner, who is best described as a reliably liberal Democrat, with a few leftward feints—he wants to abolish all drug laws, for example. Politically, he doesn’t have a revolutionary bone in his body. This is why so many of his critics, including former allies of a radical bent, have despised him. No one can hate a liberal like a leftist. It’s also why, paradoxically, he and his magazine were able to escort the sixties revolution into its final, decadent, triumphant phase.

The HBO documentary shows a clip of the writer Robert Sam Anson in the 1970s, lamenting the wasted opportunity. “*Rolling Stone* should be by its existence somehow threatening to the establishment,” he said. Instead, “it’s become the establishment.” Wenner happily agreed. That was the whole point! “Now we are the mainstream,” he announced at the magazine’s 10th anniversary. He moved the magazine from its old digs in San Francisco’s warehouse district to custom-designed offices on Fifth Avenue in Manhattan overlooking Central Park. He had hoped to become the establishment, he said, because he wanted to “change things.” But it was only now that he had reached the top that it became clear which “things” were supposed to change and which things were just fine as they were.

True-blue leftists like Anson—like the early staffers at *Rolling Stone*—thought the sixties revolution was a package deal: Along with the sex, drugs, and rock and roll, we were supposed to get a leveling of the class system and a centralization of the economy, requiring nothing less than a frontal attack on the elites. Wenner was able to separate the elements, take what he liked—the sex and the drugs—and leave the rest, mostly the politics, as talking points. If he challenged the old elites, it’s not because he wanted a classless society. It’s because he wanted to take their place. And he did, and then watched as the rest of the ranks, in media, university departments, the boardrooms of private foundations, were filled with baby boomers like him.

The key to the boomer elite has been rhetorical egalitarianism and functional elitism. Wenner wore his liberal opinions like a flak jacket, and the magazine struck all the proper poses. From the early ’80s to the late ’90s, his national-affairs correspondent was a veteran journalist named William “Good Writer” Greider, an elegant stylist who pressed the virtues of statism into the heads of the few people who read any of the 200 columns he wrote. The present national-affairs columnist, a man named Matt Taibbi, lacks Greider’s elegance but is just as economically illiterate. (In the HBO

DAVID HISER

documentary Taibbi compares himself favorably to Hunter Thompson. He is mistaken.)

Meanwhile, you could find Jann lounging at one of his Manhattan townhouses, flying in his Gulfstream to have dinner in Paris, or partying in the Hamptons with the local white trash—Michael Douglas, David Geffen, Ahmet Ertegun, Diane von Furstenberg, Barry Diller, various combinations of Kennedys and Clintons. He dutifully gave money to Democratic candidates, as a kind of cover charge. The boomer ruling class proved that capitalism-for-me, socialism-for-thee was in fact a viable social strategy. You could rail against income inequality even as you were buying a warehouse for your collection of antique roadsters.

It's an old story by now, the hypocrisy of boomer liberalism, and I'm sure

millennials can't wait to see the last of it—the generation of feminists who forgave goatish politicians so long as they defended abortion on demand; or the environmentalists who burned a year's worth of fossil fuel flying their Gulfstreams to global warming conferences; or the scourges of the uneven distribution of the nation's wealth who took their income as capital gains so it would be taxed at a lower rate. Wenner showed them how to pull it off with a clear conscience; he built his magazine as a kind of roadmap. In *Rolling Stone* you could become outraged over the greed of other people—*RS*'s massive investigative articles always had the same villains (businessmen) and the same victims (noble working folk)—and still linger over the ads for a customized Rolex or that charming new resort in Aruba. You could have

your cake and eat it too. Expressing the proper opinions made it possible, so long as they didn't get out of hand.

Of all the stories told about Wenner and his magazine in this year of celebration, I savor one most of all, because it captures so well the view of politics that has allowed him and his peers to thrive. In 2004, Wenner's old friend John Kerry won the Democratic nomination for president. He was challenging the unspeakable George W. Bush. The country's future was at stake. With his new friend Larry David, the TV star, Wenner resolved to leave the comforts of home, put himself on the line, and hit the trail to campaign for Kerry—on Martha's Vineyard.

The Wenner-David mobilization was a spectacular success. Kerry won the Vineyard in a landslide. ♦



Eternal Capital

Jerusalem, the city of Jewish longing, in intellectual and literary life. BY ERIC COHEN

In a March 2016 speech before the American Israel Public Affairs Committee policy conference, Donald Trump declared that if he became president, he would “move the American embassy to the eternal capital of the Jewish people, Jerusalem.” His choice of phrase—“eternal capital”—perhaps bears some reflection. We should have respect for the capital cities of the world, in nations large and small. Yet we would describe very few of them as “eternal.” Ottawa, Amsterdam, Caracas—most modern capitals cannot carry the civilizational weight of such a phrase.

But Jerusalem is no ordinary capital. It is a political center with theological significance. And as the debates swirl around us about the geopoliti-

cal implications of President Trump's recent decision to move the American embassy to Jerusalem—will it lead to terrorism and riots? will it undermine the “two-state solution”? will it give America new leverage over the Israeli government?—we should pause to consider the deeper meaning of Jerusalem, the city of Jewish hope.

For two millennia, the Jewish people were in exile. Jerusalem remained a real place—often a bloody crossroads of God, war, and politics—but it was also a dream in the Jewish mind, sustained across the generations through prayer: “Next year in Jerusalem!” The usual telling of how that prayer came to be answered focuses on the late-19th through the mid-20th centuries, and how great political and military leaders like Herzl and Jabotinsky, Ben-Gurion and Dayan, founded modern Israel. But to understand how Jerusalem came

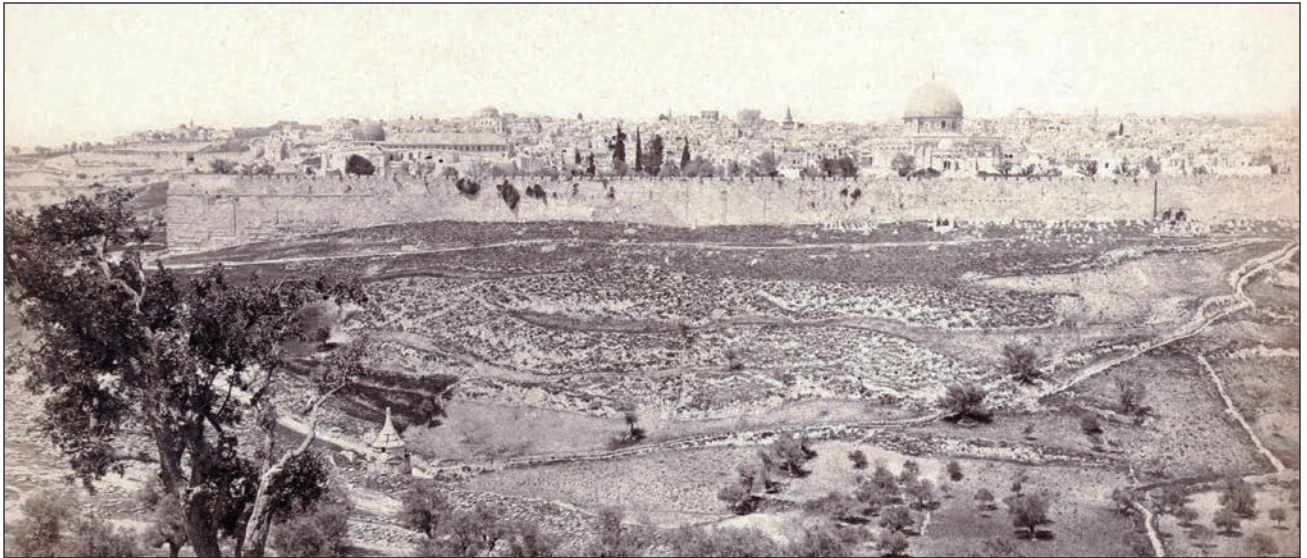
to be returned to the Jews, we must look also to philosophers, prophets, and poets from that same period who envisioned this rebirth and understood its deeper significance.

Consider Moses Hess, an acculturated French-German-Jewish disciple of Marx. He eventually broke with his socialist peers, giving up on their universalist dream of a post-national age, as he realized that national attachments shape men's souls. He hoped that the Jewish nation would rise again—as both a normal nation with a land and government of its own and an exceptional nation with a unique place in the history of mankind. As he put it in *Rome and Jerusalem* (1862):

Among the nations believed to be dead and which, when they become conscious of their historic mission, will struggle for their national rights, is also Israel—the nation which for two thousand years has defied the storms of time, and in spite of having been tossed by the currents of history to every part of the globe, has always cast yearning glances toward Jerusalem and is still directing its gaze thither.

Hess never became a religious Jew. But he understood how powerfully the Jewish people believed in their “cultural and historical mission to unite all

Eric Cohen is executive director of the Tikvah Fund.



Jerusalem, seen from a distance around the turn of the last century

humanity in the name of the Eternal Creator” and how these national and religious hopes were bound “inseparably with the memories of [their] ancestral land.” He understood how Judaism’s rituals, codes, and liturgies—with the longing for Zion always at the center—kept the Jewish spirit alive, like a hard shell protecting the divine spark from the extinguishing waters of history.

Or consider the great British novelist George Eliot. She was not Jewish, but her 1876 masterpiece *Daniel Deronda* is the crucial intellectual precursor to the modern Zionist movement. The hero of the book is a religious Jew named Mordecai who quietly waits for a disciple who can bring his vision of a restored Jewish nation to life. Mordecai is a prophet of Jewish nationalism; he knows what Israel means to the world. But he also knows that he lacks the arts of statesmanship—the gifts of the political founder—needed to realize his dream.

Perhaps the most powerful scene in the novel is an argument at a club between Mordecai and various skeptics. It is almost like a debate you might hear today at Harvard, Yale, or Princeton—the Jew vs. the leftist, the Jew vs. the cosmopolitan, the Jew vs. the nihilist—except at a much higher level. As Eliot wrote, in the voice of her pre-Herzl literary creation:

I say that the effect of our separateness will not be completed and have its highest transformation unless our race takes on again the character of a nationality. That is the fulfillment of the religious trust that moulded them into a people, whose life has made half the inspiration of the world. What is it to me that the ten tribes are lost untraceably, or that multitudes of the children of Judah have mixed themselves with the Gentile populations as a river with rivers? Behold our people still!

Mordecai argues that the cultural situation of European Jewry—and modern Europe in general in the mid-to-late 19th century—makes possible a new birth of Jewish freedom in the Hebrew people’s historical homeland:

There is store of wisdom among us to found a new Jewish polity, grand, simple, just, like the old—a republic where there is equality of protection, an equality which shone like a star on the forehead of our ancient community, and gave it more than the brightness of Western freedom amidst the despotisms of the East. Then our race shall have an organic centre, a heart and brain to watch and guide and execute; the outraged Jew shall have a defense in the court of nations. . . . And the world will gain as Israel gains. . . . I know there are difficulties. But let the spirit of sublime achievement move in the great among our people, and the work will begin.

That “organic centre” was—and will always be—Jerusalem. Eliot’s novel

ends with Mordecai’s followers heading off to the promised land.

Or consider the great Yiddish writer Sholem Aleichem, whose stories collected as *Tevye the Dairyman* (popularized and deformed as the musical *Fiddler on the Roof*) are probably the most penetrating account of the modern Jewish condition of exile. Tevye has endured the tragedies of the diaspora—poverty, to be sure, but also the spiritual loss of his daughters to socialism and intermarriage. His beloved wife dies, and he has reached the end of the road in the Old World. And that is when his wealthy and soulless son-in-law suggests that he should move to America. Tevye dismisses the suggestion with disdain, saying that “you can’t make a fur hat out of a pig’s tail.” To which the son-in-law replies, without missing a beat: “If America is out, how about Palestine? Isn’t that where all the old Jews like you go to die?” Here is Tevye’s response:

The minute he said that I felt it drive home like a nail. Hold on there, Tevye, I told myself. Maybe that’s not such a weird idea. There just may be something in it. With all the pleasure you’ve been getting from your children, why not try your luck elsewhere? You’re a jackass if you think you have anyone or anything to keep you here. Your poor Golde is six feet under, and between you and me, so are

you; how long do you intend to go on drudging? . . . I always had a hankering to be in the Holy Land. I would have given anything to see the Wailing Wall, Rachel's Tomb, the Cave of the Patriarchs, the River Jordan, Mount Sinai, the Red Sea, the Ten Plagues, and all the rest of it with my own eyes. In fact, I was so carried away thinking of that blessed land of Canaan where the milk and honey flow that I had all but forgotten where I was when [the son-in-law] brought me back to it by saying, "Well, how about it? Why not decide pronto."

That particular Tevye story was published in 1909, when the Jewish situation had already taken a turn for the worse, both in Russia and in Europe. Tevye himself does not finally end up in Palestine—the painful realities of the diaspora summon him back. It is too late for him, alas, and too early for his people. But Sholem Aleichem saw the return to Jerusalem as the answer to the tragedy of the Old World diaspora and as the fulfillment of the Jews' deepest longings. Palestine was not where old Jews go to die. Jerusalem is where young Jews go to live—and to flourish—and to fight.

These literary and intellectual visionaries were hardly cut from the same cloth—a former French-German socialist, a world-famous British novelist, a Yiddish humorist who was one of the most serious Jews of the modern age. But they knew—or hoped—that Jerusalem would come back to life as the eternal capital of the Jews.

Every day, multiple times a day, observant Jews recite a prayer for the restoration of Jerusalem:

To Jerusalem, Your city,
May You return in compassion,
And may You dwell in it as You
promised.
May You rebuild it rapidly in our
days
As an everlasting structure.

The mystery and pain of Jewish history should keep us theologically modest in claiming to know God's will or to understand the full meaning of the Jewish journey through time. But we

can say this: The resurrection of Jerusalem—after centuries of wandering and after the near-death experience of the Holocaust—eludes simple rational explanation. It so defies the odds that one might understandably believe that the divine dealer knew the cards all along, even if we can never fully grasp the rules of God's providential game.

To say that Jerusalem is the "eternal capital" of the Jews is not merely to say that it is, in this temporal world, always and forever the Jewish capital city. No,

it is to stake a larger claim: Jerusalem is where the Jew most directly experiences eternity. In walking where our biblical ancestors walked, in praying where the ancient Israelites prayed, in governing where they governed—the Jew in a sense leaves time itself. He transcends history. Abraham and his descendants stand equidistant together before the eternal. Then becomes now, now becomes then, and the eternal mystery of God's election of the Jewish people is experienced in the flesh. ♦

BCA

Devil's Ball

Fifty years of The Master and Margarita.

BY CATHY YOUNG

Nearly half a century ago, when I was a preschooler in Soviet-era Moscow, two thick magazines appeared in our home. They had plain, pale-tan covers, but I could tell they were quite special to my parents. In those magazines' pages was a riveting story—what I could understand from my precocious attempts at reading it at the age of 5 or 6. Years later, when I read it properly, some things still lived on in my memory: a huge, talking black cat that walks on its hind legs; a lady who becomes a witch and flies naked on a broomstick; a magician's globe that could come alive and zoom in on a single matchbox-sized house with minuscule human figures inside.

It was one of the greatest novels of the 20th century: *The Master and Margarita* by Mikhail Bulgakov (1891-1940), first published in a censored version in the literary magazine *Moskva* in November 1966 and January 1967, nearly 30 years after it was written. (With 150,000 copies in print, demand was huge; it was a year or

two before my parents got the coveted magazines.) Soon after, the uncut novel was published as a single volume by the emigré-run YMCA Press in Paris. And in the fall of 1967, not one but two English translations came out in the United States: Mirra Ginsburg's from the censored edition and Michael Glenny's from the full text.

The Master and Margarita was a major sensation in the Soviet Union, and in the 50 years since its publication in the West it has become an extraordinary international phenomenon. It has been translated into over 40 languages, with 4 more English translations since 1990. It has inspired songs, apparently including the Rolling Stones' 1968 "Sympathy for the Devil," as well as operas and musicals. (Andrew Lloyd Webber was tempted about a decade ago but gave up the project as "undoable"—although the novel's secondary plot may have influenced Lloyd Webber's *Jesus Christ Superstar*.) Stage versions of *The Master and Margarita* have been produced by more than 500 theater companies around the world; the most recent American production, at New York's off-off-Broadway West End Theatre, ran in August and September. The novel has had a handful of screen

Cathy Young is the author of *Growing Up in Moscow: Memories of a Soviet Girlhood*.

adaptations, and there is talk of a Hollywood feature in collaboration with a Russian producer.

How to describe *The Master and Margarita*? Winston Churchill's quote about Russia comes to mind: "a riddle, wrapped in a mystery, inside an enigma." The story is fantasy and magic ranging from farcical devilry to high mysticism to horror. It is riotously funny, with moments of both high and low comedy. It is mordant social satire, vividly portraying Moscow life in the mid-1930s. (The novel, on which Bulgakov worked from 1928 until his final days, mentions no dates and contains contradictory clues pointing to 1934-36 as the likely time-frame.) It is a novel of philosophy and religion, with a story-within-the-story that offers a unique revisionist account of Pontius Pilate's role in the crucifixion of Jesus. It is a poignant love story. It is a story about literature, creative freedom, and the conflict between the artist and the repressive state—in which the artist wins against all odds. It has a usually omniscient narrator who often becomes an "I" speaking to the reader—wryly, or wistfully, or bitterly, or with dread and despair, or even from the deadpan standpoint of an upright Soviet citizen channeling the politically correct position.

One of *The Master and Margarita*'s peculiarities is that the title characters take a while to show up: The Master, a persecuted writer who is now a mental patient, appears more than a third of the way into the book (in a chapter titled "Enter the Hero"), and his lover Margarita even later. The novel's first part focuses largely on the supernatural and satirical tale of the Devil visiting Moscow as Professor Woland, a foreign consultant and expert on black magic.

In the opening pages, Woland appears to two Soviet *littérateurs*, the brash young poet Ivan Bezdomny (a pseudonym meaning "homeless," a gibe at the virtue-signaling pen names of the post-revolutionary era) and the slick editor Mikhail Berlioz, while they sit on a park bench discussing atheist propaganda literature. The eccentric stranger engages the duo

in a debate on God, humanity, and the existence of Jesus (which takes a detour into the tale of Pontius Pilate's encounter with a strange prisoner named Yeshua). Mocking Soviet clichés about how "man himself" controls the world, Woland points out the unpredictable fragility of human life—and informs Berlioz he is about to die by beheading. The two friends conclude the "foreigner" is mad; but the prediction promptly comes true



when Berlioz slips and falls under a streetcar.

More mayhem follows from Woland's minions: the buffoonish trickster Koroviev, Behemoth the cat, and the thuggish Azazello. There's a scandalous magic show at a Moscow music hall, the fallout from which includes disappearing couture clothes and money that turns to scrap paper. Various boorish and corrupt Soviet officials, from a building superintendent to a gaggle of art and entertainment functionaries, get their comeuppances. (One bureaucrat temporarily vanishes, leaving behind a talking empty suit that proves perfectly up to the job.)

Meanwhile, Ivan's efforts to apprehend the devilish gang land him in a mental hospital; that's where he meets the self-styled "Master," a brilliant, broken man who voluntarily sought

refuge at the clinic after several months in prison. The Master ran afoul of the regime when he wrote a novel about Pilate and Jesus and got an excerpt published—causing him to be hounded in the press as a stealth Christian propagandist and eventually arrested.

The Master's past also includes a chance meeting with an unhappily married woman who becomes his "secret wife." That woman, Margarita, is at the center of the novel's second half. Still grieving for the Master after his arrest, she finds herself thinking she'd pawn her soul to the Devil just to find out if he is alive; lo and behold, that can be arranged. Soon, Margarita is flying naked over Moscow by night, wrecking the apartment of a critic named Latunsky who instigated the Master's persecution, and finally playing hostess at Satan's ball for endless multitudes of the damned.

Her Faustian bargain has a happy ending. The Master is restored and so is his novel, which he had burned in a fit of despair; as Woland remarks in what may be the book's most famous line, "Manuscripts don't burn."

That novel is the same story Woland began in the first chapter; it is woven throughout *The Master and Margarita*, continuing as Ivan's troubled dream and finally as two chapters from the Master's resurrected manuscript. In the Master's novel, Pilate is a bitter, weary bureaucrat, deeply moved by his encounter with the battered prisoner who speaks of love and human goodness and who can somehow soothe the Roman's excruciating migraine. Yet Pilate will not risk his career to save the itinerant preacher—and stands harshly condemned when he learns of Yeshua's last words before the crucifixion: that among human vices, "one of the worst is cowardice."

Toward the end, *The Master and Margarita*'s two worlds merge. Yeshua's messenger comes to ask Woland to grant "peace" to the Master and his love. (Their reward is a humanist's heaven: an eternity in a charming cottage filled with books and music.) And it is up to the Master to release Pilate from his prison of immortal solitude and remorse.

The *Master and Margarita*'s many layers of meaning can be, and have been, endlessly discussed. The Master's tale has a strong autobiographical component, both in its romantic side—Bulgakov and his wife Elena met while married to other people—and in its depiction of the embattled writer under the Soviet regime. In the late 1920s, Bulgakov was viciously attacked in the press, mainly for his hit play *The Days of the Turbins*, a sympathetic treatment of an aristocratic family during the Russian civil war. Savaged by critics and muzzled by censorship, he plunged into depression, feeling that his writing life was over. In a “meta” twist, the actual manuscript he burned at a particularly low point was the first draft of the novel about the Devil that would later become *The Master and Margarita*.

Bulgakov's scathing portrayal of the Soviet literary elite was rooted in personal experience, and there is probably a bit of revenge fantasy in Berlioz's gruesome death and in Margarita's gleeful trashing of the critic Latunsky's apartment; both characters had specific and odious prototypes. But it is also a larger indictment of what Orwell called “the prevention of literature” by ideological *diktat*. The system crushes the true writer and breeds cliché-spouting mediocrities. The Master doesn't need to read the poetry of “Comrade Homeless” to know it's dreadful—“As if I haven't read others,” he says—and after a moment's reflection Ivan must admit that he's right.

No less prominent a theme is the Soviet police state whose omnipresence casts a shadow feared even by loyal citizens: When the sleazy theater manager who shares a communal apartment with Berlioz discovers that his housemate's rooms are sealed, he instantly assumes Berlioz has been arrested and starts nervously recalling a possibly inappropriate, “entirely unnecessary” conversation the two had recently had. (The Jerusalem chapters echo this motif: Here, Judas is not a treacherous disciple but a paid informant who lures Yeshua into a conversation deemed insulting to the emperor.)

Yet much of *The Master and Margarita*

lies in the realm of ambiguity. Is its Satan a charismatic villain, a tempter—or an enforcer of justice? (Among Bulgakov's working titles was *The Great Chancellor*.) The book's epigraph, from Goethe's *Faust*, describes the devil as “part of that power which eternally does good whilst eternally desiring evil.” But Woland, who often clearly expresses Bulgakov's own views—with a dark sarcastic edge—does not even seem to desire evil; his victims almost invari-



ably deserve their punishment, and he does, in the end, prove to be a savior to Margarita and the Master. That their ultimate fate is arranged with the forces of Heaven hints at a metaphysics in which darkness and light serve the same ends as part of the balance of the universe: The Devil simply happens to be in charge of its shadow side.

There is also some intriguing speculation about Woland's real-life parallels—including Stalin, who sometimes acted as Bulgakov's quasi-patron, easing the ban on his work and helping him get theater jobs in the early 1930s. “All-powerful!” exults Margarita when Woland restores the Master's manuscript; perhaps, on some level, Bulgakov saw Stalin that way and reimagined him as Woland, a dark ruler who yet has genuine nobility and even mercy. Another candidate is U.S. ambassador William C. Bullitt, whose lavish spring

ball in Moscow in 1935 was the basis for Woland's ball; Bulgakov, denied permission to go abroad, may have seen Bullitt as a potential rescuer who could spirit him to freedom as Woland does his heroes.

Bulgakov's overall treatment of religion, too, allows multiple readings. The novel was partly inspired by Bulgakov's revulsion at the Soviet regime's crude atheist propaganda; while the foreword to the first Soviet edition of the complete text in 1973 gamely tried to explain that the author's barbs at militant atheism were actually directed at cynics who exploit atheism to justify amorality, this was a transparent ploy to appease the censors.

But is *The Master and Margarita* a defense of religion? Its Jesus is highly unorthodox: he has just one disciple, Matthew Levi, and there is no hint at his special mission, divinity, or resurrection. (Moreover, he complains that Matthew—presumably the evangelist—writes down a hopelessly garbled version of his teachings.) Yet Matthew's appearance as Yeshua's messenger to Woland near the end clearly implies that Yeshua is now the King of Light to Woland's Prince of Darkness. And other moments have a more traditional if subtle religious symbolism, as when Ivan arms himself with a candle and a small icon and takes a baptismal swim in the Moskva River at the start of his chase after Woland's gang, which also turns out to be the beginning of his spiritual transformation.

In the Brezhnev-era Soviet Union, *The Master and Margarita* was a subversive bombshell. Its discussion of religion and atheism alone was utter heresy—to say nothing of its ruthless skewering of official Soviet literature, its candid portrayal of fear in a repressive society, and its pointed satire of the socialist consumer sector, where service is delivered with either a sulk or a scowl and the food at a theater café is of “second-grade freshness.” Today, Bulgakov's masterpiece is a recognized Russian classic; in a 2009 survey, a striking 16 percent of Russians named it their favorite book, by far the single most popular choice.

Even more striking, perhaps, is the

book's staying power in the West—which baffles many Russians, given the cultural specificity of its setting and especially its humor. Yet Bulgakov's key themes have universal resonance: the destructiveness of tyranny and the supremacy of the individual's inner freedom; the corruption of creative work by ideological pressure (a theme sadly relevant in the West today); the power of forgiveness. And his genius at blending the psychological and the fantastic, the mystical and the mundane, the sublime and ridiculous transcends cultural barriers.

It is a testament to *The Master and Margarita's* enduring appeal that it recently inspired a literary tribute by an American: *Mikhail and Margarita*, a debut novel by Massachusetts writer Julie Lekstrom Himes, which gives Bulgakov's novel a fictional backstory involving a woman named Margarita, the poet and gulag victim Osip Mandelstam, and Stalin himself. Himes's novel is elegantly written and well-crafted, though there is something odd about fictionalizing the well-documented life of a real person from the fairly recent past; it's one thing to give Bulgakov a face-to-face meeting with Stalin (instead of their real-life telephone conversation), quite another to invent a friendship with Mandelstam and a romance drastically different from the real one. Nonetheless, *Mikhail and Margarita* makes for an interesting read, both as a curio and as a modern take on Bulgakov's central motifs of love and art, freedom and fear.

The Master and Margarita's American (and British) life is all the more remarkable given that all the English translations published so far are wanting. Translating a book whose language has so much verve, poetry, and nuance is a daunting task; all the translations rise to the challenge brilliantly at places but fail dismally elsewhere. Outright mistranslations crop up; Glenny even botches a key line of dialogue, translating Ivan's admission to the Master that his verses are "horrendous" as "Stupendous!" The recently reissued 1997 translation by the controversial husband-and-wife team of Richard Pevar and Larissa Volokhonsky has the fewest inaccuracies, but their effort to pre-

serve the original wording leads to such monstrosities as "Who here is 'Prosha' to you?" instead of "Who do you think you're calling Prosha?"

Overall, the 1995 version by Diana Burgin and Katherine Tiernan O'Connor is probably the best; it still suffers from stilted language and clumsy dialogue

but comes closest to capturing the flavor and spirit of the original.

Perhaps someday, a new translation will get it right. Until then, the success of *The Master and Margarita* in English proves that just as manuscripts don't burn, truly great books don't get lost in translation. ♦

BCA

Hour of Kneed

The ice maiden of the '90s skating scandal.

BY JOHN PODHORETZ

The propulsively entertaining but problematic new movie *I, Tonya* reminds us that it's been nearly a quarter-century since the figure skater Nancy Kerrigan was whacked on the back of the knee by a baton-wielding goon. The attack was the outcome of an insane white-trash conspiracy to give Kerrigan's rival, fellow American Tonya Harding, a leg up at the 1994 Winter Olympics. The movie is a black comedy, the bleakest Preston Sturges slapstick tale you never saw. It's *The Miracle of Morgan's Creek* set in hell. Everybody in Harding's life is wacky and bizarre, as in a Sturges film, but here, if a knife gets thrown in a kitchen, it's going to end up wedged into Tonya's arm.

Play *I, Tonya* at a different speed and it's *Raging Bull* with the child and marital abuse directed at Jake LaMotta. Such a movie would have been unbearable to watch and would have missed the central aspect of this singular American cultural event, an early highlight of our relentless journey over these past 25 years to idiocracy. The undeniably horrifying assault on Kerrigan actually seemed mortifyingly comic at the time—even before we

were introduced to the band of idiots who planned and executed the crime. Why was that?

I think it was the idea that such a raw, crazy, ugly thing could happen in a competition as ludicrously and self-consciously dainty as figure skating. Men and women mime ballet moves on ice while costumed in hideous leotards and onesies to bad orchestrations of great music or clamorous excerpts of lousy pop. They smile

falsely, and in close-up at both the beginning of their routines and at the very end, their eyes seem to pop out of their heads in a manner that would make you shrink from them if they were near you on the subway.

The sport seems designed to hide the fact that it's a sport; the axels and lutzes and whatever the hell else these skaters do are basically buried inside their routines as though the skaters are embarrassed by them. The whole business so depends on the absence of testosterone that the very idea figure-skating could stir anyone to violence seemed absurd even after it happened.

In her approach, her attitude, her very being, Tonya Harding was a challenge to the self-conception of American figure skating. Garish her outfits may have been, but the wrong kind of garish. Her makeup was heavy, as was true of her fellow skaters, but it was

I, Tonya
Directed by Craig Gillespie



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

far more colorful. Most important, perhaps, she did not have a body that mimicked a ballerina's but the morph of a kid-gymnast—short, squat, with thick thighs. There was nothing lady-like about her, and the word “pretty” was about the least likely one you could have used.

The same cannot be said of the actress Margot Robbie, who plays Tonya, and this is where the movie falters.

You cannot really understand what Tonya Harding was up against in trying to become the best American skater—a position she could only win through the subjective rulings of individual judges with set ideas about what a figure skater should look like—without understanding how she was harshly and unfairly judged because of her appearance and mien. The movie offers a taste of this when Tonya confronts a judge and asks why her scores don't reflect her performance. He tells her that she's not what the sport wants as its public face because her family values are bad.

Come on. The problem wasn't Harding's family values. It was her unattractiveness and inappropriately working-class gestalt in a sport whose signature figure in this country was the gorgeous haute bourgeoisie Peggy Fleming—the same sort of prettiness Nancy Kerrigan approximated. The movie changes this up because what else can it do? It tries to make Margot Robbie look plain. It musses up her hair, allows her skin to look kind of mottled, and photographs her at angles meant to be unflattering. But the simple fact of the matter is that Robbie is too pretty for the role and there's just no hiding it. All she needs to do is smile. There isn't a figure-skating judge in the world who wouldn't have given that smile a perfect score. Robbie acts up a storm here, and she is a very good actress, but she's defeated by herself.

Otherwise, the depiction of Harding's Dickensian existence is superb. She is saddled with an ineffectual rabbit-skinning father who flees her Gorgon of a mother, played by Allison Janney. Janney's ferocious turn as the monstrous LaVona makes Laurie Metcalf's disapproving mom in *Lady Bird* seem like Marmee. LaVona's con-



Margot Robbie, left, as Tonya Harding (pictured at right circa 1991)

stant verbal and physical abuse drives 15-year-old Tonya into the arms of the mustachioed local loser Jeff Gillooly (Sebastian Stan), whose mild manner belies his own constant deployment of his fists as disciplinary marital tools.

I, *Tonya* wants us to feel sorry for Tonya Harding, whose ex-husband

and dimwit friend dreamt up the failed scheme to eliminate Kerrigan from contention that ended up with Tonya banned for life from the only activity on earth she was ever any good at. And we do . . . but it's not really Tonya we're feeling sorry for. It's Margot Robbie, because she's just so damn pretty. ♦



Crown of Duty

Netflix's *Queen Elizabeth* bioseries stresses the weight of responsibility. BY ELIZABETH KANTOR

The second season of the Netflix show *The Crown*, released on December 8, is compellingly watchable television, a luscious treat for any recovering *Downton Abbey* addict or sedulous follower of the British royal family. The series is also an intelligent consideration of some crucial years of 20th-century history, making a subtle case for societal stability, traditional morality, and the institutions that once upheld both. But it lets the other side have its say, too: The series is honest

Elizabeth Kantor is the author of The Jane Austen Guide to Happily Ever After.

not only about the value of the standards represented by Elizabeth II's crown but also about the high cost at which they are maintained. It gives fair play to the case against the queen's unfashionable virtues.

A second season rarely lives up to the promise of a great first one, but with so much history to cover, the writers for *The Crown* can never be at a complete loss for a plot for the next episode, à la the increasingly hapless folks responsible for *House of Cards*. On the other hand, that history imposes limitations. We can't be in real suspense about whether Philip and Elizabeth's marriage will ultimately survive

TONYA HARDING: FOCUS ON SPORT / GETTY

rumors of his infidelity, whether the royal family will be called Windsor or Mountbatten, or which man Princess Margaret will marry. The show cannot alter those facts without sacrificing our sense that we're watching a real (or real enough) telling of the life of Queen Elizabeth. The writers get around that problem partly by clever use of little-known bits of historical detail, which can be either reported with freshness or fictionalized without contradicting our memories. They do a little of both. We probably don't remember whether Ghana stayed in the Commonwealth after independence, and we don't know the details of Prince Philip's private secretary's divorce. Elizabeth's decision in the first season about whether to promote a junior functionary over the head of a senior one against palace protocol was, astonishingly, both turned into a cliffhanger and freighted with deep thematic significance.

The Crown also keeps us watching with a great script and some of the finest acting on screen. Claire Foy as Elizabeth and Matt Smith as Philip are pure joy to watch. They've created two unusual characters and a compelling relationship. And what they manage to convey by their facial expressions alone is remarkable. I'm thinking particularly of Smith in the closing scene of the second season, in which two crucial parts of the complex and long-observed truth about Prince Philip's rumored affairs are revealed in one extended close-up of his face—and of Foy in nearly every scene.

The writing is brilliant. Elizabeth on Jackie Kennedy's unhappy marriage before the assassination: "That's the thing about unhappiness. All it takes is for something worse to come along. And you realize it was actually happiness after all." But it's not just bons mots. For every argument the story seems to make there's a counter-argument. We have no sooner accepted the theory that Elizabeth's (apparent) toleration of Philip's (apparent) adultery is reasonable, even an admirable expression of love, than we're made to see how utterly contemptible Prime Minister Harold Macmillan's complaisance at his wife's lifelong betrayal is.

This point-counterpoint technique is applied to the main theme that in one way or another animates nearly every episode of *The Crown*. Critic Kyle Smith has pointed to the "stirring and deeply considered apologia for Burkean conservatism"—an argument for "the intermingled values of duty, honor, discipline, self-control, patriotism, and tradition"—in the warning that a trusted palace official offers Elizabeth against jumping the junior functionary over the senior one. The extraordinary speech in that first-season scene was sit-up-and-take-notice television, like the moment in *Breaking Bad* when Walter White writes "Judeo-Christian principles" on the "con" side of his list for deciding whether or not to commit his first premeditated murder. But it's far from the final word. Egalitarianism gets its say, particularly in the season two story of Lord Altrincham's campaign to modernize the monarchy. And authenticity, liberation, and emotional intensity—the forces perpetually besieging the monarchy, its traditions, and the monarch's commitment to duty—get theirs when Princess Margaret's delirious happiness in her unconventional relationship with Antony Armstrong-Jones, who is helping her find her true self at last (or so she believes), is contrasted with Elizabeth and Philip's dutiful entertainment of boring VIPs and separate preparations for separate beds in their separate rooms.

Viewers may find themselves thinking that falling for a gender-bending photographer precisely because he has contempt for you and your family is likely to turn out better for those who possess the social capital of a royal princess than for those who don't. Or that living at the inflection point between tradition and modernity, when you can still rely on the residual benefits of the societal structures that you're helping break down, looks like more fun than living in the aftermath.

We are on the other side of the great wave of social change whose story is explored in *The Crown*. Nostalgia for the structures washed away by that wave is one driver of

the demand for costume dramas like this one—and *Downton Abbey*, which made an under-the-radar case for the value of the societal constraints whose breakdown the show was on the surface celebrating. *Downton's* Lady Sybil encouraged the servants to educate themselves for better jobs and ran off with the chauffeur. Gay footman Thomas won the acceptance even of Carson, the Archie Bunker of the servants' hall. Ultimately, though, the series came down on the side of nostalgia for the past that was dissolving before our eyes. Thus it tended to ricochet between earnest after-school-special-style promotion of an issue of the week and sentimental sops to our weaknesses for happy endings for the charming and vindication for the downtrodden. *Downton Abbey* was only—or maybe only *almost*—saved from descent into soap-opera cheapness by fabulous settings and costumes, delicious nuggets of historical trivia, and good acting.

The Crown takes up a question that made *Downton* as deeply conservative as it was superficially liberal: the relationship between community and authority. What we ultimately learned from life at the abbey was that life in common requires hierarchy. As C. S. Lewis pointed out in defense of St. Paul's perennially unpopular admonition to wives to obey their husbands, some kind of authority is necessary to maintain any permanent bond between people. The whole *Downton* milieu was a wonderful little society held together by the power, wealth, style, loyalties, and principles of a bygone aristocracy. Lord Grantham was the benevolent constitutional ruler whose authority made the imperfect but ultimately satisfying common life of *Downton's* inhabitants possible.

As grateful as we are not to be living like Daisy the kitchenmaid, that community was naturally attractive to us inhabitants of a 21st-century society that is atomizing at an alarming rate, with institutional and other ties fraying. We wouldn't want to give up our freedoms, but the constraints that we have thrown off, from class distinctions to old-fashioned sexual morality, did

a lot to maintain connections between people, contributing to happiness and overall wellbeing. Part of the appeal of these historical dramas is the chance to wallow in a fantasy of living in a tighter social nexus without having to pay the costs or make the tradeoffs.

But *The Crown* isn't just fantasy fluff for deracinated postmoderns. Its explicit theme is those very tradeoffs and costs, which are felt by all the characters but chiefly borne by Elizabeth, whose unique role it is to embody the British nation and to buttress the strength of her people. Her whole life is an exhausting exercise in metonymy: She represents the health of the nation, and the crown itself is a sort of representation of her representation, so that Elizabeth carries the weight of it all on her head both literally and figuratively. In her shining example—her gracious manners, ideal family life, impeccably tasteful clothes and jewels, absolute commitment to duty, and flawless adherence to the highest moral standards—the public sees a picture of the nation's flourishing and of the virtues that make it possible. The monarchy gives the people something that is infinitely above them and yet belongs intimately to them, something they can admire, trust in, and emulate.

Some of the most compelling drama in the series highlights the burdens that Elizabeth bears and that she imposes on her nearest and dearest in her unyielding resolution to maintain the prestige of the monarchy. It's a perennial question—whether it's fair to expect other people to suffer for one's own principles. Often the person whose principles demand the suffering gets more out of the situation than the person doing the suffering. The wealth and lifestyle enjoyed by the other members of the royal family are no small compensation for their sacrifices, but the queen enjoys greater perks and more authority than they do.

By the end of the first season, the show was suggesting that the cost to Elizabeth herself might be too high. In the final scene, we see the queen sitting for an official photograph; she is

told to erase all traces of her individual personality from her face and pose as "Gloriana," a hint that her persistent choosing of the sterner virtues over more humane values and of her position over everyone around her might be turning her to stone.



Claire Foy as Queen Elizabeth II in *The Crown*

The petrification theme was originally introduced by that enigmatic character the Duke of Windsor. The former Edward VIII, who famously abdicated the throne for the woman he loved, is a fascinating foil to Elizabeth in both seasons. Elizabeth has been warned that the smallest deviation from protocol could start her down the road of "willfulness" and "individualism" that ended in the abdication. She might be pulling out a thread that could unravel the entire garment.

Through most of the first season of *The Crown*, I kept wondering why the theme of "The Abdication" as *the* disaster to be avoided at all costs, the original Fall and expulsion from the original Eden, had so much resonance. And then the penny dropped. "The Abdication" for the British royal family is just like "The Divorce" for so many of us children of the 1970s. It's the original tragedy that tore our world apart and *must not be repeated*. The timing actually makes sense. The British aristocracy

embraced its own sexual revolution 40 years ahead of the one that eventually reached the American suburbs. Read the novels of Evelyn Waugh or the real-life adventures of the Mitfords and the rest of the 1930s smart set Waugh was satirizing, and you

encounter a strangely familiar world: sexual adventurism suddenly commonplace in a generation whose parents still found it shocking, adults in reckless pursuit of their own happiness in disregard of their children's welfare, divorce courts rewarding the guilty and punishing the innocent.

Given this context, the marriage of Elizabeth and Philip is a kind of anachronism. As the two of them agree at the start of the new season, they are living under unique constraints: "The exit route which is open to everyone else—" "Divorce?" "Yes, divorce. It's not an option for us. Ever." "No." At the time that makes their marriage look like what Philip calls it: "A prison." But ultimately—or at least by the end of the second season—their relationship looks not only more admirable but even more interesting than the relationships defined by the new ethos of pursue what you want and never mind the old rules. That in itself is an argument of a sort for the principles, ideals, and taboos that the monarchy is supposed to exemplify. ♦

"Hot takes aren't really USA Today's thing, but the newspaper's editorial board delivered a pillar of fire to hotel rooms across the country Wednesday. Writing about President Trump's sexually suggestive statement that Sen. Kirsten Gillibrand (D-N.Y.) 'would do anything' for campaign contributions, USA Today declared that 'a president who would all but call Sen. Kirsten Gillibrand a whore is not fit to clean the toilets in the Barack Obama Presidential Library or to shine the shoes of George W. Bush.'"

—Washington Post, December 13, 2017



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WE'RE AS MAD AS HELL, AND WE'RE NOT GOING TO TAKE THIS ANYMORE

NEWSLINE

IN NEWS

Concerns about the face of the Democratic party

House minority leader remains unpopular and old as [expletive]

IN OPINION

If we hear 'All I Want for Christmas Is You' one more time

Anyone who plays Mariah Carey's song should be beaten to death with a yule log

IN MONEY

Bats—t for Bitcoin

Tulips, anyone?

IN SPORTS

NY Giants continue to suck

At this point, Stevie Wonder would make a better QB

IN LIFE

BANNON BITES



KIRK IRWIN / GETTY

Has anyone found this man's razor?