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OPIOIDS IN THE SUBURBS
CHRISTOPHER CALDWELL

ONE DOWN

Trump's first year and the year ahead

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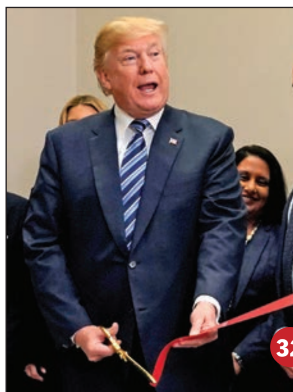
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COVER BY GARY LOCKE

Samantha's Soft Power Failure

The Scrapbook has deep reservations about the Trump era, but we're only human—sometimes we indulge in a small chortle or two at the discomfiture his victory caused certain parties. For instance, we took way more pleasure than we probably should have in *Politico*'s interview last week with the Obama administration's U.N. ambassador, Samantha Power, who recalled all the gory details of an ill-fated party she hosted on election night 2016.

Power invited the U.N.'s 37 female ambassadors—and special guest Gloria Steinem—to her penthouse to glory in the election returns and Hillary Clinton's historic victory. "I thought what an amazing night for them," she told *Politico*. "I mean, that's what America represents to the world, when a glass ceiling is shattered in our country, it creates a whole new sense of possibility for people everywhere."

Heading into the evening, Power's concern was not that Hillary Clinton wouldn't win the election, but that she would win it, to borrow a phrase from the president, early and bigly. "As the host, I was kind of hoping it wouldn't be quite the blowout that it was anticipated to be, because I wanted to make sure that people had a chance to interact with Gloria Steinem," she said, adding, "I wanted to milk the soft power dividend of this moment, and instead, and HBO was there [filming], I guess unfortunately or fortunately, to capture it all . . . it slowly dawn[ed] on us that not only was this going to be much closer than anybody anticipated, but that it was not going to end well."

Footage from the party will be included in a larger HBO documentary, *The Final Year*, but The Scrapbook is hoping for a director's cut focused just on this one evening, which might be the feel-good movie of the year.

Okay, that's probably going overboard with the *schadenfreude*, but really, anyone who would unironically describe their party theme with the phrase "milk the soft power dividend" is asking for it. And that's not even the worst line of the interview. Here's how Power describes the evening: "Well, I've had a lot of bad ideas in my life, but none as immortalized as this one."

We beg to differ. Before becoming U.N. ambassador, Power was famous for an impassioned, Pulitzer-winning book, *A Problem From Hell*, that excoriated Western governments for not doing more to prevent genocide. She was perhaps the world's leading advocate of humanitarian intervention. Then she became Barack Obama's U.N. ambassador and held her tongue while her boss blandly allowed Syria's Bashar al-Assad to use chemical weapons on children and ultimately slaughter nearly half a million people.

She has indeed had a lot of bad ideas that will be remembered. But we doubt that her failure to ensure party guests got enough face time with Gloria Steinem even makes the list. ♦

Invincible Ignorance

In 1997, The Scrapbook saw a funny *New York Times* headline: "Crime Keeps on Falling, but Prisons Keep on Filling." Astonishingly, we noted, "the possibility that longer sentences and less parole might be playing a large part in that falling crime rate" had failed to penetrate the furrowed brows at the *Times*.

We mocked them and were apparently ignored, because a year later they were back with more of the same, a story that captured the essence of modern liberal thought on crime. The headline: "Prison Population Growing Although Crime Rate Drops." The lead: "The nation's prison population grew by 5.2 percent in 1997, according to the Justice Department, even though crime has been declining for six straight years, suggesting that the imprisonment boom has developed a built-in growth dynamic independent of the crime rate, experts say."

It was the same reporter, Fox Butterfield, displaying the same blind spot: a failure to entertain the possibility that crime had fallen precisely because criminals had been put in jail. James Taranto of the *Wall Street Journal* dubbed this blinkered liberalism "The Butterfield Effect."

A January 7, 2018, headline doesn't rival the earlier ones for sheer delight, but it's in the same category: "Crime Is Falling, But Police Levels Remain Robust." Crime is down in the 30 largest cities in the United States, the reporter, Jose Del Real, explains, "but fewer crimes have not resulted in fewer police officers on the streets." To his credit, Del Real doesn't pretend not to notice the obvious counter-argument—namely, that robust police numbers may have precipitated the drop in crime. But he dismisses the idea,

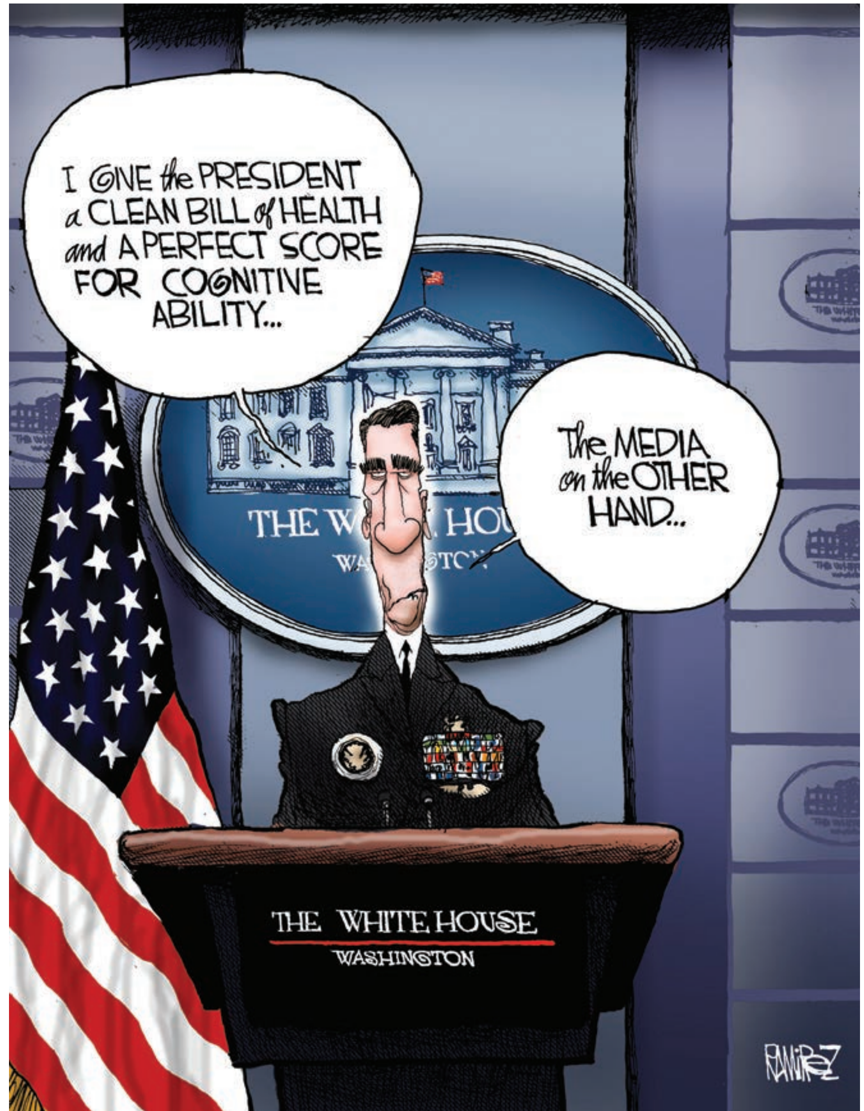
FIGURE: BIGSTOCK

noting that "the relationship between the number of officers and lawful behavior is not clear-cut."

We're not sure how a question with this many variables could ever be "clear-cut" (different cities with different problems, different policies at different police departments led by different people with different skills). But in one sense, at least, the relationship would seem as clear-cut as it's possible to be: Police levels rose, crime fell.

Perhaps, though, we lack nuance. Or perhaps, as conservatives, we're too ready to associate more cops with more order. Anyhow, the *Times* explains the problem with statistical conundrums like this:

> In Chicago, notorious for violence and shootings in recent years, there are 44 officers for each 10,000 residents. That is almost the same ratio as New York. But though crime in Chicago declined in 2017, according to a year-end analysis by the Brennan Center for Justice, the crime rate there was still far higher than in New York, which recorded its lowest crime rate since the 1950s. Philadelphia also has about the same number of officers per capita; homicides there surpassed 300 for the first time in five years, but violent crime in general went down in 2017.



The problem with this sort of analysis, it seems to us, is that it's too narrowly focused on a single year, 2017. A more thorough interpretation would consider a much larger time span.

This reflection led us back to a terrific cover story in The Weekly Standard from February 23, 2009, by the late William Stuntz: "Law and Disorder: The case for a police surge." Stuntz was a professor at Harvard Law School and the author of groundbreaking work on crime policy. In that essay he contended that just as a large surge of ground forces had quelled the insurgency in Iraq, so increases in police numbers tend over time to decrease violent crime.

> Between 1989 and 1999, the number of urban police officers per unit of population rose 17 percent. Arrests fell by a little more than 20 percent; arrests of black suspects fell by one-third. Crime fell too, and it fell most in the jurisdictions that hired the most cops. In 41 pairs of neighboring states, one jurisdiction increased its policing rate more and its punishment rate less than its neighbor during the 1990s. In the higher-policing, lower-punishment states, violent crime fell by an average of 24 percent. In the lower-policing, higher-punishment group, the average crime drop was only 9 percent. Higher-policing, lower-punishment states outperformed their more punitive, less well-policed neighbors in all parts of the country. The city that saw the nation's largest crime drop—New York—increased the size of its police force the most. The state that includes that city increased its prison population the least.

We're told by a former colleague of Stuntz (he died in 2011) that his 2009 essay "was extraordinarily controversial in law school circles. Defending anything about Iraq was almost unheard of. Bill took a lot of heat, and he turned out to be right." ♦

Minimum Wage Hits Maximum Sandwich

As far as lunch deals go, Subway's $5 footlong sandwich has been a hit with consumers. The company sees the promotion as a way to revive interest in its restaurants, which have struggled to attract diners in the last few years. In January, Subway brought the deal back for a limited time and now charges $4.99 for 12 inches of five sandwiches: black forest ham, meatball marinara, spicy Italian, cold cut combo, and something called "Veggie Delite."

Now, though, the Subway $5 footlong is under siege in cities that have imposed high minimum wages. It is becoming a valuable lesson in economics that some cities are refusing to learn.

Seattle's minimum wage rose to $15 an hour on January 1, the same day the city launched a punitive new tax on soda. Yet somehow city leaders believe that none of these mandates is causing any harm to businesses and their deal-seeking customers.

In January, one Subway franchise owner there posted signs at his two restaurants explaining why they wouldn't be participating in the sandwich promotion: "The cost of doing business in the City of Seattle is very high. We are balancing the Highest Minimum Wage in the Nation, Paid Sick Leave, ACA, Secure Scheduling, Soda Tax and much more," according to radio station KTTH-AM.

It's not just sandwich deals that are being sliced: A June 2017 study by University of Washington public policy professors found that earlier hikes in Seattle's minimum wage "lowered low-wage employees' earnings by an average of $125 per month in 2016" because employers had to slash workers' hours to afford the new ordinance. It led to a loss of an estimated 10,000 jobs.

Next time you hear a politician prattle on about helping the poor by raising the minimum wage, consider the effects on sandwiches and other cheap food. If we can't get government off our backs, let's at least keep them out of our fast-food joints. ◆

Least Surprising Headline of the Year

Readers may remember Charlotte Allen's September 12, 2016, cover story on high-speed rail in the Golden State: "Bullet Train to Nowhere: The Ultimate California Boondoggle." Allen memorably visited "a 1,600-foot viaduct spanning the Fresno River on the rural outskirts of Madera," which was just about the only construction then taking place on a system projected to one day stretch over 500 miles. "The bullet-train project has moved more slowly—far more slowly—than its boosters anticipated," she reported.

So we were, shall we say, unsurprised at the January 16 headline in the *Los Angeles Times*: "California bullet train cost surges by $2.8 billion: 'Worst-case scenario has happened.'"

Reporter Ralph Vartabedian, who has done yeoman work on this beat for years, provided the details:

> The estimated cost of building 119 miles of bullet train track in the Central Valley has jumped to $10.6 billion, an increase of $2.8 billion from the current budget and up from about $6 billion originally. The new calculation takes into account a number of intractable problems encountered by the state rail agency. It raises profoundly difficult questions about how the state will complete what is considered the nation's largest infrastructure project with the existing funding sources.

If you didn't see this coming, The Scrapbook has a railway viaduct it would like to sell you. ◆

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The Voice over the Intercom

There are many serious and well-justified complaints against the decrepit Washington Metro system, but sometimes there's a happy surprise.

There I was one typical morning last fall in full grim-commuter mode: arms crossed, legs spread to claim maximum personal territory. And then I heard this voice, sunny and bright, over the intercom: "Goooood morning, ladies and gentlemen," the driver said. "Pick up your newspapers and hold onto your morning coffee. We're going [dramatic pause] *downtown*!" The doors closed, and we were off. It was exciting. The effect was visible. People sat up a little straighter. I smiled and took my knee out of my seatmate's ribcage.

Over the past several years Metro has been slowly replacing their most unreliable trains with new 7000-series rail cars. They are spacious, generally clean, and don't leave you with the impression that you've traveled stuffed in the sweaty armpit of a three-piece mustard-colored nylon suit, unwashed since the '70s. The new cars are nice, but I do have one reservation. Instead of the driver telling you what the next stop is, most of the voice work is done by computer, a new Siri-like character, professional and consistent to a fault.

In the new cars you rarely hear from the driver. Hidden behind tinted glass at the front of the train, he or she might as well not be there at all. One late night, we pulled into the last station on the line in the pouring rain. The car was cold and empty except for a few passengers huddled under their coats, some of them waking up from naps snatched leaning against the smudged windows. And then we heard this voice, quiet and concerned."Have a good night. Take care. Be safe getting home," the driver said with all the sympathy in the world. "See you tomorrow morning and *we'll do it all over again*." A few passengers smiled and turned to one another with a "yeah, that's life" kind of look. I put my book under my fleece and made a run for it through the rain, feeling unusually fraternal toward my fellow passengers.

JORI BOLTON

No doubt recognizable to millions of Americans from their trips to the nation's capital, the original voice of the Metro ("step back to allow the doors to close"), local resident Randi Miller, has always said she would love to make more recordings for the subway system. "Consistency's very important," she told the *Washington Post*. "You want to have one voice for everything." I'm inclined to agree. Metro could be improved in a million ways. But there's a lot to be said for a calm, clear, commanding voice over the intercom.

This past summer I took a bus ride from Baton Rouge to New Orleans. Greyhound was doing its absolute best impression of a port-a-John on wheels. Our driver didn't show up for an hour and a half after we were supposed to leave. We finally got on the road, but the bus broke down almost immediately. A burning smell wafted through the cabin as the driver turned back toward the bus station. The passengers groaned and cursed climbing off the bus and grumbled getting back on after another round of duct tape was applied to whatever time bomb was ticking under the hood.

Our first driver was replaced by another, clearly more veteran captain. Sensing insurrection, he climbed aboard, put a foot up on the nearest seat, crossed his arms, leaned on his knee, and looked expectantly at the passengers. The bus quieted. The griping lowered to a murmur. We were all in middle school again, hushed by a tough-looking substitute teacher from the south side. "Ladies and gentlemen," he barked. "I understand you've been delayed. I just want y'all to know—I ain't got nothing to do with that. If you would like to complain I can find you someone else in charge." I pulled out my notepad, knowing this Gettysburg Address wouldn't last long. "But," he continued with a shrug, "this is Greyhound: *It is what it is*." Nobody said a word. We arrived in New Orleans without incident. Law and order ruled the day.

Miller is right, consistency is important. That's why the robots will soon put all of us out of work. But machines cannot and never will be able to empathize or feel excitement. As I write this, a robot vacuum cleaner is feeling its way around my feet. Even if it were programmed to pause at random intervals and say "Boy, am I tired" or "Wow, more dog hair!" it couldn't make me care. And a robot voice will never relieve the drudgery of commuting or lighten the burdens of the passengers. So please, Metro, keep the intercoms open, for the sake of my own amusement and less rioting.

Grant Wishard

the weekly Standard

The Good and the Bad

Now that we have one full year of the Trump presidency in the history books, isn't it time for Trump's conservative critics to acknowledge his election was worth it?

This is a question posed with increasing frequency by the president's supporters. And they have a point: The accomplishments of the last year have been reasonably impressive.

Trump placed a stalwart conservative on the Supreme Court.

Trump authorized the U.S. military to prosecute a serious war on ISIS and, along with our coalition partners, has succeeded in dramatically reducing the land controlled by the genocidal Islamist terrorist organization.

The Trump administration has overturned many Obama-era regulations. Getting the federal government out of the way has enhanced the freedom of Americans and contributed to economic growth and a stock market boom.

Trump signed a tax-reform package that cut taxes for some 80 percent of American households. Final judgment about the tax bill, which also repealed Obamacare's individual mandate and opened up drilling in the Arctic National Wildlife Refuge, is best reserved for when we have a sense of how much it spurs growth and increases the federal deficit. On balance, though, it brought welcome changes to the corporate and individual tax rates.

Trump's CIA director, Mike Pompeo, released 470,000 documents captured in the raid on Osama bin Laden's compound, giving the public access to information the Obama administration went to great lengths to keep buried.

Trump has reversed Barack Obama's naïve and dangerous policy of helping the terror-sponsoring regime in Iran.

Yet similar ends would have come from almost any Republican president given a Republican Congress. The fact that almost all of Trump's accomplishments could have been expected from a generic Republican should disappoint true-believing populists and belie Trump's boast, "I alone can fix it." But the policy achievements of the last year ought to be acknowledged and applauded by his conservative critics. Most of the conservatives who couldn't bring themselves to vote for Trump would have gladly crawled over broken glass to vote for any other Republican in a race against Clinton.

But for those conservatives who couldn't back Trump or Clinton, questions about Trump's ideology were secondary. For them—for us—it was Trump's character and temperament that made him unfit for office. And the harm done in a single year by President Trump—to the country, the culture, the Republican party, and American conservatism—must also be acknowledged.

The president of the United States endorsed a credibly accused child molester to serve in the U.S. Senate.

Looking back on these follies, no conservative can in good faith maintain that Trump hasn't done damage to the presidency and our politics. Was it worth it? Does the good outweigh the bad?

The president fired the FBI director because he was unhappy with an investigation into his campaign and transition team.

The president sent antagonistic tweets about nuclear-armed North Korean dictator Kim Jong-un, at one point boasting that his nuclear button is "bigger" than Kim's.

The president revealed highly classified information to top Russian diplomats during an Oval Office meeting.

The president insulted American allies as "s—hole countries"—with the clear implication that the U.S. citizens who have immigrated from those countries have made our country worse.

The president, shortly after a neo-Nazi drove his car into and killed a peaceful protester in Charlottesville, issued a statement condemning the "hatred, bigotry and violence on many sides." The violence of "antifa" is indeed condemnable, but antifa had not committed an act of terrorism that day, and the president could never bring himself to forcefully single out the white supremacists who marched on Charlottesville. The president followed up that performance with a press conference in which he insisted there had been some "very fine people" participating in a torchlit neo-Nazi rally where marchers chanted "Jews will not replace us."

The president is a serial liar—making false claims about matters large and small, consequential and trivial. Even by the low standards with which we've come to judge honesty in politicians, Trump is a singularly dishonest figure.

The president failed to fulfill his promises to repeal and replace Obamacare and defund Planned Parenthood. He shares that blame with congressional Republicans, to be sure. But in his public comments and private discussions with lawmakers, Trump revealed both policy ignorance and

lack of discipline, at one point complaining about a "mean" bill from House Republicans, though he himself had previously expressed support for it.

The president is often unfamiliar with his own policy positions—as when he embraced a "clean" DACA renewal at a bipartisan White House meeting in early January or when he tweeted skepticism about a crucial intelligence program that his White House had formally endorsed less than 12 hours earlier. (Trump had apparently been watching *Fox & Friends* when Judge Andrew Napolitano criticized the program.)

Any list compiling the worst moments of the chaotic first year of the Trump presidency will necessarily be incomplete; the sheer volume of the crazy statements and actions means that scandals that would have overwhelmed previous presidencies barely registered. Reports last week that the president had committed adultery with a pornographic actress months after his youngest son was born—reports strengthened by the release of an interview with the actress and the revelation of alleged "hush money" paid to her on the eve of the 2016 election—were relegated to the fourth or fifth story of the day on the news programs that cover politics.

Looking back on these follies and outrages, no conservative can in good faith maintain that Trump hasn't done damage to the presidency, our politics, and conservatism.

Was it worth it? Does the good outweigh the bad?

The question isn't answered by simply measuring the policy achievements of the first year against the president's erratic and immoral behavior. The latter will very likely diminish the former in the long run. With a booming stock market, the president's job approval rating hovers in the high 30s, young people are fleeing the party, and a Democratic wave in the midterm elections becomes likelier every week.

Whether or not the GOP gets demolished in 2018, however, conservatives must not abandon their belief that this nation's political leaders should conduct themselves with moral probity and public decency. It was right to defend that belief in the 1990s, and it's right to do so now.

One of the worst things about the Trump personality cult is that its adherents do not merely demand that he be credited for his achievements—they demand that his defects of character and temperament be denied or defended. This is not a propensity conservatives should adopt, for any reason.

There are patriotic Americans serving in the administration out of a sense of moral duty and civic obligation. There are conservatives in Congress who hold their tongues rather than risk a public fight with the president, and work quietly to advance conservative policies and principles. But if American conservatism is to survive and thrive it won't be because its proponents keep quiet. It will be because the American people do not learn to equate conservatism with the worst excesses of Donald Trump.

—The Editors

PHILIP TERZIAN

Presidential Libraries: A Study in Bloat

I was surprised last week to learn that plans for the Barack Obama Presidential Center in Chicago have run into local opposition.

The proposed library/museum/think-tank design, a sprawling campus in Jackson Park featuring a giant monolith and mammoth parking garage, has been criticized by South Side activists for intruding on the park space and overwhelming the neighborhood. The center is a joint project of the Obama Foundation and the nearby University of Chicago, where Obama once taught. Now, more than a hundred faculty members there have signed a petition complaining that the complex "will soon become an object-lesson in the mistakes of the past," and that among other things, the parking garage is "socially regressive" since it "privileges cars and those who can afford them."

On the one hand, I was surprised by this because Barack Obama is a local hero in Chicago, and if any president enjoys sacred status in the academy, it is he. No fewer than four institutions of higher learning had bid for the privilege of hosting the Obama center. By contrast, in the 1970s, when poor Richard Nixon sought a home for his archives, the faculty at his alma mater (Duke Law School) made it clear that the Nixon papers were *not* welcome there.

On the other hand, I should not have been surprised. Along with the imperial presidency itself, the growth and grandeur of presidential libraries/museums over the decades has been relentless, and not without controversy. Even the archival shrine to the martyred John F. Kennedy ran into NIMBY complaints in Cambridge, Mass., and had to be exiled from its planned location on the Harvard campus to a distant peninsula on Boston Harbor. One-term presidents now generate more papers and objects than a century of their historic predecessors, and in size and volume, many of the structures themselves resemble the Egyptian pyramids.

One-term presidents now generate more papers and objects than a century of their historic predecessors, and many presidential libraries resemble Egyptian pyramids.

Presidential libraries, by the way, are a modern invention. Until the middle of Franklin D. Roosevelt's tenure, papers (both official and unofficial) tended to accompany their presidents into retirement—and in some cases oblivion—or, if the president thought of it, to make their way to the Library of Congress. Theodore Roosevelt, class of 1880, left his papers to Harvard.

In 1939-40, TR's distant cousin FDR designed and built a comparatively modest, two-story library-archives on the grounds of his family's estate in the Hudson Valley, all of which was deeded to the federal government upon his death. The National Park Service operates the Roosevelt house and grounds, and since passage of the 1955 Presidential Libraries Act, the National Archives has administered the library and all its successors. (In the 1950s Herbert Hoover, Roosevelt's only living predecessor, commissioned a similarly low-key establishment at his birthplace in rural Iowa.)

From the standpoint of history, of course, this is as it should be. Official government documents should never have been regarded as private property; library staffs and resources are a blessing to scholars and students; the exhibits, and occasional homes and birthplaces, are magnets to visitors. In a nation routinely accused of ignoring its past, presidential libraries have much to teach us, good and bad.

They are significant for other reasons as well. We're a secular society, and in the absence of saints' relics and places of religious pilgrimage, the presidential libraries, with their personal artifacts, historic documents, and approved mythology, combine good citizenship with cultural needs. They are also uniquely American. With the possible exceptions of Winston Churchill and Benjamin Disraeli, there are no comparable repositories for the private papers and furnishings of the British prime ministers. For that matter, you can stare in wonder at JFK's rocking chair or FDR's cluttered desktop, but in Moscow, the main remnant of Lenin on public display is his corpse.

The libraries are also redolent of their namesakes and times. The design of Roosevelt's library has a kind of genteel amateurism about it; Dwight D. Eisenhower's complex is a testament to heroism and humility. Nixon's library was bogged down for years in legal controversy over

Presidential libraries, left to right, descending: Franklin Roosevelt, Dwight Eisenhower, Lyndon Johnson, Richard Nixon, George W. Bush, and Barack Obama (as proposed)

the status of his White House tapes and so was initially built and administered with private funds. Jimmy Carter, involuntarily retired from the White House at 56, began a new tradition by combining his presidential library with a separate institution (the Carter Center) intended to prolong his public career.

And as Obama is discovering, design and architecture are part of the legacy. The Eisenhower and Truman libraries have an austere neoclassical appearance. Two of the three presidents of the high Brutalist era (Kennedy, Johnson) are enshrined in forbidding bunkers, looming ominously over bare terrain; the Nixon library, by contrast, is considerably more accessible. Recent structures, including the Ford, Reagan, Clinton, and Bush I and II libraries have sought, with varying degrees of success, to integrate themselves into the landscape.

By contrast, the planned Obama Presidential Center is a Brutalist throwback: a 20-acre concrete theme park (and athletic center!) in a low-rise neighborhood, anchored by a tall, misshapen, high-rise cube-tower containing exhibition and meeting spaces. Obama's papers have all been digitized for online access; the original documents will remain in a federal warehouse.

In that sense, Obama's center (as currently constituted) is the culmination of dubious trends in the concept: a monument not to history or scholarship, but to Barack Obama, destined to swamp its surroundings. Perhaps that's what the faculty petition meant by "an object-lesson in mistakes of the past." Community organizers have their work cut out for them. ♦

COMMENT ♦ BARTON SWAIM

A Nurturing Minstrel

On January 16, the *New York Times* ran a lovely piece on music therapy for the elderly. Kaitlyn Kelly, a music therapist at the Hebrew Home at Riverdale in the Bronx, teaches residents, most of whom suffer from dementia, to write and sing their own songs.

Some of Kelly's patients are lost to the ravages of Alzheimer's. They lie in bed quietly, unable to understand much of what happens around them. But sometimes a song or a tune will trigger a memory, and they come to life; they move to the rhythm and even sing long-forgotten words. The son of one resident remembers Kelly singing "Hava Nagila" and his ordinarily unresponsive mother suddenly joining in. "This strength was coming from somewhere, and she was belting 'Hava Nagila.' . . . It just brought me to tears, because I hadn't seen that kind of energy for a while."

How much harm can an unlicensed music therapist do? The fact that someone is playing the guitar to comfort the infirm and lonely is surely a small victory in the cause of alleviating human sorrow.

It's a very sweet and humane newspaper piece, but one point rankled. Music therapy, as the *Times* noted, is "a board certified health profession that has about 7,500 practitioners nationwide." So Kaitlyn Kelly had to have a license. She had to pass courses and pay fees for the privilege of playing music for people suffering from dementia. Which in turn means that there are schools and academic departments established to dispense these credentials. Kelly, according the *Times*, is "enrolled in the graduate program for music therapy at Molloy College." Her "expertise" is one of the field's growing subspecialties: end-of-life music therapy.

Ten states require some level of certification in music therapy. The Certification Board for Music Therapists, located in Downington, Pa., can answer your questions about which states require what. If you wish to join a professional organization and confer with fellow therapists, you can join the American Music Therapy Association, headquartered in Silver Spring, Md. Representatives of these organizations, or lobbyists hired by them, work to persuade state lawmakers to introduce bills requiring licensure to practice music therapy. These bills, when passed, create licensing boards. Boards certify instructors, and eventually those instructors create academic departments and curricula. Thus does music therapy become a field of expertise with all the accouterments: conferences, peer review, subspecialties, tenure.

The trouble with all this isn't that music therapy is a bogus enterprise. Not at all. Many people who practice it have a gift and use it to accomplish much good. It's an ancient art, too. David, we're told in the Book of Samuel, used a kind of music therapy for Saul when the king fell into a dark temper: "And whenever the evil spirit from God was upon Saul, David took the lyre and played it with his hand; so Saul was refreshed, and was well, and the evil spirit departed from him."

It is an art and a gift. What it's not is a clinical or academic discipline. The capacity to coax happy memories and lucidity from an ailing or impaired mind does not lend itself to precise descriptions and training regimens. The practitioner can improve in it, just as the painter or poet can improve by long hours of practice and reading and discussion, but requiring such a nurturing minstrel to undergo expensive formal instruction before attaining a state-issued license is preposterous.

We live in a country in which hair braiders and massage therapists and interior decorators must have a license before practicing their trade. Proponents of licensure justify their coalescing and use of state power on the grounds that the public must be protected from untrained or irresponsible practitioners. We don't want untrained surgeons offering their services to unsuspecting sufferers. A shady dog trainer is one thing; a shady attorney is quite another.

But how much harm can an unlicensed music therapist do? The fact that *someone* is playing the guitar or the flute to exercise the imaginations of the infirm and lonely is surely a small victory in the cause of alleviating human sorrow. No ordinary person would be troubled by the possibility that this Good Samaritan may fail to abide by best practices according to some faraway credentialing board. I suspect it would only trouble those who do the training and credentialing, i.e., those with an interest in keeping the number of practitioners low and the price for their services high.

We read in First Samuel chapter 18 that in one of their lyre-playing sessions, Saul tried to kill David. "Saul had his spear in his hand; and Saul cast the spear, for he thought, 'I will pin David to the wall.' But David evaded him twice." Maybe instead Saul should have reported him to the authorities for practicing without a license. ♦

His Own Worst Enemy

Four lessons from Trump, Year One.

BY MICHAEL WARREN

Where's the love? Trump with GOP Hill leaders Mitch McConnell and Paul Ryan.

The first year of the Trump presidency was like the election that preceded it: unpredictable, norm-shattering, and disorienting. From the "American carnage" in his inaugural address to the kerfuffle over whether he referred to countries in Africa as "s—holes" or "s—houses," Washington and the country learned to expect the unexpected.

But with three-quarters of his term left to go, there are lessons we can take from Year One.

Conservative Victories Must Come Prepackaged. The successful nomination of Neil Gorsuch to the Supreme Court wasn't the Trump administration's only victory in its first year, but it was its most significant conservative policy achievement. There was a perfect confluence of factors: broad agreement throughout the party about the need for a justice in the mold of Antonin Scalia; a highly motivated and organized group of activists, led ably by the Federalist Society's Leonard Leo; and an engaged administration (from White House counsel Don McGahn to Attorney General Jeff Sessions). All that was required from Trump was his approval—which he gave, thanks to assurances by those around him that nominating Gorsuch would be well received by the party faithful.

There's a straightforward path to more wins like it in this presidency: Conservatives must unite on an issue, lay the necessary groundwork, and present the president with a no-lose option. This was true with deregulation, a longtime conservative goal that has chiefly required Trump to sign the executive orders placed in front of him. The same goes for the decision to pull out of the Paris climate agreement.

Consider the administration's biggest policy failure: the inability to repeal and replace Obamacare. At no point was there any consensus within the party about how to repeal the health-care law or what to replace it with. The free-market health-care activists with ideas were largely outgunned by a swath of competing business and lobbying interests. Chaos reigned, and there was never a bill for the president to sign.

To accomplish more in the Trump era, conservatives need to prioritize, unite, and present the president with a win.

Trump Can't Bridge GOP Divisions. Politically, the Republican party is less divided today than it was on Inauguration Day. The Trump-dissenters in Congress—Jeff Flake, Bob Corker, Ben Sasse, Ileana Ros-Lehtinen, Adam Kinzinger, and others—are on the backbench or on their way out of office. The rest of the party has either heartily embraced Trump or begrudgingly accepted him as leader. But the unity around Trump papers over divisions on policy, and the president has been unable to do much about them.

If we look again at the failure on Obamacare, we see an administration hardly engaged with the issue until the first bill failed in the House. When the president did finally get involved, he either undercut the Republican effort (calling the second House bill "mean") or was hamhanded and ineffective (as with the attempts to whip recalcitrant congressional Republicans to vote for the bill).

Trump could not unite the party. And as the first year of his presidency drew to a close, the three top GOP leaders in Washington gave different answers to what would be the legislative priority in 2018. For House speaker Paul Ryan, it is entitlement reform. For Mitch McConnell, the Senate majority leader, issue number one is confirming more judicial nominations. The president has infrastructure spending at the top of his list.

The lack of consensus among the party leadership is just a taste of the disagreements among the rank and file, who can't seem to agree on anything from defense spending to surveillance to immigration, tax policy, and

JABIN BOTSFORD / WASHINGTON POST / GETTY

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trade. Legislative fights in 2017 were about cobbling together a majority amid very thin margins, with neither the congressional leadership nor the White House making it easy for GOP fence-sitters to come their way. Republicans were successful on tax reform because there was a longstanding, broad agreement on the need for cuts.

The lesson here is that while Trump was able to take advantage of the Republican party's divisions to win its nomination, he has neither the interest nor the ability to resolve its ideological differences. Expect them to simmer and, at times, boil over for the rest of his presidency.

There Is No Trump Foreign Policy. When Trump was elected there was reason to expect that his administration would see a revival of hardnosed foreign policy realism. Yet the president has only a few determined views about the world: that the Iran nuclear deal is bad, that North Korea must be confronted with a show of power, and that the North American Free Trade Agreement must be abandoned. Everything else is up for negotiation.

Trump's foreign policy has been incoherent and usually reflected the views of whoever was most influential with the president at any given moment. Advisers have had to race to keep up with the wavering lines. So it was that just six months after winning an election by running against foreign wars Trump approved a retaliatory strike on a Syrian airbase from which that country's dictator, Bashar al-Assad, had launched a chemical attack on his own people. There were some opponents to the strike within the president's inner circle—notably Steve Bannon—but practically everyone on the National Security Council was recommending a response, and Trump assented.

Even with the Iran deal, on which Trump's views are strong, the president has been torn between his instinct to kill the deal and the entreaties of more cautious advisers like Secretary of State Rex Tillerson and Secretary of Defense James Mattis. The decision in July to recertify the deal to Congress was nearly derailed by Trump's vacillation, encouraged by people like Bannon, former U.N. ambassador John Bolton, and Arkansas senator Tom Cotton. For several hours on the day of the congressionally mandated deadline, White House staffers were scrambling. In the end, Trump sided with Tillerson and Mattis. But the seed of decertification had been firmly planted, and at the next deadline 90 days later, Trump decided that the deal was no longer in the country's national security interests.

Even foreign leaders can exert significant personal influence over the president. Despite taking a tough line against China during his campaign, Trump has been enamored of Chinese president Xi Jinping from their first encounter, in April at the Mar-a-Lago resort. Trump called their talks "tremendous" and said "progress" had been made. The flattery continued when Trump visited Beijing in November, with the Chinese literally rolling out the red carpet for the American president. The result of these good feelings between Trump and Xi? The administration declined to list China as an official currency manipulator late last year and has done little to address our trade deficit with the country of more than $350 billion.

What will guide and shape the Trump foreign policy in 2018 and beyond? The question really is: Who's in the room?

Trump Can't Get Out of His Own Way. The special counsel investigation into Russian meddling in the 2016 election has caused Trump more headaches in his first year than just about anything else. It came about thanks to a series of mistakes made by the president himself: his effort to pressure FBI director James Comey to end the investigation of Michael Flynn; his decision to fire Comey over what appeared to be concerns about the director's loyalty; and then his blabbing to NBC News's Lester Holt that he had fired Comey because of "this Russia thing." Six days later, Robert Mueller was appointed special counsel, and the Trump presidency may never recover.

On issues big and small, Trump has been unable to get out of his own way. As Mitch McConnell and White House staffers worked to push a teetering tax bill through the Senate this fall, Trump tweeted disparagingly about Jeff Flake, a frequent critic who nevertheless was a needed vote. In an Oval Office meeting in May with Russian ambassador Sergey Kislyak and Russian foreign minister Sergey Lavrov, Trump inadvertently revealed classified information shared with the United States by an allied country's intelligence service. This was at a time when questions about Trump's possible collusion with Russian actors in the 2016 presidential election were prompting his Justice Department to appoint the special counsel.

When credible allegations emerged that Senate candidate Roy Moore of Alabama had sexually molested an underage girl, most Republicans backed away from their nominee. After several days of hemming and hawing about whether to withdraw his own tepid endorsement (Trump had supported the incumbent, Luther Strange, in the primary), the president instead went with a full-on embrace of Moore in the closing days of the special election—only to have Moore lose anyway.

Trump's self-sabotage has dragged down his approval numbers and damaged the Republican party's image, despite what appears to be a booming economy and a set of modest conservative achievements under the GOP's stewardship. Reining in the worst of his public persona, from the tweets to the vulgar comments behind the scenes, could do the party a lot of good as it heads into the November midterm elections. That's in his best interest, too, because if the GOP loses the House, Trump will almost certainly face a serious attempt at impeachment.

Will the president learn his own lesson from his first 365 days in office and tamp things down? Don't count on it. If there's one lesson the rest of us all learned, it's that Trump is his own worst enemy. ♦

Giving Respect Where It Is Due

What the president doesn't understand about Haiti. BY CAITRIN KEIPER

Miami protest, January 12

By now, we've all sponged up round after round of commentary on President Trump's purported remark that Haiti and various African countries are "s—holes" whose people should not be let into the United States. Some of the rounds have involved attempts to deny or obfuscate the statement. The disclaimer would be easier to believe if this were not exactly the sort of thing he often likes to say.

I have been misunderstood on the subject of Haiti myself. In 2013, I was there with a medical mission group running a mobile clinic in greater Port-au-Prince. Each morning before the doors opened, the patients for the day would have gathered, and we (local medical staff supplemented by American volunteers) would introduce ourselves. On this balmy morning in the fishing village of Luly, in halting French, I thanked them for welcoming me to their beautiful country. This was met with derisive laughter, my words apparently interpreted as sarcasm. I felt terrible that a heartfelt courtesy was taken as an insult and that I lacked the language and other skills to clear it up.

But it was true. The village—which does not even appear on Google Maps—was composed of one tidy tiled street flanked by cottages the color of Easter eggs. The businesses were graced with picturesque names like "Je Crois en Dieu Coiffeur" (I Believe in God Hairdresser) and "Glace au Nom de Jesus" (Ice Cream in the Name of Jesus). The people were dressed to the nines; one featherlight 93-year-old woman reported for her checkup in a pink satin dress and fancy hat. The Alexandre Dumas Kindergarten stood nearby, namesake of the dashing writer of Haitian descent, implicitly promising a life of adventure to the children of an uncharted village. The shore, oddly, was a solid 18 inches deep in giant, perfect conch shells of the sort you'd spend a lifetime of beach vacations looking for (or cheat and pay $10 for at a tourist boutique), a souvenir to "listen to the ocean." Here, they were discarded by the fishermen after harvesting the meat, heaps of natural treasure.

Luly is not far from the former slave market Arcahaie, where the Haitian flag was first raised in 1803. There is a memorial there to the anonymous slave who died defending that flag, trading his life for one moment of freedom for himself and the possibility of it for others. Inspired by the success of the Americans and the professed ideals of their own French rulers, Haitians fought for their independence too. It was the most successful slave rebellion in the history of the world. This distinction is a matter of fierce pride for Haitians, who achieved it bravely and paid for it dearly—Haiti did not enjoy support on the world stage like the United States did, and since then, a long list of externally and internally inflicted wounds have compounded to keep it in a constant state of desperate struggle. Today, these revolutionary neighbors are the poorest and the richest countries in the Western hemisphere, parallel universes separated by a small stretch of ocean.

Although over an hour afield from Port-au-Prince, Luly came to be in the clinic's rotation after reports of people drinking methanol and dying made their way to our lead doctor, Vladimyr Roseau. He went to find out what was going on and, learning that there was no professional health care in the surrounding area, he started swinging by every week or two to offer what help he could. Dr. Roseau (along with his wife and sister-in-law, the clinic's other permanent Haitian physicians) seemed to have a hand in social services everywhere he touched down, involved in schools, orphanages, churches, and all sorts of bright ideas for the future. One of 12 children, all the rest of whom are

Caitrin Keiper, editor of Philanthropy, *went to Haiti on a Novak Journalism Fellowship.*

JOE RAEDLE / GETTY

now doctors or other professionals in the United States and Canada, he alone felt a strong patriotic obligation to stay.

The way he understands his origin story, his mother, overwhelmed by such a large family, had tried to abort him with a potion, but in the middle of a failed attempt had a stern dream warning her not to. Years later, she ran into the woman who sold her the potion, who reported the same dream and from that time onwards had not provided abortions. Vladimyr was raised to believe that he was chosen for a purpose, and every effort was made to ensure that he received an academic and religious education. After the near-miss, he grew up very close with his mother, and at 18, as she lay in a diabetic coma, he begged for her life from the God who was supposed to show him special favor. She died. He wanted to die too. But ultimately he found solace in the church again and connected with some missionaries who sponsored his medical training. Today, he notes, he treats many patients with problems similar to the ones his mother suffered from. Day after long day, he does his best to buck the odds and make life a little better for his countrymen.

In Haiti, the best plans are often laid low by misfortune, such as the devastating 2010 earthquake or the cholera brought in by aid workers in the aftermath. Corruption and crime are rampant. You can't blame people for giving up on fundamental change and seeking opportunity elsewhere, and our country is a better place for the many immigrants from Haiti who have found it here.

But there are also those who remain and give their all for a larger vision, like Dr. Roseau and the man who died for his new flag. Their ambitions deserve more respect than they received from our head of state and should, frankly, inspire anyone who wants to make his country great (again?). It is this kind of courage and devotion to the common good that will produce American greatness. There is no reason that any of us cannot begin today. ♦

Medical workers and police with an overdose victim in Warren, Ohio, July 14, 2017

SPENCER PLATT / GETTY

Opioids in the Suburbs

A mass overdose in Fairfax.

BY CHRISTOPHER CALDWELL

In nine days in early December, eight young people died of overdoses in Fairfax County, Va., the second-richest of the 3,007 counties in the United States. Mass events like these happen frequently and in all sorts of places. A half-dozen people died in the small Rhode Island town of Burrillville in the first weeks of 2015. Twenty-eight people overdosed in a single afternoon in Huntington, West Virginia, in 2016, though all but two survived. We describe them as "mass" overdoses, but of course the life of a heroin addict is a solitary one, and most of those involved die alone in alleys, in cars, in the bedrooms they grew up in. Sixty-four thousand Americans died of overdoses in 2016, and early statistics for 2017 hint at a 21 percent rise. It is perhaps natural that observers link the problems to economic or social hard luck, as Bill Clinton did a couple of years ago, when he described white working-class people as "dying of a broken heart." To look at prosperous Northern Virginia is to see a different sociological picture, in which the drugs are more a cause than an effect.

Americans are beginning to understand what the lobbyists for pharmaceutical companies successfully concealed from them for two decades: Factory-made prescription opioids like Vicodin, Percocet, and Oxycontin are basically the same drug as the heroin that street addicts buy from their dealers and inject into their veins. When unsuspecting people get prescribed oxycodone for a knee injury or a surgery, a certain percentage will become addicted. That percentage is

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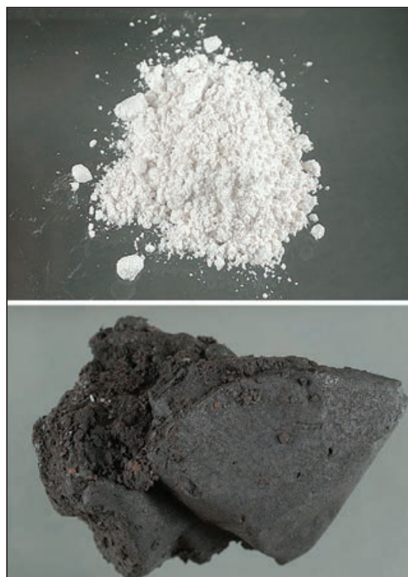
high: The Centers for Disease Control reported last March that 13.5 percent of people prescribed eight days of opioids were still using them a year later. Unwarned, any patient can get hooked. It happened to quarterback Brett Favre and to radio host Rush Limbaugh. And the over-prescription of these pills created a massive recreational market. Everyone "knew" that pills, which respectable people took, could never be as dangerous as heroin, which respectable people did not. People of modest means who became addicted to these pills discovered they were prohibitively expensive on the streets. Heroin was affordable.

It is usually the arrival of a "bad batch" of heroin or, increasingly, of fentanyl that causes a mass poisoning of the sort Fairfax just underwent. About three years ago, the street heroin market began to be shaped by a pharmaceutical revolution. Organized crime groups got access to fentanyl, an opioid that had been used since the early 1960s to treat people with terminal cancer. They began to substitute it for heroin, wholly or in part. It was chemists and pharmacists in China and Mexico who produced most of the stuff. An investigation by Britain's *Guardian* newspaper found that 80 percent of the fentanyl in the New York area came from Mexico's Sinaloa cartel, while most of Philadelphia's was Chinese-made, shipped through Mexico. Between 2014 and 2016 fentanyl seizures sextupled in the United States.

Fentanyl could more easily be substituted for heroin east of the Mississippi than west, because it looks like a slightly paler version of the cream-colored powder that is the form East Coast heroin has traditionally been sold in. In the west, most heroin is not "white powder" but "black tar." To an addict out west, fentanyl doesn't look trustworthy or right. Fentanyl fatalities doubled nationwide between 2015 and 2016, and those deaths were concentrated in Appalachian states (including Ohio and Pennsylvania) and New England.

When we talk about a "bad batch" of drugs, we usually mean one that is too concentrated. The basic problem with fentanyl is that, fresh out of the lab, it is about 50 times stronger than heroin, and there is no standard process for reliably "stepping on" the drug, to use the dealers' term for diluting it. Dealers will cut the drug with almost any white powder: inositol (a synthetic, powdered version of the sugar found in cantaloupes and oranges); creatine (an acid body-builders use to gain muscle mass); ground-up Tylenol; meat tenderizer (although it "tenderizes" human flesh, too, and gives people boils). In Baltimore they sell a kind of heroin called "scramble," which is cut with quinine and various powders and packed into gelcaps.



East Coast (above) and West Coast heroin

By the time it arrives on the streets, heroin is usually 6 to 12 percent pure. At levels higher than that, overdoses happen. It is a distressing thing for better-off addicts that one of the only ways to be absolutely certain of opioid dosage— using the pills manufactured by the pharmaceutical companies— is now less reliable. Dealers have learned to press fentanyl into realistic-looking molds of existing pills, with trademark and all.

What went wrong in Fairfax was likely the mistake of a local distributor, involving fentanyl. Most of the heroin in the county comes from Baltimore or Southeast Washington, D.C. Had the miscutting occurred higher up the chain, there would probably have been similar overdoses throughout those two metropolitan areas, and there were not. Although suburbs of Washington are not saturated with fentanyl, as New England is, they have a lot of it. In October, the Fairfax County police submitted to their labs 36 "exhibits" of real heroin, versus 17 of fentanyl. At the time of this writing, the lab reports were not back for the early December overdoses.

It didn't take long after the early December wave for Fairfax police to understand—by looking at the clinical evidence of the dead and the paraphernalia (needles, powders) left on the scene—that opioids were involved. They soon got another lead. Police in neighboring Loudoun County (the only American county richer than Fairfax) reported three (nonfatal) overdoses of carfentanil. This was striking. Carfentanil is an opioid developed in 1974 by Janssen Pharmaceuticals (now part of Johnson & Johnson) for quieting big animals. Five thousand times as concentrated as heroin, it is often called an "elephant tranquilizer." The Russian military almost certainly used an aerosolized version of it to knock out the Chechen terrorists who took 850 hostages at a musical theater in Moscow in 2002.

One is tempted to ask, in frustration: How big can the market for elephant tranquilizers be? Who is making this stuff? But we are probably not talking about the American commercial elephant-tranquilizer market. We are more likely talking about Chinese labs that have pirated the formula and now export something like carfentanil into the United States. Until 2017, it was not illegal to manufacture in China. In the American northeast, it sometimes arrives over the Canadian border and goes under the name W-18. Where a toxicologist might see concentrated poison, a criminal sees portability. If you are crossing borders with it, the concentration of carfentanil is a tremendous boon. Indeed it would be surprising if carfentanil didn't come to dominate the market.

Heroin is what is known as a "respiratory suppressant." It makes your breathing shallower over time, and if you take too much, you fade away. There are antidotes that sometimes work to jolt people out of this slow suffocation, such as Narcan, a trademark for naloxone, which can be administered by syringe or spray. Many states, including Virginia, have passed laws giving a "standing order" to pharmacies to prescribe Narcan to any comer. Such plans are generally embedded (they are in Virginia) in a "good Samaritan" law, which gives the pharmacist immunity from any civil lawsuits arising from the dispensation and may offer criminal immunity to any fellow user of the overdosing person who calls the police. With heroin, there might be a window of 15 to 45 minutes during which naloxone can be used to rescue a person. With fentanyl this window is dramatically narrower—maybe a matter of a couple minutes.

One of the assumptions that goes into making drug policy is that there is always a business logic underneath the transaction between dealer and pusher. There is, however, a rather frightening truth about the nature of the street market in opioids, and it arises from the nature of the drug. The first couple of times a person uses opioids, he gets an extraordinary high. Unfortunately, that high never comes again. Users develop a tolerance for the drug very quickly, so that feeling anything except relative normality from the drug requires higher and higher doses. In fact, the dosage required to replicate that first high exceeds the fatal dose. Heroin addicts are in the habit of walking up to death's door. That being the case, a death from an overdose reported in the media, far from scaring addicts away from a certain pusher or neighborhood, often *attracts* them. One hears this from addict after addict: "He must have the good stuff." Business booms.

One does not need to believe that a drug pusher is utterly indifferent to his clients' well-being. But one can still be troubled that incentives exist to water the tree of profit with the blood of addicts. ♦

He's Everywhere, He's Everywhere

The cultural impact of Trump.

BY ETHAN EPSTEIN

ERIK MCGREGOR / PACIFIC PRESS / LIGHTROCKET / GETTY

New York police remove a protester wearing a Trump puppet head from outside Trump Tower, December 30.

There is a specter haunting American popular culture: the specter of Donald Trump.

In many cases, the president is quite literally a specter, insofar as an event comes to be defined by his very absence from it. Earlier this month, for example, it was widely noted—more noted, in fact, than anything about the performance itself—that he skipped rapper Kendrick Lamar's halftime show at college football's national championship game. He also blew off last December's Kennedy Center awards, which feted, among others, LL Cool J, Norman Lear, and Lionel Richie. The *New York Times*, in turn, called them "The Trump-Less Kennedy Center Honors." The White House Correspondents' dinner was Trump-less as well, spurring a thousand tweets and anguished essays about what the president's absence from the annual dinner meant for journalism and the presidency. And after the Oscars last February, a piece in the *Atlantic* noted, "Despite being 3,000 miles away, the president loomed larger in the Dolby Theatre than the Academy itself."

It's perhaps fitting that a year into his presidency, a man who for nearly his entire adult life has been a pop culture figure would in turn swallow up American pop culture after his election. And indeed, the number of cultural spaces we can safely label Trump Free Zones is shrinking rapidly.

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Not all of this is new, of course. Politics has always been a persistent theme on late-night television talk shows, which rely on humdrum daily news bits to provide the grist of their comedy. And *Saturday Night Live* has long feasted on mediocre impersonations of political figures; the usually talented Alec Baldwin's notably off-the-mark take on Donald Trump's mannerisms and voice is nothing new.

But Trump—or rather his opponents' distaste for him—is colonizing other, less predictable spaces. A summer Shakespeare in the Park production of *Julius Caesar* had a Trump stand-in in the title role. (Which, bizarrely, was kind of a compliment to the undisciplined, combat-avoiding president.) Heretofore not-particularly-political comedians like Marc Maron have become ideological warriors in their standup routines.

And wherever they possibly can, our cultural gatekeepers have tried to shoehorn in a Trump angle. The *New York Times* called *Hillbilly Elegy* one of six "books to help understand Trump's win," despite author J. D. Vance's not mentioning the then-presidential candidate in the book once. Richard Russo's wonderful new story collection *Trajectory* also does not name-check the 45th president. But the *Washington Post* nonetheless said it showed that "Russo completely understands Trump's blue-collar supporters." Everything is now Trump Lit apparently. Talented novelists like Howard Jacobson have been swallowed up by Trump, too; last year, the usually thoughtful writer slapped together *Pussy*, a not-particularly-clever satire of a (very) thinly-veiled Trump.

The president also dominates Hollywood as well as the critical apparatus that appraises it. With his election having spurred a newfound attention to race and racism, mediocre "message" movies like *Get Out* are routinely hailed as masterpieces. (One wonders how those reviews will read 10 years from now.) Arguably far fewer viewers would care about *The Post*—yet another movie about grizzled journalists seeking the Truth At Any Cost—were Mr. "Fake News" not president, yet in the current climate, the movie is a hit. Kathryn Bigelow's otherwise woke *Detroit*—it deplores police brutality and has a largely black cast—was denounced nonetheless because of the race of its director: It was a "film by white people for white people," one critic charged. This is increasingly what passes for criticism in the Trump era: "White people" are largely held responsible for having elected the president, so they are increasingly dissected under the cultural microscope.

It's perhaps fitting that a year into his presidency, a man who for nearly his entire adult life has been a pop culture figure would in turn swallow up American pop culture after his election. And indeed, the number of cultural spaces we can safely label Trump Free Zones is shrinking rapidly.

It's not just cultural products that are unremittingly Trump-focused. Artists themselves are being held to account for sins of commission and omission. The message is you're either with the Resistance or you're with Trump. Meryl Streep, Stephen Colbert, and Jimmy Kimmel are celebrated for denouncing the president at various award banquets. Meanwhile, Taylor Swift, the country-pop star, is excoriated. She has never expressed a public opinion on Trump one way or the other, though she has publicly supported liberal causes like gay rights for years, and that's the problem. This makes her AWOL: For the mere act of *not* furiously denouncing Trump, the *Guardian* called Swift "an envoy for Trump's values." The implication is that she is not entitled to a private life; her political thoughts, whatever they might be, are essentially public property.

Of course, there have been moments of levity too. Witness Eminem's hapless attempts to bait Donald Trump into insulting him by releasing a rap song bashing the president. "I was and still am extremely angry that Trump hasn't responded on Twitter," the rapper said on satellite radio. "I feel like he's not paying attention to me. I was kind of waiting for him to say something, and for some reason, he didn't say anything."

The biggest development in pop culture over the last year has been the fallout from the #metoo movement. Sexual misconduct, or allegations thereof, has ended or indefinitely suspended the careers of cultural heavyweights like Harvey Weinstein, Kevin Spacey, Charlie Rose, Matt Lauer, Al Franken, Garrison Keillor, Louis C. K., Russell Simmons, and Tavis Smiley. (Dustin Hoffman and George Takei may survive it, but things look touch and go.)

But #metoo's rise is, as well, attributable to Trump's election. The reason for this is two-fold. The movement got its impetus from the exposure of Harvey Weinstein as a serial sexual predator by the *New York Times* and the *New Yorker*. It's unlikely this would have happened, or taken the same form, had Hillary Clinton been elected president, given the longstanding close relations between the Clintons and Weinstein.

And Trump's election has spurred a newfound sensitivity to sexual harassment issues because multiple women have accused the president himself of misconduct. The ousting of Weinstein, Spacey, Rose, et al. is also, by proxy, a rebuke to Trump and the sexual entitlement he appears to represent. It's an interesting irony that the election of an unabashedly non-feminist president has spurred the most consequential feminist movement in years.

If a little escapism is what you're looking for when you turn on your TV, go to a concert, head to the movies—just a couple of politics-free hours—you may be out of luck until sometime after President Oprah Winfrey's second term. ♦

A Cordial Good Night

Milton Rosenberg, 1925-2018.

BY JOSEPH EPSTEIN

Milton Rosenberg is presented with the National Humanities Medal by President George W. Bush, November 17, 2008.

JIM WATSON / AFP / GETTY

Five nights a week, Sunday through Thursday, from 1973 to 2012, Milton Rosenberg elevated AM radio and the cultural tone generally in Chicago. Milt Rosenberg died on January 9 at the age of 92. His two-hour talk show was nothing if not anomalous. A University of Chicago professor, his academic specialty was social psychology, though it seems strange to use the word "specialty" in connection with Milt Rosenberg, who may have been the world's greatest paid dilettante.

Dilettante need not be a pejorative word. In its archaic sense, it meant someone with an amateur interest in many things, and amateur, in its root sense, means a lover. Milt Rosenberg qualified on both grounds. As Terence said "Nothing human is alien to me," Milt might have said that nothing intellectual was without interest to him. He seemed to know a fair amount about everything. During any given week he might have on his show Kareem Abdul-Jabbar, Milton Friedman, a film actor, an astrophysicist, and a Chicago machine politician—and he would keep the conversation humming along nicely with all of them.

The name of the show was *Extension 720*, and it ran on the *Chicago Tribune*'s radio station, WGN. (The call letters WGN stand for World's Greatest Newspaper, the *Trib*'s description of itself, which needs to be taken with a stalactite of salt.) I don't know how commercially successful *Extension 720* was, but it must at least have made its nut to remain on the air all those years. The first hour of the show was given over to interviewing the guest, the second to taking calls from the audience. Each evening it ended with Milt wishing his audience "a cordial good night."

Milt could seem an odd presence on AM radio. He had a cultivated FM classical music station voice and accent. He used academic locutions—"as it weres" and "if you wills"—liberally. He hadn't any hesitation in dropping in a quotation in French ("Wasn't it Baudelaire who said, '*Plus l'homme cultive les arts, moins il bande*'?") or popping a Latin tag (*Bene caca et declina medicos*). Mass audience though his show was, Milt never made the least attempt to dumb things down to set that audience at ease.

A list of Milt's guests over the years would doubtless be the size of a substantial suburban telephone directory. The *Tribune* obituary mentions Henry Kissinger, Carl Sagan, Jimmy Carter, Norman Mailer, Bob Feller, Jane Byrne, and Barack Obama. Julia Child and Charlton Heston, Gloria Steinem and Friedrich Hayek were also on the roster. Authors passing through the Midwest on tour flogging their new books were, as they say in the business, easy "gets." More likely Milt was the "get" for them. I was on his show five times, three times flogging books of my own. Whether being on the show greatly stimulated sales, I have no notion. I never checked my royalties—or peasantries, as I tend to think them—after my appearance on it to find out.

Being on Milt's show was rather like meeting an old friend for coffee. The interviews were like conversations. Being on *Extension 720* was as far as possible from my appearance at 6 A.M. one rainy Cleveland morning flogging a book I had written called *Divorced in America: Marriage in an Age of Possibility*. The host of the show was a man in flowered pants who announced, "We got Joe Epstein here to answer all your questions on divorce," put a recording of "Two Against the World" on the turntable, and off-mike moaned, "Shit, am I hung over." Milt did his homework. He knew his guest's books, his predilections political and personal, and

Joseph Epstein, a contributing editor to THE WEEKLY STANDARD, *is the author, most recently, of* Wind Sprints: Essays.

the right questions to ask. He gave you the feeling that your subject was interesting, serious, of significance and, by extension, so were you.

During the three-minute commercial breaks when I was on the show, Milt and I gossiped about people we both knew and exchanged jokes. After the second time I appeared on his show he invited my wife and me to join him and his wife for dinner at a restaurant called Les Nomades, notable for its good food and ban on table-hopping. Milt's wife, Marjorie, a psychotherapist who later developed an *idée fixe* about homosexuality being purely a matter of personal choice, was attractive and lively. Milt had only one voice, his radio voice, and early in the dinner he turned to my wife and that voice said, "Barbara, tell us, what do you do with your days?" Unable to hold back, I said, "Milt, let's take a commercial break here and get back to Barbara afterwards." He took it well.

The second half of *Extension 720*, the audience-participation part, was never awkward or difficult. Milt's audience was respectful. They tended to address him as "Dr. Rosenberg." They listened to the show in the hope of widening, possibly deepening, their knowledge and culture. Something of the earnestness of adult education lay behind most of the questions. Toward the end of Milt's run, when WGN moved his show, which had always been at 9 o'clock, to 10 P.M., they were still up listening to him at midnight.

Here I have to confess that I did not myself often listen to Milt's show, or at least not to all of it. But then I would only stay up till midnight to listen to Aristotle or Spinoza. Sometimes, getting into what the English call my "sleep costume," I would turn on *Extension 720* to see whom Milt was interviewing. If it were someone I knew, or had a previous interest in, I would stay with it for 15 or 20 minutes.

We went to dinner a second time, and I would occasionally see him at some intellectual function—a lecture, a dinner party—around town. We were never in regular touch, and I wasn't aware that in 2012 WGN retired—for which read unceremoniously bounced—him.

F. Scott Fitzgerald said there were no second acts in American lives. He was wrong, of course, not least about his own second (if posthumous) act in which he went from a man whose books were all out of print to a place as one of the great American writers. But the toughest act, in America and everywhere else, is always the last act. This turned out to be the case with Milt Rosenberg. Without his show on WGN, he seemed lost.

One day in April 2015, I had a call from one of Milt's endless string of bright young producers asking me to appear on a new afternoon show he was doing out of a modest station called WCGO-AM in Evanston, the suburb just outside Chicago where I live. I had sworn off doing interview shows, but for Milt Rosenberg I made an exception. Unlike the capacious WGN studio out of which he broadcast in the neo-Gothic Tribune Tower on Michigan Avenue, the Evanston station was housed in a single-story building, and the interview itself took place in a modest-sized office. Milt, whom I remember previously always dressed in blazer and necktie, was in a baggy sweater. Time, as Marguerite Yourcenar wrote, is a mighty sculptor, and it had done its work on Milt, who seemed thinner, gaunter, his nose and teeth more prominent. Before our interview began he told me that Marjorie had fallen ill and was living in a nursing home in Seattle near their only son and his family.

The interview itself was a typical Milt performance. He began by asking me how many essays I had written over my career, from which he descanted on what mathematics and astronomy had to say on the subjects of finity and infinity, and we were off. During the show he may have spoken more than in the past, but I didn't mind, for much of what he said was of interest to me and I hoped to his listeners, though the number of those listeners, now that his show was broadcast in the late afternoons over a much less powerful station, figured to be many fewer than in his WGN days.

Along with liking Milt, I found myself admiring him. Conversation was what he did; it gave him joy. Along with his WCGO-AM show in Evanston, he was making and marketing podcasts. Clearly, he planned, even in these diminished circumstances, to go down talking. Milt Rosenberg died, in the University of Chicago hospital, owing to complications from pneumonia. None of the obituaries mentioned his last words. I like to think they were, "We'll break briefly here for a commercial and be right back." ♦

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Intersectionality for Dummies

Oppressed for success.

BY STEPHEN MILLER

I'm a former English professor, so I'm familiar with the jargon literary theorists often use—aporia, hermeneutics, deconstruction, and the French *différance*, a favorite word of the impenetrable Jacques Derrida—but in a recent book review I came upon an academic-sounding word that I had never seen before: intersectionality. I soon learned that the gospel of intersectionality is an unhealthy political phenomenon.

Intersectionality, I rightly assumed, has nothing to do with street intersections. According to the *Oxford English Dictionary*, the word was first used in the 1960s to describe a mathematical phenomenon. Two decades later it became a sociological term, referring to "the interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage."

Stephen Miller is the author of Conversation: A History of a Declining Art *(Yale, 2006).*

In *How to Think: A Survival Guide for a World at Odds* (2017), Alan Jacobs offers a definition that is not overloaded with abstract nouns. Intersectionality is "shorthand for an argument that begins with one key insight: that someone who belongs to more than one oppressed or marginalized group—a black lesbian, for instance—experiences such oppression or marginalization in a particularly intensified way thanks to the 'intersection' of those social forces." The word is a rallying cry, Jacobs says, for people who belong to "various marginalized groups," urging them to make common cause.

The *OED* offers three sentences with intersectionality, including one from a short story by the novelist Zadie Smith. "Now, almost adult, he . . . saw the matter from a fresh perspective, which he hoped would impress Mr. Lin with its age-appropriate intersectionality." How can "intersectionality" be modified by "age-appropriate"? Is Smith being satirical?

In search of enlightenment, I read her short story, a dystopian fable set in a Hobbesian future. When I finished the story, I still was not clear what age-appropriate intersectionality meant.

Intersectional, a literary critic says, "is a popular adjective in contemporary political discourse, especially feminist theory." Intersectionality, she adds, is a theme in all of Zadie Smith's work. "*Swing Time*, her fifth novel, is the finest rendering yet of Smith's intersectional vision." I remembered reading Smith's novel *On Beauty*, which I enjoyed, but I didn't notice her "intersectional vision."

How might one use intersectionality in a sentence? Alan Jacobs imagines like-minded people chatting in a restaurant and one saying: "Come on, people, *intersectionality*." Would anyone really say that? I suppose the person uttering that sentence means that intersectionality explains a variety of negative phenomena. Joseph Epstein once wrote (I think) that at many academic conferences someone would say, "Come on, people, it's capitalism. Let's go to lunch."

A seven-syllable word like intersectionality will never become popular, but the word is a symptom of two disturbing aspects of contemporary discourse. First, an increasing number of Americans like to talk about how they've been oppressed or not given a fair shake by the government. Second, people who claim that they've been oppressed reject even the mildest criticism from people whom they deem the non-oppressed. The oppressed person says (in effect) to the non-oppressed: "You have no idea what I've endured, so you have no right to comment on what I've said."

Intersectionality is thus not only an enemy of conversation, it also fans the flames of political polarization. Too many people today shout at each other, "We've suffered as much as you have. Or more." How is governance possible when the country is increasingly divided into groups telling the government, "We demand redress!"

Those who preach the gospel of intersectionality should give it a rest, but I doubt that they will. ♦

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As Goes Trump, So Goes the GOP

Historically, when voters are unhappy with a president, they take it out on his party during the midterm elections

By David Byler

Donald Trump is historically unpopular. At the end of 2017, the three major polling aggregators—the *Huffington Post* Pollster, *Real Clear Politics*, and *FiveThirtyEight*—put his approval rating at 40.4, 40, and 37.9 percent respectively. According to *FiveThirtyEight*'s historical averages, this is the worst rating that any president has had at a comparable point since Gallup started asking the question in the late 1930s.

Trump had difficulties his entire first year. On almost every day since his inauguration, the president has had a lower approval rating than his predecessors. The notable exceptions are Gerald Ford and Bill Clinton. Ford's numbers roughly matched Trump's for a significant stretch of his first year and Clinton's numbers briefly dipped below Trump levels in 1993. But those exceptions shouldn't be comforting to the president. Ford wasn't a picture of popularity—his numbers cratered after he pardoned Nixon—and Clinton's overreach in his early policy initiatives is part of what led to the Republican wave of 1994.

It is pretty clear that voters didn't like Trump in 2017.

Part of the problem was policy; most of the president's major legislative pushes have been unpopular.

Republicans attempted to repeal and replace Obamacare multiple times last year, and they faced considerable pushback from the public. The American Health Care Act, which passed the House of Representatives in May, had the support of just 28.2 percent of respondents in an average of polls taken from March through May. (Polls were compiled by Chris Warshaw, a professor at George Washington University.) According to Warshaw's averages, the House bill was less popular than Obama's original 2009 Affordable Care Act and polled worse than Bill Clinton's health-care plan, which ultimately failed in 1993. The Senate's Better Care Reconciliation Act of 2017 also polled poorly—a June NPR poll found that only 17 percent of adults approved of it. And in September, a CBS poll showed that most Americans disapproved of Graham-Cassidy (another proposed Obamacare replacement), with only 20 percent approving.

In December, Trump signed the Tax Cuts and Jobs Act of 2017, a major reform bill, into law. But it hasn't polled well either. A December NBC survey showed that only 24 percent of Americans believed the tax plan was a good idea, and 41 percent believed it was a bad one. An average of November polls showed that only 32 percent of the public approved of the plan. It's possible that these tax cuts could become more popular over time (a mid-January *New York Times* poll showed a bump in public support for the law), but the early trends were against it.

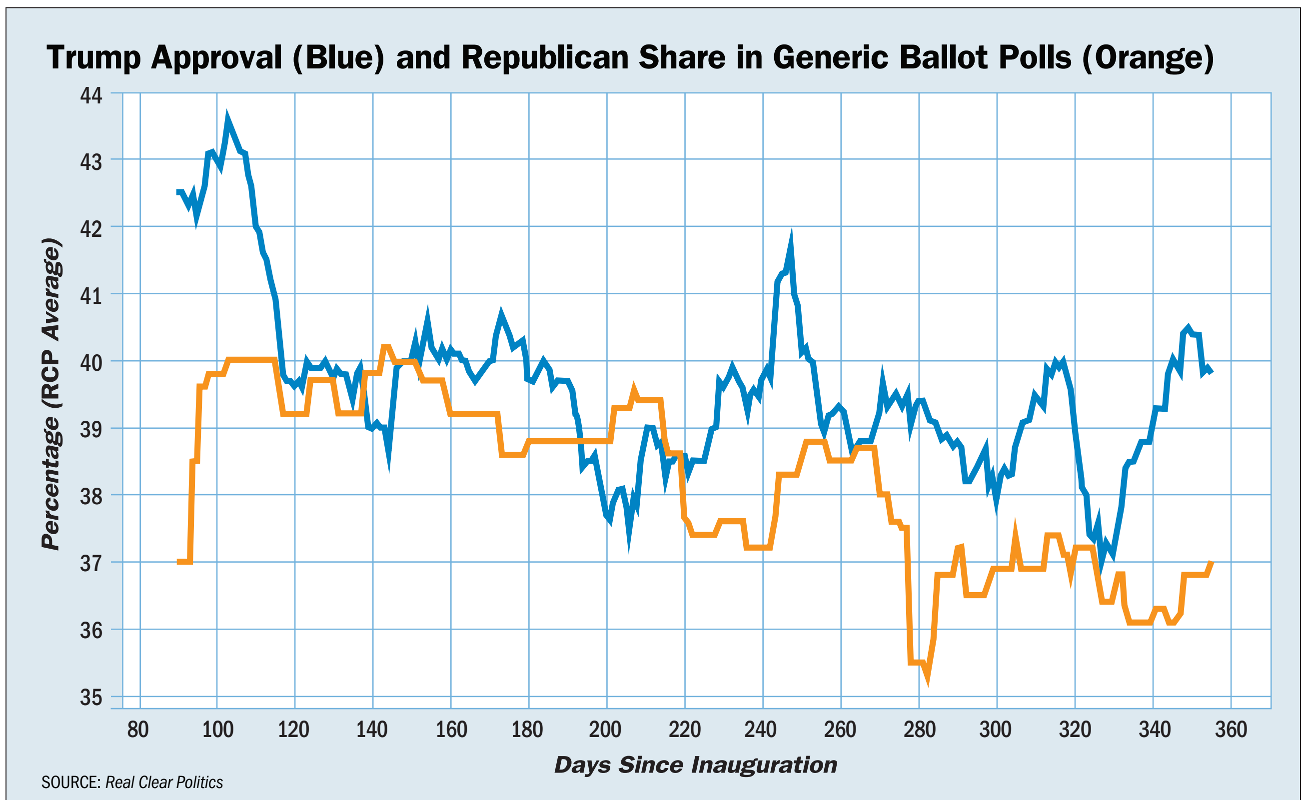
Put simply, the president's main public-policy initiatives haven't been very popular—which helps explain why Trump's overall approval rating is as low as it is.

Another part of the problem is Trump himself. In a January 2018 Quinnipiac poll, 34 percent of respondents said the president was honest, 39 percent said he had good leadership skills, 38 percent said he cares about average Americans, 28 percent said he was level-headed, and 32 percent said he shares their values. Large segments of the American public think the chief executive has issues with competence and empathy.

Not all the numbers are bad for Trump. His approval rating on the economy consistently outpaces his overall approval rating, and in the same Quinnipiac survey, 66 percent of Americans said the economy was in good or excellent shape. And Trump scores better on strength (59 percent said he's a strong person) and intelligence (53 percent say he's intelligent) than on other characteristics.

In other words, voters are happy with the economy and see Trump as smart and strong, but they don't see him as compassionate or a good leader and strongly dislike some of his policies. All this adds up to a low approval rating—and that's a big problem for the Republican party.

David Byler is a staff writer at The Weekly Standard.



THE PRICE OF PRESIDENTIAL UNPOPULARITY

Historically, when voters are unhappy with a president, they take it out on his party during the midterm elections.

The graphic at above shows how closely congressional Republicans are linked to Trump. His average approval rating, according to *Real Clear Politics*, is shown in blue, and the Republican party's percentage of the vote in House generic ballot polls (polls that ask which party voters are going to cast their ballot for in the midterm House elections) is shown in orange.

Trump's approval rating and the Republican share of the generic congressional vote typically aren't far off each other. This suggests that voters who disapprove of Trump are unwilling or at least hesitant to support the congressional GOP.

And the problem for Republicans isn't just in polls; they had trouble in elections throughout 2017.

Since Trump took office, Republicans have had uncomfortably close calls in a number of special elections. In South Carolina's 5th congressional district (which Trump carried by 18.5 points in 2016), Republican Ralph Norman beat the Democratic candidate by 3 points. In Montana's at-large congressional district (a state Trump won by 20 points), Republican Greg Gianforte won by 6 points. GOP candidate Ron Estes won the special election in Kansas's 4th district by single digits. Trump won this district by 27 points in 2016.

It's possible to explain away individual races. Norman's Democratic opponent, Archie Parnell, was a strong candidate. Gianforte made headlines by assaulting a reporter for the *Guardian*. Estes may have been hurt by his association with unpopular Kansas governor Sam Brownback. But it's hard to explain away the sum of the evidence. In special elections since Trump won the presidency, Democrats have outperformed their 2016 margin by 11 points on average.

In both the Alabama special Senate election and Virginia's gubernatorial race, Democrats made gains in well-to-do suburban areas. In 2016, Trump won critically important states in part by trading college-educated voters for non-college-educated white voters. The results in Alabama and Virginia suggest that some of these traditionally Republican voters are angry enough with Trump to turn out strongly for Democrats. Turnout, though, was down in rural areas with numerous non-college-educated white voters in 2017—the voters Trump had compensated with in the presidential election. Even in the smaller contests (e.g., Kansas's 4th District, Montana's at-large special election), the leftward shift in the overall results suggests that Republicans have a problem with both turnout and voter share.

Every election result has more than one cause, but Trump is the source of many of the problems. The voters that Trump alienated in 2016 turned out heavily to register their dissatisfaction with him in 2017. And it's not

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a stretch to think that some Republicans who don't like Trump or don't feel inspired to vote for him will stay home or cast their ballots for a Democrat.

WILL THE MIDTERMS LOOK ANY DIFFERENT?

The sum of the evidence suggests that Democrats will have a significant advantage in the 2018 midterms.

GOP candidates have been underperforming Trump's 2016 margins in House special elections, and Republicans in key districts have been retiring. Ed Royce of California's 39th District, Ileana Ros-Lehtinen of Florida's 27th District, and Dave Reichert of Washington's 8th District all managed to win reelection in 2016 despite Clinton beating Trump in their districts. All are retiring in 2018. There have been some key Democratic retirements as well (e.g., Tim Walz of Minnesota's 1st District is running for governor instead of reelection). But overall the data suggest that the Democratic base is energized, the Republican base (which is now less dependent on college-educated whites) might not turn out, and some independent or traditionally Republican voters may be willing to vote for a Democrat to register their frustration with Trump.

That's not to say that Republicans have no chance of holding the House. The map strongly favors the GOP (numerous Democratic voters are packed into a few congressional districts, while Republican are more efficiently spread out), and Republicans could theoretically lose the House popular vote by several points without losing control of the chamber.

But Democrats do have significantly better than 50-50 odds of taking the House in November. In 2010, House Republicans had a 9.4 point lead heading into Election Day; they won the popular vote by 7 points and netted 63 seats, becoming the majority. In 2006, Democrats won the House popular vote by 8 points (slightly underperforming their 11.5 point lead), took 31 seats, and gained control. And while Democrats led in polls at this point in the 1994 cycle, Republicans retook the House by winning the popular vote by 7.1 points and netting 54 seats. Democrats currently hold a 10.5 percentage point lead in the generic House ballot, and these polls typically move away from the president's party as the midterms approach. It's hard to know exactly what margin Democrats need to retake the House, and political patterns aren't laws of nature—conditions can improve for Republicans before November. But it's hard to look at the present Democratic advantage and conclude that Democrats have a less than even chance of retaking the lower chamber.

It's tougher to tell who will win the Senate. Democrats have the wind at their back, but Republicans have an extremely good map. To take back the Senate, Democrats basically have to pitch a perfect game. They need to defend multiple seats in very red states—West Virginia, North Dakota, Montana, Indiana, and Missouri.

There are some signs that West Virginia's Joe Manchin, North Dakota's Heidi Heitkamp, and Montana's Jon Tester are safe—they all registered greater than 50 percent approval in deeply red states in late October, according to Morning Consult. They have also shown themselves to be formidable campaigners in the past. Indiana's Joe Donnelly doesn't fare as well as Manchin, Heitkamp, or Tester in approval polls, but in his 2012 race, he showed some signs of political skill. He managed to keep a difficult race close until his opponent, Richard Mourdock, made controversial comments about abortion (specifically that pregnancy due to rape was something "God intended"), and he outpaced Obama in parts of the state that would vote heavily for Trump in the 2016 Republican primary.

Missouri's Claire McCaskill is the weakest Democratic incumbent. Her favorability numbers don't suggest that she's built a strong personal brand like Manchin or Heitkamp. McCaskill's two Senate campaigns haven't, moreover, been very impressive. Last November, I used regression analysis to examine whether she performed better or worse than a generic candidate after controlling for incumbency, the state's partisan leanings, and the fact that she faced a problematic candidate (Todd Akin and his famous remarks about "legitimate rape") in 2012. There is little evidence that she did better than a generic Democrat would have.

Even if Democrats manage to hold all those seats, they still need to take two to gain a majority. The likeliest targets are Arizona and Nevada, and Republicans face different difficulties in these states. Nevada senator Dean Heller is walking a tightrope. He has to stay close enough to Trump's wing of the party to fend off primary challenger Danny Tarkanian (who has yet to show any ability to win a general election, having lost races for the U.S. Senate, the U.S. House of Representatives (twice), the Nevada state senate, and Nevada secretary of state), yet maintain enough distance from the president to build his own brand in a state that voted for Hillary Clinton.

In Arizona, Republicans are engaged in a divisive primary with Kelli Ward (an alt-right favorite who ran hard against John McCain in 2016) and Joe Arpaio (recently pardoned by President Trump for criminal contempt of court related to a racial-profiling case when he was sheriff of Maricopa County) vying for the support of the Trump wing of the party, and Representative Martha McSally attempting to win the more establishment-friendly vote. Whoever makes it out of the primary will likely face a tough race against Democratic representative

Kyrsten Sinema, but a Ward or Arpaio nomination would make the race much more difficult for the GOP to win.

There's not a lot of polling in either of these races yet, but they're both winnable for Democrats—Larry J. Sabato's Crystal Ball rates the races as toss-ups.

THE GUBERNATORIAL MAP

There are 36 gubernatorial races in 2018, from deep-red Texas to bright-blue Hawaii. It's harder to gauge what'll happen in these races. Governors don't work on national issues in the same way that congressmen do, and voters take that into account. How a state votes in a presidential election strongly influences which party is favored in Senate contests, but presidential-level partisanship has significantly less predictive power in gubernatorial elections. That's part of the reason Vermont, Maryland, and Massachusetts have Republican governors, and Montana and Louisiana have Democratic ones.

That being said, we should expect some Democratic gains. The president's party has lost governorships in almost 80 percent of the midterm elections since World War II. Republican incumbents, moreover, are term-limited in key states like Maine, New Mexico, Ohio, Michigan, Nevada, and Florida.

But blue gains might not all be in the usual places. In 2014, for example, Republican Charlie Baker won the governorship of Massachusetts by running a socially liberal, fiscally conservative campaign, and Larry Hogan won a surprising upset in Maryland. Yet Republican governor Tom Corbett was unable to hold his seat in a race against Democratic businessman Tom Wolf in Pennsylvania, a quadrennial swing state. Given the 2018 map, it's not hard to imagine Democrats making gains in heavily Hispanic New Mexico or light-blue Nevada but losing deeply Democratic Connecticut, where sitting governor Dannel Malloy is highly unpopular.

It's worth watching gubernatorial elections on a race-by-race basis. Democrats will likely make gains, but there are competitive races outside the typical swing states. And incumbent Democrats who win reelection in 2018 are likely to try to run for president (e.g., Pennsylvania's Wolf and Andrew Cuomo of New York).

So in the end what we know is that voters are unhappy with President Trump—both personally and on policy. Democrats are highly motivated to register their opposition to the president, and Republicans had turnout issues in 2017. Conditions can change, but as of now Democrats look like they're going to make significant gains in the midterm elections and chart a path to 2020. ♦

Rebuild Now: Infrastructure's Time Has Come

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

With tax reform finally signed into law, it's time for Washington to tackle the next big item on America's to-do list: the large-scale modernization of our infrastructure.

The American business community is a major stakeholder in this debate. Businesses of all sizes rely on infrastructure to ship products, transport workers, power stores and offices, communicate with the world, and so much more. But America's infrastructure has fallen behind today—and it's holding our economy back.

The U.S. Chamber of Commerce convened leaders last week from government, businesses, and leading industry associations to kick off the conversation on infrastructure modernization. As part of that event, we laid out four key ideas to guide the debate.

First, to pay for badly needed upgrades to our roads, bridges, and transit systems, we support a modest increase in the federal fuel user fee of 5 cents a year over the next 5 years. This fuel tax hasn't been raised in 25 years, and revenues needed to maintain surface transportation have dwindled due to inflation and rising fuel efficiency. Americans are willing to contribute a little more if it means better, safer roads.

Second, to upgrade our airports, seaports, waterways, rail systems, utilities, and other core infrastructure, we need a multifaceted approach that leverages public and private resources. Federal infrastructure investment doesn't need to be a massive expenditure that is paid for all at once and up front. There are a number of innovative financing strategies that would allow us to begin building today, while paying for projects over the long term.

Third, we must reform the permitting process. Currently, it can take longer to get government approval for a project than it takes to construct it. Congress should merge certain review processes and streamline others to ensure that it never takes more than two years to complete a federal permit.

Finally, rebuilding America's infrastructure will require skilled workers ready to take on new projects. Yet 78% of construction firms report that they are having a hard time finding qualified workers. To address this, Congress and the administration must expand apprenticeships and workforce programs and protect the skilled workers that come from programs like DACA and TPS.

These are important aspects of infrastructure modernization, and the Chamber will be working closely with leaders in government from both parties as they negotiate the details. If Congress and the administration can come together to tackle infrastructure modernization, it will boost economic growth and pave the way toward our nation's future.

Learn more at uschamber.com/abovethefold.

Trumping the Administrative State

For deregulators, it was a very good year

By Adam J. White

During the 2016 presidential election, the *New York Times* alleged that the Trump campaign had offered to make John Kasich "the most powerful vice president in history," through a novel division of duties: The vice president "would be in charge of domestic and foreign policy." The president, meanwhile, would be in charge of "making America great again."

The story might be apocryphal, but a year and a half later it resembles the Trump administration's approach to reforming or rolling back the modern administrative state. While President Trump's statements and tweets have dominated headlines, his agencies have taken important first steps toward significantly changing the ways that federal agencies govern American life, a process that began months ago with the president's executive orders and continues under the watchful eye of the White House's Office of Information and Regulatory Affairs (OIRA) and which was amplified in significant ways by Congress's broad use of the long-dormant Congressional Review Act.

This strong start is a signal achievement. But still greater challenges lie ahead. If, in the words of *Time*, *Politico*, and the *Washington Post*, the Trump administration has declared "war" on the regulatory state, then year two will be the time for the administration to show that it planned not just for the invasion but also for the long-term occupation.

CUTTING RED TAPE—LITERALLY

Ribbon-cutting ceremonies traditionally mark the beginning of construction. But in December, the White House held a ribbon-cutting ceremony to mark a deconstruction. A few days before Christmas, President Trump stood in the White House's Roosevelt Room, surrounded by administration officials and reams of paper. A few small piles represented the federal government's regulations in 1960; other humongous piles represented regulations today. Affixed to the stacks was a long piece of red tape; President Trump, with his scissors, wasn't trying to be subtle.

"We're here today for one single reason," he said: "to cut the red tape of regulation." Citing the administration's new policies on energy, the environment, and infrastructure, the president criticized the regulatory state that he inherited: "an ever-growing maze of regulations, rules, [and] restrictions" that "has cost our country trillions and trillions of dollars, millions of jobs, countless American factories, and devastated many industries."

"But," he added, "all that has changed the day I took the oath of office, and it's changed rapidly. You've seen what's happened. We've begun the most far-reaching regulatory reform in American history."

Reporters, perhaps immune to grandiose presidential pronouncements, seemed underwhelmed by the announcement; they asked him about Marco Rubio and about Omarosa. But the president's characteristically grandiose rhetoric was rooted in reality, as evidenced by the report released that same day by OIRA, the White House's regulatory oversight office.

OIRA reported that in 2017 federal agencies "withdrew or delayed 1,579 planned regulatory actions." Specifically, 635 regulatory initiatives previously announced by agencies had been withdrawn from the "Unified Agenda," a semiannual White House report of the government's pending regulatory activities; another 700 initiatives were downgraded to "Long Term" priority; and still another 244 regulatory initiatives were downgraded to "inactive" status. And OIRA expects the deregulatory trend to continue. "Agencies plan to finalize three deregulatory actions for every new regulatory action" this fiscal year, it noted.

Not everyone was impressed. Days earlier, *Bloomberg BusinessWeek* mocked the Trump administration for taking credit "for killing hundreds of regulations that were already dead," because "hundreds of the pending

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regulations had been effectively shelved before Trump took office." Citing a July White House report that 469 regulatory actions had been withdrawn, *BusinessWeek* argued that "42 percent of them were as good as dead already," either because the Obama administration had had "no immediate plans to impose them" or because "there had been no activity on them in years." And "another 15 had been halted under Obama before Trump took office."

Some of *BusinessWeek*'s specific criticisms had merit. (If only journalists took such a skeptical view *every* time federal regulators claimed to be helping the American people.) But the criticisms were overstated. To say that an agency's regulatory proposals had been "effectively shelved" or were "as good as dead" is to admit that they had not actually been shelved or that they weren't in fact dead. A regulatory proposal, no matter how long dormant, can be revived and raced through the regulatory process. Formally removing proposed actions from the books is an important step toward clearing the administrative state's underbrush, an important assurance to the public.

And the administration plans to do more. The December report was accompanied by a letter from Neomi Rao, administrator of OIRA, an office long nicknamed the "regulatory czar." She characterized the administration's regulatory-reform agenda in fundamental, constitutional terms:

> This Fall 2017 Regulatory Plan reflects a fundamental shift. The Trump Administration recognizes that excessive and unnecessary federal regulations limit individual freedom and suppress the innovation and entrepreneurship that make America great. Starting with confidence in private markets and individual choices, this Administration is reassessing existing regulatory burdens. . . . Our regulatory philosophy and approach emphasize the connection between limited government intervention and individual liberty. Regulatory policy should serve the American people by staying within legal limits and administering the law with respect for due process and fair notice.

The White House already can claim some concrete victories. As it detailed in a list of regulatory actions completed in the administration's first year, agencies completed 67 "deregulatory actions" and issued only 3 new major rules: an Energy Department rule for walk-in coolers, an FDA notice for skilled nursing facilities, and the EPA's new regulation of dental offices' discharge of mercury into public water systems. The White House claimed that its deregulatory actions saved the public a net $8.1 billion.

Importantly, the White House wasn't alone in this deregulatory work. In 2017 Congress made unprecedented use of the Congressional Review Act to nullify regulations that agencies had finalized in the Obama administration's last months. The CRA empowers Congress to strike down regulations or guidance documents promulgated by agencies on a legislative fast-track immune to filibusters.

The president dramatizes the growth of the regulatory state at a White House event on December 14.

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Because the law requires the president's signature to complete Congress's rollback of a regulation, the CRA long was seen to be useful only during the opening days of a new presidency, when a new Republican president could sign Congress's resolutions striking down his Democratic predecessor's regulations. (Or, theoretically, vice versa.) Thus, while the CRA was enacted in 1996, it had been used successfully only once in its first 20 years, by President George W. Bush in 2001.

This year, by contrast, Congress passed 15 joint resolutions to nullify federal regulations under the CRA—ranging from the FCC's broadband Internet privacy rules to the Labor Department's controversial "fiduciary rule" governing financial advisers—and President Trump signed them all. The president and Congress even managed to nullify a regulation promulgated this year by an agency ostensibly within Trump's own administration: the Consumer Financial Protection Bureau, an independent agency led for much of the year by President Obama's

appointee, Richard Cordray. And under the terms of the Congressional Review Act, the agencies are permanently prohibited from reissuing those regulations in substantially similar form without new authorization by Congress.

All told, it was a very, very good start.

THE END OF THE BEGINNING

But before anyone declares "Mission Accomplished," it is important to keep in mind that the administration's work is only beginning. As President Trump noted in his December remarks, the administration has "*begun* the most far-reaching regulatory reform in American history." But being just the first year of a new administration, only so much can actually be finished. The Brookings Institution, which tracks deregulatory actions by the agencies, identifies just 15 regulations previously in effect that have actually been repealed. (Although, as *BusinessWeek* reported, Brookings "acknowledges the list is not complete.") The vast bulk of agency efforts to repeal existing regulations remains a work in progress.

As noted in these pages early last year ("The Power of the Presidential Pen," March 13, 2017), this process began with a series of significant executive orders intended to kickstart the deregulatory process. The president issued orders directing agencies to reconsider and reform specific regulations (such as the EPA's "Clean Power Plan," a set of radical energy regulations aimed at reducing greenhouse gas emissions) or directing agencies to reorient themselves toward new policy priorities (such as the "Core Principles for Regulating the United States Financial System"). The president also signed significant orders affecting federal agencies across the board—most importantly Executive Order 13771, "Reducing Regulation and Controlling Regulatory Costs," which ordered every agency to repeal two regulations for each new one it would issue and which imposed a "regulatory budget," capping the costs agencies can impose on the public.

Federal agencies energetically took up this agenda. The EPA proposed to repeal the Clean Power Plan and replace it with a set of more reasonable regulations. The FCC has repealed the prior administration's program for regulating broadband Internet services. Those are just two examples of many. As analysts at George Washington University's Regulatory Studies Center highlighted in an excellent year-end report, OIRA's "Fall 2017 Agenda includes hundreds of deregulatory activities, including 83 planned deregulatory activities from the Department of Transportation (DOT) and 54 from the Department of Health and Human Services."

But hundreds of deregulatory activities will eventually be met with hundreds of lawsuits. And because the regulatory process tends to take a year or two before an action can be finalized, 2018 will mark the beginning of a steady wave of agency decisions that will immediately be appealed to federal courts. While many of these lawsuits will be mundane, others—especially those challenging the FCC's net-neutrality repeal, HHS health-care reforms, or just about anything issued by the EPA—will not. High-profile lawsuits can be expected, which often will be filed strategically before courts staffed disproportionately by sympathetic judges in Washington, D.C., or on the West Coast. This litigation may come to resemble the lawsuits challenging President Trump's immigration and refugee orders: Judges will scrutinize agency actions much more aggressively than before. The traditional deference by judges to regulatory agencies' decisions is unlikely to prevail, and courts will undoubtedly invoke statements by the president or by his appointees that they see as undermining the credibility that agencies usually are afforded. (This will be quite a turnabout after Democrats less than a year ago criticized President Trump's appointee to the Supreme Court, Neil Gorsuch, for having questioned the amount of "deference" that courts give agencies.)

In all of this, we can expect the latest iteration of a familiar cycle: Many of those who once denounced judicial reversal of Democratic agency rules as "politicized judicial activism" can be expected to celebrate judicial reversal of Republican agencies as "the triumph of expertise over politics." This makes President Trump's public statements, and those of his agency heads, all the more important. The administration's critics can be expected to challenge the agencies' work in court; the president and his agency heads should not make their work easier by undermining the agencies' own credibility.

If President Trump wants to succeed in actually cutting red tape and reforming the administrative state, it will not happen through tweets but through an executive order reforming and modernizing White House oversight of the regulatory agencies. He already accomplished much of this through his 2017 orders, but the legal and regulatory community continues to await an executive order updating the OIRA framework. Such orders are a staple of each new administration. In his first year in office, President Clinton issued an order that largely retained the modern OIRA framework established by President Reagan, with a few significant recalibrations. After President Bush succeeded Clinton, he waited barely more than a year to order reforms of his own; President Obama revoked those changes almost immediately upon his own inauguration. President Trump has not yet issued a similar order, which could conceivably extend OIRA's oversight to the so-called "independent agencies," such as the SEC and FCC, which the White House has long exempted from OIRA's core mission of reviewing agencies' estimates of regulatory costs and benefits.

Of course, Congress could itself legislate reforms to the legal framework governing the agencies, through the proposed Regulatory Accountability Act; a version of this bill already has been approved by the House of Representatives, and a bipartisan coalition of senators has introduced a similar version of it. But after the legislative breakdowns of 2017, it is not hard to imagine that Congress's deregulatory work in 2018 will be limited to nullifying more regulations and guidance documents with the Congressional Review Act. Under the act's plain terms, regulations and guidance documents not submitted to Congress for a CRA vote when an agency first promulgated them can still be submitted years after the fact, belatedly giving Congress its statutory opportunity to repeal those regulations or guidance documents and block the agencies from reissuing them.

Further use of the CRA would be no small feat, but if 2018 passes without major legislation reforming and modernizing the basic laws governing agencies—especially the Administrative Procedure Act of 1946, as described here last year ("Regulatory Rollback," September 11, 2017)—then Republicans controlling the White House and both houses of Congress will have squandered a rare opportunity to fundamentally reform our administrative state, an opportunity Republicans may not enjoy again for a long time.

If 2018 passes without major legislation reforming and modernizing the basic laws governing agencies, Republicans will have squandered a rare opportunity to fundamentally reform our administrative state, an opportunity they may not enjoy again for a long time.

It would be disappointing and ironic: Congress's inaction is itself one of the main causes of our modern administrative state. By failing to legislate on the issues of greatest national interest, Congress creates a policy vacuum that agencies fill unilaterally with regulations. Lawmakers further compound this problem by failing to reform the antiquated appropriations process that no longer ties Congress's oversight of agencies to its constitutional "power of the purse."

REFORM FROM THE BOTTOM UP

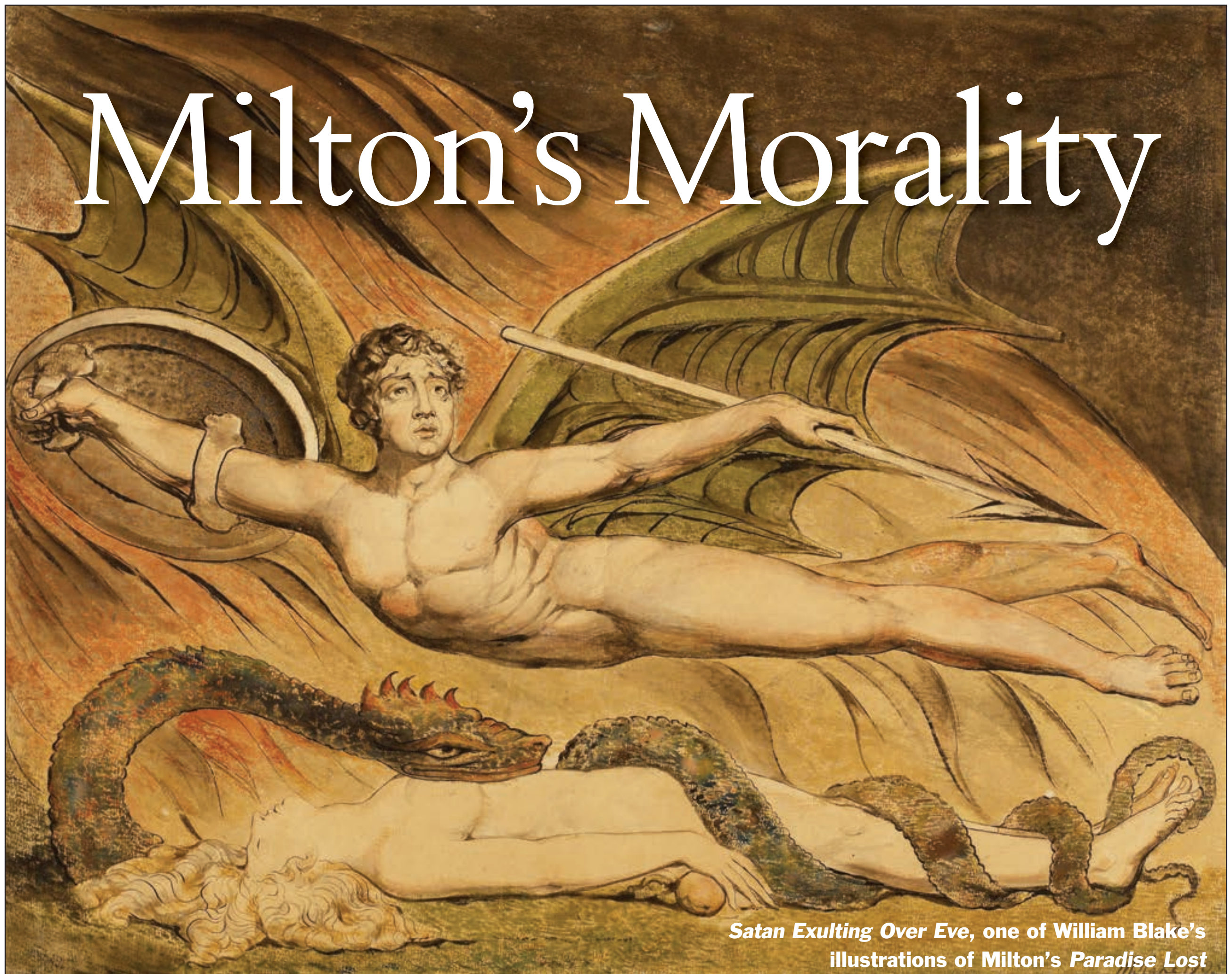
But even in the absence of reforms legislated by Congress or ordered by the president, there is still something that individual agencies can do to improve the regulatory process: They can unilaterally adopt reforms to promote transparency and accountability within their own houses. Perhaps the best example of this so far are the efforts at the Justice Department and Education Department to scale back their reliance on "guidance" documents, a broad category of agency pronouncements that regulate the public but that do not undergo even the minimal procedures for public accountability otherwise required of new regulations. If these two departments succeed in reforming their own practices, they could come to be seen by the public (and by judges and legislators) as the regulatory equivalent of "best practices," raising the bar for what we expect of other agencies.

While such changes might seem minor, their impact could long outlive the agencies' more prominent substantive work. The next Democratic administration could undo much of the Trump administration's deregulatory effort every bit as quickly as the Trump administration undid the Obama administration's regulatory actions. But if Trump agencies succeed in improving their own transparency and procedural rigor, and if those agencies trumpet those reforms loudly, their Democratic successors may find it difficult to credibly undo those reforms—just as the Clinton administration largely accepted the dramatic OIRA reforms established and entrenched by Presidents Ronald Reagan and George H.W. Bush.

That is a lesson of an important new essay in *National Affairs* by political scientist Andrew Rudalevige. Tracing the history of OIRA's regulatory-review framework back to its forerunners in the Nixon, Ford, and Carter administrations, Rudalevige shows that the structural reforms usually ascribed to Reagan succeeded not simply because Reagan ordered them but because the Reagan administration committed itself to building upon practices that had taken root in earlier Republican and Democratic administrations. Such fundamental reforms, Rudalevige notes, required more than just a couple of executive orders telling agencies to change: "Lasting reform comes only from institutionalization, which requires the long-term investment of organizational resources, ranging from staff expertise to political capital." And, he adds, "whether those resources will be provided depends on how much good government a president really wants to buy."

Years from now, we may find that some of the Trump administration's most important regulatory reforms in 2018 were the ones that attracted the least attention. Executive orders and regulatory repeals announced to great fanfare are very important; even more important are reforms changing the culture of modern regulatory agencies, achieved through sustained effort within those agencies, to little fanfare and no ribbon-cutting. ♦

Milton's Morality



Satan Exulting Over Eve, one of William Blake's illustrations of Milton's *Paradise Lost*

Fallen man and the fallen stature of Paradise Lost.

BY MICAH MATTIX

In 2016, during the 400th anniversary of William Shakespeare's death, the Bard was feted by dozens of books, hundreds of magazine and newspaper articles, performances of his plays, lectures, and a Shakespeare Day gala attended by Prince Charles himself. The London Tube map replaced the names of its stops with titles of Shakespeare's plays. Google, of course, did a doodle.

In 2017, it was all Jane Austen—the 200th anniversary of the novelist's death. Like Shakespeare the year before, she was everywhere, not least in the pages of the *New York Times*, which ran some 20 articles on her, musing about everything from what she might tell us about Brexit to why the alt-right loves her so much. The *Atlantic* stated unambiguously that "Jane Austen Is Everything," and it sure did feel that way. Her face now graces the U.K.'s new £10 note.

Milton and the Making of *Paradise Lost*
by William Poole
Harvard, 368 pp., $29.95

The Essential *Paradise Lost*
by John Carey
Faber & Faber, 235 pp., $22.95

Pity poor John Milton. Last year also marked the 350th anniversary of the publication of *Paradise Lost*, the greatest epic poem in English and one of the greatest works of Western literature, and hardly a word was said about either the man or the work: just three books—William Poole's *Milton and the Making of Paradise Lost*, John Carey's *The Essential Paradise Lost*, and a collection of essays on the poet in translation—and a BBC Radio 4 documentary.

This rather paltry celebration of a great work and writer is all the more surprising considering the poem has been growing in global popularity. The editors of the recent essay collection *Milton in Translation* note that *Paradise Lost* has been translated more

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frequently in the last 30 years than it was in the preceding 300, mostly into non-Western languages. The book "demonstrates that around the world people are taking real interest in Milton," Islam Issa, one of the volume's editors, told the *Guardian*. But in Milton's home country? Not so much.

How did a poem that was lauded even by Milton's enemies as not only above "all moderne attempts in verse, but equall to any of ye Ancient Poets," as Sir John Hobart put it in 1668, and that was translated in its entirety into Latin in 1690 and used in English-speaking classrooms to teach rhetoric instead of classical texts lose so much ground to both Shakespeare and Austen, particularly in Western countries?

One reason is that *Paradise Lost* is, well, a poem, and poems are not only more difficult to read than either prose fiction or plays, they are harder to put on a screen, the reigning medium of our day. There have been dozens of television and film adaptations of both Shakespeare and Austen, but very few of *Paradise Lost*. (A TV version produced by the British actor Martin Freeman is reportedly in the works, but if it ever gets made, don't expect anything close to the original. "*Paradise Lost* is like a biblical *Game of Thrones*," another of the producers has said.)

The other reason is that *Paradise Lost* is an unabashedly religious work. Early readers, Poole reminds us, shared Milton's belief "in the truth of his subject"—that is, of God, angels, and demons. Like many readers in the 17th and 18th centuries, John Wesley read the poem devotionally. He even published a religious commentary on it in 1763. Today, however, "the vast majority of readers, both those who defend and those who attack Milton's project," Poole writes, look at the work as merely a "technical masterpiece. … This is our view today, and Milton would not like it."

Milton began the poem sometime after 1652—the year he went completely blind and lost his first wife—and perhaps as late as 1658. He finished it in 1665 at the latest. While Milton's nephew, Edward, claimed that Milton dictated the more than 11,500 lines of verse in nearly perfect form in groups of 10 to 30 at a time, Jonathan Richardson argued in another early account of the poet's life that he would dictate 40 lines while still in bed in the morning and later cut them by half.

Gustave Doré's depiction of battling angels in Paradise Lost

CULTURE CLUB / GETTY

However *Paradise Lost* was composed, it is a stunning piece of artistry whose scope and complexity have yet to be matched by a single work in English.

Milton's lines can be both digressive and tight, packed with allusions and neologisms. An exceptional student of Latin and a gifted linguist, Milton coined more English words than Shakespeare, many of them first appearing in *Paradise Lost* (like "terrific," "jubilant," "space" to refer to outer space, as well as "pandemonium"). John Carey writes in his introduction to *The Essential Paradise Lost* that Milton's long sentences, running over several lines of verse, often establish surprising points of comparison. Recounting his first moments of consciousness, for example, Adam notes how both his "heart" and creation "smil'd … with joy":

> By quick instinctive motion up I sprung
> As thitherward endevoring, and upright
> Stood on my feet; about me round I saw
> Hill, Dale, and shadie Woods, and sunnie Plaines,
> And liquid Lapse of murmuring Streams; by these,
> Creatures that livd, and movd, and walk'd, or flew,
> Birds on the branches warbling; all things smil'd,
> With fragrance and with joy my heart oreflow'd.

Carey argues that it is "impossible to say whether all things smiled with fragrance and joy, or whether Adam's heart overflowed with fragrance and joy. … What the subtle merging of meaning shows is that Adam is at one with nature. He does not … distinguish between what is happening in nature and what is happening in his own heart." Over 1,000 lines later, Adam feels a "falt'ring measure" within himself. He goes to find Eve and sees her returning from the Tree of Knowledge with "A bough of fairest fruit that downy smiled" in her hand. The pulling of the branch from the tree evidently ruptured Adam's heart even before he tastes its fruit.

Key words are also repeated but change in meaning as the narrative progresses. Carey remarks, for example, that when "lapse" is first used it refers to the innocent movement of streams. After the fall, however, it "comes to signify original sin, and the loss of man's freedom that goes with it":

> "Maze," "error," "serpent" and "wandering" are other words that fall. When, at the creation, God separates land and water, the rivers, "with serpent error wandering" are innocent, so are the brooks in Paradise that run "With mazy error under pendant shades." But once sin has entered the world these words are overtaken by evil. The devils in hell debate philosophy, "in wandering mazes lost."

We see this use of doubling in the structure of the poem, as well. The first 10 books of the poem, as David Quint has observed, mirror each other in meaningful ways. Beginning *in medias res*, shortly after God has cast Satan out of heaven, the poem follows the Devil's "rise" as chief enemy of God in the first three books, culminating in his provocative offers to "save" his fellow demons,

as well as his daughter, Sin, and his son, Death, by bringing destruction to God's creation. This "rise" is mirrored in Adam and Eve's fall in books 8 to 10. Book 4 offers Eve's account of creation; book 7 offers Adam's. The middle books—5 and 6—recount the war in heaven. Thus, we have a sort of circle, moving from Satan's expulsion from heaven in book 1 to Adam and Eve's removal from Eden in book 11, with the war in heaven at the core. It seems fitting, too, that the final two books of the poem—11 and 12—address the future judgment and redemption.

The point of all this mirroring is to show how closely evil resembles good. Poole writes in *Milton and the Making of Paradise Lost* that Milton "regards evil as disarmingly close in appearance to the good," and it is only by careful moral reasoning that the two can be separated. Shortly after Milton returned from Italy in 1639, where he met Galileo and spent several months participating in various Florentine literary salons, he wrote in his commonplace book, "In moral evil much good may be mixed, and that with singular craft."

Notwithstanding Milton's famous promise in the opening section of the poem to "assert eternal providence / And justify the ways of God to men," it is Satan's poem from beginning to end. He is the first character to speak, and he is eloquent, bold, full of feeling for others. His first words are ones of consolation for his fellow fallen angel Beelzebub: "O how fall'n! how changed / From him who in the happy realms of light / Clothed with transcendent brightness didst outshine / Myriads, though bright!" He follows this with a word of encouragement: "All is not lost: th'unconquerable will / And study of revenge, immortal hate / And courage never to submit or yield— / And what is else not to be overcome?" He promises the other demons that he will never yield to God's tyranny and tells Sin, with whom he had relations after she burst from his head Athena-like, that he will set her and her son free from "this dark and dismal house of pain" and, like a loving husband and father (at least until the mask slips), provide a home where "ye shall be fed and filled / Immeasurably: all things shall be your prey!"

The poet Percy Bysshe Shelley praised Milton's Satan as "a moral being ... far superior to his God ... who perseveres in some purpose which he has conceived to be excellent in spite of adversity and torture." The problem is that Satan's "excellent" purpose is the destruction of "harmless innocence" for personal and political ends. This makes him, Carey writes, "English literature's first terrorist."

John Milton (1608-1674)

In short, Satan says all the rightly compassionate things only to the "right" people, who are, of course, *his* people, and only when his own interests are at stake. He is unflappable only in front of a crowd, courageous only when it is personally advantageous. He acts like a good leader, father, and husband—and even argues with *nearly* perfect reasoning that he is more morally upright than God himself—all while serving only himself. He is a god of *unchecked* liberty, and, therefore, in Milton's view, a god of chaos and destruction.

What is particularly chilling about the character of Satan is the extent to which he believes all his actions, no matter how violent, are not only justified but morally right. As C.S. Lewis put it, "we see in Satan ... the horrible co-existence of a subtle and incessant intellectual activity with an incapacity to understand anything," particularly his own selfish motivations. Satan wants the freedom to do as he pleases, but it is a freedom that always comes at the expense of others' liberty.

Milton, of course, was something of an individualist himself. He wrote in defense of the freedom of the press and divorce and was one of the few supporters of the abolition of the monarchy in favor of executing Charles I. He served as secretary for foreign tongues to the council of state in Cromwell's Protectorate. It's strange, then, that Satan often sounds like a republican. In book 1, he speaks out against monarchical tyranny and he democratically offers his fellow demons a chance to travel to Eden to destroy God's creation.

But like everything else that Satan does, the offer is a façade. Unsurprisingly, no one volunteers after Satan's bleak description of the "perilous attempt." and he quickly chooses to do it himself, thus showing himself of "highest worth" and solidifying his authority over his peers. In book 12, after the archangel Michael tells Adam about the Tower of Babel, Adam laments that his progeny, following Satan's example, will desire to raise themselves above their peers and assume "Authority usurped from God not giv'n." Michael responds that political tyranny is the direct result of men neglecting to rule their own liberty with reason and using that liberty instead to pursue "upstart passions":

> Reason in man obscured or not obeyed
> Immediately inordinate desires
> And upstart passions catch the government
> From reason and to servitude reduce
> Man till then free.

Today we prefer a simpler moral reasoning. We are taught to trust our feelings and to believe that bad people are obviously bad and good people are obviously good. Avoiding evil is merely the result of *staying informed* not *discernment*, of "raising awareness" on social media or with a Friday-night protest.

Paradise Lost shows otherwise. ♦

B&A

War by Other Memes

Falsehoods and feedback loops as social media change armed conflict. BY JAMES KIRCHICK

War in 140 Characters
How Social Media Is Reshaping Conflict in the Twenty-First Century
by David Patrikarakos
Basic, 301 pp., $30

By any traditional standard, Israel won its 50-day war against Hamas in 2014. It incurred far fewer casualties than its Palestinian adversary. It rooted out much of the Gaza Strip's terrorist infrastructure, including tunnels the militant group had burrowed to transport fighters into Israel. And it put an end to incessant rocket attacks on Israeli towns. So punishing was Israel's military campaign, dubbed "Operation Protective Edge," that Gazans were made to understand their continued support of Hamas would only bring more death and destruction.

Alas, according to David Patrikarakos, author of the fascinating *War in 140 Characters*, the traditional metrics of determining winners and losers no longer apply to armed conflict. War has entered a postmodern phase in which victories and losses on the "discursive level" matter more than casualty figures or captured territory. For instance, usually the side that suffers more dead civilians would not be declared a conflict's winner. Paradoxically, however, higher numbers of dead Palestinians *help* Hamas, which knew it would never be able to win a war of attrition against the conventionally stronger Israel but simultaneously knew that a higher Palestinian death toll would be "intolerable to a global audience" and thus isolate Israel on the international stage.

Of course, the Israeli military is one of the world's most humane, putting the lives of its own soldiers at great risk in order to minimize the civilian casualties of its adversary. And of course, Hamas puts rockets on hospital rooftops as part of a cynically deliberate strategy to invite said casualties. But such elementary moral distinctions count for little against photographs of dead babies or plaintive tweets from a 16-year-old Palestinian girl with a winsome Twitter account, one of several "*Homo digitalis*" Patrikarakos profiles. Israel, he writes, seeks to "fight sentiment with logic, which is an almost impossible task" in a world of ever-shorter attention spans and where the news cycle is largely steered by what's trending on Twitter. And so, despite Israel's having international law and basic morality on its side, the court of global opinion weighed heavily against the Jewish state.

A Palestinian protester records a clash with Israeli soldiers in 2015.

KHALIL HAMRA / AP

The major reason for this fundamental shift in the nature of war, Patrikarakos argues, is technology, namely, social media. War has been an integral part of the human experience ever since man developed opposable thumbs (if not before) and only the most naïve would aver that we'll ever rid ourselves of it. What fascinates Patrikarakos, a widely traveled foreign correspondent, is how social media are changing the nature of armed conflict. His theses are bold. "Power has shifted from hierarchies or institutions to individual citizens and networks of citizens," he writes. Furthermore, "the narrative dimensions of war are arguably becoming more important than its physical dimensions," as could be seen with international reaction to Operation Protective Edge. Finally, war itself is shifting from the "conventional" interstate conflicts of yore (America vs. Germany, Britain vs. Argentina, Pakistan vs. India, America vs. Iraq) to engagements in which the combatants often include non-state actors (like Hamas and the aspirationally named Islamic State) "or exist somewhere in the nebulous region between the boundaries of war and peace," such as the conflict in Ukraine, wherein the aggressor (Russia) denies even being a participant.

Driving all these phenomena, argues Patrikarakos, are the radically democratizing effects of social media, whereby online content has "seeped into the offline world and [is] reinventing reality for those it target[s]." He illustrates his argument by showcasing the good, the bad, and the ugly of social media warriors, from a young Ukrainian professional using Facebook to raise funds for poorly equipped soldiers on the front line to the Russian troll paid to write falsehoods on the Internet to the French-Senegalese woman lured by Internet propaganda to abandon her bourgeois lifestyle for the pious compulsions of ISIS.

A worrying conclusion to be drawn from this book, which Patrikarakos does not explicitly make, is that democratic states are woefully behind their authoritarian and terrorist adversaries in harnessing the power of social media. Anna Sandalova, a Ukrainian ex-PR executive who took it upon herself to outfit entire units of soldiers

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James Kirchick, a visiting fellow at the Brookings Institution, is author of The End of Europe: Dictators, Demagogues, and the Coming Dark Age.

by raising money on Facebook, did so because a corrupt Ukrainian state had sucked its military dry and left the country dangerously unprepared. Meanwhile, Ukraine's aggressor Russia invested early and heavily in the manipulation of social media, employing armies of bots and trolls to pollute the Internet and rewrite algorithms to its liking. (The full effect of these efforts, which did not stop with the end of the 2016 American presidential campaign, is currently under investigation by numerous U.S. government bodies.) Patrikarakos wonders at the pornographic effects such exploitation of social media by the likes of Russia, Hamas, and Islamic State has, leaving followers demanding more and more extreme actions on the ground.

While illiberal states and organizations have proven adept at using social media, it's primarily individuals who are best at fighting the good fight in the West. Patrikarakos profiles Eliot Higgins, an English computer-game nerd and autodidact who has emerged as one of the Putin regime's primary antagonists by methodically and convincingly proving its responsibility for the firing of a missile that shot down a civilian jetliner over Ukraine and for war crimes in Syria. At the State Department, it was a career foreign service officer, Alberto Fernandez, who devised the most innovative and effective ideas for combating ISIS propaganda, like a parody tourism video, "Welcome to ISIS Land," that featured gruesome footage of Islamic State atrocities. Eventually, however, as Patrikarakos shows, Fernandez became frustrated with bureaucratic inertia and a president who referred to ISIS as a "JV team"; he retired in frustration.

Though the content of his missives is often appalling, Donald Trump was clearly onto something when he discovered the medium of Twitter. Partly by using this simple tool, a reality-TV star became the most powerful man in the world. Now, statesmen, terrorists, newspapers, foreign ministries, and ordinary citizens around the globe hang on his every tweet. This is our new reality, and *War in 140 Characters* is an excellent guide to it. ♦

How Democracies Panic

We aren't verging on autocracy, we've just forgotten how to worry. BY YUVAL LEVIN

CHAVEZ: JUAN BARRETO / AFP / GETTY; TRUMP: BRENDAN SMIALOWSKI / AFP / GETTY

How Democracies Die
by Steven Levitsky and Daniel Ziblatt
Crown, 312 pp., $26

We are living in an era of political panic. Some of President Donald Trump's most enthusiastic supporters in 2016 were motivated to overlook his shortcomings by desperate fear that our system of government was near death and only the most extreme measures could save it. A poll conducted by PRRI and the *Atlantic* immediately after the election found that more than 60 percent of Trump's voters believed the 2016 election was "the last chance to stop America's decline." As one pro-Trump essayist famously put it, things had gotten so bad that it was time either to "charge the cockpit or you die."

Since the election, similar fears of impending doom for our republic have overwhelmed some critics of Trump. They say that Trump is an autocrat in the making, intent on crushing dissent, repressing the free press, quashing congressional oversight, delegitimizing the courts, and ultimately killing our democracy. Even when they are not put so starkly, implicit fears of such looming autocracy color much of the resistance to Trump.

And the president has surely stoked these worries. He fired the director of the FBI while the agency was investigating his own campaign. He seems to view the other branches of government as wayward employees more than coequal partners. He often chafes against the restraints on policymaking. He routinely derides key institutions in

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ways that cannot help but undermine their legitimacy. He said the political press is "the enemy of the American people." He has expressed admiration for foreign strongmen.

If these assorted measures and statements cohered around some consistent ethic of action, they might well add up to a powerful case for concern about an overthrow of our Constitution. But since they are a few among the vast and jumbled swarm of presidential words and actions, concerns that Trump is aiming at despotism have tended to be rather loose and vague—more a mood than an indictment. Is there more to them than yet another 21st-century expression of a nebulous, apocalyptic dread?

In their new book, *How Democracies Die*, Harvard's Steven Levitsky and Daniel Ziblatt do us the enormous favor of not only carefully cataloguing these concerns but also considering them in the context of historical examples of democracies undone into autocracies around the world. The result is powerfully clarifying. But what it clarifies is that fears that Trump will be an autocrat are overblown and are the wrong kinds of concerns to have about his disconcerting presidency.

Levitsky and Ziblatt are both noted political scientists and experts in how states fail. Levitsky's work has focused on Latin America, and Ziblatt has studied modern Europe. This allows them to offer a depth of expertise in how strongmen come to power that enriches and enlivens this ably written book. Each of its first few chapters begins with a dramatic story of democracy in collapse—Chile in the 1970s, Italy in the 1920s and '30s, the Hugo Chávez nightmare, Hitler's rise to power, Erdogan's descent into despotism, and more. Each story is told with flair and an attentiveness to key particulars, and each is carefully folded into a persuasive typology of democratic decline.

But then, in the book's later chapters, the authors turn their attention to American politics, and their careful work comes undone. The very strength of the book's opening section, its clarity about the nature of autocracy, renders ridiculous the attempt to cast contemporary American political developments in the same light.

Levitsky and Ziblatt contend, for instance, in opening the book's eighth chapter, that "Donald Trump's first year in office followed a familiar script. Like Alberto Fujimori, Hugo Chávez, and Recep Tayyip Erdogan, America's new president began his tenure by launching blistering attacks on his opponents." Any reader who did not arrive fully pre-sold on the proposition that Trump is an autocrat must respond to this comparison with rolling eyes.

At first glance this tendency to facile analogy might be deemed a symptom of the sort of Trump derangement that (in positive or negative forms) has come to afflict pretty much all of us who follow politics in America. But Levitsky and Ziblatt advance a case with roots in a different—if no less familiar—excess. In their assessment of American politics, they turn out to be fairly standard Democratic partisans, with the various fixations and blind spots customarily associated with that breed.

Their story of how our politics began its trek toward autocracy follows the partisan narrative laid out in recent years by a number of liberal journalists and academics. It begins, ominously, in the early 1980s when a young Republican congressman named Newt Gingrich decided to overthrow the previously polite and bipartisan culture of Washington in favor of an entirely new kind of cutthroat, take-no-hostages politics.

Levitsky and Ziblatt quote, as a statement of fact, former Democratic congressman Barney Frank's assertion that Gingrich "transformed American politics from one in which people presume the good will of their opponents, even as they disagreed, into one in which people treated the people with whom they disagreed as bad and immoral."

Their insistence that under Gingrich's speakership and afterward, "the GOP adopted a 'no compromise' approach" essentially ignores all the major legislation of the mid- and late-1990s. Their assertion that George W. Bush willfully spurned bipartisan cooperation ignores most of the legislation passed in Bush's first term. They simply blame the Republican Congress for the intense partisanship of the Obama years.

The problem is certainly not just Trump, then, but a long process of corrosion of cooperative norms, for which they argue Republicans are fundamentally to blame. This portion of their argument turns out to be yet another liberal lament for America's midcentury elite consensus. They describe a process of declining faith in elite institutions but assign no fault to the country's elites except maybe for the failures of Republican elites to stand in solidarity with Democratic ones on key issues.

When Levitsky and Ziblatt do cite a role for the Democrats in this gradual corrosion of democracy, it is generally with large caveats. Some of the Obama administration's polarizing moves, like the anti-constitutional seizing of immigration policy from Congress, are justified as necessary given Republican intransigence. Others, like needlessly compelling Catholic nuns to pay for contraception, are simply never mentioned.

And more important, Levitsky and Ziblatt essentially ignore core conservative complaints about the ways in which the left has undermined our constitutional norms and institutions. The progressive celebration of executive unilateralism, of the administrative state, and of a politicized judicial branch are left unmentioned. But even though they do not amount to autocracy, of course, these long-term trends are surely threats to American democracy and of at least the magnitude of President Trump's tweets.

And yet to say so, Levitsky and Ziblatt suggest, would itself amount to an attack on our institutions. Without a hint of irony, they note that one of the ways the Tea Party movement undermined political norms was that it lodged the accusation "that President Obama posed a threat to our democracy." Later they say, regarding Republican critiques

of Obama, that "such extremism encourages politicians to abandon forbearance. If Barack Obama is 'a threat to the rule of law,' as Senator Ted Cruz claimed, then it made sense to block his judicial appointments by any means necessary." Presumably this means that if you write an entire book arguing that Donald Trump threatens to bring the death of democracy, you are similarly justifying resistance to his administration by any means necessary.

But ultimately, Levitsky and Ziblatt do stop short of quite that accusation against Trump. Their book does not deliver on its promise to demonstrate that Trump is a burgeoning autocrat, as they recognize toward the end. Their search for hard evidence turns up short.

"Perhaps the most antidemocratic initiative yet undertaken by the Trump administration," they write in their final chapter, "is the creation of the Presidential Advisory Commission on Election Integrity"—a body Trump disbanded since their book was finalized. And there is not much more in terms of real proof of harm. "Overall, then," they acknowledge, "President Trump repeatedly scraped up against the guardrails, like a reckless driver, but he did not break through them. Despite clear causes for concern, little actual backsliding occurred in 2017. We did not cross the line into authoritarianism."

This seems quite right, and it is a valuable point to stress while raising other major concerns about Trump. But it would have been stronger if not for the 200 pages of *reductio ad Hitlerum* that precede it. And recognizing they have pulled the rug out from under their readers, Levitsky and Ziblatt recoil even from their own reticence to indict the president. "Comparing Trump's first year in office to those of other would-be authoritarians," they note in closing, "the picture is mixed."

This is a cop-out and a missed opportunity. The fact is there is an enormous amount to worry about regarding Trump's presidency, and a book by two such thoughtful political scientists might have helped to highlight some of those worries—about the crucial importance of character in leadership, the threat to the presidency from personal financial corruption, the danger of sowing division in an already fractured society, the risks to norms of administration and respect for institutions, the lack of basic competence and capacity, the implications of gross ineptitude, the cost of erratic leadership, the consequences of abject ignorance, and much more. But by opting for panic over worry, and so for the most extreme of possible complaints against Trump, Levitsky and Ziblatt have made it harder to take seriously what is genuinely worrisome about him.

They call our attention to assorted warning signs of brewing despotism in foreign autocracies, then stretch hard to draw analogies to Trump's assorted misdeeds. But at the core of each of their stories of democracy undone abroad is a focused, ambitious, ruthless leader intent on seizing control. There is no such person at the core of the Trump presidency. The causes for worry before us are different. The president certainly lacks a moral compass, is blinded by mind-boggling narcissism, has a weak spot for despots, and is unfit for his job. But he is almost comically unfocused and pathetic. Does it make sense to call such an obviously weak leader a strongman?

The effects of Trump's presidency on our system of government could well open a path toward the degradation of democracy in time, but that becomes harder, not easier, to see when we insist on comparing Trump to Mussolini. Maybe at some point Trump and his administration will actually move in an autocratic direction, but the best way to weaken the response of our political culture if that happens is to say it is already happening when it isn't.

This inclination to *panic* rather than *worry* is by no means limited to the Trump resistance movement. It is pervasive in our polarized politics now. We seem unable to rouse ourselves to take problems seriously unless we can persuade ourselves that they present immediate and utterly cataclysmic dangers.

We cannot be concerned about the gradual effects of industrialization on the climate unless we convince ourselves that innocents will soon be drowning in the streets of the world's coastal cities. We cannot worry about the implications of the federal budget deficit for future prosperity without insisting that we are at the very precipice of a Greek-style debt crisis that will make shirtless beggars of our children. And we apparently cannot worry that Donald Trump is unfit for his office in ways that over time could degrade our constitutional system unless that means he is about to destroy our democracy and trample our freedoms under steel-toed boots.

This inability to worry properly without panicking makes it much harder for our politics to take the future seriously, to consider tradeoffs, and to see the case for less-than-radical policy action. It therefore causes us to leave unaddressed the very problems we find so distressing—as the unreasonableness of the jeremiads that dominate our politics leaves the public skeptical of more modest concerns as well and makes plausible solutions look inadequate. Ironically, we end up not worrying enough, and our political and cultural elites in particular remain awfully smug amid their panic.

This rush to apocalyptic fears is largely a function of the passionate polarization of our politics. It is a way of sustaining partisan intensity and justifying the outrageous levels of mutual animosity required to keep all arguments—on cable news, on social media, and on the campaign trail—always at a fever pitch. All of us fall into it sometimes.

Such blinding polarization is itself another long-term challenge to our democracy—not something that will kill us tomorrow, but something we ought to worry about and work to mitigate where we can. Signs of its potential to distort our politics are everywhere. Unfortunately, Levitsky and Ziblatt's book is one of them. ♦

B&A

A Needless Quarrel

How an injustice from 1858 became unnecessarily divisive in 2018. BY MATTHEW J. FRANCK

Moritz Daniel Oppenheim, The Kidnapping of Edgardo Mortara *(1862)*

It's not every day that a quarrel breaks out among friends over something that happened in 1858. But so it was in the second week of January when *First Things* published online a review from its February issue of the memoirs of Edgardo Mortara, a man born into a Jewish family in Bologna in 1851 who died as a Catholic priest, Fr. Pio Maria Edgardo Mortara, in 1940. The memoirs, written in Spanish and dating from 1888, were never published until translated into Italian about a decade ago and have just been published in English.

What makes them a document of peculiar interest is that Mortara, having been baptized by a Catholic servant of his parents when he was gravely ill as an infant, was forcibly removed from his family at the age of six, made the ward of Pope Pius IX himself (then the temporal ruler of the Papal States including Bologna), and given a Catholic education. His memoirs, written some 30 years after his separation from his family, are suffused with love and gratitude for Pius, whose name he had taken as a priest.

For his part, the *First Things* reviewer, Fr. Romanus Cessario, shares the memoirist's view, vigorously defending Pius's actions in the case—and that is what caused a quarrel to break out this month. Twitter lit up with outrage, denunciation, and counterblast. On Cessario's side, or at least willing to defend his view as respectable, was a small band of vocal Catholic ultratraditionalists. Opposing his view was a diverse array of Jews, Protestants, secular "nones," and a great many Catholics who share the view that the pope did a grave injury to the rights of young Edgardo and his family in 1858.

By the end of the week, *Public Discourse* (the online journal of the Witherspoon Institute, where I work) had published a fierce rebuttal of Cessario's position by Catholic legal scholar Robert T. Miller, which ended by calling on the editor of *First Things*, R.R. Reno, to "disavow" the review and "to reaffirm the journal's historical commitment to the freedom of religion as understood in liberal states." Within a day—though with no indication that he was responding to Miller in particular—Reno had posted an essay on the magazine's website in which he called Pius's behavior in the Mortara case "ill-considered" and "wildly imprudent," a "grievous act" that was "a stain on the Catholic Church."

Some have said that Reno's decision to publish the Cessario review was itself ill-considered and imprudent. In his web essay, Reno defends having published Cessario's piece, but he clearly separates himself and his magazine's editorial voice from it, even averring that the author "makes suspect moves" in his argument.

So is that that? Time will tell. But in an age when the Catholic church is hardly in a position anywhere to repeat this episode, we should pause to consider why tempers flared anew over the Mortara case, making it again a cause célèbre as it had been in 1858-59.

One reason is that *First Things* has been the locus of a great deal of fruitful Jewish-Christian dialogue since the magazine was started by the then-Lutheran pastor (and later Catholic priest) Richard John Neuhaus in 1990. The magazine is dominated by a Catholic sensibility reflecting its editorial staff, but it has always been open to other religious voices, including prominent Jewish ones. Did the Cessario piece jeopardize Catholic relations with Jews? It shouldn't, particularly after Reno's heartfelt response to critics. But Jewish concerns are perfectly understandable: The Mortara case is better and more painfully remembered in the Jewish community, while a lot of Catholics had never heard of it until now. And, rather shockingly, Cessario's review made essentially no concessions to the sensibilities of Jews or of anyone else who believes the legal abduction of Edgardo Mortara "offends against the dignity of the family as a natural institution," in Reno's words.

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The second reason is that inside the Catholic intellectual world another debate is raging today, between the adherents of "integralism" and "liberalism" respecting the relationship of the church to political power. The terms of this debate are still sorting themselves out, but so far have largely been set by the integralists. Though they seem uncertain about what they're for—vacillating between holding that Christians can never be really at home in any political order and longing for a confessional state to be at home in—the integralists are sure about what they're against: liberalism, a word they use as an epithet to describe not only today's progressive left but the whole edifice of the modern free society, with its emphasis on individual rights, limited government, and free markets. Their counterparts in this debate may squirm a bit at being called liberals, but are certainly ready to stand on the ramparts of the modern free society.

Robert Miller's blast at Cessario and Reno seemed like another installment in this debate when he accused the reviewer and his editor of "statism" (recalling recent criticisms Miller has lodged, in a completely unrelated matter, against Reno's take on present-day capitalism) and closed his essay with a reference to "freedom of religion as understood in liberal states." Language like this was like waving a red flag in front of integralist bulls.

But in truth we can discuss the Mortara case, and condemn the pope's actions in it, without folding the discussion into the integralist-liberal debate at all. Pius IX, who was beatified by Pope St. John Paul II in 2000 and may soon be canonized, had previously taken steps to relieve the Jews of Rome and the Papal States of much of the oppression under which they had long suffered. But Pius was wrong in the Mortara case—grievously so, as Miller's main argument demonstrated—for venerable Catholic reasons he should have understood even in his own day, reasons having no connection with the modern liberal project that the integralists (rightly or wrongly) attribute to the anti-Christian secular enlightenment.

Even further back than Thomas Aquinas, the church has taught that it is wrong to baptize Jewish children against their parents' wishes, much less to take them from their parents. Thomas himself, no modern liberal by any stretch of the imagination, describes it as an *injustice* to them, but adds that the *reason* is that "they would lose a father's right over his now believing [Christian] children." Does he mean *more* than a spiritual or moral right—that is, that parents could licitly be deprived of *legal* custody of their child by the temporal power of the state? That is not entirely clear. In the sequel Thomas writes, "in accord with natural law, a child, before he has the use of reason, is under the care of his father. Hence, it would be contrary to natural justice if, before a child has the use of reason, he were taken away from the care of his parents or something were ordained for him against his parents' wishes." Can baptism trump natural justice, or must it yield to it? Thomas does not say; we must puzzle it out for ourselves.

Everything in the Mortara case was set in motion by the servant's surreptitious baptism of Edgardo, which the church considered not only valid but licit (and still does) even in a case with unwilling parents because administered *in extremis*. As Cessario notes, "both the law of the Church and the laws of the Papal States stipulated that a person legitimately baptized receive a Catholic upbringing." But he goes on to argue entirely from canon law and the sacramental character of baptism, without pausing to consider whether the *civil* law of the Papal States was unjust, particularly in its intransigent and, let us mince no words, brutal application to Mortara's case.

For Edgardo's parents were alive, capable, and nonabusive. Nonetheless Cessario endorses the simple progression from a valid baptism, to the church's duty to a young Christian, to Pius's forcible seizure of Edgardo. But as Miller rightly notes, this rests on an erroneous view of the legitimate reach of state power. Pius wore two hats, the spiritual and the temporal, and, led astray by his sense of spiritual obligation to a baptized Christian, he wrongly used his temporal authority to snatch Edgardo from his family (and then compounded the injustice by raising the boy himself, without benefit of a married mother and father, as would be normal in a Catholic adoption).

This distinction that should have restrained Pius IX was not some modern liberal notion of the kind he later set his face against in the Syllabus of Errors. It had developed centuries earlier, *precisely in Catholic thought*, where we can find the true origins of the ideas of natural rights and limited state power, as scholars such as Brian Tierney and Larry Siedentop have shown. As Tierney has written, the medieval canonists of the 12th century

> envisaged a sphere of natural rights bounded by a natural moral law. The first natural rights theories were not based on an apotheosis of simple greed or self-serving egotism; rather they derived from a view of individual human persons as free, endowed with reason, capable of moral discernment, and from a consideration of the ties of justice and charity that bound individuals to one another.

In short, it was Christianity itself that gave the Western world the space we call secular civil society, carving out a realm for human freedom, conscience, and dignity—including the "dignity of the family as a natural institution"—centuries before "modernity" and "liberalism" came along to transform the idea of natural rights into a species of unbounded autonomy that answers to no authority beyond the self. Christians undertook this development of authentic freedom to a large extent in their encounters with the Jews in their midst. In the light of distinctively Christian principles governing political power, we may say that Pius IX acted wrongly—indeed, gravely unjustly. If he is one day to be enrolled among the saints, which is something that Jewish friends and allies of Catholics have made clear would cause grave offense in the Jewish community precisely because of his actions in the Mortara case, it will be despite and not because of those actions. ♦

B&A

The Informed Patriot

Bruce Cole's case for the humanities in American life.

BY WILFRED M. MCCLAY

It was a measure not only of his robust good health but the vitality of his public commitments that Bruce Cole's sudden death last week came as such a shock to so many people—and that they were shocked to discover that he was 79. He seemed so much younger. Bruce had become one of the key figures in the cultural politics of our times and the most distinguished scholar ever to grace the chairmanship of the National Endowment for the Humanities, where he served during most of the George W. Bush administration—making him the longest-serving chairman in the endowment's history. Although he retired from the NEH in 2009, he otherwise never really retired and was still operating at the top of his game, turning out brilliant essays, in venues such as the *New Criterion*, the *Wall Street Journal*, and this magazine, about the future of the humanities and the direction of our public culture. He will prove impossible to replace, either in our public life or for those of us who were privileged to have him as a friend.

F. Scott Fitzgerald once declared that there are no second acts in American lives. But he never knew a guy like Bruce Cole, a quintessential American patriot for whom the great motto attributed to Michelangelo, *Ancora imparo*—I am still learning—could well have served as his own. Most of those now reading my words will know Bruce primarily from his second act, as a public servant, or his third, which has just been so rudely interrupted. They will know little or nothing of his 30-year career as a professor of art history, mainly at Indiana University—platoons of his beloved and devoted students went on to outstanding careers in the academy and as curators in museums—or of his dozen or so books in his specialty, the Italian Renaissance.

Bruce Cole accepting the Presidential Citizens Medal from President George W. Bush in 2008

JIM WATSON / AFP / GETTY

Nor will they know that, for all his refinement and brilliance, he was the least stuffy or pretentious or self-important of men and delighted in his identity as a Hoosier and his roots as a proudly Midwestern American—born in Cleveland but an adopted son of the state of Indiana. He loved Italy with just the same passion as the would-be expatriates of which his profession is full, but he did not aspire to be like them and never played the game of echoing Ernest Hemingway's supposed gibes against his Midwestern homeland of "broad lawns and narrow minds." Bruce knew who he was. He and his wife Doreen never gave up their home in Bloomington, and in recent post-NEH years, in response to the plea of then-governor Mitch Daniels, he agreed to a term of service on the IU board, where he did what he did best in his public life: stirred things up, afflicted the comfortable, and looked out for the interests of the general populace—all with his eyes on the university's larger purpose in American society.

That was his philosophy in running the NEH. If the endowment had any justification for its existence, in his view, it was to be an agency that served the whole American public and not merely the special interests of the connected: the well-heeled research universities and their faculties, the large research libraries and museums, and the projects of public-broadcasting mavens. I served for 11 years on the National Council on the Humanities, the NEH's advisory board, and Bruce's tenure offered a stark contrast in that regard to what had come before him and what has come since. He served notice early in his tenure that there was new management in town when he withdrew the imprimatur of NEH from a grant for the book *Arming America* by Michael Bellesiles, which had been shown to be fraudulent. He encouraged the council to help him in weeding out ideological corruption and academic back-scratching in the endowment's grant programs, and we were inspired by his intellectual and moral leadership to do just that.

No chairman before or since has involved himself more deeply in the operations of the agency. Bruce attended hundreds of peer-review panels, carefully read thousands of grant applications, and paid close attention to personnel issues—mind-numbing and tedious tasks, but essential to the reform of any bureaucratic agency. In Washington, 70 percent of doing a job well is in creating the conditions to be able to do the job, rather than just hold the office; Bruce was willing to put in the time to accomplish that, rather than just go with the flow. The result was an NEH that one could be proud of, one genuinely serving the national interest. There was complaining here and there, of course,

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as there always is when toes are pinched and perks withdrawn, but Bruce's time at the NEH, paired with poet Dana Gioia's equally inspired chairmanship of the National Endowment for the Arts, proved to be a pinnacle of excellence for the agency, one it will be hard put to recover after the mediocre and politicized leadership of the cultural agencies in the Obama years.

This perspective took on heightened importance for Bruce with the events of September 11, 2001, and the subsequent national response. His NEH appointment had been in the pipeline before 9/11, but he was quick to understand how these terror attacks on the homeland necessitated a clearer focus on the agency's fundamental obligations. "Defending our homeland," he said at his swearing-in, "requires not only successful military campaigns; it also depends on citizens understanding their history, their institutions, and their ideals." Properly understood and cultivated, "the humanities show us what it means to be an American, and why America's ideals are worth fighting for." But, as he said in a 2002 speech at NYU, "a nation that does not know why it exists, or what it stands for, cannot be expected to long endure. We must recover from the amnesia that shrouds our history in darkness, our principles in confusion, and our future in uncertainty." Words that ring even louder today.

He went on to become a champion of civic education and to establish a signature initiative, "We the People," designed to encourage new scholarship and fresh public programs that would deepen and renew our understanding and appreciation of our American heritage. That this was more than ritual flag-waving stuff was indicated by the title of the elegant little book the NEH issued on the project's fifth anniversary: *An Informed Patriotism*, which brought together some of Bruce's most important speeches as NEH chair and detailed the array of programs on the national, state, and local levels to which "We the People" gave rise.

Among these was the great initiative of his second term, "Picturing America," which brought his art-historian's sensibility into the task that "We the People" had begun. Recognizing that the wellsprings of patriotic sentiment are fed not only by ideas but by images, Bruce and his staff assembled a selection of 40 important and representative works of American art—from Copley's *Paul Revere* to Bierstadt's Yosemite to Rockwell's *Freedom of Speech* and Karales's famous photograph of the Selma-to-Montgomery march—and made them available in high-quality reproductions to K-12 classrooms and libraries, accompanied by commentary and instructional aids. All of it was free of charge, underwritten by generous sponsors from the private sector. It was an amazing success, the creation of a national iconography that became the largest such program in the endowment's history and one of the many reasons why President Bush gave Bruce the Presidential Citizens Medal in 2008, for "his work to strengthen our national memory and ensure that our country's heritage is passed on to future generations." All of this was accomplished in the second act of Bruce Cole's life.

That passing-on is never assured, however, and Bruce continued to worry about the state of the humanities in his third act. In a 2016 *Public Discourse* article, Bruce complained that "humanities scholars are alienating students and the public with their opacity, triviality, and irrelevance." And yet he never ceased insisting upon the essential importance of the humanities and defending them against those who viewed them as dispensable and soft. The battle for the humanities must be fought simultaneously on two fronts, against the excesses of intellectual and ideological corruption on the one hand and against unreflective philistinism and soullessness on the other. Bruce Cole was an eloquent voice on behalf of that balanced ideal. But more than that, he was an example of that ideal in his person.

He simply was immune to what Roger Scruton has labeled "oikophobia," the fear that afflicts *soi-disant* cosmopolitans who feel an unnatural aversion to patriotic sentiment, and he sloughed off the charges that what he promoted at the NEH was jingoistic or chauvinist. He was a man thoroughly at home in America, with an admirable marriage, family, and a life in full. He did not feel himself part of an "adversary culture" by virtue of being an intellectual and a historian of European art, and I could no more imagine him raging against "bourgeois values" and "consumer capitalism" than I could imagine him wearing bellbottomed jeans and a tie-dyed T-shirt rather than his characteristically natty charcoal-gray tailored suit, set off by an elegant tie and pocket handkerchief.

But he also was thoroughly at home in the larger world, with an expansive perspective that was the fruit of a lifetime of immersion in the highest and noblest and most beautiful things. His was the true spirit of cosmopolitanism, which involves an imaginative sympathy for the homes and hearths of others, not the forswearing of home for oneself. My fondest personal memory of him will always be the chilly spring day that he and I spent in Florence, with my wife Julie and his wife Doreen, prowling the streets and alleys of a city that he knew and loved and commented upon copiously, a running narrative conveyed with all the intimacy and intense affection of a lifelong resident.

Which, in a sense, he was. It was not a stretch for him to think of the fate of America and the Italian Renaissance and the West, all in one moment, within a single frame, in ways that were as personal as they were intellectual. For him and Doreen, any trip back to Florence was a trip down memory lane to their earliest days together as a married couple in the mid-1960s, when Bruce was an impecunious graduate student and they were discovering the sights and tastes and other delights of an ancient city that has stayed a part of their lives ever since. They were there in 1966 when Florence was afflicted with massive floods from the spring rains, and the Duomo and other depositories of irreplaceable Renaissance art were threatened by the rising waters, and they were part of the valiant corps of "Mud Angels" who labored to rescue those precious artworks from certain destruction. They have been rescuing things, or trying to, ever since. ♦

B&A

Word-of-Mouth Movies

Audiences talked Jumanji *and* The Greatest Showman *into box-office hits.* BY JOHN PODHORETZ

Hugh Jackman in The Greatest Showman

Jumanji: Welcome to the Jungle is a "reboot," whatever that means, of a 1995 Robin Williams movie about kids magically transported inside the world of a board game. Sony Studios knew that the new *Jumanji* was likely to be a hit from the reaction of preview audiences, but no one expected it would make about as much in its third and fourth weekends as it made in its first ($36 million). That almost never happens. And nobody thought it would make $350 million at the domestic box office—a milestone it will almost certainly reach and even exceed.

The Greatest Showman is an old-fashioned full-scale musical of the sort they stopped making in the 1960s (and for good reason), ostensibly about P.T. Barnum and the creation of American show business. It opened disastrously, with a first-weekend take of $8.8 million. But then *The Greatest Showman* just chugged along, grossing between $4 and $6 million a day from Christmas through New Year's, dipping down near a $1-million take during weekdays before rising again to $5 million a day on weekends. *The Greatest Showman* came close to the $100-million mark this weekend and will likely top out around $150 million in the United States. It's not a blockbuster, as *Jumanji* is, but this indifferently reviewed picture has done so much better than anyone expected, it has to be considered a triumph against the odds.

These two movies have three things in common. First, they have appeal across various demographics—little kids can attend them, but since they weren't made specifically for little kids, their older tween and teen siblings have been willing to see them as well. Second, they have the kind of star power that attracts the millennial males who are the key to box-office success—the superhero Hugh Jackman plays *The Greatest Showman*, while the action dynamo Dwayne Johnson and the comedian Kevin Hart topline *Jumanji*.

But other movies have shared all these qualities and haven't broken through. No, the key to the success of *Jumanji* and *The Greatest Showman* is the ambergris of show business, the rarest and most valuable of harvested byproducts—word of mouth. We know these movies are prevailing through word of mouth because of the way their box-office numbers hold steady over time; other hit movies reach their highs in the first five days and then drop by around 50 percent by their second weekend. This means that they reach their target audience early and pretty much stick to it. A word-of-mouth movie hits its target audience and then transcends it as the original targets praise it to the non-targets and get them interested.

Usually, people find out about movies from marketing or reviews. But in the end, all an enormously expensive promotional campaign that sometimes spends as much or more than the movie cost to make can do is raise awareness of a film's existence. Only positive word of mouth can launch it into the box office stratosphere. And rapturous reviews can also work to bring a certain type of moviegoer to the theater opening weekend, but if they oversell the movie or have been published in bad faith (because the reviewer wants to make a political point or is brownnosing a director or writer) they can actually have the effect of angering the viewer and causing him to badmouth the film in question. Overpraise can lead to the deadliest force of all—bad word of mouth.

There is no substitute for good word of mouth. It is a market emanation similar to the invisible hand. It circulates quietly and quickly in such a way that people who haven't even directly heard it start saying to themselves, "That movie *Jumanji* … it looks kind of fun, maybe we should try it."

So what is it about *Jumanji* and *The Greatest Showman* that has produced such enthusiasm in audiences? In the case of *Jumanji*, it's simply that the movie is just so much fun—an unexpected comedy-adventure in which the four lead actors play winningly against type. (Dwayne Johnson's character is a 14-year-old nerdy loser who has been transformed into … Dwayne Johnson.) Its charm provides a stark contrast to the creepy and unpleasant original; indeed, once people started reporting that it was a far more playful and upbeat take, that might have helped accelerate its acceptance.

The Greatest Showman just demonstrates the continuing affection audiences have for musicals. The only two original movie musicals made in Hollywood in the past two decades are this one and *La La Land*, and the wildly positive audience response to them both suggests the industry's wise men are pretty stupid to have given up on this genre. I'd risk saying moviegoers like them so much they like *The Greatest Showman* even though its score is mostly lousy and its portrayal of a gloriously woke 19th century would be laughable if the songs and dialogue weren't so patently and consciously anachronistic.

Still, it's nice to see audiences deciding for themselves what to see rather than serving as automata in service of whatever franchise Disney is putting in front of them this week. ♦

NIKO TAVERNISE / TWENTIETH CENTURY FOX FILM CORPORATION

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

"The president's overall health is excellent. His cardiac performance during his physical exam was very good. He continues to enjoy the significant long-term cardiac and overall health benefits that come from a lifetime of abstinence from tobacco and alcohol. We discussed diet, exercise, and weight loss."
—Ronny L. Jackson, physician to the president, January 16, 2018

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PRESS BRIEFING WITH DR. RONNY JACKSON
James S. Brady Press Briefing Room

(cont'd)

as opposed to a regular Quarter Pounder with cheese, which the president doesn't find as filling.

REPORTER: So what you're saying is the president's numbers are good, despite not eating any vegetables?

DR. JACKSON: Actually, he does eat vegetables—the onions and sometimes a pickle in the Quarter Pounder, plus the tomato ketchup. And because he eats so many Big Macs, the amount of lettuce he consumes per day could fill a large bowl.

REPORTER: I'm sorry, doctor, but a bowl of iceberg lettuce is far different from a bowl of, say, seaweed and raw kale, which I eat five days a week to look good for the cameras.

DR. JACKSON: Pardon me for asking, but what do you eat the other two days?

REPORTER: Quinoa.

DR. JACKSON: Would I like to see the president eat better? Sure. And I told him he needs to reduce his carbohydrate intake. Which is why he now eats his steak without a loaded baked potato.

REPORTER: How big is the steak and is it grassfed and free of hormones?

DR. JACKSON: It's called the Ol' 96-er. I'll just leave it at that.

REPORTER: And no side dish whatsoever?

DR. JACKSON: I didn't say that. I said no loaded baked potato. He just eats the toppings without the potato: a heaping mound of butter, sour cream, chives—another vegetable, I might add—shredded cheddar cheese, and bacon bits.

REPORTER: And you said no real exercise? No hot yoga, CrossFit, HIIT, or parkour?

DR. JACKSON: He's an avid golfer. Yes, he drives a cart. But he also does tantric

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