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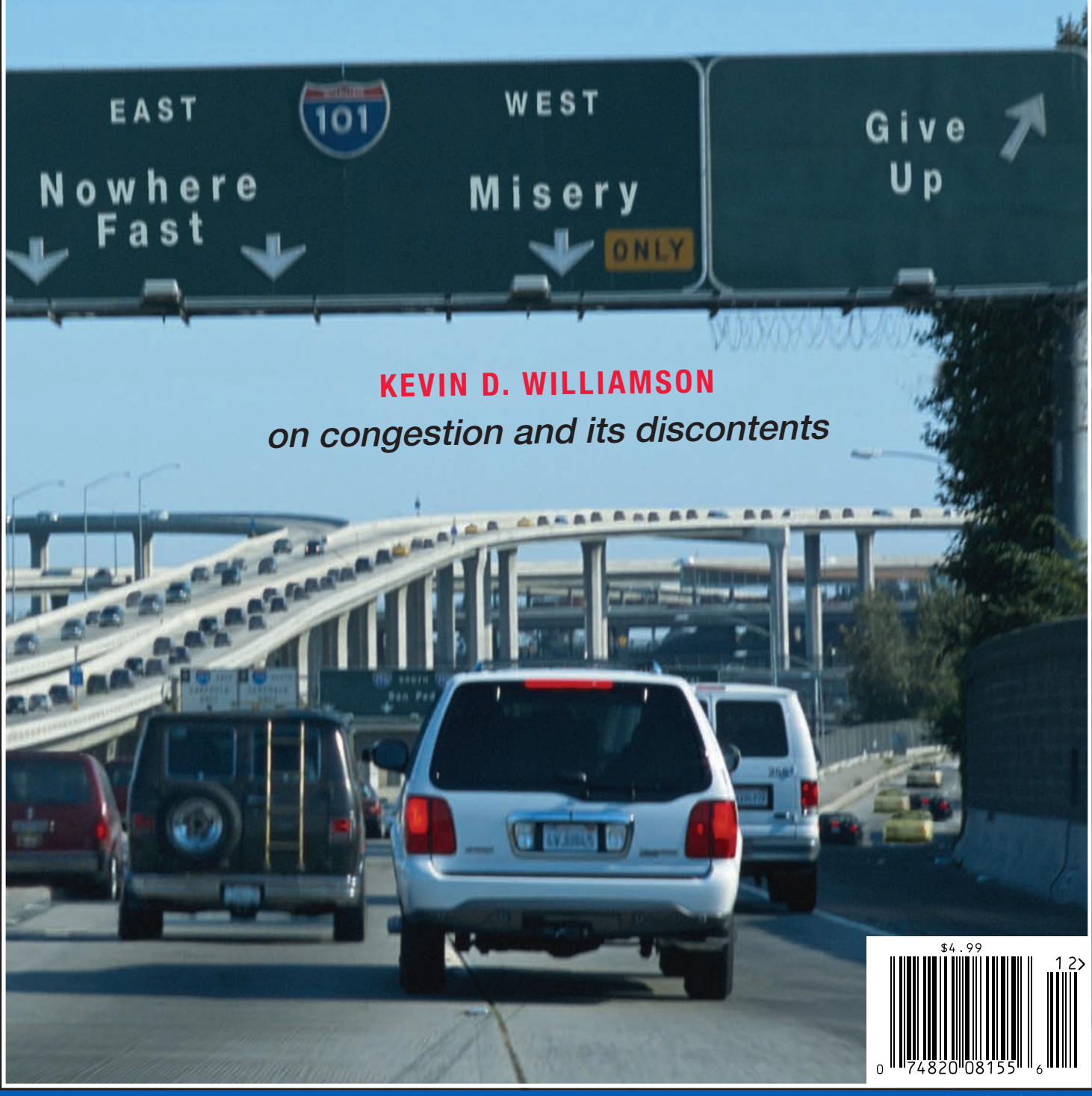

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Contents

NATIONAL REVIEW

MARCH 25, 2013 | VOLUME LXV, NO. 5 | www.nationalreview.com

John O'Sullivan on David Cameron
p. 16

ON THE COVER Page 28

The Everyday Problem

Transportation, particularly mass transit, feels like a liberal issue to many conservatives, but there is more to it than Amtrak contracts for the Brotherhood of Maintenance of Way Employees. *Kevin D. Williamson*

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ARTICLES

FEATURES

BOOKS, ARTS & MANNERS

SECTIONS

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NATIONAL REVIEW

MARCH 25 ISSUE; PRINTED MARCH 7

Letters

The South Side in '62

Kevin D. Williamson's recent cover story about Chicago's South Side ("Gangsterville," February 25) made me sad and brought back memories.

I spent the summer of 1962 working at Beacon Neighborhood House, a Presbyterian outreach at 1444 South Ashland Avenue, where I taught nine- and ten-year-old children from the "projects" (not Cabrini-Green), row houses, and apartments.

At age 19 I was one of 13 college students to live cloistered behind locked iron gates at night and teach children from the ghetto during the day. While most of the college kids ran two-week day-camp Bible-school sessions, a colleague and I, both elementary-education majors, spent the entire six weeks with a group of 20 at-risk fourth- and fifth-graders from the Jirka and Medill schools. We visited each child's home and met his or her parent(s), often taking the elevators up in high-rise projects or entering dark hallways in once-stately homes that had been converted into run-down apartments. We were invited to come back for lunch by two different mothers, and those were special occasions.

Mornings were spent helping the children with reading and math. In the afternoons we walked with them to nearby parks or public swimming pools. I remember feeling safe holding their hands as we walked through the neighborhood because "Beacon Teachers" were respected. We took the children by public bus on field trips all over Chicago—to the Brookfield and Lincoln Park Zoos, the Museum of Natural History, Shedd Aquarium, the Museum of Science and Industry, the Chicago Historical Society, the Thatcher Woods Forest Preserve, and the 12th Street Beach. They could be a handful out in public.

Those children would be 60 years old now. I kept a list of their names and still have faded black-and-white snapshots of them. They probably don't remember the girl from Kansas, but I have never forgotten them. I'm sure some of them ended up in jail or dead, but hopefully many more were able to get ahead and be successful.

The following year, 1963, race riots broke out on Chicago's South Side, and the Beacon House college students were sent home for their own safety. Two years later I moved to a suburb of Chicago to work as a TWA airline hostess out of O'Hare, but I never felt brave enough to go back to Beacon House.

Louanne Theilmann Isernhagen
St. Francis, Kansas

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The Week

■ We trust that Hugo Chávez is now at an endless Politburo meeting.

■ In a press conference on sequestration, President Obama said this about alleged Republican intransigence: "I am not a dictator, I'm the president. Ultimately, if Mitch McConnell or John Boehner" doesn't want to deal, "I can't have Secret Service block the doorway." Obama is not a dictator: Well, yes, but why say so? Let us dismiss the crazy explanation: *The would-be tyrant has tipped his hand!* That leaves three others. First, Obama suffers from Thomas Friedmanism: *By gum, those dictators do get things done*. What they get done is misallocation of resources and oppression, but this is a common wistful delusion among those inclined toward economic planning. Second, McConnell and Boehner really get under Obama's skin. *Wouldn't it be nice to call the Secret Service and [fill in the fantasy]?* Let us stipulate that every president has thought such a thing. Yet every other president (certainly, since Nixon) has known not to say it, even to himself. Third, more than four years after Bush left office, Obama is having to find a new explanation for the world's stubborn refusal to meet his expectations. The nominees are Naïveté, Pique, and Excuse-Making. The envelope, please.

■ Speaking of which: Should Michelle Obama have opened the envelope for Best Picture during the Academy Awards ceremony? Presidents and their families engage in a variety of apolitical ceremonies: FDR (via radio) and Laura Bush appeared at earlier Oscar nights, and presidents since Taft have thrown out Opening Day pitches. The fitness of doing so is probably in inverse proportion to the cheesy glitz of the occasion (could someone deep-six the White House Correspondents' Dinner?). But there is a second question here: Are the Obamas too much with us? The demands of a fragmented media market, and the Obamas' own appetite for exposure, have made them a 24/7 presence. Benjamin Rush said that any European king would look like a valet de chambre alongside George Washington. Washington's successors must take care not to look like reality-show guests.

■ When Bob Woodward criticized the White House's handling of the sequestration showdown, he got a 30-minute phone call from the director of the National Economic Council, Gene Sperling, plus an e-mail from Sperling saying he would "regret" his reporting—a line Woodward characterized as "a veiled threat." Then it got nasty, as reporters took to Twitter to assail Woodward ("lost it" and "senile" were among the endearments thrown his way). Once the dinosaur fight from *Fantasia* ended, it became clear that there was a lot of blame to go around: The administration had been thin-skinned, Woodward had not actually been threatened, Woodward's critics were trigger-happy. Not to be lost in the shuffle: the clumsiness of

ROMAN GENN

See page 12.

Obama's sequestration-standoff tactics. Because of defense cuts, the president has to withdraw a carrier from the Persian Gulf? That is, as Woodward correctly said, "a kind of madness."

■ It seems like only yesterday that President Obama was condemning "the corrosive influence of money on politics" and admonishing Supreme Court justices seated at his feet for "opening the floodgates for special interests to spend without limit" in American elections. The president's conversion of his reelection machinery into Organizing for America, a "grassroots" fundraising juggernaut newly unencumbered by campaign law and designed to rally support to the president's policies in his second term and in perpetuity, would serve as a perverse counterpoint to this self-righteous rhetoric under any circumstances. But it is especially grotesque in light of reports, by the *New York Times* no less, of a quid pro quo by which high-rolling donors are rewarded with quarterly meetings of the group's "national advisory board"—at the White House. This "disturbing" practice, the *Times*' editors conclude, "is nothing more than a fancy way of setting a price for access to Mr. Obama." Confronted with the reports, White House press

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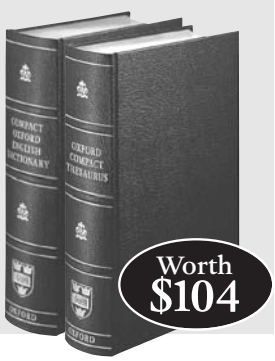

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secretary Jay Carney fumbled through long and lawyerly answers but never outright disputed the truth of the story. He might just as well have used the opportunity for free advertising: White House access, $500,000 a pop. Enter through the floodgates.

■ The organizers of the Conservative Political Action Conference (CPAC) are of course entitled to advocate conservative causes as they see fit, including by controlling who is invited to participate in the conference. But we nevertheless regret that they have excluded the gay conservative group GOProud and declined to invite New Jersey governor Chris Christie. Conservative opinion on the intersection of homosexuality and politics is not monolithic, and GOProud has participated in past conferences with no discernible ill effects. Inviting GOProud to participate again would not now, as it did not at earlier conferences, imply a CPAC endorsement of any particular policies regarding gays, but rather a commitment to represent the overlapping gamut of views inside the conservative movement. The matter of Chris Christie is somewhat different. The governor is certainly not entitled to speak at the conference, but we fear the decision not to invite him to do so is illustrative of a potentially unhealthy trend. We share CPAC's apparent concerns about the governor's views on guns—and on other issues—but those concerns are tempered by our respect for his handling of New Jersey's finances and his reining in of the public-sector unions. Our approach has been to praise those of Christie's policies that we think judicious and wise, and to criticize those that we think provocative and unwise. We do not think the latter requires reading him out of the conservative movement or the Republican party. As with GOProud, merely giving space to Christie's views would not amount to an endorsement of them. But it could help move the intra-conservative conversation in productive new directions. And that, as we understand it, is what CPAC is supposed to be about.

Inviting GOProud to participate in the Conservative Political Action Conference would not now, as it did not at earlier conferences, imply a CPAC endorsement of any particular policies regarding gays.

■ In recent days, President Obama gave Sharpton an interview. Lest we forget, in the late 1980s, Al Sharpton accused a man named Steven Pagones of raping a girl named Tawana Brawley. Pagones was an assistant district attorney in Dutchess County, N.Y. He did not rape Brawley, and no one did: It was a hoax, one that brought racial tension in New York and elsewhere to a boil. Sharpton made Pagones's life a living hell. Pagones got death threats, became ill, lost his marriage—the works. After he was cleared, he held a press conference, which Sharpton crashed: "Your accuser has arrived!" Sharpton bellowed. Pagones later said, "I know that Sharpton doesn't care how I feel," which is certainly true. Sharpton has now achieved fame and glory. He ran for the Democratic presidential nomination in 2004. He is a star of MSNBC. Sharpton has never apologized for his evil and destructive lies about Pagones. He is proud not to apologize. He is a Christian minister, apparently, whom people call "Reverend" or "Rev," but he isn't in the repenting business.

■ Progress Kentucky, a liberal super PAC, attempted to advance the cause of defeating Senate minority leader Mitch McConnell in his 2014 reelection bid by targeting his wife, former secretary of labor Elaine Chao, in a series of crude tweets highlighting her ethnicity. "This woman has the ear of @mcconnellpress—she's his #wife. May explain why your job moved to #China!" read one. Another alleged that her "Chinese" money was buying elections in Kentucky. The organization's leaders initially defended their line of attack. "We're not after anybody because they are an immigrant, but I think it's fair to question whether or not there's a conflict of interest," said a spokesman. The executive director called criticism of the tweets "an attempt to divert attention from the fact that Mitch McConnell has engaged in the selling of the American middle class overseas for decades." Following pushback from McConnell, national media attention, and some halfhearted denunciations from Democratic groups—"These kinds of comments are . . . just the kind of divisive politics that Sen. McConnell himself has used for too long," said the Kentucky Democratic party—Progress Kentucky issued a mea culpa insisting that its "key goal is to elevate the conversation about Senator McConnell's record." Going out of business would be a start.

■ In a Friday-afternoon news dump in March, the State Department released yet another environmental-impact report on the projected construction of the Keystone pipeline: a $7 billion project initially proposed in 2008 that would transport roughly 830,000 barrels of crude oil per day from Canadian oil sands to refineries in the U.S., in addition to creating thousands of jobs. The 2,000-page report arrived at essentially the same conclusion as the ostensibly final review issued by the department in August 2011: "There would be no significant impacts to most resources along the proposed project route," and "approval or denial of the proposed project is unlikely to have a substantial impact on the rate of development in the oil sands, or on the amount of heavy crude oil refined in the Gulf Coast area." In response to pressure from environmentalists, President Obama had postponed a decision on the project until after the election, citing concerns about supposed risks to an aquifer in Nebraska. Now that Nebraska has signed off on an alternative route for the pipeline and the State Department has reiterated its findings, there would now seem to be little reason not to move forward with the project—but then again, there never was.

■ In his first days as secretary of state, John Kerry said: "Iran is a country with a government that was elected and that sits in

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the United Nations." It sits in the United Nations, all right. But if it was elected, it was elected fraudulently. After the fraud in June 2009, demonstrators massed in the streets, chanting, "Obama, Obama! Either you're with *them* or you're with *us*!" Our president was passive during this Iranian tumult. Later, Natan Sharansky called Obama's posture "maybe one of the biggest betrayals of people's freedom in modern history." The president seemed to want to engage with the regime more than anything else. Now his secretary of state has reopened the wound. A remark like Kerry's is extremely disheartening to oppositionists, dissidents, and political prisoners. They are struggling against a dictatorship, and suffering mightily. The American secretary of state apparently doesn't care.

■ President Obama continues to evolve in the direction of greater candor on same-sex marriage. Until last May he claimed to oppose it. Then he said he had changed his mind and now supported it, but continued to believe that states should be able to go

The Wages of Gamesmanship

President Obama employed an old weapon against Republicans in his State of the Union address: the minimum wage. The president's humble objective was to make sure that "no one who works full time [has] to live in poverty." That goal is very appealing, and likely explains why a majority of Americans support higher minimum wages.

But they should not. Indeed, President Obama's own statement helps illustrate why. He begins with the phrase "no one who works full time"—giving the impression that the minimum wage will affect only full-time workers, whose lives will be improved by the increase. This phrase deflects listeners' attention from the true economic consequences of the minimum wage by excluding from view those who lose their jobs because of the minimum wage, fail to be hired because of the minimum wage, or have their hours cut back because of the minimum wage.

The president was intentionally reinforcing the myth that minimum-wage workers are predominantly parents living close to poverty. But let's look at the facts. In 2012, almost two-thirds of workers making the minimum wage or less were part-time workers, and a bit over half of all minimum-wage-or-lower workers were under the age of 25, many of them students living at home with their parents.

Those two pieces of information suggest that common political rhetoric about the minimum wage is misleading. An analysis from the left-leaning Economic Policy Institute, represented in the nearby chart, gives a fuller picture of how an increase in the minimum wage would affect workers in the U.S.

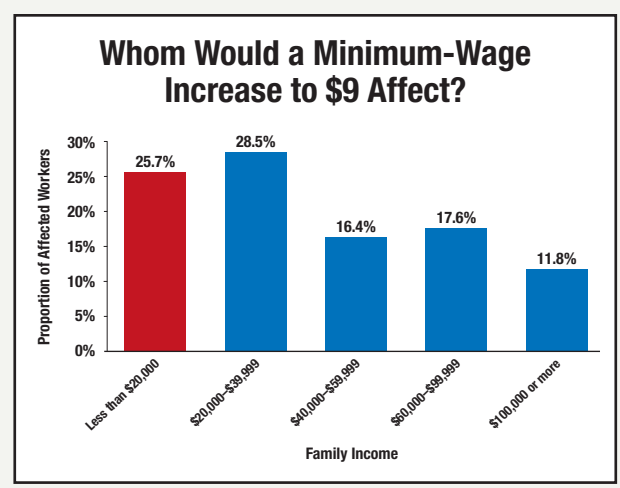
In 2013, the U.S. federal poverty line, which varies according to family size, was $23,550 for a family of four and $11,490 for an individual. In the EPI analysis of workers who would be affected by an increase in the minimum wage to $9, only 25.7 percent live in households making under $20,000. Almost half belong to households making over $40,000, and almost 30 percent of workers who would be affected live in families with incomes above $60,000.

Simple economic logic, supported by most of the available research, suggests that the minimum wage reduces employment significantly. The wage increases take-home pay for those who do not lose their jobs, but reduces it to zero for those who do. In other words, it takes money away from some poor people (those who lose their jobs), gives money to some poor people (those who don't), and gives money to some better-off people, too.

How does it all balance out? A separate study by economists Joseph Sabia of San Diego State University and Robert Nielsen of the University of Georgia explored the impact of the minimum wage on the welfare of the poor. They concluded that the minimum wage is spread out so far up into the income distribution that there is "no statistically significant evidence that a higher minimum wage has helped reduce financial, housing, health, or food insecurity." The authors couldn't find a beneficial effect of the wage on the welfare even of those most likely to benefit from it.

If a higher minimum wage reduced poverty, one might still question the wisdom of asking some poor people to give up their jobs so that others may have their lot improved. Although that seems like an odd trade, there might be some defense of it. But since the higher minimum wage doesn't reduce poverty, President Obama's proposal is indefensible, and even a little bit sinister. He apparently thinks the increased suffering of those unfortunate enough to lose their jobs as the wage jumps is a small price to pay to make Republicans look heartless.

—KEVIN A. HASSETT



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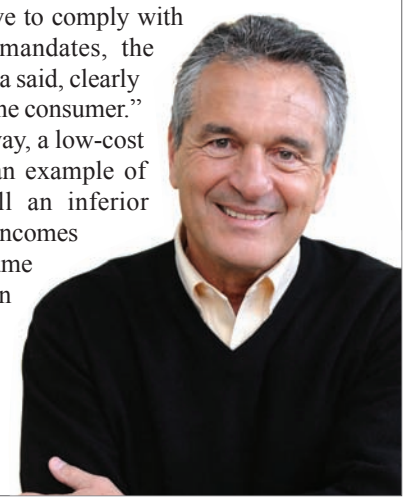
their own way on the issue. Now his administration has filed a legal brief saying that the Supreme Court should strike down the California law, ratified by referendum in 2008, that defines marriage as the union of a man and a woman. The position Obama took until the end of February 2013, in other words, he now holds to be unconstitutional. The theory is that California's definition of marriage violates the Fourteenth Amendment by discriminating against gays and lesbians. Governments recognize marriage, however, because of their interest in stabilizing those relationships that can generate children. Many other kinds of relationships, whatever the sexual orientations of the participants, receive no official recognition. It is certainly possible to hold that marriage should be seen as an emotional union with a sexual element but no intrinsic link to procreation. In that case the exclusion of same-sex couples would be arbitrary. The Fourteenth Amendment, however, does not mandate that view. That's why nobody claimed that it did for almost its entire history, and not even the Obama administration did until late February.

■ Justice Antonin Scalia was roundly criticized for saying during oral arguments that the Voting Rights Act had been reauthorized with almost no debate because it had become a "racial entitlement." He had at the very least committed a faux pas, according to the coverage, and at worst said something offensive. The law requires legislative districts to be drawn so as to maximize the likely number of black and Hispanic elected officials, which is to say that it entitles racial groups to seats. A desire to let the act expire or to modify it substantially is treated as an attack on blacks and Hispanics, which is to say that as racial groups they are entitled to its continuation. None of this, of course, establishes the unconstitutionality of the legislation (and Scalia did not say it did). Scalia's point about the climate of debate surrounding the issue was amply demonstrated by the reaction to his making it.

■ Ben Bernanke testified before Congress, and Republicans grilled him for what Senator Bob Corker (R., Tenn.) called his "dovish" policies on inflation. Bernanke pointed out that inflation has run at an average of 2 percent on his watch, lower than that under almost any postwar Fed chairman. Not since the mid-1960s have prices been more stable. The Republicans should have adopted a different line of criticism. The Fed had it within its power to keep nominal spending growing at a stable rate, which would have helped to steady the economy. Instead, over the last five years, it first let nominal spending drop at the fastest rate since 1938 and then kept it growing very slowly. The results have been a sharp recession, a weak recovery, and a lack of certainty about the path of monetary policy. Inflation is not the only way a central bank can fail.

■ The Supreme Court has rejected a lawsuit by Amnesty International and an array of attorneys, journalists, labor leaders, and, of course, "human-rights activists," who claimed to be harmed by the mere possibility that their communications with suspected terrorists might be monitored under the Foreign Intelligence Surveillance Act. FISA, you may recall, was amended in 2008 after a fierce debate over the Bush administration's warrantless-surveillance program, about which the Left squawked despite considerable precedent supporting its constitutionality. (This was back in the pre-Obama days, before leftists realized that warrantless *killing* was kosher.) The justices threw out the suit on the grounds that FISA, which requires court approval for the surveillance of foreign agents, satisfies Fourth Amendment concerns, and that the activists lacked standing to object to classified surveillance they could only speculate might be happening. The disturbing part of the decision is that it should have been a slam dunk, not the 5–4 cliffhanger it became when the Court's bloc of four left-wing jurists sided with Amnesty International. We are that close to an Obama Court.

■ In a television interview recently, Fred DeLuca, founder of Subway restaurants, explained that "if I started Subway today, Subway would not exist." Thirteen years after he published a book on entrepreneurship, DeLuca said, "there's more and more regulation. It's tougher for people to get into business, especially small business." He fingered one particular set of regulations, the president's health-care law, calling it "the biggest concern of our franchisees." Subway owners with as few as three or four stores will have to comply with various Obamacare mandates, the costs of which, DeLuca said, clearly "will be passed on to the consumer." The offerings of Subway, a low-cost fast-food chain, are an example of what economists call an inferior good: When people's incomes fall, they tend to consume more of the product. In that respect, at least, maybe the president's policies haven't been so bad for DeLuca's business.



■ From Aaron Burr to Dick Cheney, vice presidents and firearms have never been a good combination. The latest example is Joseph Biden, who sees shotguns as a universal solution for personal defense the same way government spending is for social woes. First he told a woman to use a double-barreled shotgun instead of an AR-15 to protect her home, since it's supposedly easier to aim (though, as the woman pointed out, it can also fire only two rounds). Later Biden recalled telling his wife that if their family home was menaced by an intruder, she should go out on the balcony and fire two shotgun blasts in the air—which, besides being of questionable effectiveness, is illegal in Delaware. The vice president's advice would be potentially hazardous if anyone listened to him, but we have a better idea: Let Americans defend themselves and their homes as they see fit, and sign Mr. Biden up for a refresher course in firearm safety.

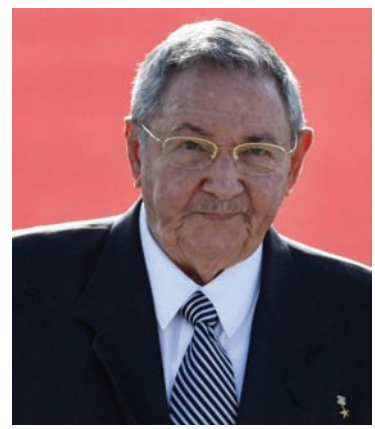
SCALIA: AP PHOTO/MORRY GASH; DELUCA: AP PHOTO/TONY KYRIACOU/REX FEATURES

■ In their rush not to let a tragedy go to waste, several states moved forward with questionable gun-control bills—bills that not only are unlikely to work but also contain drafting errors that could lead to unintended effects. New York State initially failed to exempt police officers and guns used on movie sets. And a Colorado bill that has already passed the state house contains language that could be read to ban common pump-action shotguns—the ammunition in such guns is stored in a tube that can easily be extended to hold a forbidden number of rounds. Passing bills to find out what's in them is becoming a liberal motif.

■ It would be nice if America could get over the peculiar idea that the victims of gun violence should be privileged in our conversation about gun control. But if it is not able to do so, some balance in the coverage would be welcome. Evan Todd, a survivor of the Columbine massacre, seems to agree. In February, Todd wrote an open letter to the president, in which he argued against "universal background checks," against an "assault weapons" ban, and against limiting magazine size. "In theory," he wrote, "your initiatives and proposals sound warm and fuzzy." But in reality? "Your initiatives seem to punish law-abiding American citizens and enable the murderers, thugs, and other lowlifes who wish to do harm to others. . . . There is no dictate, law, or regulation that will stop bad things from happening—and you know that. Yet you continue to push the rhetoric. Why?" This is a good question. As Todd observes, no law made a difference in Columbine. He should know: He was one of the first people to be shot.

■ Detroit is a mess: Its finances are backward, its population has been halved, its bonds are unsellable junk, its crime is uncontrolled, its landscape is dominated by abandoned buildings, and its politics are such that the voters chose a retired Pistons combo guard as mayor when the incumbent was carted off to jail. Michigan governor Rick Snyder has announced his intention to appoint an emergency financial manager for the city to oversee its reorganization, and Detroit's comfortable ruling junta is howling: It's unconstitutional, or a violation of the Voting Rights Act, or the Civil Rights Act, or something. Cries of racism are in the air, as they always are in Detroit: When Mayor Kwame Kilpatrick lied in court about sleeping with his chief of staff and then fired the police officers investigating him, he too said the issue was racism. Detroit Democrats charge that the financial manager will be an "overseer"—note the plantation language—while the Reverend Wendell Anthony demands: "Has Michigan become the new Mississippi of our day?" (Detroit should be so lucky as to have leaders like Mississippi's sober governor, Phil Bryant.) Governor Snyder has a moral obligation to save Detroit, even if Detroit does not wish to be saved.

■ Hugo Chávez, the late president of Venezuela, liked to present himself as a revolutionary, a socialist for the 21st century. Many members of the American Left presented him this way too. In reality he was the latest in the long line of caudillos, a reactionary throwback to the strongmen who have been the scourge of Spanish America. As a junior army officer, Chávez did not hesitate to mount a coup, and once in power he devised a constitution that made him leader for life. Violence was his medium, and under his rule murders, disappearances, and thefts exploded, making Venezuela more dangerous than even the narco-states Mexico and Colombia. He militarized his supporters, putting them into red shirts and red berets. He drove thousands into exile, expropriating their land and property, and nationalized Venezuela's oil companies to secure the funds with which to buy popularity. Rumor has it that Chávez and his family amassed a fortune of $2 billion. Hostility to the United States is the caudillo's favored expedient, and Chávez did what he could to obstruct her foreign policy (while continuing to sell her oil). Fidel Castro was the model he deferred to obsequiously, and he counted among his friends and allies Saddam Hussein, Mahmoud Ahmadinejad, Robert Mugabe, Moammar Qaddafi, and Bashar Assad. In front of the UN General Assembly he referred to George W. Bush as the devil and claimed to smell sulfur, and in front of a media pack he shamed Barack Obama with a book-length polemic against Yankee imperialism. Years may have to pass before the dire consequences of such misrule can be righted. Like other caudillos before him, Chávez has left the world a more brutal place than he found it. Dead at 58, R.I.P.



AP PHOTO/LUIS HIDALGO

■ Raúl Castro, who succeeded his elder brother as president of Cuba in 2008, was elected to a second five-year term, whereupon he announced that it would be his last. A two-term limit—just like George Washington. Who could fail to be reminded of the last sentence of the Farewell Address? "I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow Citizens, the benign influence of good Laws under a free Government, the ever favourite object of my heart, and the happy reward, as I trust, of our mutual cares, labours and dangers."

■ Yoani Sánchez is a well-known Cuban dissident and blogger. The dictatorship has recently done something remarkable: let her out for a tour. The first country she went to was Brazil, where she was met by, among others, Castro supporters. They screamed at her, called her a CIA stooge, threw Xeroxed dollar bills at her. One of them got close enough to pull her hair. They shut down the screening of a documentary that features Sánchez—a screening that Sánchez herself was to attend. She said, "Even before leaving Cuba I knew this could happen. It's sad, because I've been waiting one year for this. I really wanted to see the film." Castro backers wanted to see her hounded and humiliated, even outside Cuba.

■ The Alliance of Civilizations is a shadowy program of international togetherness under the auspices of the United Nations. In practice, the Alliance rounds up a mixed bag of self-selected busybodies and assembles them in a five-star hotel in some pleasant city. An indifferent public usually neither knows nor cares about such freebies. The latest Alliance gathering in Vienna has been different, because Recep Tayyip Erdogan, the Turkish prime minister, chose this venue to play politics. "The time has come," he said, "to view Islamophobia as a crime against humanity just like Zionism, just like anti-Semitism, just like fas-

cism." Would it be another crime against humanity to note how dispiriting it is that this sort of thing makes for an effective tactic in ascending to the leadership of the Arab world? Arriving in Turkey on his first trip abroad since confirmation in office, Secretary of State John Kerry is reported to have had frosty meetings with Erdogan and Turkish foreign minister Ahmet Davutoglu. "Objectionable" was the adjective Kerry applied to Erdogan's Vienna attack. President Obama has singled out Erdogan as one of the five leaders with whom he enjoys effective working relations. Illusion, what follies are committed in thy name.

■ Italians have a genius for finding a way through intractable difficulties, and they will have to make use of it, urgently. The country has a debt of 2 trillion euros, the highest in the euro zone (relative to GDP) after Greece. This year alone, it will need to borrow 420 billion euros to service this debt. Over a year ago, Germany offered help on condition that Mario Monti become prime minister. Italians resented becoming a German protectorate and disliked Monti's tax increases. A general election has left Monti and his party almost invisible. There's a stand-off in numbers between the Left under Pier Luigi Bersani, an old Communist, and the Right under a Silvio Berlusconi reviving from political death. Beppe Grillo and his Five Star Movement have polled enough votes to be on the same footing as the two main parties. Sixty-four and also an old Communist, Grillo is a comedian by profession. He looks, dresses, and behaves like an aging hippie. A natural demagogue, he knows how to touch a public nerve and air a prejudice. The incompetence and corruption of the entire political class is one of his favorite themes, and the pacifism of Iran is another. He recommends that Italy, in a clean sweep, break with the euro and return to the old lira. So he has one good idea, which may be enough.

■ George Galloway is a renegade British MP who has managed the startling feat of becoming the most boorish and obnoxious man in England while belonging to a political party with "Respect" in its title. In February, Galloway visited Christ Church College at the University of Oxford, at which he was supposed to debate a third-year student on the motion "Israel should withdraw immediately from the West Bank." The event didn't last long. A few sentences into the opening speech, it became clear to Galloway that his opponent was an Israeli. Visibly upset, he stormed out. "I don't debate with Israelis. I've been misled," he shouted while throwing on his coat. This prompted disbelieving calls of "Racism!" from the crowd, but Galloway would not be moved. "Respect," the party claims, stands for "Respect, Equality, Socialism, Peace, Environmentalism, Community and Trade Unionism." Perhaps they couldn't think of an acronym that included "Anti-Semitism"?

■ In Canada in February, a black police officer was charged under a law called the Police Act for, as the *Toronto Star* dryly reported it, "not investigating racial taunts against himself." Constable Dameian Muirhead was presented with "three counts of misconduct" for taking no action against drunk partygoers who allegedly insulted him for the color of his skin and told him that they'd "love to see [him] hanging from a tree." York Regional Police had initially announced that it would seek Muirhead's "dismissal or demotion" if he was found guilty on any of the charges. It has now changed its mind.

■ Former NBA great Dennis Rodman and three Harlem Globetrotters went on a basketball jaunt to North Korea, where they put on an exhibition for First Fan Kim Jong Un. Kim "had a blast at the game," said Shane Smith, the American media exec who promoted the trip. "He invited them back to his home for a party [afterwards] and they had a grand old time." Rodman, who watched the game from the sidelines, told Kim, "You have a friend for life," and when he got back to America, he added that Kim is "a great guy." After all the smiles over all the years, and all the corpses in all the graves, is there anyone who is such a rube that he does not know that there are despots in this sad world, and that they can put on a happy face when they want to? The answer is (and, it seems, always will be) yes.

AP PHOTO/BRENNAN LINSLEY

■ The story has the makings of a Newbery Medal winner: Once upon a time there was a six-year-old boy named Coy who wanted to be a girl, so he started wearing pretty dresses and playing with dolls, and suddenly, through the magic of 21st-century political correctness, he was one! Everybody called Coy "she," and treated Coy as a girl, and Coy lived happily ever after. Well, except when Coy had to go potty—because this is not a fairy tale but a real-life story, and all the magic and make-believe and diversity training in the world couldn't change the fact that the girls at Eagleside Elementary School in Colorado were disturbed by sharing a bathroom with him. So Coy was barred from their bathroom. There are several gender-neutral bathrooms in the school that he is allowed to use. Since this is America, Coy's parents have pulled Coy out of school and, inevitably, filed a civil-rights lawsuit.

■ Eating a breakfast pastry, Josh Welch chewed off bits of its perimeter with definite purpose, attempting to sculpt his food into the shape of a mountain, "but it didn't look like a mountain, really," the seven-year-old pupil at Park Elementary School in Baltimore later commented. "It turned out to be a gun, kinda." The form that his failure to execute his artistic vision took was deemed an "inappropriate gesture" by school officials, who suspended him. Over in Montgomery County, Md., Rodney Lynch, six, was suspended from school for pointing his fingers at a female classmate, who "did the pow sound," Lynch explained. "And then I got sent to the office again." America's teachers and principals won't rest until the country is safe from harmless tomfoolery.

■ Our brother *Human Events* has been publishing since 1944. It will publish still, but on the Internet, only. *Human Events* has nurtured many a conservative, most prominently Ronald Reagan. His less-conservative aides used to hide it from him in the White House. Reagan managed to lay his hands on it anyway. We wish *Human Events* long life, whatever form it takes. And has any American publication ever had a better name?

■ So admired and popular did Dr. C. Everett Koop become, it's hard to remember how hated he was by the liberal establishment when Ronald Reagan nominated him for surgeon general in

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1981. "Dr. Unqualified," the *New York Times* called him. "Dr. Kook," said others. His confirmation took almost a year. Koop was an evangelical Christian, a pediatric surgeon, and a staunch opponent of abortion. Liberals said he would bring night down upon the country. Once in office, he wore a uniform, with braids and epaulets. He had a beard, and was routinely called "scary" by liberals. (What is it about a beard? Liberals were similarly spooked by Judge Bork's beard.) They liked him a lot better, though, when he proved a crusader against smoking, which elites had begun to turn against. And his crusade against AIDS silenced the critics. Koop may have gone too far when he called himself "the health conscience of the country"—he was sometimes unable to resist grandiosity—but he was an excellent doctor, an excellent public servant, and an excellent man. His whole career, he said, was "dedicated to prolonging lives," especially those of the "weak and powerless," including the unborn. Koop has died at 96. R.I.P.

■ Van Cliburn was a rarity, namely, a celebrity from the world of classical music. He was also a figure in the Cold War. The pianist was famous early: at age 23, in fact, when he won the Gold Medal at the inaugural Tchaikovsky Competition in Moscow. The year was 1958. The jury made sure to get Khrushchev's approval before giving the top prize to this American. Back home, Cliburn received a hero's welcome, including a ticker-tape parade up Broadway—the first-ever such parade accorded a musician. He was always famous, but his career was short-lived: He lost his nerve, in a way, and withdrew from concertizing. He played little after the 1960s. But he played very well, always. He was a brilliant musician, both instinctual and well trained. His first and most important teacher was his mother, to whom he was touchingly devoted. (He lived with her in his middle age.) He was especially good in Romantic music, to which he often lent a Classical sensibility. The Van Cliburn Competition, held in Fort Worth, is one of the most important piano competitions. After he won the Tchaikovsky, there was a reception at the Kremlin. Khrushchev gave him a hug and said, "Why are you so tall?" Cliburn answered, "Because I'm from Texas." The tall, superb pianist from Texas has died, age 78. R.I.P.

THE BUDGET

Sequestered

In return for raising the debt ceiling in 2011, congressional Republicans demanded spending cuts. President Obama insisted that the spending cuts be across-the-board reductions weighted toward defense. Now those reductions in planned spending are finally happening.

It would have been much better to reduce the size of government in a considered and intelligent way. The portion of the budget most in need of reining in—the entitlement programs—is left untouched by the sequestration now under way. The president, however, refused to consider more sensible spending cuts unless the Republicans agreed to another tax increase just months after one had taken effect. Managers of government agencies could have been given discretion over which portions of their spending would be trimmed over the next few months, as an interim measure until Congress draws up a new budget. President Obama and congressional Democrats resisted any such measure in order to keep up the pressure for tax increases.

Those managers could have prepared for the sequestration by gradually reducing spending over the last few months. The administration twice ordered them not to plan ahead in this fashion, perhaps on the theory that Republicans would buckle and allow higher spending. Because of all of these decisions, the spending reductions, while mild as a percentage of the budget, will have an outsized impact on national defense.

Republicans have at times been unsure of what to say about sequestration, with some of them emphasizing that Obama is to blame for it and others saying it is a good thing. For now, though, the Republicans seem to have prevailed: Spending will not be raised above its post-sequestration levels—President Obama has conceded the point with respect to the "continuing resolution" to fund the government through September—and taxes will go no higher either. The president could regain the initiative during the debate over the resolution, but only if Republicans are foolish enough to give him the opportunity to blame them for a government shutdown.

Conservatives were right to resist increases in taxes and spending. They must not lose sight of the more important objective: reforming the welfare state to make it a better fit with the country's needs and the Constitution's design. Sequestration does not seriously advance this objective, and Democratic control of the White House and Senate places tight limits on how much progress can be made toward it.

What conservatives should do now is offer modest first steps on entitlement reform. A well-designed reduction in benefits for the highest earners could make a real dent in the debt projections, cause no hardship, and establish the precedent for bolder reforms in the future. If the administration balks, Republicans will have exposed its obduracy at no cost to themselves.

VAN CLIBURN: AP PHOTO; AP PHOTO/CHARLES DHARAPA

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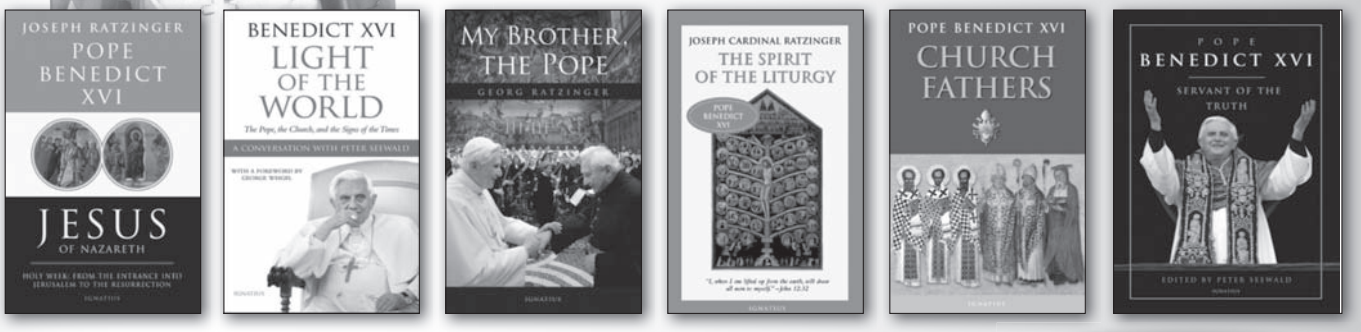

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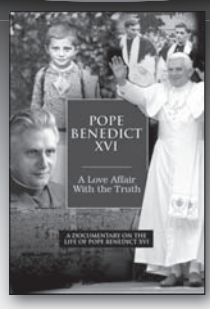

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How Cameronism went wrong

BY JOHN O'SULLIVAN

THE parliamentary constituency of Eastleigh, situated on the southern English coast between Southampton and Winchester, is an agglomeration of small towns and villages with such names as Butlocks Heath, Hamble-le-Rice, Bursledon and Old Netley, and Hedge End Wildern that seem to come straight out of the television series *Midsomer Murders*. It might almost be an archetypal stretch of Old Tory England, which indeed it was—regularly returning Tory MPs with majorities ranging from 13,000 to 20,000—until 1994, when, in a *Midsomer*-like plot twist, its Tory MP was discovered dead, lying on a kitchen table, wearing suspenders and ladies' stockings, with an orange in his mouth and an electric flex cable around his neck, having seemingly embarked upon an experiment in autoerotic asphyxiation and self-bondage that went wrong. The third-party Liberal Democrats won the seat in a special election that year and have held it ever since.

Three weeks ago, however, Eastleigh's most recent Liberal Democrat MP, Chris Huhne, also a senior cabinet minister in the post-2010 coalition government of Tories and Lib-Dems, resigned from Parliament, pleaded guilty to perverting the cause of justice (he had persuaded his wife to claim falsely that she was driving his car when police cameras detected it as speeding), and was told by the judge to expect a prison sentence. Here was a scandalous opportunity for the Tories to regain the seat that they had always felt was truly their own.

That scandal was multiplied tenfold by allegations in the week of the election that a former Liberal Democrat electoral chief, Lord Rennard, had applied wandering hands to the legs and bottoms of aspiring Lib-Dem women, that his disgrace had been covered up by, among others, the Lib-Dem leader, Nick Clegg, and that after a brief exile in the wilderness the noble Lord was returning to a top leadership position. There was even loose talk of a "Liberal Democrat casting couch," which, when we recall that politics is show business for ugly people, is not a topic you want to think too much about. Lib-Dem women, now further offended, leaked the story.

Against such a background, the Tories should have romped home. Instead, they came in third, 3,000 votes behind the successful Lib-Dem candidate and—still worse—1,000 votes behind the upstart UKIP (or United Kingdom Independence party). The three parties won 25, 32, and 28 percent of the vote respectively. Labour voted present; it got 10 percent.

As always, excuses are plentiful. After 18 years holding the seat, the Lib-Dems are "dug in" at Eastleigh; they hold almost all the local council seats. UKIP's vote was largely a "protest vote" that will evaporate in a general election. The UKIP candidate, Diane James, was an unusually able one. And so on.

These excuses hold very little water. To start with, the Lib-Dem result was worse than the Tory one in percentage terms—a fall of 15 points since the last election compared with 14 for the Conservatives. But the Lib-Dems' former voters went to UKIP rather than to the Tories. UKIP's total certainly contained protest votes. But since another ten candidates (from "Wessex Regionalist" to an "Elvis Loves Pets" supporter) siphoned off pure protest ballots amounting to 5 percent of the total vote, UKIP was probably left with a fairly high ratio of partisan supporters to temporary protesters. And Ms. James was undoubtedly a strong candidate, but if the party continues to gain ground and credibility, there will be more like her. Opportunities for UKIP to gain both lie ahead in local elections this May, in European elections in May of 2014, and in whatever special elections occur before May 2015.

So although UKIP is likely to fall from its current standing of 9 to 12 percent in national opinion polls, let alone the 28 percent recorded in Eastleigh, it will win substantially more votes than the 3.1 percent it achieved in 2010. Once a party breaks through a certain credibility barrier, it can multiply its votes very rapidly, as the Lib-Dems have shown. Let's guesstimate a UKIP score for 2015 of anything between 6 and 9 percent. The Tories therefore face electoral competi-

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tion on their right for the first time since democracy. Even with UKIP support at a level of 6 percent, the conditions for an almost certain Tory defeat in the 2015 election will be met.

The other three conditions are as follows: First, the voters in 2015 will be poorer in real terms than they were in 2010 even if the economy grows moderately well between now and the election. A five-year decline in real wealth has not happened since the Second World War. Second, the electoral system is biased against the Tories to the point that they need something like a six-point lead in votes over Labour in order to break even in parliamentary seats. And, third, there are narrow limits to what the Tories can do to reverse the trends currently running against them—including the leeching of their votes by UKIP—if the problem is not merely unpopular policies but also distrusted political leaders.

Prime Minister David Cameron gave a major speech early this year promising a 2017 referendum on whether Britain should remain a member of the European Union. It was designed and expected to halt UKIP's rise. Eastleigh suggests that it mainly made UKIP's signature issue look respectable. And the likely reason is that Cameron broke an earlier "cast iron" pledge, citing legal and practical difficulties, to hold a referendum on the Lisbon constitutional treaty committing the U.K. to still deeper European political integration. He now has to overcome a large gulf of distrust with the voters, especially conservative voters, if he is to persuade them to return to the fold.

Oddly enough, the seeds of this distrust lie not in the inevitable accidents and failures of political life but in the broad political strategy that David Cameron has pursued since becoming Tory leader in 2005. This strategy—commonly known as "modernization" but better called by the more neutral name of "Cameronism"—held that the Tories had lost their appeal to the voters in the vital center of politics because they had obsessively concentrated on such issues as crime, immigration, and Europe and gained a reputation as the "nasty party" thereby. Thus, Cameron's first step as leader was to downgrade those issues and focus instead on such progressive ones as a green-energy policy of subsidizing "renewables" and increasing foreign aid (with photo opportunities). Would this strategy carry conviction with the target centrist voters, however, and with the liberal metropolitan media, such as the *Guardian* and the BBC, which were transmission belts to these voters? The more ruthless Cameronians doubted it. They argued that the Tory party, in order to be credibly progressive, had to demonstrate its contempt for its more reactionary supporters. On several policies—above all, same-sex marriage—it did just that.

Their success was seen at Eastleigh: They drove away natural Tories and helped UKIP go from a tiny protest party to a serious competitor. It was marred by only one flaw: The centrist voters leaving Labour and the Lib-Dems went not to the Tory party but to UKIP.

This process will be very hard to reverse. Cameronism has made the Tories a largely directionless party. What remains of it at constituency level—membership has halved under Cameron—doesn't know what to think other than that something has gone terribly wrong since Tory MPs defenestrated Margaret Thatcher. The party's ministers and loyalist MPs are rendered inert by the strategic decision not to challenge the metropolitan-liberal consensus. They are confined within social-democratic limits on everything from taxation to equality to Europe. They are dumb on the implications of the scandals within the National Health Service that have quite literally killed thousands of people. And when they break out of these constraints in response to events like Eastleigh—as Home Secretary Theresa May did with a promise to leave the European Convention on Human Rights—no one believes them. To use American English, such things are seen as "boob bait for Bubba."

Even if they were minded to adopt bolder policies, the constraints of coalition politics would re-imprison them. As Iain Martin points out in his *Telegraph* blog:

> Now it is plain that the coalition is turning into a disaster for the Conservative party. Not only has it robbed it of freedom of thought and manoeuvre, it has forced Conservative ministers into adopting and defending positions guaranteed to cause them trouble with their own voters. . . . It is kamikaze politics.

Cameronism has made the Tories a largely directionless party. What remains of it at constituency level doesn't know what to think other than that something has gone terribly wrong.

As a result Cameronism has moved the entire spectrum of British politics to the left. Even Tories now argue in favor of wealth taxes.

David Cameron is an agile and inventive politician. But his political strategy is at an impasse. One possible way to avoid defeat might be to provoke a party split, isolate the Right, and lead most Tories into an electoral pact with the Lib-Dems, ultimately forming a Center party. Even if that is his intention, however, it seems beyond his reach. He carried fewer than half of Tory MPs with him on gay marriage. Anything like a merger with the Lib-Dems would provoke a larger rebellion. And most Lib-Dems, activists and MPs alike, who regard the Tories as the traditional enemy, would reject it.

This leaves the prime minister in a very lonely place. As far as the world knows, David Cameron never wears ladies' stockings, uses an electric flex only to turn on the light, and believes that the sole purpose of oranges is to serve as part of a healthy diet. But Cameronism looks increasingly like an experiment in autoerotic asphyxiation and self-bondage all the same. And it's going wrong. **NR**

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The Obamacare Long Game

Republican governors should play it

BY JOHN HOOD

To conservatives nationwide, New Jersey governor Chris Christie went from rock star to pariah in just four months. His slide began when he physically embraced President Obama days before the November election and went out of his way to praise the administration's reaction to Hurricane Sandy and criticize Republicans for questioning Congress's exorbitant relief bill. The slide continued in late February with Christie's announcement that New Jersey, with his support, would expand Medicaid under the Affordable Care Act. He was the eighth Republican governor to endorse such an expansion.

Major changes of political reputation aren't unprecedented. But they usually flow from gaffes or scandals. Christie's public acts were surprising, and he has confidently defended them. After learning that the American Conservative Union wouldn't be inviting him to the Conservative Political Action Conference this year, for example, Christie laughed it off: "It's not like I'm lacking for invitations to speak."

But Christie's Medicaid expansion shouldn't be thought of solely in political terms. Christie's decision, like that of other Republican governors such as Rick Snyder in Michigan and Rick Scott in Florida, wasn't simply a ploy to win reelection or to gain respect from the liberal media. It was a policy decision. Christie and the others thought they were doing the best they could given short deadlines and a hostile presidential administration. In fact, they misread the situation and miscalculated the costs. There was no hurry to say yes or no. With Obamacare, the president needs cooperative state officials more than they need him.

The governors' mistakes aren't hard to explain. Their administrations were subjected to months of furious lobbying by hospitals and other interests that will receive the new Medicaid funds. They were also furnished several competing predictions about Obamacare's legal and fiscal future. These actuarial studies were, in truth, little more than guesswork. They rested on many unknown variables. How will the law's taxes, regulations, and subsidies really affect employer-based health plans? Can the law's rickety financial structure of Medicare cuts, Medicaid expansions, and "evidence-based care" savings survive? Perhaps most important of all, who will be president in four years?

As I write, the landscape for Obamacare implementation looks something like this. Just over half the states, most but not all with Republican governors and legislatures, will say no to running insurance exchanges (essentially, marketplaces in which private companies sell plans that comply with Obamacare's requirements and state policies). They will let the federal government try to set up the exchanges itself by the October deadline (delays are likely). At the same time, just over half the states, most but not all with Democratic governors and legislatures, will say yes to expanding Medicaid coverage to all citizens with household incomes up to 138 percent of the poverty line, regardless of disability or family status. (This is a significant policy change: In many states, even desperately poor people aren't eligible for Medicaid unless they are parents or disabled.)

Some governors went with the president on one decision and against him on the other. For example, Republican governors Jan Brewer in Arizona and Jack Dalrymple in North Dakota opted for Medicaid expansion but not state-run exchanges, as did Democratic governors Jay Nixon in Missouri and Steve Bullock in Montana. On the other hand, Republican governors Butch Otter in Idaho and Terry Branstad in Iowa chose to refuse Medicaid expansion, at least for now, while opting for a state role in running their exchanges.

Arkansas governor Mike Beebe, a Democrat facing a newly Republican legislature, managed to thread an even smaller needle. Under his plan, Arkansas would set up its insurance exchange in partnership with Washington and then accept Medicaid-expansion dollars—which he would then use not to expand Medicaid itself but to buy private plans for new beneficiaries on the state's exchange. Republican governor Scott Walker has also charted a unique course. Not only will Wisconsin default to a federal exchange, but Walker has proposed *shrinking* his state's Medicaid caseload in response to Obamacare, allowing former Medicaid recipients above the poverty line to enter the insurance exchange (with federal tax credits) and then using a portion of Wisconsin's savings to enroll some truly poor people in Medicaid under the pre-Obamacare rules.

Confused yet? It gets worse. Keep in mind that most of these are only *proposed* responses to Obamacare. In many cases, state legislatures have yet to act on them. Some legislatures will say no. Plus, some Republican governors whom Obamacare supporters are currently touting as converts, such as Ohio's John Kasich and Virginia's Bob McDonnell, have made their support for Medicaid expansion conditional on cost containment and federal funding guarantees. And Florida governor Rick Scott's much-touted announcement for Medicaid expansion came at the same time that the Obama administration announced plans to let him expand his state's Medicaid managed-care pilot program, which many fiscal conservatives praise as a model for reducing costs.

There's a reason why governors and legislatures have gone off in various directions. With both insurance exchanges and Medicaid expansion, there are many moving parts to consider. If you are a conservative politician who espouses devolution of power to states and keeping a lid on state budgets, Obamacare's provisions hold some attraction. You may see running an exchange as superior to ceding control over your health-insurance market to Washington (although this hope has proven to be largely a mirage, given recent federal regulatory filings). And it may seem fiscally prudent to draw billions of dollars in new federal Medicaid funds, which not only displace state spending on the uninsured but also bring in additional tax revenues from the medical providers that receive them. These arguments look even more persuasive if you know that one of the most powerful lobbies in your state, the one representing private health insurers, will support a state-run exchange, and another powerful

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lobby, that representing hospitals, will support a Medicaid expansion.

However, the attraction of these options depends heavily on one's time horizon and expectations. In announcing his plans for Medicaid expansion, Chris Christie referred to Obamacare as "the law of the land." It is—for now. If the law survives intact, states will eventually have to figure out the least costly way to live with it. But most Republican leaders, and even some Democrats, have concluded this isn't the most realistic scenario. Obamacare has never been popular with the public, and it is likely to become less so as health premiums skyrocket and long lines form at doctors' offices, pharmacies, and emergency rooms. (Contrary to popular belief, Medicaid coverage increases the use of ERs rather than reducing it.) If the federal courts agree with the state of Oklahoma that Obamacare's mandates and taxes apply only when states set up their own exchanges, then defaulting to a federal exchange will shield state residents from these harmful effects and force Congress to rewrite broad swaths of the Affordable Care Act. In that case, we'll have a new and better "law of the land."

As for Medicaid expansion, Obamacare assumes that future Congresses and presidents will implement offsetting Medicare cuts far larger than the 2 percent that President Obama objected to in the recent federal budget sequester. It also assumes the perpetuation of an odd division of labor between Washington and the states: Washington will pay virtually all of the cost of covering less-needy new Medicaid recipients while compelling states to continue shouldering a substantial share of the cost of serving those who are already using the program, including children, the disabled, and the desperately poor. Will that division of labor really make sense to anyone in five or ten years, particularly as the pressure to reduce federal budget deficits continues to grow?

Furthermore, states assume low rates of what is called "crowd out," in which individuals capable of securing private insurance enroll in government plans instead. But in past Medicaid expansions, significant numbers of individuals have either dropped their private insurance to get the "free" health care they were now entitled to or else stayed on Medicaid when they would otherwise have become ineligible and found private coverage. Both decisions led to higher-than-projected Medicaid enrollment and cost. These past expansions have had crowd-out rates of 50 percent or higher—that is, of the people who received Medicaid because of the expansion, more than half would have had private insurance otherwise.

Obamacare proponents argue that, overwhelmingly, the people who will be affected by the new expansion are those who would lack insurance otherwise. This is incorrect. According to U.S. Census estimates, if you subtract those already on Medicaid or other government health plans, then about 40 percent of the remaining individuals below the poverty line, and 50 percent or more of those just above the poverty line, currently have some kind of private coverage. Not all will abandon their insurance plans for Medicaid or will work for employers who decide to drop costly health plans in favor of a less-expensive Obamacare tax. But many probably will, further raising the Medicaid expansion's price. Will a future president and Congress just eat the difference, or will they push more funding responsibility down to states? Experience argues for the latter. When Congress enacted the Education for All Handicapped Children Act in 1975, for example, it promised that federal funding for special education would eventually rise to 40 percent of the cost. It never happened. The federal share is currently less than half that amount.

State decisions about Obamacare reflect an expectation about what the system will look like by the end of the decade. Governors and legislatures who think the health-care debate is over may just be trying to cut the best deal they can. That's premature. There was never a reason for Governor Christie or other governors to act rashly. Obama-administration officials desperately want states to run exchanges and expand Medicaid. They'll feel the same way two or three years from now. For governors, the right answer on both issues in 2013 is "not now."

If legal, fiscal, and political pressures compel President Obama, his congressional allies, or his successor to rethink Obamacare's design—the kind of thinking that already seems evident in the imperfect but interesting deals negotiated with Arkansas and Florida—governors who surrendered early will try desperately to correct their hasty decisions. And they will look foolish doing so. **NR**

Free The Cops

Broken-windows policing has lowered incarceration rates

BY HEATHER MAC DONALD

Opponents of New York City's proactive style of policing struggle mightily to downplay its most obvious benefit: the largest crime drop on record, concentrated overwhelmingly in minority neighborhoods. Now they have an additional challenge: ignoring the fact that assertive policing can also lower the prison population. If public officials want to decrease incarceration without increasing crime, a new study suggests, the way to do it is through more law enforcement, not less.

For over a decade, New York State's prison population has dropped, while crime in New York City, the major source of that population, has dropped even more. Meanwhile, the national prison tally has continued to rise, leveling off only recently. The cause of the decline in New York's prison population was a shift in New York City policing, suggest criminologists Michael Jacobson and James Austin in their recent report, "How New York City Reduced Mass Incarceration." Since the early 1990s, the New York Police Department has been paying attention to low-level misdemeanor offenses such as marijuana possession, trespassing, and vagrancy—a style of law enforcement known as "broken windows" policing. Misdemeanor arrests in New York City have risen over the past two decades, driving an overall increase in arrests, but felony crime has dropped, and hence so have felony arrests, with the result that people are being sent to state prison in far lower numbers. (Prisons house only felony, not misdemeanor, offenders; jails take in both.) The number of jail inmates and convicts under parole and probation supervision has dropped as well.

How did the entire correctional population fall, while arrests increased? This seeming paradox is the result of police

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officers' interacting with the crime-prone population sooner rather than later. Instead of waiting for a felony to happen and making an arrest, cops now nab offenders for less serious crimes, which at most sends them to jail for a few days or weeks but interrupts the arrestees' more serious criminal activities.

Some examples: The NYPD has been patrolling public housing for trespassers, who commit a large share of public-housing violence. Arresting a trespasser for loitering in a stairwell may avert a sexual assault in that same stairwell; the trespasser at most will be sent to the Rikers Island jail for trespassing, rather than to a prison upstate for rape. (Predictably, left-wing advocates and their elite-law-firm enablers have sued the department for its trespass patrols.) Booking a subway-fare beater for jumping a turnstile may fend off a robbery on a train. Pouring out the whiskey of someone who has been drinking on the street at 11 A.M. lessens the chance of a stabbing or shooting at 9 P.M., when the drinker and his crew are good and inebriated. A gang member spraying his tag in enemy territory today could well be shooting a rival tomorrow; if you can get him off the street for graffiti, you'll reduce violence—and send one fewer felon to prison.

It's not just misdemeanor arrests that abort greater predation; the NYPD's embattled policy of "stop, question, and frisk" does so as well, though Jacobson and Austin steer clear of this even more controversial topic. Questioning someone who is acting as a lookout for a burglary might not result in an arrest, because there is not enough evidence of a crime in progress to support one, but that intervention will likely avert the break-in. Moreover, the increased likelihood of getting stopped and questioned on reasonable suspicion of a crime has greatly deterred gun-carrying among criminals, by their own admission.

Owing to the increase in misdemeanor arrests, misdemeanor admissions to New York's Rikers Island jail complex rose over the past two decades, but felony admissions dropped even more, so the overall jail count decreased. The NYPD still sends huge numbers of people to jail—over a hundred thousand a year—but many are released in a week or two and do not have a large effect on the long-term population count.

It would be premature, however, to rule out incarceration as a factor in the drop in New York City crime. The prison sentences served by New York State felons increased over the past decade and a half and are now among the nation's longest. These sentences keep violent offenders off the streets for a longer period of time, during which they cannot commit new felonies.

Nevertheless, it turns out that shorter deprivations of liberty can also lower the crime rate, if the response to an infraction is swift and sure, as the late social scientist James Q. Wilson counseled. Besides interrupting more serious criminal activity, intensive misdemeanor enforcement and proactive street stops send the message to criminals and law-abiding residents alike that the rule of law is still in effect in troubled neighborhoods and that the police are watching.

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It cannot be overstated how painful is the dilemma that the Jacobson-Austin report poses for the anti-incarceration, anti-policing lobby. For the past two decades, activists and journalists have portrayed the NYPD's policing strategies as a racist assault on minorities. Broken-windows policing penalized the poor, who had no choice but to violate public-order laws, the advocates said. Stopping and questioning suspects was race-based harassment. The only thing equal in fury to the agitation against New York's policing practices, however, has been the crusade against what is often referred to as America's "epidemic" of incarceration. Prison is, in the words of best-selling author Michelle Alexander, the "new Jim Crow"—i.e., an effort to resegregate the country. Both incarceration and proactive policing are said to cause what they purport to cure: By breaking up families and communities and arbitrarily branding virtually harmless individuals with arrest and prison records, the argument goes, policing and prison actually create crime and social disorder rather than respond to it.

Leaving aside whether this analysis bears any resemblance to reality—it does not—if broken-windows policing is an alternative to long prison sentences, anti-incarceration advocates should (in theory) revise their portrayal of policing's costs. (The JFA Institute, which James Austin leads, has been a particularly vocal critic of incarceration; the Vera Institute of Justice, which Michael Jacobson heads, almost equally so. Their paper, co-sponsored by the even more left-wing Brennan Center for Justice, is not going to endear its authors to the advocacy world.)

Jacobson and Austin are not the first to note the relationship between New York City's proactive policing and New York State's lowered prison count. Franklin Zimring, a law professor at the University of California, Berkeley, spotted it as well, in *The City That Became Safe: New York's Lessons for Urban Crime and Its Control* (2011), his groundbreaking book on the New York crime drop. Zimring explained more explicitly than do Jacobson and Austin how policing lowers incarceration, but

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when two of the most prominent organizations in the anti-incarceration movement second the analysis, it gains credibility.

Unfortunately, Jacobson and Austin backtrack from the progress that Zimring made in demonstrating why crime fell so sharply in New York. Zimring shows that only New York's policing revolution can explain why the city's crime drop has been twice as steep and has lasted twice as long as the national average. Jacobson and Austin resurrect traditional explanations, such as demographics and economic conditions, that Zimring has discredited. They also repeatedly imply, despite their protestations to the contrary, that the NYPD had an official policy of making fewer felony arrests, whereas the decrease in felony arrests was simply the result of a decrease in felony crime. Frustratingly, the book and the report offer slightly different counts of New York arrests and correctional populations—leading one to despair of the authoritativeness of crime data—and, like Zimring's own numbers, Jacobson and Austin's data are internally inconsistent (the drop in the city's jail population, for example, is listed in one place as 40 percent, in another as 38 percent).

These are minor quibbles. At a time when New York's proactive policing is under fierce assault in both federal court and the political arena, the broken-windows report is a must-read contribution to the increasingly strident and one-sided debate. It has been commonplace in anti-NYPD discourse to focus exclusively on the alleged victims of proactive policing—the people stopped on suspicion of criminal activity or arrested for misdemeanor offenses—and to ignore its most obvious beneficiaries: law-abiding residents of low-income neighborhoods who fervently support the police and who yearn for the same orderly public spaces and freedom from fear that residents of Park Avenue take for granted. Now, however, it turns out that even those alleged victims benefit from proactive policing. A strong police presence keeps individuals involved in "street life" from triggering the most severe penalties of the law by providing a surrogate for the self-control and parental oversight that they lack.

New York has shown that effective policing revitalizes cities and saves lives. Increasing evidence shows that policing can also transform the entire criminal-justice system. **NR**

ROMAN GENN

An Entrepreneurial Life

Pictures from struggling, wonderful California

BY JAY NORDLINGER

Fresno, Calif.

As some people have a talent for sprinting or dancing, Richard Spencer has a talent for entrepreneurship. Like most talents, this one manifested itself early. And, like many an entrepreneur, Spencer had the chance of a little capital.

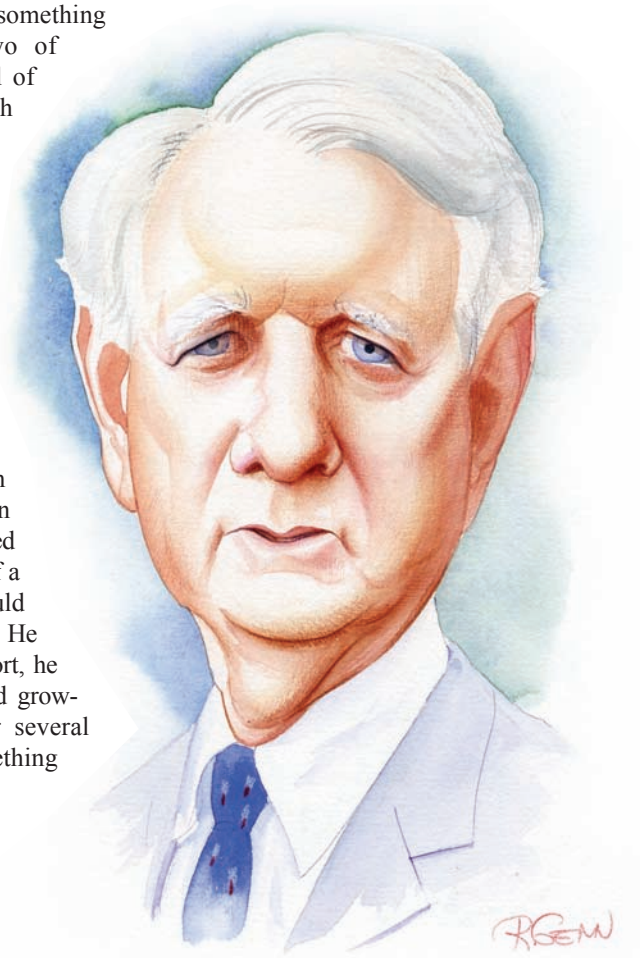
Before he graduated from high school, in 1962, his great-aunt May asked him, "What are you going to do this summer?" He said, "Deliver furniture, same as last summer." She said, "How would you like to do something more interesting?" The two of them went down to the Hall of Records. They leafed through some books and found a home about to be foreclosed on. May bought the home for $5,200. She also gave her great-nephew $800 for supplies. The plan was, he would fix up the house, and then they would sell it, splitting the profits.

At the end of the summer, he had another idea: How about renting it? They did. In the meantime, the young man had noticed a vacant lot, zoned for four units. As the owner of a house with a renter, he could borrow $4,000, to buy the lot. He did. To make a long story short, he has not stopped working and growing since. He presides over several enterprises, employing something like 400 people.

His city, Fresno, needs the employment. This is one of the most depressed areas in the country, dubbed "the Appalachia of the West." Unemployment is now 14 percent, although recently it was 17 percent. In some of the small surrounding towns, unemployment is as high as 35 or 40 percent. "We are the agricultural center of the world," says Dennis Woods, a leading banker in Fresno, "yet people are starving."

It is indeed a strange and frustrating paradox. Fresno has long been famous for raisins, and it also has tomatoes, onions, peppers, cotton, oranges, pistachios—you name it. Almost anything can grow here. Armenians were once the prominent minority in the area (as immortalized by William Saroyan, Fresno's literary light). The descendants of these immigrants are still here, but the prominent minorities are Mexicans, Punjabis, and Hmong.

As for Richard Spencer, he is nothing special, or so he says. But the type he represents is undoubtedly special: the person who comes up with an idea, comes up with another idea, takes risks, finds his way around obstacles, employs others, and



Richard Spencer

prospers. "He's always thinking," says Mike Conway, a friend of Spencer's, and a fellow entrepreneur. "He takes an intellectual approach. I'm more seat of the pants"—and Conway has done well by those pants, for himself and others.

Spencer is at the head of Spencer Enterprises, which builds houses and apartments. He also heads Harris Construction, which builds schools, hospitals, and the like. Then there is a parts business, and a company called CMEC. The latter builds aerial work platforms: boom lifts, scissor lifts. Spencer also has an almond ranch and a winery (the Cru Wine Company). He has had lean times and fat. He keeps going through the lean times, knowing that investors, employees, and others count on him. Business life is constant adjustment.

I think of something Bill Buckley often said, quoting Whittaker Chambers: "To live is to maneuver."

Spencer is not a complainer, but he is nevertheless willing to tell me about the follies of government. Take the matter of engines. You have to buy new engines now, because older ones are deemed too polluting. The new engines are very expensive, too. Just last week, Harris Construction lent a water truck to the almond ranch. The people at the ranch wanted to water their dirt roads, in order to keep the dust down. The EPA demands this. But this same EPA demanded that the water truck be taken off the road, because its engine is too old. Harris will now have to scrap the truck.

That's a relatively small matter, among many. Here's another: Spencer is building 160 apartments in Fresno. He has to pay the EPA a fee of $220,000. Why? Because people will live in the apartments, and people take trips—to and from work, or to the movies, or even out of town. They live; therefore, they pollute. And Spencer must pay. Naturally, he will build the fee into the tenants' rent. And what will the EPA do with his $220,000? He has a good guess.

Over the years, he has noticed something about government: Often, its offices will charge fees, impose penalties, and so on simply to keep themselves in business. They justify their existence this way. They can say, "See? We pay for ourselves"—by generating money from the regulated, or over-regulated.

Incidentally, this is a big part of what turned Thomas Sowell, the famed economist and writer. He became a libertarian-conservative when he was a young man working in the Labor Department. He saw that the bureaucrats around him were more concerned with perpetuating their jobs and keeping or expanding their powers than with the public interest.

Spencer, in his various enterprises, has a lot of EB-5 investors. "EB-5" refers to a provision of immigration law, a provision that allows foreigners to make a substantial investment in certain U.S. businesses in exchange for a green card. But there is a problem, says Spencer: The rules shift under your feet.

And you can't talk to anyone in government about it. You deal with "nameless, faceless websites." You are at the mercy of anonymous regulators who can hold up an application or otherwise gum up the works—and you have little recourse.

To add insult to injury, says Spencer, the immigration service now employs "entrepreneurs in residence." "By definition, a government employee is not an entrepreneur," he says. But do they know what they're doing? Are they of use? "I don't know," he says, "because we haven't been able to meet with one or talk to one, despite our best efforts."

Like other businessmen, Spencer now faces Obamacare—and so do his employees. At first, they were relieved to hear, from President Obama and others, that they would not have to give up their existing health care, if they were satisfied. But that has proven untrue. Spencer's CFO at CMEC has devoted many hours to figuring out the new world of Obamacare—hours he could be spending on more productive work. This much is certain: Spencer will pay more for his employees' health care, and so will they. Whether the health care will be better is doubtful.

In the almond business, Spencer is small-time, he says, but he takes me to see someone big-time: Tony Campos, a veritable almond king. He wasn't born a king, or prince, however. He came to America in 1952 from the Basque country, with nothing. He took a bus from New York to Wyoming, where he would work as a shepherd. Eventually, he and his brothers tended sheep in California. Then they moved into farming, finally hitting on almonds. The Campos brothers did hard, tedious manual labor. Now Tony—the sole remaining brother—has a sprawling, gleaming operation, with equipment that seems out of Willy Wonka's chocolate factory.

Business has never been better, he says. That's because of a global market: He sells to 62 countries. Still, he could be doing a lot more. His company spends endless money and endless hours on regulations—particularly those relating to food safety and labor. Campos acknowledges the need for regulation, but says that much of it is absurd. Just a giant waste. Money that could be going to expand business goes instead down a rathole. When he speaks of this, his face registers both disgust and amazement. Why would a country want to do this?

Here is a regulation that may be coming soon, a regulation in the pipeline: Say a kit fox wanders into your orchard and defecates near a tree. You have to quarantine off a sizable area and destroy the trees within it. You can't keep Mr. Fox out in the first place—because he's an endangered species. The government can tie you up in knots, in myriad ways.

Back to Dennis Woods, the banker—and more than a banker, a business impresario. He has started about 40 businesses, of various types. He is a banker who hates bankers, he says: They are risk-averse, practiced at saying no. And you can't build anything with no. Woods likes to say yes, helping entrepreneurs get started. He lends them money and guides them through regulations, to the extent one can. The biggest barrier to entrepreneurs today, he says, is not taxes—though we could argue about tax policy. The biggest barrier is access to capital (a lack thereof). That and the morass of regulation.

It bothers Richard Spencer that men such as Tony Campos have to bow before regulators, and be yanked around by them: people who have no relevant experience, no relevant knowledge, and no accountability. Businessmen rise and fall, but a regulator is seldom fired.

But Spencer does not want you to feel sorry for Campos, or Dennis Woods—or Spencer. They're all doing great. They're big boys, well established, and they can hold their own with government, at all levels. Nor do you have to worry about their children, says Spencer. (He and Karen, his wife of 46 years, have six children.) They have resources. They also have resourcefulness. They have seen entrepreneurship in action, and they'll figure out a way.

Spencer worries about those without resources, or with few resources: "the entrepreneur who never was," as he puts it. The guy who could never get going, because the barriers were too high. "That is the sinister and obnoxious effect of overregulation," he says—stopping people before they can get started, choking dreams in their cradle. If he were starting out today, he says, he could not accomplish what he has. The environment is too forbidding.

On top of everything else, businessmen have to put up with being demonized—with being the villain in countless movies and countless politician's speeches. Spencer especially objects to the insinuation, or outright assertion, that people like him came by their money dishonestly. He belongs to "the rich," I suppose, or "the 1 percent." But he has also worked his tail off, paid millions in taxes, given millions to charity, provided goods and services that people need or want, and employed thousands.

He doesn't mind paying taxes, by the way. "Happy to do it." He does think that a welfare state may not help the people it intends to help.

Despite the unpleasantness of recent years, Spencer is optimistic. His California is in bad shape, as everyone knows. But it is still a golden state. "There's still magic here," says Spencer. And magic across America. "People from all over the world want to come here, and invest here, and have their children educated here. We're tarnished, but we're not through."

Spencer may be nothing special, as he says—"Please don't make a big deal out of me"—but, again, the type he represents is special. If we who are not entrepreneurs dump on the entrepreneur, and overtax him and overregulate him, we are only harming ourselves. **NR**

If we who are not entrepreneurs dump on the entrepreneur, and overtax him and overregulate him, we are only harming ourselves.

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The Everyday Problem

Can the Right deliver commuters from traffic hell?

BY KEVIN D. WILLIAMSON

Woodrow Wilson Service Area, N.J.

New Jersey Turnpike, black sheets of rain. I've decided to spend a few days steering myself into the worst rush-hour commutes in the Northeast, and the first leg of the race—from the New York City Financial District to Metuchen, N.J.—ought to be spectacularly nasty: a gladiator run through Lower Manhattan traffic into the Hugh L. Carey (a.k.a. Brooklyn–Battery) Tunnel, bumping through a wide slice of Brooklyn, over the Verrazano Narrows Bridge into Staten Island, all the way across that borough, over another bridge into the industrial wasteland surrounding Perth Amboy, and across the New Jersey Turnpike into Metuchen. (Yeah, New York, I know—that's not the easiest way to get there.) It's only 37 miles according to Google Maps, but the combination of obstacles, river crossings, rush-hour departure time, and freezing rain promises to make it into a particularly unpleasant endurance test. In reality, it turns out to be a relatively easy run compared with what else I have in store. Driving through Manhattan is the usual taxi-dodging Thunderdome horror show, but the lines are moving briskly at the tunnel—all praises be upon E-ZPass—the bridges are clear, and traffic is fairly light. Once Staten Island is in the rear-view mirror, the automotive volume thins out quickly, and there's not much on the road besides me, a guy hauling a truckload of Doritos, Afrika Bambaataa on the radio (having completed his duties as a visiting scholar at Cornell University), and the voice of the GPS lady telling me which way to go. In less than an hour, I'm suburban-home-free and steering myself toward steeper challenges on the freeways of northern Virginia, the Pennsylvania Turnpike, and the terrifying merge-or-die Schuylkill Expressway.

With the exception of the *Escape from New York* segment, each of these routes has been at one time or another a daily commute for me, but I travel around the country enough to appreciate that they are not even the worst these United States have to offer. Just outside Metuchen, I spot what I suspect is a big part of the reason for that: The New Jersey Transit commuter train is as tightly packed as the Black Hole of Calcutta. Car commuting in the densely urban Northeast Corridor can be a frustrating waste of time, but for many of those living between Fairfield County and Fairfax County, it is a choice—a choice not really available to the vast majority of commuters in such traffic-addled metropolises as Houston or Atlanta, to say nothing of the poor people of Southern California, where whatever spatio-temporal anomaly governs life requires two hours to get from any given Point A to any given Point B. (On a recent drive from San Pedro to LAX, I averaged 6.25 mph over the course of the 20-mile trip.) Houston, Phoenix, and other big American cities that saw most of their growth in the highway-intensive postwar era are simply too

DARREN GYGI

spread out to support the kind of mass transit available in the Northeast. Sun Belt workers are more or less stuck in their cars.

Traffic is a visceral quality-of-life issue. The morning rush-hour commute is pure, unadulterated, Grade A hell for millions of Americans—millions of suburb-dwelling Americans with old-fashioned jobs of the sort that require one to be in a particular place at a particular time doing a particular thing, i.e., low-hanging Republican fruit—an everyday problem that is right here, right now, right on the other side of the windshield. It costs billions of dollars in squandered time and productivity, and in effect extends the 40-hour workweek into 50 or more hours for millions of voters. And it makes people furious.

Liberals love to talk about transportation: They will bend the national ear for hours on end with demands for massive new spending on highway infrastructure, enormous and enormously expensive expansions of public-transportation networks, endless variations on that "Monorail!" song-and-dance number from *The Simpsons*. But conservatives are pulled in opposing directions: Elected officials with an interest in the problem of traffic congestion, Virginia governor Bob McDonnell the most recent to join them, want to take what they see as pragmatic, good-government steps to better manage the problem, aligning resources and incentives through consumer choice where possible and injecting some accountability into the system.

But there is no way around the fact that transportation projects are enormously expensive. Part of that expense is due to the waste and inefficiency associated with any government-run construction project, but part of it is the nature of the beast: The materials and labor necessary to maintaining a highway or rail line are dear indeed, and building new highways and rail lines is mind-bogglingly expensive. Governor McDonnell and his team in Virginia did the numbers and came up with the answer no conservative wants to hear: a tax increase to support higher levels of government spending. The reaction on the right consisted largely in the composition of political obituaries for McDonnell, who is sometimes mentioned as a possible presidential candidate. Republicans love governors and mayors, because they have executive experience, but they hate the compromise and deal-doing that goes along with being the guy in a state or city entrusted with actually getting things done. Governor Rick Perry of Texas—Rick By-God Perry—was denounced as a sell-out RINO squishling because of his support for a controversial transportation project, and Governor McDonnell is inhaling a big whiff of that same stink right now. But the commute from the bedroom community of Burke, Va., to Capitol Hill suggests that something is seriously wrong in the Virginia suburbs, which just happen to be home to rich deposits of votes.

I WANT something to be at stake in the Virginia-to-D.C. leg of my commute, so I have scheduled a series of interviews and meetings beginning at 9 A.M. on Capitol Hill. I am more than a little obsessive in matters of punctuality, and I know this route from long, bitter experience, so I have given myself almost two hours to make the allegedly 27-minute trip. At the 27-minute mark, I have not managed even to get so far as the epic traffic

jams of I-495, where an infinite sea of brake lights imbues the morning with the red glow of a dodgy establishment in Amsterdam. According to the Texas A&M Transportation Institute, the average D.C.-area commuter spends six full days every year sitting in traffic jams—on top of the normal expected commuting time. Roadwork and accidents can turn a half-hour drive into a 90-minute haul, and timing is everything: The rigid workday of the federal labor force and those who organize their day around it means that the busiest sections might look like Kansas at 6:54 A.M. and Cairo at 7:15 A.M. Throughout late 2012, commuters stranded on the overburdened asphalt of northern Virginia were treated to radio ads from the Obama campaign lambasting Paul Ryan for voting against federal transportation funding. Not that it is obvious that new federal spending would have done a great deal of good: The nearly $300 billion 2005 highway bill did not make a dent in the traffic of the D.C. area or that of any other major city, and neither did the billions lavished upon transportation projects as part of President Obama's stimulus package. Some $100 billion has been spent on new rail lines alone in the past 40 years, bringing no meaningful improvement in congestion but many billions in operating costs.

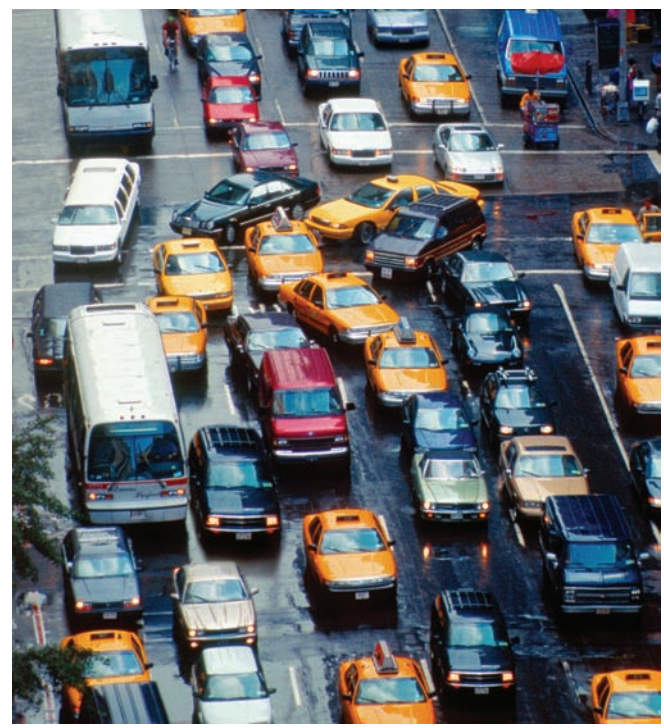
I make my 9 A.M. appointment—frazzled and frustrated, but there on time—during which a very defensive Governor McDonnell makes his case for the expensive and far-reaching transportation bill he has just signed, tax increases and all. "We've been trying to solve an intractable problem for Virginia for years," he says, "and there is no way to build this infrastructure for free. There are no free lunches. We've redirected existing resources into transportation and tried to get new ones. But ultimately, every governor and Congress is faced with the same empirical math problem. This was an effort led by conservatives in the legislature and a conservative speaker of the house. It's a dilemma for conservatives right now, but we can't just talk about philosophy and hypotheticals—we've got to fix the roads." Governor McDonnell has spent many years driving on Virginia's roads, and he knows a little something about mass transit in the region, too: As a young man working in construction, he helped build the McPherson Square Metro station in Washington. He is particularly worried about the effect of congestion on Virginia's business environment, and several times he cites CNBC's annual "America's Top States for Business" rankings, which dropped Virginia from first place in 2011 to third place in 2012. The state's work-force and quality-of-life rankings went up, but its transportation ranking tanked, from No. 10 to No. 32, while Texas held first place in that category and first place overall, even though its education and quality-of-life scores were middling to poor.

"My three major job-creating centers are having a huge problem," Governor McDonnell protests. He had hoped to privatize the commonwealth's state-monopoly liquor stores and invest the proceeds from their sale in transportation, but that initiative failed. He also tried to open up new oil-and-gas drilling in the state and direct its proceeds to transportation, but his efforts were blocked by the Obama administration. A series of audits and reforms helped squeeze some extra value out of the Virginia Department of Transportation, but in the end he was left with something that most conservatives find unpalatable: a substantial tax increase to support an ambitious public-works project.

"Those people sitting out there in the parking lot that is I-495—those are voters," says Virginia secretary of transportation Sean Connaughton, who served in the U.S. Department of Transportation in the George W. Bush administration. "They are"—he pauses for a moment, as though not quite sure whether he should finish the thought—"*Republican* voters, a lot of them, conservative Republicans, out in Loudoun County and places like that. They expect us to do something." Mr. Connaughton is himself a frustrated Virginia commuter: He drives daily from his home in the Virginia exurbs of Washington to the state capital of Richmond, some 100 miles away—and that drive takes him less time than his previous commute into Washington. "It's just crazy," he says.

BEFORE I sit in traffic on the freeway into Philadelphia, I get to sit in traffic on the Blue Route, and before that I get to sit in suburban traffic on Lancaster Avenue, the nation's first paved intercity road, privately financed and built in 1795. The allegedly 32-minute drive from the suburb of Wayne, Pa., to Rittenhouse Square in the center of Philadelphia takes more than an hour, and a good part of that time is spent just trying to get to the Schuylkill Expressway—or "Surekill Distressway," as it is locally known.

The Schuylkill is a very special circle of commuter hell, the busiest road in Pennsylvania, used by hundreds of thousands of commuters each day. On a fine bright Monday-morning drive into Philadelphia not long ago, a young man pulled up next to me in a new Volkswagen Jetta. He looked every inch the prosperous young coffee achiever: In a new car, on his way to work early on a Monday morning, wearing a suit—and as we sat stalled in traffic, he produced a small glass pipe and a lighter, and took a deep, long drag of crack. I think that the guy who designed the Schuylkill must have been doing something similar: The freeway is a sort of inside-out abomination, with most of the exits and on-ramps on the left side of the road rather than the right, which makes for some pretty interesting rush-hour maneuvering. The lanes are narrow and, because it closely hugs the contours of the Schuylkill River, it has proved impossible to expand or improve.



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The design is so poor that a 2009 rainstorm resulted in a four-hour traffic jam of such absolute stillness that drivers were seen getting out of their cars and playing cards. That's a high price to pay for living in the suburbs.

Those traffic-stranded suburbanites point to the reason why the transit problem is probably unsolvable. They don't have the same access to mass transit, but people want to live in the suburbs of Sun Belt cities for the same reason they want to live in the suburbs of northeastern cities: a measure of privacy, superior schools, and room to raise a family. The ten-minute commute between Midtown Manhattan and the Financial District via a $112-a-month unlimited subway pass is very attractive if you are the sort of person who enjoys living in a 500-square-foot New York City apartment, i.e., young and well-off or old and well-off. For people in the middle—and, especially, for non-millionaire married couples with children—the suburbs continue to be very attractive.

Which is to say, the problem is not only how we get around but how we live. You cannot fix the transportation problem without fixing the city schools, without reforming the tax codes and regulations that send families and businesses fleeing to the suburbs, without addressing crime (New York City's urban renaissance was made possible almost exclusively by the fact that the Giuliani administration got crime under control), and without a hundred other things that have nothing to do with asphalt or railways. That is not going to happen. But building new roads is as likely to cause traffic congestion as to relieve it: It is a de facto subsidy for suburban and exurban sprawl, especially if the underlying incentives for de-urbanization remain unchanged. As one analyst put it: "If you build it, you will sit in traffic on it." And even relatively densely populated and mass-transit-friendly places such as Northern Virginia find it hard to make public transportation a real economic win: On net, Northern Virginia commuters receive a subsidy from the less-developed areas of the state. Mass-transit users complain about fares, but New York City subway riders receive a $1.11 subsidy from taxpayers for every trip they take, while riders on the Metro-North line receive a $4.26 subsidy per ride, and those on the filthy and unreliable Long Island Railroad receive a $7.34 subsidy for a ride not worth $0.02 to any sensible human being.

You cannot fix the transportation problem without fixing a hundred other things that have nothing to do with asphalt or railways.

The final leg of my journey is the opposite of the first: from the New Jersey suburbs into the Financial District. At the Woodrow Wilson Service Area—you're nobody in New Jersey until you have a turnpike toilet named after you—a scruffy young couple who seem to belong in a Bruce Springsteen song ask me if there happens to be a full-service liquor store hidden somewhere between the Starbucks and the Roy Rogers. Ten o'clock in the morning, this is. They go away disappointed. I hope they take the train.

There is no place quite like New Jersey to appreciate the triumphal, brutal vastness of the existing American transportation infrastructure. The Dwight D. Eisenhower National System of Interstate and Defense Highways is surely the largest exercise in economic central planning in modern American history, forming a socioeconomic Berlin Wall in many large cities, blighting many more, and connecting a whole lot of nowhere with even more nowhere in the vast empty plains between. The costs of maintaining it are astounding, thousands of dollars per mile each year, all 47,182 miles. It cannot be unbuilt, so those costs are never going away. Add to that the endless state and local thoroughfares, the turnpikes and toll roads, the trains, buses, subways, and streetcars, and the scope of the thing looks unmanageable, which it certainly is.

You can make some useful reforms: Governor McDonnell's bill converts Virginia's cents-per-gallon gasoline levy into a percentage-based sales tax, thereby indexing it. Virginia also identified discrete transportation entities, such as particular bus routes, that are economically self-sufficient or nearly so, and structured incentives to encourage others to become similarly efficient. There is room at the margins for some privatization, for consumer-choice initiatives, public-private partnerships, and the like, and new technology means that we could, if we so desired, effectively make every road a toll road. (The tracking that would be necessary raises serious privacy concerns.) Express-bus services are far less expensive than building railways, and they have the added benefit of being flexible. They also attract entrepreneurial energy: The old Chinatown city-to-city buses did such brisk business that they attracted high-end competitors, and it is now possible to travel between cities in comfortable motorcoaches with Wi-Fi and other amenities. Breaking up municipal mass-transit monopolies, taking a liberal approach to licensure, and the expansion of bus lanes and high-occupancy-vehicle lanes are sensible ways for conservatives to encourage market-based solutions for commuters. What is needed is not sweeping national or state legislation, or multi-billion-dollar "investments" directed by Washington, but an iterative, piecemeal approach at the local and regional level, a process of steady and constant reform and innovation—competent governing, in short. Governor McDonnell's model—pass a big bill hoping to solve the problem in one dramatic movement—will not get it done. Transportation, particularly mass transit, feels like a liberal issue to many conservatives, but there is more to it than Amtrak contracts for the Brotherhood of Maintenance of Way Employees. Republicans, particularly at the state and local level, should be more energetic in their approach to the issue.

But in the end conservatives are left arguing that we can do a better job managing a transportation network that is Soviet in both its scope and its main model of economic organization. *Waiting* is of course the characteristic economic activity in all socialist systems, and American commuters are getting a concentrated dose of it, their own version of those poor Russians' queuing up for *sobachya radost* sausages—millions of voters and taxpayers waiting out there in the fumes, counting the inches to the off-ramp, unwitting victims of an irrational system that they never had a say in planning but cannot imagine doing without. **NR**

The Next Climate Debate

Conservatives should accept the science and focus on policy

BY OREN CASS

In his second inaugural address, President Obama promised to "respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations." The crowd roared. "Environmentalists Hail Obama Climate Change Focus," proclaimed an Associated Press headline.

Three weeks later, in his State of the Union address, the president highlighted his efforts to reduce U.S. carbon emissions, called for cap-and-trade legislation, and committed to taking executive action aimed at further reducing emissions. The "centerpiece" of this agenda, according to the *New York Times*, will be "action by the Environmental Protection Agency to clamp down further on emissions from coal-burning power plants." But of the 35 gigatons of carbon dioxide emitted around the world this year, U.S. coal plants will account for only two. Even if the EPA were to shut down those plants instantly, global emissions would still be much higher this year than they were the year President Obama took office.

As members of the movement for unilateral nuclear disarmament did in the past, climate-change activists have clothed plainly ineffectual policies in the language of moral necessity. Disarmament was rejected across the political spectrum and never achieved credibility. But equally unserious emissions-reduction schemes have become decidedly mainstream, thanks in part to conservatives' focus on questioning the science of climate change rather than the policy prescriptions that have been offered to address it. The time has long since passed for them to accept climate science and focus on the policy response—terrain on which they have a decisive political advantage and on which U.S. action can be steered more constructively.

The math of U.S. carbon dioxide emissions is straightforward: We are responsible for less than six of those 35 global gigatons, and our emissions are expected to remain relatively flat for the foreseeable future. Meanwhile, worldwide emissions are increasing rapidly, thanks to 10 percent annual increases in countries such as India and China, and will surpass 50 gigatons by 2050. Over the past decade, China alone has added new annual emissions equivalent to the total annual emissions in the U.S., and it will do so again in the coming years. Even the complete elimination of U.S. emissions would be quickly offset by increases elsewhere.

Furthermore, the threat of climate change is based on a "stock," not a "flow." Because carbon remains in the atmosphere for a long time, what matters is not the amount emitted in a given year but the total amount that has built up. Lower U.S. emissions do not ultimately reduce the threat of climate change; they simply postpone some portion of it. If the U.S. completely eliminated its emissions, reducing long-run global emissions by 10 percent, the result would not be a 10 percent reduction in climate change; rather, it would take 10 percent longer to end up with virtually the same amount of carbon in the atmosphere. What would formerly have happened in 50 years would now take 55 instead.

In the face of this reality, activists (including the ironically named "Do the Math" movement) make the same arguments that supporters of unilateral disarmament made in the past. *If the U.S. shows leadership, other nations will follow. We have a moral obligation to act. Even if we can't solve the problem, we have to do what we can*. From there it is only a short and illogical stumble to the ad hominem conclusion: *Anyone who does not support our approach must be too stupid to understand the problem or too rich/insensitive/reckless to care about it.*

Unfortunately, U.S. "leadership" is of little value when other nations have strong incentives to pursue a different course. The developing world has billions of people to lift out of a poverty whose depth we can barely imagine; if ameliorating poverty through economic growth creates a risk of catastrophic climate change, that is a risk they will take. And if we choose to drive up our own energy costs in order to cut our emissions, they will gladly take our manufacturing jobs, too.

As with an American decision to unilaterally disarm, unilateral reductions in U.S. emissions would sacrifice our best bargaining chip in exchange for nothing. A reduced or eliminated U.S. nuclear arsenal might well have triggered greater proliferation around the world and increased the likelihood of conflict with the Soviet Union. Likewise, U.S. emissions cuts achieved by increasing U.S. energy costs will likely drive energy-intensive industrial activity and the associated emissions to less energy-efficient economies.

Still, somehow, this obsession with reducing U.S. carbon emissions is at the heart of the environmental movement and the top of the self-congratulatory liberal agenda. Solemn pronouncements on the issue guarantee fawning media coverage and are the height of fashion on college campuses. And where there is self-congratulation, fawning media, and campus fashion, President Obama is never far away.

The president has touted a range of ineffectual policies whose impact on U.S. emissions would be so small as almost to defy measurement. His Corporate Average Fuel Economy (CAFE) standards for the auto industry mandate a doubling of average fuel efficiency by 2025. The resulting total reduction in carbon emissions, according to the government's own analysis, will be 4.7 gigatons. Not annual; total. The atmospheric carbon concentrations anticipated for January 2040 will be postponed until . . . February 2040.

Other measures will achieve even less. The Utility MACT, an EPA regulation aimed at shutting down old coal-burning power plants, is projected to reduce emissions by 0.015 gigatons per year—less than three one-thousandths of total U.S. emissions. An EPA regulation aimed at preventing the construction of new coal plants is expected to reduce emissions by exactly zero.

Mr. Cass was the domestic-policy director of Mitt Romney's presidential campaign.

And then there are the president's ongoing efforts to block the proposed Keystone XL pipeline. Environmental activists oppose the pipeline because it would bring oil from Canadian sands to the U.S. market, and this oil would result in slightly higher carbon emissions than oil from other sources. In August 2011, after more than three years of study, the State Department concluded that the project would have *no* influence on global carbon emissions because Canada will develop the oil sands regardless of whether the pipeline is built. The report also looked specifically at U.S. emissions and concluded that use of oil from the Canadian sands would increase annual carbon emissions in the U.S. by 0.003 to 0.021 gigatons as a result of the higher-carbon Canadian oil's supplanting oil imported from other nations.

Despite the report's finding that the pipeline would have virtually no climate impact, thousands of protesters encircled the White House to oppose its construction, and President Obama postponed its approval. A final decision has subsequently been postponed, and postponed again. In late January, the State Department announced that it would miss yet another deadline and would reach a decision in April at the earliest. In February, thousands of protesters gathered again in Washington, D.C. Sometime soon, carbon emissions from the protests may actually exceed those that would result from construction of the pipeline.

In defense of an incrementalist approach to reducing emissions, the administration has attempted to put a value on the prevention of a ton of carbon emissions. Perhaps reductions in U.S. emissions will not solve the global problem, the argument goes, but surely they will have *some* benefit. However, valuing carbon ton by ton makes as little sense as valuing nuclear stockpiles warhead by warhead because, in each case, the dangers are extremely non-linear. In theory, every reduction in the world's stockpile of nuclear weapons would offer *some* mitigation of risk. In practice, no one much cares about the damage done by the 400th weapon launched, let alone the 4,000th. So it is with climate change. Every reduction in U.S. emissions does technically mean less carbon dioxide pumped into the atmosphere. But no plausible U.S. action changes the overall trajectory of emissions and warming or the nature of the potential impact. This is doubly true given the stock-not-flow dynamic at work. Activists who in one breath promise the collapse of civilization absent dramatic worldwide emissions reductions insist in the next that minor actions will make an important difference. Both claims cannot be true.

Unfortunately, economists take this approach to carbon emissions very seriously. They argue that the damage from carbon emissions represents a "negative externality" and that efficient policy would therefore put a "price" on it, ideally through a carbon tax or at least a cap-and-trade system. While this makes perfect sense on a chalk-drawn supply-and-demand chart, it breaks down upon contact with the real world. As with unilateral regulatory efforts, reducing emissions by charging a higher price for each gallon of gas or kilowatt-hour of coal-generated electricity here in the United States makes no significant dent in the trajectory of the atmospheric carbon concentration. If emissions are still rising, and the threat remains as large as ever, there is no "efficiency" to be gained by imposing a higher price on them. Individual Americans get taxed, but society sees no benefit.

THERE is one legitimate rationale for unilateral U.S. action on climate change: innovation. The U.S. cannot force the rest of the world to reduce its carbon emissions, but if it develops breakthrough technologies that are more economically attractive than conventional fossil fuels, the rest of the world will presumably adopt them by choice. Here the disarmament analogy breaks down, and unilateral action has value.

The debate has too often conflated the objectives of technological innovation with those of emissions reductions, treating them as somehow interchangeable or additive when they are not.

But the debate has too often conflated the objectives of technological innovation with those of emissions reductions, treating them as somehow interchangeable or additive when they are not. CAFE standards offer a helpful illustration. The fuel-economy requirements they establish, while aggressive relative to the current performance of automobiles in the U.S., are not much higher than standards in Europe and Japan today. In other words, the standards are not actually aimed at developing new technology at all; they are aimed at imposing a particular (expensive) lifestyle on American consumers that is already available to those who want it. Other policies commonly characterized as promoting a "clean-energy future" turn out upon careful scrutiny to have similarly tenuous links to promoting innovation. Blocking the Keystone pipeline, for instance, does nothing but redirect U.S. consumption to other sources of oil.

How then should we evaluate the carbon tax as a method for spurring innovation in alternative-energy industries? Once the goal of correcting for a negative externality and reducing consumption is stripped away, the "value" of a reduced ton of emissions no longer offers a guide for setting the price. The tax would presumably have to be massive. After decades of huge subsidies to the wind and solar industries for the purpose of producing economically viable alternatives to fossil fuels, even the industries themselves insist that the subsidies remain necessary. If a subsidy worth half the wholesale price of electricity has not succeeded in making the industry competitive, how high would a tax have to be to create a sufficient market distortion?

Any such tax would be extraordinarily regressive, with higher energy prices disproportionately affecting lower-income families and blue-collar professions. It would send a signal to heavy industry to locate elsewhere. And as politicians attempted to remedy these flaws through increasingly complicated regulatory and redistributive schemes, the supposedly "efficient" and "market-based" approach would quickly become a big-

government labyrinth of new agencies, rules, and handouts. If a tax on carbon is truly the best way to promote innovation, its proponents have a long way to go in making the case.

President Obama has not even attempted to make it, and has instead ignored the goal of technological innovation in favor of a purely economic claim that his climate-change policies will produce the "green jobs" of the future. In congressional testimony supporting the Waxman-Markey cap-and-trade legislation, for instance, EPA administrator Lisa Jackson acknowledged that "U.S. action alone will not impact world CO_2 levels" but then asserted that the proposal was "a jobs bill." Perhaps a massive, economy-wide regulatory scheme designed to drive up energy prices is the right way to create jobs, perhaps not; an intriguing debate, to be sure. Regardless, claims about tackling climate change had mysteriously vanished from the conversation.

Chastising the president for this bait-and-switch, the editors of *MIT Technology Review* rejected his administration's line of reasoning and asserted that "we must [adopt non-fossil fuels] to reduce carbon dioxide emissions and begin stabilizing our climate. It's time to acknowledge that green jobs were always just political cover for that motive." Except that reducing U.S. emissions will not even begin to stabilize the climate. And around and around the policy rationales go.

UNILATERAL nuclear disarmament never gained traction. Even radical student groups hesitated to call for much beyond preliminary steps. Britain's Labour party did incorporate unilateral disarmament (for Britain) into its platform during the 1980s, but abandoned it after the party's leadership concluded that the position was blocking its path to power. In U.S. politics, unilateral disarmament was so clearly out of the mainstream that George McGovern took pains to explicitly disavow the position in announcing his run for the presidency in 1984. During their 1980 debate, Ronald Reagan criticized President Carter for making unilateral concessions in negotiations with the Soviets. Carter's response, citing his 13-year-old daughter, Amy, and addressing the issue in moralizing terms that ignored the actual policy options, is considered one of the worst answers in the history of presidential debates. Americans had no difficulty understanding both that nuclear weapons were a grave threat and that unilateral U.S. efforts to eliminate that threat would be fruitless.

Yet equally flimsy arguments for emissions reductions have become mainstream because they stand unopposed. Conservatives have allowed the debate to be framed as a binary choice between "climate activism" and "climate skepticism," and they have associated themselves with the latter—a position that becomes less and less tenable as more and more scientific evidence accumulates. This has been a serious mistake.

In fact, the climate debate encompasses a broad range of questions. On some of these the science has produced a consensus deserving of respect, on some the science continues to evolve, and on some the science has little to offer. Starting at the start: Is the atmospheric carbon concentration increasing? Everyone seems to agree that it is. Is there a "greenhouse effect" through which increased carbon concentrations lead to a warmer climate? Here, too, there is an overwhelming consensus that the answer is yes. That is the view of, among others, the American Meteorological Society, the American Physical Society, the American Geophysical Union, the American Association for the Advancement of Science, and the National Academy of Sciences.

While there is always the possibility that a scientific consensus will turn out to be wrong, on no issue besides climate change do conservatives allow a lack of absolute certainty to stand in the way of making the best decisions possible in response to the risks as they are currently understood. Unless the scientific community is perpetrating an unprecedented hoax, the existence of such a widespread consensus indicates at least a significant likelihood of a real danger, which presents policymakers with an actual risk deserving of serious consideration.

Accepting the science does not, however, require one to accept the liberal policy prescriptions. Science is only an input to any policy discussion, and nowhere is this truer than in the case of climate change, where the scientific consensus resolves remarkably little. More carbon in the atmosphere leads to warming, but how much warming? Scientists speak in terms of "climate sensitivity"—how sensitive is the climate to some increase in carbon dioxide? Here there is very little agreement. For instance, the models run by the U.N.'s Intergovernmental Panel on Climate Change (IPCC) in its landmark 2007 report produced ranges of predicted future warming whose high estimates were nearly three times their low estimates. The best case showed warming by 2100 of anywhere from 1.1°C to 2.9°C. The worst case showed a range from 2.4°C to 6.4°C. More recent research suggests that climate sensitivity is likely toward the lower end of previously estimated ranges.

A further question is, For a given level of warming, what damage will result? How much will the sea level rise? How much will weather patterns shift? If storms become both stronger and less frequent, what will the net impact be? Again, the projections vary widely.

Only after the full range of scientific predictions is taken into account does the policy discussion even begin. The world in 2100 will have a level of wealth and technology that we can predict no better than the drivers of the first Model Ts could predict the world of today. How capable of adaptation will such a world be, and how much should we spend today to reduce damage then? Finally, for each specific proposal, what are the actual costs and anticipated benefits?

These are the questions on which conservatives should focus. And it is on this playing field, not in a fight over the basis of the science, that they will prevail. Of course, where dangers are exaggerated or distorted in pursuit of a political agenda those excesses must be confronted. But ultimately, the Left's policy ideas for unilaterally reducing U.S. carbon emissions are not bad ones because there is no potential threat; they are bad ones because they are unresponsive to the potential threat. By accepting the credibility and good faith of the underlying science, conservatives can ask of every policy proponent: Have you run your idea through the climate models, and are any risks averted or materially reduced? The answer to the latter question in every case will be no.

Reagan did not question whether Soviet nuclear weapons were capable of causing explosions. To the contrary, he declared in his second inaugural address that "we seek the total elimination one day of nuclear weapons from the face of the earth." And then he eviscerated those who wished to leap from that goal to absurd and self-defeating policy responses.

The difficulty of precisely quantifying the climate-change threat does not offer an excuse for doing nothing. Indeed, the risks of climate change look in many ways like those of nuclear proliferation: a likelihood of significant damage somewhere in the world with fallout that might make some regions unlivable, a fear of potential devastation to an American city, and even some possibility of civilizational disaster. Regardless of how probable any of these scenarios is, the elimination of each risk should at least in principle be a goal.

But in each case we should dispassionately consider what can and cannot be achieved, add up the potential costs and benefits, and chart a pragmatic course forward. This means unreservedly acknowledging the threat and the challenge, while aggressively rejecting self-righteous preening and opposing the pretextual pursuit of ineffectual policies that oh-so-conveniently align with liberal priorities. It also means offering a substantive agenda focused on supporting research and innovation, the only tools with the potential to solve the problem.

Funding for basic and applied research in energy technologies should be the top priority. Government has shown that it can effectively address a real market failure at the pre-commercial stage. Some mechanism for subsidization should be up for discussion. There is value in supporting promising alternatives to fossil fuels at the cusp of commercialization. An ideal subsidy would be technology-neutral (i.e., available to any approach that met broadly defined criteria), tied to production rather than investment, and time-limited. Climate research should also be generously funded, not mocked, so that the many uncertainties become less uncertain over time. Adaptation measures should be developed and tested. And we should investigate various geoengineering strategies instead of reflexively shunning them.

Nuclear power should be part of every conversation. The technology that environmentalists have for decades opposed more aggressively than any other is, ironically, the only one that has displayed any potential to produce carbon-free energy at the price and scale we need. A permanent waste repository should be established. Immediate reforms to the Nuclear Regulatory Commission should aim to accelerate the nuclear-permitting process and encourage new approaches to plant design. Broader regulatory reform should aim to ensure that technologies of all kinds can reach the market as smoothly as possible.

Finally, we should take a new approach to international engagement. Global climate conferences that emphasize posturing over action have earned the scorn they receive. Hard-headed, bilateral discussion between the U.S. and China, by contrast, would at least establish clear markers for where the sides stand and why. It might even identify areas for mutually beneficial cooperation, starting with technology, as U.S.-Soviet negotiations on arms control did once upon a time. Instead of today's strategy of giving away every bargaining chip we can think of, we should exploit every leverage point we might have.

This agenda offers no guarantee of success. But the question is whether it has greater potential to spur breakthrough innovation and eventually achieve global emissions reductions than the Left's potpourri of taxes, regulations, subsidies, handouts, conferences, and protests. It is a question conservatives should welcome. **NR**

Sam's Smear

Preposterous history from The New Republic

BY RAMESH PONNURU & JONAH GOLDBERG

'Every contributor to this collection . . . blandly ignores the possibility that there could be any real issue of a rational kind in American politics today which would justify the existence of an opposition, and proceeds to a sociological-psychological analysis of the extraordinary fact that there is one." Frank Meyer was writing more than 50 years ago, but the impulse he described is still at work. The explanation for conservatives' opposition to President Obama and his agenda must be found not in our ideas but in our pathologies.

Thus many liberals seem to have convinced themselves that we resist Obama's agenda because he is black. It is a theory that does not depend on evidence. Liberals read elaborations of the theory not to understand the world around them but to feel the warm glow of moral superiority.

It is a glow that suffuses the long cover story Sam Tanenhaus, the editor of the *New York Times Book Review*, recently wrote for *The New Republic*. Titled "Original Sin: Why the GOP Is and Will Continue to Be the Party of White People," Tanenhaus's essay purports to show that Republicans' crippling weakness among non-whites ultimately has its roots in the infatuation of conservative intellectuals with—John C. Calhoun. Yes, the antebellum politician best known for his defense of slavery as a "positive good" is, on Tanenhaus's telling, the real founder of the conservative movement: "When the intellectual authors of the modern right created its doctrines in the 1950s, they drew on nineteenth-century political thought, borrowing explicitly from the great apologists for slavery, above all, the intellectually fierce South Carolinian John C. Calhoun."

Now Tanenhaus doesn't want you to think he is saying that today's conservatives are just a bunch of racists. Certainly not. He is up to something much more subtle than that. "This is not to say conservatives today share Calhoun's ideas about race. It is to say instead that the Calhoun revival, based on his complex theories of constitutional democracy, became the justification for conservative politicians to resist, ignore, or even overturn the will of the electoral majority." With that to-be-sure throat-clearing out of the way, Tanenhaus continues with an essay that makes sense only as an attempt to identify racism as the core of conservatism.

Rarely has slander been so tedious.

That slander does not consist of reminding us that many conservatives, including William F. Buckley Jr. and National

REVIEW, were grievously wrong about the civil-rights movement. That fact is something all conservatives should ponder. Nor does it consist of suggesting, correctly, that certain conservative principles—federalism, traditionalism, economic freedom, judicial restraint—contributed to this moral error (just as certain liberal tendencies led *The New Republic* and the *New York Times* to make their apologias for Mussolini, Castro, and Stalin). Instead, Tanenhaus seeks to make, without defending, the dubious claim that any invocation of these principles is necessarily an implicit or explicit appeal to Calhoun's worldview.

Because Calhoun was an articulate exponent of arguments for state sovereignty properly credited to Jefferson, Madison, and other Founders, many conservatives, including Buckley himself, occasionally quoted him. The notion that the conservative movement was ever enthralled to Calhoun is, however, not merely wrong, but preposterous.

Tanenhaus wildly overstates Calhoun's status in the early years of NATIONAL REVIEW. Calhoun, he says, was the conservative movement's "Ur theorist." Yet in George Nash's universally respected book *The Conservative Intellectual Movement in America Since 1945*, Calhoun's name appears twice: the first time in a favorable quote from the liberal historian Arthur Schlesinger Jr., the second 50-odd pages later, in Schlesinger's criticism of Russell Kirk for lumping Calhoun and abolitionist John Quincy Adams into the same political tradition. Calhoun is absent from the memoirs of the supposedly "Calhounist" William Rusher, the longtime publisher of NATIONAL REVIEW. He is mostly absent from the writings of James Burnham, although Burnham does reject Calhoun's idea of a plural executive in a brief discussion in *Congress and the American Tradition*. There's no mention of Calhoun in Tanenhaus's own biography of Whittaker Chambers. Perhaps more telling, there's no mention of Calhoun in his more recent book *The Death of Conservatism*, which he marketed as the official autopsy of the intellectual Right. Odd that he missed the role of conservatism's ur-theorist. And Calhoun's infrequent appearances in Buckley's writings betray no adulation. The one reference in Buckley's *Miles Gone By*, for instance, notes that the Calhoun practiced his speeches in a field and then wrote them down when he came back inside. If that is a Calhounist dog whistle it must be one that only a liberal can hear (which, as it happens, is the case with most allegedly racist code from the right).

Tanenhaus's claim that NATIONAL REVIEW was baptized into the cult of Calhoun rests largely on a handful of quotes from Russell Kirk and James J. Kilpatrick. What results is a distorted picture of Kirk, but a nearly unrecognizable one of NR and conservatism. Neither Kirk nor Kilpatrick had the influence on NR that Burnham, Meyer, Chambers, Willi Schlamm, or Willmoore Kendall did. None of these founding editors of NATIONAL REVIEW is even mentioned in Tanenhaus's indictment. Moreover, any remotely positive mentions of Calhoun disappeared from the magazine before most of the current staff and editors were born. Since then, the name has most often appeared in disapproving discussions of liberal efforts to create—dare we say it?—Calhounist majority-minority districts.

We suspect that an intramural disagreement among conservatives has confused Tanenhaus about Calhoun's influence. For many years a group of conservative scholars led by the brilliant Harry Jaffa have contended that the Constitution must be read in light of the moral principles of the Declaration of Independence. It is a powerful argument even if not all of the implications Jaffa and his students draw from it are convincing. In his more recent and polemical works, unfortunately, Jaffa has often claimed that anyone who disagrees with any aspect of his theory is thereby taking Calhoun's premises on board. If you didn't believe in natural law, you were a Calhounist. If you placed more weight on the sovereignty of the states than on the powers of the federal government? Calhounist. Kendall, who perfunctorily dismissed Calhoun as a "man I cannot do business with"? Obviously a Calhounist, doubtless operating under deep cover.

Reviewing Jaffa's *Original Intent and the Framers of the Constitution*, Robert Bork tried to count up all of Jaffa's enemies: "Jeane Kirkpatrick, Irving Kristol, Edwin Meese, Russell Kirk, Oliver Wendell Holmes Jr., William Rehnquist, and, I rejoice to say, given the company to which I am assigned, me." Bork added, "It turns out, for reasons that are not entirely clear, that most of us are disciples of the late, unlamented John C. Calhoun." Bork ran afoul of Jaffa by arguing that it was not necessary to advert to the principles of the Declaration to see that *Dred Scott* was wrongly decided; the text of the Constitution was enough.

While Tanenhaus does not mention Jaffa, he seems to have exaggerated Jaffa's insults. If that is what happened, one irony is that Jaffa's views have largely prevailed among mainstream conservative intellectuals, who are far more Lincolnian in their thinking about the Declaration than they were before he began writing. (Jaffa may not be willing to accept the credit: Buckley once quipped that if you thought disagreeing with Jaffa was hard, try agreeing with him.) In short, Jaffa issued an incidental and gratuitous smear against rival conservatives, and Tanenhaus has made the incidental central and the gratuitous fundamental in constructing a political smear against all conservatives.

Smears are not noted for their precision. What is Calhounism anyway? Tanenhaus never gets around to explaining Calhoun's political theory in his 6,000 words, or to showing the links between the man and the alleged manifestations of that theory in the modern world. Everything is kept vague. After claiming that Calhoun has inspired conservatives to "overturn the will of the electoral majority," he writes:

> This is the politics of nullification, the doctrine, nearly as old as the republic itself, which holds that the states, singly or in concert, can defy federal actions by declaring them invalid or simply ignoring them. We hear the echoes of nullification in the venting of anti-government passions and also in campaigns to "starve government," curtail voter registration, repeal legislation, delegitimize presidents.

So: If you think the federal government is too large, you are an ideological descendant of John Calhoun. Favor the repeal of legislation? So did Calhoun! Tanenhaus keeps hearing more echoes until he goes figuratively deaf to anything but the Calhoun thesis. When conservatives suggest that our fidelity to the Constitution is declining, Calhoun is again lurking in the background. It is when Tanenhaus actually addresses the issue of race that the logic of the cancer cell finally takes over. "The rising faction of neoconservatives, who denounced 'affirmative

discrimination,'" were, he tells us, tacit allies of Calhounists who asserted "black inferiority." Really? *New Republic* contributing editor Nathan Glazer popularized the phrase "affirmative discrimination" in his book of the same name. Someone better get him off the magazine's masthead, quick.

Tanenhaus predictably recycles a slander of Ronald Reagan that has a long history on the left, writing that "in 1980, he flew directly from the nominating convention to Philadelphia, Mississippi—where three civil rights workers had been slain in 1964." It is true that Reagan traveled to a county fair outside Philadelphia as he sought to win what was then a swing state. It is also true that the next day he addressed the Urban League in New York. The idea that Reagan was trying to signal his solidarity with lynchers is simply an ugly partisan invention.

TANENHAUS'S analysis continues to metastasize when he gets to the contemporary scene. When Mitt Romney and Paul Ryan talk about the toll of familial instability, especially among black Americans, they are echoing Calhoun. (No word on whether Bill Clinton and Barack Obama are neo-Confederates of some stripe for making similar points.)

Readers may recall the controversy that flared when President Obama remarked last year that businessmen too often attribute their success solely to their own efforts. Republicans attacked him for scanting the role of entrepreneurs and glorifying government—or, at least, that's how most people interpreted the ruckus. Here's what Tanenhaus has to say about it, right after he reads something racially sinister into Paul Ryan's comment that good character can help people get ahead in life.

> Character, he presumably meant, like that exhibited by Republican delegates in Tampa, who thrilled to the refrain "We built it"—with the identity of the "we" all too visible to TV audiences—just as the inimical "they" were being targeted by a spurious campaign to pass voter-identification laws, a throwback to Jim Crow.

It would complicate the narrative to note that polls find that most blacks support voter-ID laws and that there was no disparate impact on black registration when Georgia implemented one. Tanenhaus goes merrily along with his story of the Republicans' "overtly [!] nullifying politics."

In his essay and in interviews, Tanenhaus insists that such phrases as "Take back America" are proof of the burning sense of white entitlement on the right. It seems not to have dawned on Tanenhaus that this phrase was something of a liberal motto during the Bush years (and has a rich history in American politics generally). *Nation* editor Katrina vanden Heuvel co-wrote a book titled "Take Back America." In 1992 Jerry Brown's campaign slogan was "Take back America." Barack Obama, Hillary Clinton, Howard Dean, and countless other Democrats routinely promised to "take back America," perhaps most conspicuously at annual left-wing "Take Back America" conferences.

Come to think of it, we seem to recall a fair amount of "delegitimization" of Ronald Reagan and George W. Bush during their presidencies. Back then it was mostly liberals who said that the Constitution was becoming a dead letter. Nor is a desire to repeal legislation a monopoly of the Right. Watch what's happening to the Defense of Marriage Act. Overturning the will of electoral majorities has been the stock in trade of liberal legal activism for decades. Conservatives do sometimes express nostalgia for a better time. Then again, so does Tanenhaus's *New York Times* colleague Paul Krugman in writing about New Deal America. The "nullifiers" of the Tea Party, Tanenhaus writes, would have plunged us all off the fiscal cliff. So would Senator Patty Murray, the liberal Democrat from Washington State who spent much of last year arguing that we should go off the fiscal cliff. None of them, of course, qualifies as a "nullifier" because the term has only partisan content.

Echo, echo: "It is not a coincidence," Tanenhaus writes, that all this nullifying has been going on under a black president. The old Marxist phrase is almost always a sign of argumentative laziness; it insinuates a causal connection that the author cannot forge honestly. Yet there is some truth to the remark in this case: Of course it is not a coincidence. A black, liberal president was bound to put white liberals on hair-trigger alert for racism and induce them to imagine it.

The goal here is to make conservatism, weakened as it is right now, disappear as a political force.

Perhaps Tanenhaus just has a bad case of tinnitus. Or perhaps he has found in Calhounism and nullificationism a way to tar as racist in origin anything he dislikes about conservatism. He is trying to delegitimize not just any number of elected officeholders but millions of his fellow citizens. His essay may seem to offer just the liberal moral self-congratulation with which every conservative is familiar, combined with a dash of post-election triumphalism. But there is something else at work too.

IN a seemingly irrelevant and somewhat otherworldly tangent, Tanenhaus claims it is a "cherished myth" on the right that conservatism was out of favor in the Fifties, when NR was founded. This is part of Tanenhaus's peculiar romantic nostalgia for a conservatism that he could admire for its proud irrelevance. (It was also a theme of *Death of Conservatism*.) He writes, "For most of these writers, conservatism was more a matter of disposition—a belief in order, tradition, the revival of humanist values—than of developing or sharpening a political program." Ah, yes! If only conservatives would leave political programs to liberals and get back to the vital and important work of developing their humanist values.

That's the goal here: to make conservatism, weakened as it is right now, disappear as a political force. And if it takes a dressed-up smear to nullify conservatism as such a force, Tanenhaus is apparently ready for the occasion. **NR**

Athwart

BY JAMES LILEKS

Retail Politics

American dry-goods retailing is a miserable business. Imagine this: You're the new head of a vast retailing empire—say, J. B. Dimey's. Sales are soft; competitors nip at every blood-ied flank. The Internet thing isn't working—sure, 46,036 people liked you on Facebook, but this didn't translate to $1.6 billion in sales like the consultant said. The mall, your postwar redoubt since downtowns withered when the suburbs rose, is starting to feel like a set from the next season of *The Walking Dead*.

Then there's the matter of your retail policy: sales. *Lots* of sales.

The pre-Thanksgiving sale discounts your prices 4 percent off the standard 20 percent year-round markdown, but the Black Friday sale discounts prices 7 percent off the seasonal 24 percent markdown, adjusted for inflation. Sales continue through December, with merchandise marched off to the Clearance rack, where the price is 35 percent off the adjusted standard 20 percent markdown, unless it's an ugly pair of plaid shorts, in which case the Manual Adjusted Dress Retail Accounting System (MADRAS) calls for the item to be increased 3 percent above the usual discount—*if* the customer has a coupon *and* has a charge card AND agrees to take an online survey for the chance to win a visit from someone who comes to your house, takes the shorts, and burns them, because they're *plaid shorts*, for heaven's sake.

After Christmas all the miserable unsold garbage, including the pants with ten zippers—hey, they were big in Japan for a month in 2009—will be marked down 31 percent from the pre-Thanksgiving price, except for sheets and towels, which are marked down during the Presidents' Day clearance, when mittens are actually increased 2 percent to compensate for the loss-leader markdowns in the Tires and Galoshes department.

But hey, people think: Ten percent off! That's a good deal.

Imagine you're the boss of all that, and you're the sort of person who lines up the pencils on the desk in nice straight rows when you're on the phone. You'd go mad.

That was the problem with Penney's. They brought in a guy from Apple's retail arm, where there are no sales, one price, clean stores. The new guy axed the sales, instituted basic prices without gimmicks, and vowed to make the stores cleaner and more appealing.

Sales dropped 30 percent.

That's bad news for conservatives.

Why? Because we're nostalgic mopes who remember trips to Penney's with Mom? Not really, especially if that trip included a mortifying purchase of your first athletic supporter. It has to do with the way people calculate value.

I went to the local Penney's the other day. Previously, the tie department gave you 50 percent off a third tie if you bought two from the regular-price rack, unless it was Afternoon Neckwear Madness or something, in which case all ties were 20 percent off if you bought four. Most of their ties I wouldn't buy unless I had lost a limb at the elbow and needed to tie off to stop the bleeding. But now they had different prices for ties, according to style and quality. Awl-in-the-eye-ugly ties that felt like you were folding a strip of tin around your neck were cheap; ties that wouldn't be out of place on a mobster in a coffin cost more, and didn't scratch your hand when you touched them.

Found a tie, told the clerk that I liked the store's clean look and the new pricing system. He sighed and looked past me, scanning the rest of the store. I followed his gaze. There was no one in the store.

"I'm glad someone does," he said.

People love sales, you see. People believe there is a fixed value for a shirt, filed away at the Bureau of Weights and Measures, and only a fool walks in and buys between sales.

These are not people who will respond well to a flat-rate tax.

These are people who believe a decrease in the rate of increase of a federal program is a cut.

This is what conservatives are up against: We want a Penney's-style chief executive to simplify things, streamline the brand, close underperforming stores—in this case, that would be government departments, cities, counties, or perhaps entire states that just aren't working out anymore. Of course, you can't say "Detroit! Lost our lease, everything must go!" because it did already.

We want a president who'll weed out the federal employees who are the equivalent of the slow, silent clerk who folds pants in the Dockers department for ten minutes while you wait at the counter to buy socks, and who does not care if you walk away fuming.

Frankly, it would be fine if you did. But Democrats would block the firing, unionize her under the Amalgamated Pants Rearrangement Guild, and require that you purchase two pairs of socks before she has to walk all-l-l the way over there.

We want a simplified tax code that fits on a restaurant placemat, understood by all, stripped of gimmicks, a pellucid statement of equality under the law.

But no. It's better to have a government that takes 50 percent from the 1 percent and 43 percent from the 5 percent and gives 43 percent of that to the 20 percent and spends 75 percent on 35 percent of the debt which is 100 percent of the GDP, because 47 percent of the customer base will give you 51 percent of the votes to take 4 percent more away from the 10 percent of the people you don't like *because they don't shop at Penney's*.

Of course these people vote Democrat. Ten percent off the 90 percent they'll pay when the bills come due? That's a good deal. NR

Mr. Lileks blogs at www.lileks.com.

The Long View

BY ROB LONG

Warner Bros.

FADE IN:

EXT. URBAN DYSTOPIA—NIGHT

The camera PANS across broken heaps of metal, smoking ruins of a once-proud civilization. Buildings in ruins, children in rags with dirty faces, the distant sounds of warlords exchanging gunfire. The camera moves along the twisted and smoking remains of cars, broken asphalt, until it catches up to A YOUNG BOY running . . .

Faster and faster he runs, through the rubble and the decayed city. Clutched against his chest is a small and adorable puppy.

The boy runs—

CUT TO:

URBAN ENCAMPMENT—CONTINUOUS

Gathered around a blazing fire, licking the edges of the trash barrel, is the boy's family. His father tends the flame. His mother cooks some indistinguishable gruel on an improvised frying pan/trash lid. As the boy races up, he puffs and huffs.

BOY: Pa! Pa! Lookit! Lookit what I found!

(He shows the puppy off. The family oohs and ahhs over it.)

DAD: Well now. What an adorable little thing. Why I haven't seen such a pup since, since—

MOTHER: Hush now, Ned. Don't go filling the boy's head with nonsense and ancient fairy tales.

BOY: Since when, Pa?

DAD: Since before . . . before the Dark Times, boy. Back when this was all . . . well, this town was something to see. We had restaurants that would serve everything on little plates, and people wore shoes with red soles, and everywhere there was wi-fi, and taxicabs would take you wherever you wanted to go. And out there, out on the water, you see that?

(The boy peers out over the murky water. In the moonlight, he sees a large object . . .)

BOY: You mean the old lady?

DAD: She used to be a young lady, boy. She used to be—

MOTHER: Ned! Ned! Hold your tongue! Don't upset yourself. Or the boy. We have delicious rat porridge tonight, boy. You like that, don't you? You see? Everything is going to be all right.

DAD: The boy has a right to know, Eleanor. Boy, once, long ago, this city was a paradise. And that lady out there in the harbor? Why, she gleamed like solid gold.

BOY: I've heard of such things, Pa.

MOTHER: Who's telling you this? Boy! Tell me!

BOY: On my walks, Ma. My walks and my rat-catching trips. This was all before the Quester, right Pa?

DAD: Yes, boy. The Quester—well, back then they called it the Sequester.

BOY: What? They sure talked funny back then, Pa.

DAD: Well, boy, back then we could afford more syllables. Times weren't so hard. People weren't so poorly. But then two very bad men—

BOY: You're talking about the McCondler and the Bainderman, aren't you, Pa?

DAD: Yes I am, son. Two very bad men brought on the Quester, and then all was darkness. Things just started to go wrong.

BOY: But why, Pa?

DAD: The money well just dried up. The Bad Men made the Good Times go away by taking away the money tree.

BOY: It was a tree? I thought it was a well.

MOTHER: It was a tree and a well. Ned, you're confusing the boy. Let's eat.

DAD: The Quester came like a drought. Without any money, the people couldn't have anything. Work didn't get done. Planes fell from the sky. Certain cultural institutions were required to delay budgetary increases. It was madness.

BOY: How much money did the Bad Men take, Pa?

DAD: It was—

MOTHER: Don't talk about it! Ned! Stop it! Stop it!

DAD: The boy needs to know, Eleanor. Boy, they took almost 3 percent.

BOY: Three percent?

DAD: Technically two point six. But rounding up, you get to three.

BOY: That doesn't seem like very much.

DAD: What do you know about it? You don't know math! They closed the schools on the third day! And then it got worser. The post office closed. Then the Department of Agriculture—

BOY: The Department of Agriculture? What did they do?

MOTHER: Hush, child.

DAD: Then the Consumer Affairs Bureau. And right after that the Consumer Financial Protection Bureau—

BOY: Those seem like the same thing.

DAD: You want a smacking, boy? 'Cause I'll raise my hand to you.

MOTHER: Ned, please.

BOY: I'm just saying.

DAD: Oh yeah? Well I'm just saying that I'm taking off my belt.

BOY: Okay, okay. I get it. It was bad. It was terrible. They cut 3 percent and now we have to eat rats. (Grumbling to the puppy) Do you understand this? I don't. But then, I've never learned any math. But even so, I know that 3 percent is pretty small.

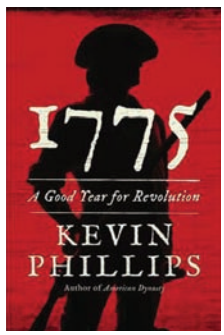
MOTHER: Come over here, boy, and let's have some dinner. And bring that adorable puppy, too. We need to fatten him up for Thanksgiving.

As the family gathers around the fire, we:

FADE OUT.

The Great Uprising

JAMES C. BENNETT



1775: A Good Year for Revolution,
by Kevin Phillips (Viking, 656 pp., $36)

SHELLEY described George III in 1819 as "an old, mad, blind, despised, and dying king," an example of "rulers who neither see, nor feel, nor know, / But leech-like to their fainting country cling." This would not have been a fair description of the George III of 1775, who was sane, sober, and dedicated to his work—yet it was a perennially accurate description of a governing paradigm that has always failed. Many ruling classes will blindly adhere to existing policies, doubling down on the very features that make them disastrous, and reach for coercion where reason and persuasion can no longer serve.

Kevin Phillips has written a timely and useful portrait of the beginning of the end of the first British Empire and the mercantilist system that guided its rulers. The story he tells is a fascinating one for people interested in that era, but it has contemporary relevance as well. It is a case study for those of us seeking to understand the rapidly approaching end of the failing institutions of our own era: big bureaucratic government, labor unions, and crony corporations. Just as George III did, our rulers cling to power and seek to intensify the very features that are causing their downfall.

1775 is a long and sprawling book that argues at several levels and on several main points. Phillips writes in his usual serious and content-rich, but not academic, style. He has not intended this as a primer: He assumes the reader is familiar with the basic chronology and personalities of the Revolution. The book drills down in detail on a large number of specific episodes. In touching on such a great many subjects, it incurs the inevitable problem of such a broad survey. For instance, on the topic of the British forces' supply problem, Phillips criticizes the Royal Navy and its administrator, Lord Sandwich, for their performance, citing a number of authorities. However, N. A. M. Rodger, one of the most eminent current authorities on the Georgian Navy, and a biographer of Sandwich, has taken rather the contrary view, raising points Phillips does not address.

Fortunately, though, such issues do not weaken the author's main argument: that the year 1775 (or at least the "Long Year 1775," which he defines as running from mid-1774 through July 1776) has been unjustly overshadowed in popular perception by calendar year 1776, the year of the Declaration, as the decisive start of the Revolution. He cites a great deal of detail to support his contention, making in particular the point that 1775 was really the period of greatest popular fervor for fighting, and that it was the momentum of that year that carried the Patriot movement into the final step of the Declaration.

1775 is also a continuation of the plausible argument Phillips made in his 1999 book *The Cousins' Wars*: that the American Revolution should be seen as the middle piece in a set of three great civil wars within the English-speaking world (the others were the 17th-century English Civil War, which included battles between American Cavaliers and Roundheads on American soil, and the American Civil War).

Both *1775* and *The Cousins' Wars* also hark back to Phillips's classic 1969 work, *The Emerging Republican Majority*, which first brought him to national attention. What the three works have in common is a detailed understanding of the structure of America—and indeed of the broader English-speaking world, since many American affiliations and enmities originated in the British Isles. Following in the footsteps of the master electoral analyst V. O. Key, Phillips brings out clearly the degree to which motivations, in 1775 as today, often owe more to specific and local loyalties, affiliations, and interests—the Burkean ties of religious denomination, ethnicity, region, family history, and occupation—than to the broad-sweep ideologies and economic interests to which historians often attribute them.

Phillips cites many instances in which ethnic or denominational affiliation was a better predictor of loyalties than economic interest was. For example, the Quaker merchants of Nantucket remained loyal to the Crown, or at least neutral, while their Congregational fellow-merchants on the mainland, with similar economic interests, became fervent Patriots. Congregationalists remembered a long history of conflict with royal, Anglican authority dating back to before the English Civil War, while Quakers remembered Charles II as the friend and protector of William Penn, and remembered the persecution of Quakers by Congregationalist authorities a few generations earlier.

This fine-grained detail supports Phillips's thesis that the American Revolution was a civil war, not only between different parts of the English-speaking world, but within the colonies as well. Often loyalties were chosen for immediate and fairly arbitrary reasons: If the Hatfields declared for the Congress, the McCoys would typically declare for the King.

Particularly useful is Phillips's detailed explanation of how Lord North's government infuriated so many Americans and moved them to action. Americans have traditionally understood the run-up to the Revolution as a matter of taxation and lack of representation, and of acts of high-handed arrogance such as the East India Company's official tea monopoly. Contrarians have pointed out

Mr. Bennett is the author of The Anglosphere Challenge *and a co-author (with Michael J. Lotus) of the forthcoming* America 3.0: Rebooting American Prosperity in the 21st Century—Why America's Greatest Days Are Yet to Come *(Encounter, May).*

that Americans received defense from the Empire that cost far more to provide than was received from America in tax revenue, that Britons paid far more than Americans per capita in taxation, and that before too long, independent Americans were paying higher taxes to their own federal government than they ever had paid to the Crown, for public goods that were for a long time inferior.

Phillips makes it clear that although these contrarian arguments are technically true, they are irrelevant. The real root of the Empire's problem was that the mercantilist paradigm, which had overseen a period of great growth and prosperity, had become the engine of its own destruction. Mercantilism held that colonies should be sources of raw materials for their metropolis, and in turn be captive markets for the mother country's manufactures and sophisticated financial services. The Navigation Acts and the decisions of the Board of Trade were all based on this theory. But America had grown so prosperous and populous that, inevitably, it wanted more, better, and cheaper manufactured goods and financial services than Britain was able or willing to supply, and America had more products than the British Empire was able to absorb. Home manufacture and free trade with non-British markets, both illegal, were what America wanted and needed. Mercantilist theory, and the crony-capitalist interests of Britain's corrupt Old Whig system, worked together to deny these wishes. Americans of that time argued—as Phillips shows, justifiably—that although the formal, overt tax burden on them was low, the hidden taxes of the monopoly system and the opportunity costs of the mercantilist regulatory system were enormous, and were hampering American development.

Furthermore, the British Empire was by 1775 getting rich not so much because of its mercantilist system as in spite of it. Phillips indicates that the previous decades of marvelous growth and prosperity were in substantial measure owing to widespread, even endemic flouting of the Navigation Acts and the manufacturing-licensing system. Americans and Britons alike smuggled at will, with only a token and inadequate revenue-collection system to occasionally harass them. When they were caught, juries would refuse to convict them. (Phillips relates that smuggled Dutch gin was so cheap in England that coastal villagers used it to clean windows.) Americans opened up and expanded iron foundries without licenses or greatly in excess of what licenses permitted. Far from being primarily a resource provider, America had, as its biggest pre-Revolutionary export, ships: A third of the Empire's merchant fleet was American-made, and by 1775 half of the Empire's shipbuilding capacity was in America.

As a result, the British tax system was in constant crisis, and North's government strained to pay off the large debt run up in the recent French and Indian War. Faced with a system that was not working, but continuance of which was essential to the personal enrichment of the inner circle of the Old Whig clique, North's government chose to double down on the old model. It resorted to ever more intrusive levels of state coercion to plug the holes in revenue enforcement, invented new forms of taxation that would be harder to evade, and abused the exceptions of admiralty law to circumvent the centuries-old right to jury trial, even far inland. High bail and distant trial venues served to make prosecution itself the punishment, regardless of an eventual verdict. Abusive enforcement of the customs laws fell heaviest on the colonies, which had no members of Parliament to complain on their behalf.

Particularly oppressive was the use of the Royal Navy to enforce the Navigation Acts. A handful of revenue cutters once engaged in token enforcement. Now, Navy ships, whose captains could carry out summary, jury-free enforcement under admiralty law, swarmed up and down the American coast. They disrupted the technically illegal commerce with the French West Indies that was a mainstay of colonial American prosperity, while seizing ships and impressing sailors into Navy service, despite the fact that many of them were legally exempt. Law enforcement and defense are two distinct activities, and the mind-set appropriate to one is not appropriate to the other. Use of the armed forces to enforce civil law is always the sign of a system in crisis, and so it was in pre-revolutionary America.

Phillips's identification of 1775 as the turning point comes from this understanding of the Revolution as the result of a crisis not just in Anglo-colonial relations, but in the overall Atlantic mercantilist system. It was the escalation to systematic armed resistance in 1775, combined with the persistent preference of North and George III to escalate coercion rather than negotiate compromise, that made the Declaration of Independence a foregone conclusion.

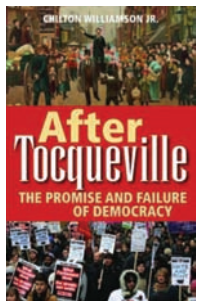
Phillips argues that for the Patriot leaders of 1776, many of whom had no strong preference for independence per se, the Declaration was not at that point a radical step, but rather a conservative one, a means of legitimizing order in a time of chaos. George's intransigence and declaration of rebellion had cut off any retreat back to empire and subjecthood. State committees and conventions, with no obvious legitimacy, were exercising de facto power with no de jure basis. Independence and statehood became the only way to create legitimacy, both for domestic stability and for the international status needed to seek and receive help. The Declaration was, as Phillips put it, "a stitch in time."

This story has direct relevance for our own era. The institutions of the first British Empire were once reasonably functional, and they helped produce an age of unprecedented prosperity on both sides of the Atlantic. Partly because of their success, they became less and less functional as the Empire grew and changed. Some of the most intelligent minds of the English-speaking world of that day—among them Franklin, Burke, and Adam Smith—devoted much thought to diagnosing these problems and proposing changes that would preserve a united Empire as a free, prosperous, and constitution-based polity. They failed, primarily because the minds in charge of the system were too small, unimaginative, self-interested, and arrogant to understand the scope of the crisis they faced, or the futility of escalating coercion against people with a long tradition of freedom and self-government.

Patrick Henry famously declaimed: "Caesar had his Brutus, Charles had his Cromwell, and George III—may profit from their example." I would hesitate to draw a blind parallel today in a much different era, one in which we have many constitutional tools for change, not available to our ancestors, that have not yet been tried. Yet there are many today defending an old, tired, blind, and bankrupt system who may yet profit from the example of others such in the past. **NR**

Did the Founders Fail?

JOHN FONTE



After Tocqueville: The Promise and Failure of Democracy, by Chilton Williamson Jr. (ISI, 288 pp., $27.95)

Chilton Williamson Jr. has written a historically rich, erudite, and serious critique of what he calls contemporary "democracy" (and what others might label "advanced liberalism"). *After Tocqueville* is an intellectual-history feast, in which one meets the major thoughtful and humane critics of modern democracy, from Chesterton, Belloc, Maine, and Bagehot to Orestes Brownson, Ortega y Gasset, and Jacques Ellul. Williamson, a novelist felicitous in his use of the English language, is a senior editor at *Chronicles* and a long-time exemplar of literary conservatism (à la Russell Kirk) as opposed to political conservatism. In the 1970s and 1980s, he was the literary editor of National Review.

The many strands of American conservatism could, at one level, be reduced to two: the Whig optimist and the Tory pessimist. Williamson's book is a classic example of conservative cultural pessimism (with a good dash of determinism) of the type that conservative optimist Arthur Herman decried in his 1997 book *The Idea of Decline in Western History*.

Like Tocqueville, Williamson characterizes democracy as a "social state," an encompassing cultural and social regime and way of life, not simply a political system. With this in mind, Williamson has, as a primary purpose of this book, to refute Francis Fukuyama's claim that we have arrived at the "end of history" with the ideological triumph of liberal democracy. Drawing on theologian Reinhold Niebuhr's Christian eschatology, Williamson sees Fukuyama's thesis as yet another in the age-old list of efforts by secular-liberal philosophers to depict history as a "redemptive process." This historical progressivism, Williamson rightly suggests, fails to recognize the very real and perennial problem of evil in the world and the different forms that it might take. For Niebuhr (and Williamson), core historical problems are never completely resolved but lead instead to new dilemmas and new evils. The belief that man can resolve his problems through history is the old sin of pride, the sin of Adam.

Williamson is at his best in diagnosing the pathologies of advanced liberalism. From Robespierre through Gramsci to their 21st-century philosophical epigones, the Left has been on a "long march through the institutions." Moreover, this long march "has succeeded, or nearly, in accomplishing what the international revolution of the proletariat failed to do." In this particular analysis Williamson is spot on. I remember that, in the aftermath of the fall of the Berlin Wall, with the worldwide advance of market capitalism and political democracy, and even a Democratic president declaring that "the era of big government is over," many conservatives were triumphantly announcing "We've won."

Yet, at the same time, multiculturalism and political correctness were gaining a stranglehold on America's universities and public schools. The new and much more insidious concept of "diversity" replaced the older view of affirmative action. Whereas affirmative action was theoretically, although not in practice, an attempt to remedy past discrimination, diversity means equality of result for groups as an end in itself, irrespective of past discrimination.

Meanwhile, America's government, legal, academic, and media elites wielded cultural-Marxist tools, artificially dividing ethnic, racial, gender, and linguistic groups into essentially two categories: dominant and marginalized. Any laws that had a negative "disparate impact" on a "protected class" (a "marginalized" group) were ipso facto discriminatory. The goal of New Class elites is to fundamentally transform the United States, culturally, socially, and intellectually as well as politically.

Williamson notes that, across the West, the entire civilizational edifice of mores, manners, customs, institutions, traditions, and beliefs has been under attack and, in large part, has been undermined. This cultural revolution has accomplished what the old Bolsheviks were unable to do. It has greatly weakened Christianity, the family, constitutional law, the idea of the nation-state, authentic patriotism, and genuine self-government.

Williamson argues that this modern democracy is a "false religion." While the liberal project ostensibly favors human rights, in fact it is essentially a means by which the "upper strata of society" attempt to "escape from the authority of religion" while "establishing a secular church to which the lower orders are made subservient."

From the 1920s to the 1960s, Marxism had a strong appeal to the Western intellectuals who promoted the advance of the Left. Since then, multiculturalism has replaced it as the central ideology of the Western intelligentsia. Quoting the prominent philosopher Kenneth Minogue, Williamson points out that while multiculturalism is not necessarily antagonistic to religion per se, it is united with Marxism in a hatred of Christianity specifically.

Williamson—and here he cites sources as diverse as Christopher Caldwell, Oriana Fallaci, Prince Charles, Enoch Powell, and Algeria's President Boumedienne—portrays the democratic nation-states of Europe as unable to respond effectively to large-scale immigration from the non-liberal Muslim East. This is, the author tells us, because the dominance of advanced liberalism has so corrupted the West that it cannot even defend liberal principles and democratic institutions. Instead, Western leaders respond with "platitudinous verbiage" about "migrant rights" and "welcome the stranger" while simultaneously turning legitimate criticisms of immigration policies and Islamic practices into "hate crimes."

A major premise of the book is the Tocquevillian concept that mores (the

Mr. Fonte is a senior fellow at the Hudson Institute. His book Sovereignty or Submission: Will Americans Rule Themselves or Be Ruled by Others? *won the Henry Paolucci/Walter Bagehot Book Award of the Intercollegiate Studies Institute for 2012.*

character of a people) are even more important than a nation's core institutions. In a revealing passage, Williamson writes: "Democracy, to succeed, must be more than self-government. It must be the love of self-government."

But where would this love of self-government come from? Alas, for Williamson there is no way out. In the end, although he enjoys the Western lifestyle in Wyoming and is obviously an "American conservative," there is little he depicts in the American regime (at least as presented in this book) worth conserving or even restoring.

In examining America's history, Williamson portrays a string of flawed ideas and individuals. Paraphrasing Emory philosophy professor Donald Livingston, he muses that "the republic that has been the aim and ideal of the American Founders has been impossible." In *The Federalist Papers*, Madison and Hamilton "made a serious judgment in error" by advocating a republican regime over too large a territory. But, of course, the Founders did not aim to create a small classical republic. Instead, they explicitly advocated a "new science of politics" that envisioned an extended republic, with representation, federalism, and a compound regime that was both republican (popular) and constitutional (limited).

In *Federalist* 1, Hamilton stated that the purpose of the Constitution was "to decide" whether societies "are really capable or not of establishing good government from reflection and choice or . . . destined to depend . . . on accident and force." *After Tocqueville* is saturated with a determinism (the liberal New Class is, we are told, "securely entrenched" and "unassailable") that essentially argues that the Founders' experiment has failed. For the author, Jefferson's "unconstitutional Louisiana purchase" was the "death knell of republicanism"; Jacksonian democracy included "socialist aspects"; and the period of Republican-party dominance from Lincoln to Coolidge was the rule of "plutocracy."

The book is dedicated to "John Lukacs, mentor and dear friend." Not surprisingly, then, Williamson takes a Lukacsian view of the Cold War. The half-century struggle between the United States and the Soviet Union was not primarily a conflict between liberal democracy and Communist totalitarianism, but, in Lukacs's terms, "essentially a classic balance-of-power rivalry." Williamson believes that Reagan's foreign policy, with Jeane Kirkpatrick as the drummer, was too "ideological" and "often aggressive."

Moreover, he says, Reagan gets too much credit for bringing the Soviets to heel ("a great oversimplification"). At the same time, however, Reagan is partially blamed for some of America's *post*-Reagan foreign policy, because he "inspired" the development of "evangelical democracy" during the three successive presidencies that led to the "conflation of democratist ideology and ultranationalist patriotism." Thus, Americans today are the "First World's most aggressive nationalists."

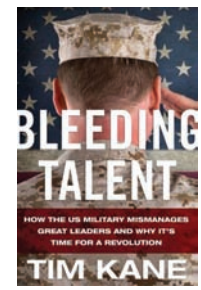
Williamson states that "the concept of American exceptionalism has always been essentially a pleasant fiction, soothing to a portion of the American public." But the notion of American exceptionalism *has always been* as much an empirical or descriptive concept as a normative one. Writers as diverse as Tocqueville, Werner Sombart, Louis Hartz, and Seymour Martin Lipset have noted that America has been different from Europe and other advanced nations in important ways. America has never had a hereditary aristocracy, and, partly for this reason, never had a major political party that is explicitly socialist or social-democratic. The World Values Survey consistently reveals that Americans are an empirical outlier, more religious, individualistic, and patriotic than other peoples.

Louis Hartz argued that all of America's major political figures—Washington, Jefferson, Hamilton, Jackson, Calhoun, Lincoln, Wilson, and FDR and his Republican opponents—were neither "conservative" nor "social-democratic" in the European sense, but simply different strains of "Lockean liberal" (whose stance he deplored as an "irrational" combination of Horatio Alger economics and American Legion patriotism).

These criticisms aside, Williamson's tour d'horizon of advanced liberalism is worth the read. Conservative Whigs should grapple with Tory ideas. Policy wonks working for Rubio, Ryan, and Jindal might not find "useful" legislative prescriptions in these pages, but they will gain a greater historical and philosophical understanding of modern and postmodern challenges to American self-government and Western civilization. **NR**

Goodbye, Good Soldiers

DAVID FRENCH



Bleeding Talent: How the US Military Mismanages Great Leaders and Why It's Time for a Revolution, by Tim Kane (Palgrave Macmillan, 288 pp., $30)

"WHY does the Army make it so hard to serve your country?" my wife asked. She was, truth be told, slightly peeved. I had waited more than a month to get paid for a simple two-week training assignment, had accumulated an ever-increasing amount of unreimbursed expenses because of the hopeless morass that is the Defense Travel System website, and had just spent hours assembling what felt like a book-length promotion packet that might get (at most) three minutes of real scrutiny.

And that is just my petty tale of bureaucratic woe. As a JAG officer, I have advised a series of commanders—both active and reserve—who confront a personnel system that empowers the worst performers while alienating many of the best. At times, it seems as if the Army bureaucracy is almost intentionally designed to take the bravest Americans, place them in an institution of rich traditions, and then slowly drain the idealism and hope from all but the most patient and resilient of them.

So you might say I read Tim Kane's book in a state of frustration.

The book did not improve my mood.

Bleeding Talent may be the most important depressing book you read this year. Kane clearly understands America's military excellence, and does not claim

Mr. French is a senior counsel for the American Center for Law and Justice and a veteran of the Iraq War.

that the Army is producing poor soldiers or is anything other than tactically superior to every other military in the world. But he also clearly understands that the greatest threat to our military superiority doesn't come from a resurgent China, a muscular Russian regime, or the various jihadist militias: We have met the enemy, and we are it.

More specifically, it is our system of personnel management, a system that increasingly drives the best and brightest officers, including the boldest risk-takers, straight out of the military. To understand this book's achievement, consider an analogy from civilian life: Imagine a book written about the Apple computer corporation at the very height of its power—when its stock price made it the most valuable company in the world, and its cash reserves exceeded the U.S. government's—that spots a disturbing trend that could make Apple go the way of Dell in just a few short years and become, while still powerful, a shadow of its former self.

Kane takes readers on a painful historical tour of military personnel management, of an antiquated system that was imperfectly designed for a mid-20th-century labor force and that now works mainly to stifle creativity and elevate mediocrity. Consider the following.

- The evaluation system is so broken and beset by grade inflation that thousands of candidates at a time can all achieve perfect scores, requiring promotion boards to read between the lines of words and phrases to crack the code of the "true" evaluation to make informed promotion decisions.
- No matter your personal excellence or mediocrity or even incompetence, you're likely to be promoted at the same pace as the rest of your "year group," receive the same pay, and follow much the same career track until the very highest ranks.
- Commanders have little to no control over the make-up of their staffs, and staff officers have little to no control over their next assignments. The "needs of the Army" trump personal desires—which makes sense—but the assignment system itself is so hopelessly complex that spreadsheets and computer matching software seem to have more authority than military professionals.
- In the absence of truly merit-based promotions and evaluations, a "zero defect" mentality takes over—particularly in the garrison environment—which makes officers cautious and reluctant to take risks. In a particularly effective portion of the book, Kane analyzes the careers of great American generals and demonstrates how several of them could never have succeeded in today's Army. Their careers would have ended over early mistakes well before they saw their first promotion to colonel or general.
- Officer-retention rates are below historical norms, and have been since even before 9/11 and the multiple deployments that followed. This has led to a "brain drain" severe enough that the military has been forced to hang on to mediocre performers just to maintain necessary force strength, resulting in promotions that are no longer truly selective until the highest ranks.

As a result of all of this, the system often fails to recognize unconventional military talents, to say nothing of revolutionary ones, and creates the sort of military that was slow to adapt in the face of the Iraqi insurgency from 2003 to 2007. Why, Kane asks, was the Army forced to turn to the same general, David Petraeus, *twice*—in Iraq and Afghanistan—to salvage the war effort in two different countries? Was the counterinsurgency bench that thin, even after a decade of war?

Kane's background as a former Air Force officer, an entrepreneur, and an economist gives him a unique inside/outside viewpoint, but his obvious enthusiasm for entrepreneurs and corporate management may be the cause of the book's one weakness. He delivers a devastating critique, but the solution he offers is so radical and such an extreme departure from current military practice that even he tacitly acknowledges that the reforms he favors are unlikely to occur.

Kane suggests turning our All Volunteer Force (AVF) into a Total Volunteer Force (TVF). In other words, coercion would be virtually removed from the personnel system in favor of a market-based model that would allow commanders to select their staffs, allow for lateral transfers to the military from the private sector (even at higher ranks), and permit soldiers to specialize and focus their careers well away from the "standard" military track.

This system would be so revolutionary that Kane can't point to a military analogue for it anywhere in the world; he relies instead on large, successful private corporations to show how a market and entrepreneurial leadership models can succeed even in companies with tens of thousands of employees. (Of course, the military is far larger than the largest of

POSTSCRIPT TO THE *AENEID*

These are no arms or men the poet sings,
But just some very ordinary things:

The plastic station-wagon seat, the grass
Of May reverberating through the glass;

My brother hooting to himself, my sister
Staring ahead, me picking at a blister

Then looking up to shout: a lamb was caught
In a fence. The car stopped. Children scooted out.

We helped each other through barbed-wire strands—
Shooed off like gnats by our excited hands—

And raced across the falling wave of ground
To where he stood—but, startled at the sound

And wrenching free, he trotted to the side,
Which made us stop and watch him, open-eyed

And empty-headed at the strange good cheer,
The unknown joy of what had happened here.

I am still there this moment, not alone
With UPS, blaspheming on the phone.

Freer than God, I am not what I am,
But the child He sees running toward the Lamb.

—SARAH RUDEN

corporations—a point Kane readily acknowledges.)

As for critics who argue that such a system would leave the "tougher" assignments unfilled, Kane understands the military well enough to know that the "tougher" assignments are often the most desired ones. Based on my own military experience, I can easily imagine a TVF with combat slots oversubscribed and with many support slots left to collect the rejects. After all, many recruits join the Army because they want to see action, not because they are trying to avoid it.

A sympathetic critic of Kane's reform agenda has said, bluntly, "It will never happen." So I find myself longing for a fallback position, for further discussion and exploration of a series of simpler and more attainable reforms that would keep just a few more good people.

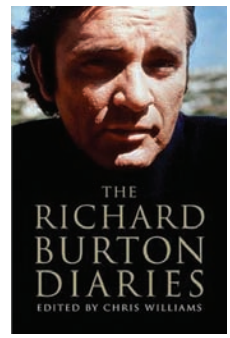
At the conclusion of my Iraq tour, I was distressed that so many of my friends—my brothers—were leaving the Army. Fewer than half of the staff officers with whom I served are still in uniform. Yes, the deployments were hard. By late 2008, most of my fellow officers were veterans of the battle for Tal Afar—one of the most intense urban conflicts of the entire Iraq War—and also veterans of a grinding, costly subsequent deployment in Diyala Province, where casualty rates were high, and the enemy elusive.

But many of them didn't leave the Army because of the deployments: They left because of the situation described in *Bleeding Talent*. In fact, while reading the book, I sometimes felt as if I'd already heard the audio version—but with more profanity—late at night in tents and bunks across eastern Iraq.

Our military is an amazing institution, able to recruit men and women who are not only brave but idealistic, creative, and sometimes just a little bit crazy (and I mean that as a compliment). Kane's book is a labor of love for the people who serve this great country. It's the warning of a friend, designed not to shame but to prevent greater loss and wholly unnecessary mission failure. Sure, the military will never implement all of Kane's ideas, but even *some* response will likely be enough to keep a few more of our best and brightest in uniform. And those few more may well be the difference between victory and defeat in a new, deadly, and surprising battlefield in an unknown future against a currently unknown enemy. **NR**

Behind the Screen

FLORENCE KING



The Richard Burton Diaries, edited by Chris Williams (Yale, 700 pp., $35)

Ever since diaries stopped being an art form sometime in the 19th century, they have been looked on as the desperate pastime of introverts who spend their lives alone. Such could hardly be said of Richard Burton. The twelfth of thirteen children of a Welsh coal miner, he was taken in as a toddler by his 22-year-old married sister when their mother died in childbirth at the age of 44. Yet he always kept something resembling a diary, from the pocket memo pads of his boyhood, to school notebooks, to university loose-leaf binders, and finally, good bond paper and portable typewriters—three of them, one for each luxurious pied-à-terre in his peripatetic movie star's life.

Edited by Chris Williams, a history professor at Swansea University in Wales, this book is not a diary in the usual sense of a contained sequential account. Williams had access to the early diaries from Burton's boyhood and teen years, but he includes only some of this material before moving on to the sections from the early 1960s, when Burton, by then famous, was close to 40 and frequently went for months not making any entries at all, or writing just single words that need no explanation, like *Booze!* The present volume concentrates on the steadier period from 1965 up to 1984, when Burton, 58, died in his sleep of a cerebral hemorrhage.

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Burton was a compulsive diarist and he knew the reason for it, but it made him feel conflicted, so he would downplay it. "This diary is really no good to anyone but me. It forces me to keep my mind in some kind of untidy order and is better than nothing for my laziness." If his rationalizations needed more punch, he called in the Bard: "'I wasted time,' said Richard the Second, 'and now doth time waste me.'"

However much he compared himself to the weak and frittering Richard II, he had a greater affinity with another Shakespearean character whom he resembled far more and played so well: Coriolanus, the high-minded tough guy who said, "There is a world elsewhere." For Burton, a world elsewhere was not the stage but the desk; if he had it to do over, he would be a writer, not an actor. His yearning for a different métier would come over him at odd times, as when he heard from a *Vogue* editor about a brief commentary he did for them. "Why do notices and things similar about what little writing I do thrill me and notices for acting leave me totally indifferent? I wanted to write because I sought for some kind of permanence, a cover-bound shot at immortality and not a rapidly dating film and acting match."

He *is* a writer here. *The Diaries* is not a tell-all sexcapade by any means and contains no salacious details whatsoever about his scandalous affair with Elizabeth Taylor during the filming of *Cleopatra*. In one sense, it is a how-to book on writing containing flawless examples of the classic literary forms, such as this "profile" of Noel Coward:

> He is a most generous man but sadly he is beginning to lose the fine edge of his wit or perhaps like me he repeats himself when tipsy. He moves like an old man but I suddenly remembered that he's always moved like an old man. Stoop-shouldered non-necked he has the curved body of a very tall man but in actual fact he is no taller than I. He is now almost completely bald and the bags under his eyes have made his eyes even more asiatic than hitherto. He calls himself "the oldest Chinese character actress in the world." Coming off the plane he was asked how his journey was and he said peering his way towards customs "My whole life has been an extravaganza."

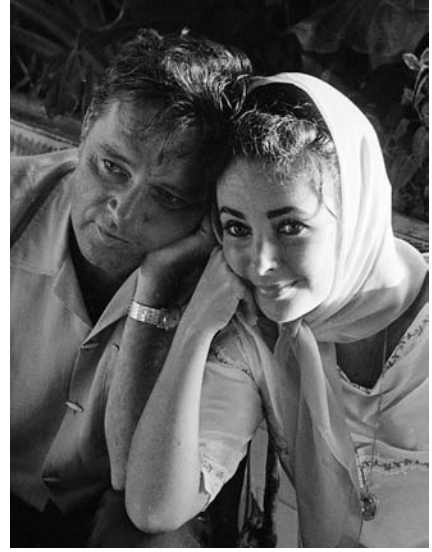
Burton calls Lucille Ball "a monster of staggering charmlessness and monu-

mental lack of humour," but rounds out his harsh opinion with a well-balanced analogy: "A machine of enormous energy, which driven by a stupid driver who has forgotten that a machine runs on oil as well as gasoline and who has neglected the former, is creaking badly towards a final convulsive seize-up."

He can describe the indescribable well beyond the "y'know" of lesser imaginations: "A double ice cold vodka martini, the glass fogged with condensation, straight up and straight down and the warm flood the pain-killer hitting the stomach and then the brain and an hour of sweetly melancholy euphoria." His one-liners are reminiscent of Mencken's but lighter and more polished: Ted Kennedy is "a mere stripling of 48"; Marlon Brando "should have been born two generations before and acted in silent films"; "Jane Fonda talked of nothing but the black panthers and got $3,000 out of E and me"; "[Onassis] is pretty vulgar and one suspects him of orgies and other dubious things whereas the Kennedy woman seems, though I've never met her, to be a lady." As for maxims, he could go up against La Rochefoucauld on the solid marriage of Liz's mismatched parents: "That's the criminal thing about having children—they keep incompatible people together."

He knows how to pace an anecdote. One day an employee of Burton's agent asked if one of his relatives could bring her small son around to recite Hamlet's "To Be" speech, which he had memorized especially for him. Burton's heart sank. He hated the speech because it reminded him of his own indecisiveness about acting and writing, but he didn't want to hurt a child's feelings so he agreed. The worshipful little boy arrived accompanied by his flattered mother and sister, all dressed in their best. He got through the speech with only one stumble, and Burton, warming to the occasion, was giving him a few pointers when suddenly the door burst open and Liz delivered a line she had improvised from *The Taming of the Shrew*. "Fie! Fie! You s.o.b.!" she screamed, whereupon the Hamlet party jumped out of their skins. The magic was gone.

Most celebrities are exposed as egotists when describing the price of fame, but Burton probes the psychology of the fan and decides that it's the other way round. He likes to sit at a bar with a mirrored wall and watch the diners behind him in the restaurant as they recognize him and realize there is a celebrity in their midst. "It's the other people who change—not me. . . . They begin to be self-conscious and start unconsciously to act. Women especially become arch or arrogant, simpering or ultra-sophisticated." The real price of fame is paid by fans snubbing themselves.



JB/AP PHOTO

Richard Burton and Elizabeth Taylor

His biggest fan problem was the many women who wanted to see for themselves whether Elizabeth was really as beautiful as her photographs. One such fan pursued them through the length of a train all the way to the dining car, coming to a halt beside their table as her winded husband panted, "Well, there she is. Are you satisfied now?" This particular woman was, but many others turned snarly and demanded, "What's all the fuss about?" To them Burton had a stock reply: "If you married a hatchet you'd make a perfect match."

The political Burton makes for a pleasant surprise. He professed to hate the Tory party, identified himself as a green long before it became the latest thing, and played a parlor game with Robert F. Kennedy to see who could quote the most Shakespeare sonnets, yet he was not the liberal he wished he was because he did not believe in Mankind with a capital "M": "And nothing, but nothing at all can change that great amorphous mass." His conviction that "human nature is unchanged and unchangeable" is the basis of that pessimistic realism that is the indelible mark of the conservative temperament.

The reader is also surprised by Burton as a husband who could be counted on. "Probably no woman sleeps with such childish beauty," he mused of Taylor, yet she was also "the kind of person who turns a cold into near-death from double pneumonia. Take out a tooth and she's laid up for a fortnight. Graze her knee and it suppurates for a month." Although she survived him by 27 years to die at 79, she gave him some terrifying moments when they were alone and she had no one to turn to but him. One emergency involved hemorrhaging of a proctological nature, and Burton describes in the bluntest of terms what he had to do for her, but instead of faulting him for going into too much detail, we find ourselves remembering the line in the wedding ceremony that goes "in sickness and in health."

He was also kind to Taylor's various children by other husbands. He developed a bitter hatred for Tennessee Williams—he called Williams "a self-pitying pain in the neck"—because "he made a pass at my Chris when Chris was eight." One of the two sons of Michael Wilding (Taylor's second husband), Chris, along with his brother, lived off and on with the Burtons, as did Liza Todd, daughter of Mike Todd, Taylor's third husband. Burton even took Eddie Fisher's place in the adoption process for a little German girl that was ongoing when Taylor divorced Fisher. The Burtons got the child and she came aboard as well. If all this sounds like an imposition, it wasn't. Nobody imposed on Richard Burton. It was simply that the domestically challenged households of his childhood made a census-taker's fever dreams seem normal.

This book is so good that even the footnotes are good. I haven't been able to say that since I reviewed the letters of Evelyn Waugh and Nancy Mitford. Burton needs slews of footnotes because, like every compulsive writer, he was a compulsive reader. He read "everything," as they say, and editor Chris Williams meticulously footnotes every book with its author and a brief description of its contents. He also knew "everybody," as they say, and so we get thumbnail sketches galore, an education in itself.

My favorite footnote concerns Nelson Rockefeller, whose widow the Burtons met at a dinner party given by William F. Buckley Jr.: "Nelson Rockefeller (1908–79), U.S. Vice-President (1974–77), whose death in January 1979 from a heart attack was surrounded in controversy, there being a strong suspicion that he had died in intimate circumstances with a young female aide. Margaretta 'Happy' Rockefeller (1926–) was his second wife." **NR**

Norwegian Fjords Cruise

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Put some Aurora in your Borealis! Enjoy the summer lights on the glorious MS *Eurodam*

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Over 400 *NR* readers—make certain you're one of them!—are expected to take this wonderful trip, which is why we urge you to act *now* to reserve your stateroom. This cruise is *very* popular, because of the raw beauty of the fjords (for Mother Nature at her finest, it's hard to beat the stunning waterways hugging the Norwegian coast) and the narrow crusing "season." This is an unrivaled family summer-vacation destination, so don't beat them—instead, join them (with your family!) on our **2013 Norwegian Fjords Cruise**.

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For those of you who've *wanted* to go on an *NR* cruise (this will be our 33rd!), but *haven't* yet, consider this: The "typical" *NR* cruise "alumnus" has been on an average of *four* of our seafaring trips! He keeps coming back again and again for an obvious reason: an *NR* cruise is a *great* time. It's time you discovered this for yourself.

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DAY/DATE	PORT	ARRIVE	DEPART	SPECIAL EVENT
Thur./Aug. 1	Amsterdam, Netherlands		4:00PM	evening cocktail reception
Fri./Aug. 2	AT SEA			morning/afternoon seminars
Sat./Aug. 3	Bergen, Norway	8:00AM	5:00PM	afternoon seminar "Night Owl"
Sun./Aug. 4	Flam, Norway *Scenic cruising Sognefjord*	8:00AM	6:00PM	afternoon seminar late-night smoker
Mon./Aug. 5	Eidfjord, Norway *Scenic cruising Hardangerfjord*	10:00AM	6:00PM	evening cocktail reception
Tue./Aug. 6	Stavanger, Norway *Scenic cruising Lysefjord*	8:00AM	4:00PM	afternoon seminars "Night Owl"
Wed./Aug. 7	AT SEA			morning/afternoon seminars evening cocktail reception
Thur./Aug. 8	Amsterdam, Netherlands	7:00AM		

three revelrous pool-side cocktail receptions; a late-night "smoker" featuring world-class **H. Upmann** cigars (and complimentary cognac); and dining on two evenings with a guest speaker or editor.

The *best* reason to come is the luminary line-up. This tremendous ensemble (we're awaiting RSVPs from many more invited guests) guarantees fascinating and informative seminar sessions. Then there's the ship: The *Eurodam*'s accommodations (elegant staterooms and public spaces) are luxurious, and matched by the indulgent, courteous staff, superior cuisine, and top-notch entertainment and excursions.

And *then* there are the great destinations. We start and end the trip in historic Amsterdam, but let us tell you about the Norway itinerary:

BERGEN This town will make you think of a fairy tale. Stroll its centuries-old cobbled streets and alleyways, past the small wooden houses and flowers (they're everywhere!). Mingle with the Fish Market crowds, visit the Bergen Aquarium, the wooden buildings at Bryggen, the old fortress at Bergenhus, or its many museums and galleries.

FLAM Surrounded by steep mountainsides, roaring waterfalls, and deep valleys, this beautiful town is nestled in a tributary of the world's longest and deepest fjord. Go cycling, hike one of the many trails in the Flam Valley or in the mountains, or visit Otternes Bygdetun (its 27 different buildings dating back to the 1600's).

EIDFJORD This place of peace and quiet is surrounded by beautiful scenery. Take a lazy-day stroll along the waterfront, gaze at the majestic fjord, visit the old stone church and the Viking grave yards.

STAVANGER This vibrant and picturesque city is home to two dozen museums, with a center arrayed around a pretty harbour and quiet streets. Don't miss the well-preserved old town (Gamle Stavanger), the unique Canning Museum or the 12th-century Stavanger Cathedral.

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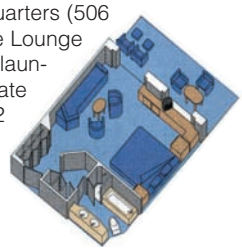
DELUXE SUITE Magnificent luxury quarters (506 sq. ft.) features use of exclusive Neptune Lounge and personal concierge, complimentary laundry and dry-cleaning service. Large private verandah, king-size bed (convertible to 2 twins), whirlpool bath/shower, dressing room, large sitting area, flat-panel tv/DVD player, mini-bar, and refrigerator.

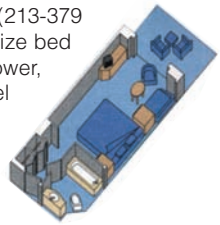


Category SA
DOUBLE OCCUPANCY RATE: $ 5,399 P/P
SINGLE OCCUPANCY RATE: $ 8,499

SUPERIOR SUITE Grand stateroom (273-456 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), whirlpool bath/shower, large sitting area, mini-bar, refrigerator, flat-panel tv and DVD player, floor-to-ceiling windows.

Category SS
DOUBLE OCCUPANCY RATE: $ 3,999 P/P
SINGLE OCCUPANCY RATE: $ 6,299

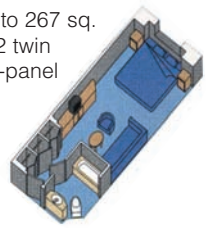
DELUXE VERANDAH Spacious cabin (213-379 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), bath with shower, sitting area, mini-bar, refrigerator, flat-panel tv/DVD player, floor-to-ceiling windows.



Categories VA / VB / VC
DOUBLE OCCUPANCY RATE: $ 3,399 P/P
SINGLE OCCUPANCY RATE: $ 5,299

Categories VZ (Similar cabin located forward or aft)
DOUBLE OCCUPANCY RATE: $ 3,199 P/P
SINGLE OCCUPANCY RATE: $ 4,999

OCEAN VIEW Comfortable quarters (169 to 267 sq. ft.) features queen-size bed (convertible to 2 twin beds), bathtub with shower, sitting area, flat-panel tv/DVD player, ocean-view windows.



Category C
DOUBLE OCCUPANCY RATE: $ 2,649 P/P
SINGLE OCCUPANCY RATE: $ 3,499

INSIDE Cozy but ample cabin quarters (from 141 to over 200 sq. ft.) features queen-size bed (convertible to 2 twin beds), shower, flat-panel tv and DVD player.

Category J
DOUBLE OCCUPANCY RATE: $ 2,199 P/P
SINGLE OCCUPANCY RATE: $ 2,699

Film

Hollywood's Divided Heart

ROSS DOUTHAT

THE decision, made four years ago, to expand the roster of Best Picture nominees beyond the traditional five has had two consequences for the film industry's showcase event. It has made Oscar season more engaging by elevating a wider range of deserving movies—blockbusters and art-house films alike—and offering fans and critics more issues to argue about, and more comparisons to make. At the same time, it seems to have encouraged the Academy's voters to indulge their natural solipsism, which is how we've ended up with two consecutive Best Picture winners—first the silent-film homage *The Artist*, and now the Langley-meets-Hollywood caper *Argo*—chosen mostly because they make the movie industry feel good.

Before the predictable *Argo* victory, though, this was the most interesting Oscars ceremony in many years. I don't say successful, mind you—certainly the ratio of groans to laughs in Seth MacFarlane's opening monologue was higher than the organizers had hoped. But the show felt more relevant than usual, more representative of the country's diversity, and more honest about the culture that it celebrates.

In part, this was because the Best Picture nominees offered not just a range of styles and stories and approaches, but a genuine diversity of worldviews. If the Oscars at their worst can feel ideologically cramped and self-congratulatory—think of *American Beauty*'s being rewarded for revealing the hypocrisy of all those heartland squares—this year's show set up a lot of politically and philosophically interesting contrasts between the nominees. The ironic, postmodern, Tarantinified take on 19th-century suffering in *Django Unchained* versus the earnest, uplifting, anti-ironic take in *Les Misérables*, for instance. Or the idealism of *Les Mis* and *Beasts of the Southern Wild* versus the nihilism (however sentimentalized) of Michael Haneke's *Amour*. Or the radicalism of *Django* versus the earnest procedural liberalism (flavored with a little bribery) in Spielberg's *Lincoln*.

It was striking, too, that the nominees included not one but two movies whose visions were explicitly religious: *Les Mis* and *Life of Pi*. It was equally striking that they included two movies, *Argo* and *Zero Dark Thirty*, that portrayed the CIA in a positive light, offering counterpoints to the paranoid style that Hollywood normally favors. It was most striking of all that one of them actually portrayed

the *Bush-era* War on Terror in a sympathetic light—and the controversy that *Zero Dark Thirty* provoked, like the controversy over Quentin Tarantino's portrayal of American slavery, was actually an argument worth having.

At the same time, the ceremony itself exposed another interesting division—this one within the temple of Hollywood liberalism itself. The choice of MacFarlane as host was a calculated one, designed to induce more young men to watch the telecast, and, judging by the ratings, it succeeded. But as I noted when his trash-talking-teddy-bear comedy *Ted* did big box-office numbers in blue states, MacFarlane's whole appeal rests on his complicated relationship to liberal pieties: Like Bill Maher, he crafts jokes for guys who generally share his left-wing politics but chafe against left-wing political correctness, savoring ethnic stereotypes and sexist jokes as much as they do a good anti-Republican rant. (The quintessential Maher joke is a misogynist dig at Sarah Palin; for MacFarlane, it's a Down syndrome joke about her child.)

That relationship made him a subversive choice to host the Oscars, because of course Hollywood itself similarly combines a formal adherence to liberal pieties with a practical eagerness to profit from exploitation in all its many forms. This reality is usually highlighted by the industry's critics, such as the enterprising gun-rights activist who re-edited a post-Newtown ad in which various movie stars called for stricter gun control to include footage from their many, many hyper-violent films. But this time it was brought home by the Academy Awards themselves, which asked the regal, gracious Michelle Obama, the tsarina of contemporary liberalism, to bestow the Best Picture statuette on the same stage where MacFarlane waxed sexist, cracked wise about Jews in Hollywood, and leered at big-screen nudity in his "We Saw Your Boobs" song-and-dance routine.

That number, which included "boobs" glimpsed in rape scenes, deserved all the next-day criticism it took. But there was also a kind of impressive honesty about having the First Lady share the stage with the lech behind *Family Guy*. The MacFarlane Oscars, more than many prior shows, acknowledged the movie business's essential schizophrenia, which is also the schizophrenia of post-1960s cultural liberalism writ large. There's the official commitment to high-minded principles of equality and human dignity—and the "whatever sells" libertinism that tends to undercut those ideals at every turn. There's the theoretical embrace of feminism and multiculturalism—and the practical realities of pornography and sadism and, well, Seth MacFarlane.

That's our liberalism, that's the pop culture that it's made—and this year's Oscars did a pretty good job of holding up the mirror. **NR**

City Desk

Emeritus Friends

RICHARD BROOKHISER

My wife came back from lunch with her friend; she was ticked.

She and this friend go a long way back, on parallel paths. Each was a bridesmaid at the other's wedding, both in the Carter administration. They are in the same profession (shrinks). They do not practice the same religion (Judaism). They are both short, they laugh often and at the same things, and they both like turn-of-the-last-century British genre fiction. (Hint: Whose treatise on the binomial theorem had a European vogue?) And yet despite all that, their lunches have gone from being weekly occasions to monthly to semi-annual. Appointments are canceled and remade two or three times before they click. When the two of them meet, though conversation can be as lively as ever, there is no real meshing of the minds. They have become emeritus friends.

Friendship becomes emeritus when it is all but over. If there had never been a friendship in the first place, there would be no detectable relationship whatsoever. But memory and loyalty give scattered moments of contact a shape they would not otherwise possess. Instead of random scraps, emeritus friends share husks. Do not touch them too roughly, though, or they will crumble away.

Emeritus friendship can be painful when it is asymmetrical—when one friend seems to notice, or mourn its withered condition, more than the other. That is my wife's case, hence her being irked. Emeritus friendship may also be embarrassing, if made explicit. ("When was the last time you saw Shmendrick?") Everyone knows he himself is a good friend; you mean to tell me I'm not? That is why I began with my wife's emeritus friendship; most of her old acquaintance is liberal, and hence unlikely to read this. My emeritus friends might experience the shock of recognition.

When emeritus friends feel compelled to justify their state, they offer a variety of explanations, all of them plausible, unless you think about them for two seconds. *I am so busy* is a popular one: I have 13 children, I am proving Fermat's theorem; no wonder we've lost touch. Right—but even mothers and mathematicians have to eat lunch: Why not with your friend? *I moved away* is another favorite. How can I meet you for coffee when we live in different states? Distance admittedly complicates a relationship, but the telegraph wires will be laid across the Great Plains any day now, and until then there is the Pony Express. Thomas Jefferson and James Madison maintained their friendship even while living in Paris and Virginia pre-Skype. There were times when one of their letters would take eight months to cross the ocean, but they kept writing them—brilliant, quirky, heart-sore—anyway.

In *The Four Loves*, C. S. Lewis wrote that friendship arises from shared interest and activity; lovers gaze at each other, friends look together at a common goal. That is part of the truth: Friends don't meet across a crowded room, but find each other after being thrown together. The neighborhood was the nexus for friendship in my suburb of tract houses on quarter- and half-acre lots, quickly followed by public school, the great sorter and shelver. Then came college, that peculiar combination of salt mine and spring break; then work. But certain people stand out from the work gangs and posses we find ourselves in because of their qualities, their natures, the melodies they make. What strikes us first may be turns of phrase and mind; next come traits it takes time to notice because only time shows them: constancy, consistently low or high spirits (Hamlet might prize the first, Cole Porter the second—or vice versa). In the end we can only say of a friend what Montaigne said in the most beautiful sentence in his book, and maybe the only beautiful one: "If you press me to say why I loved him, I can say no more than because he was he, and I was I."

Friendship becomes emeritus because the qualities that we prize change. Their value may change in our eyes: that charming companion is charming still, but isn't he also a bit of a bum, not to be trusted around money or women? The polymath knows as much as he ever knew, which is everything, but since we now know more ourselves his omniscience wears a different color. Or the qualities themselves, with years of practice, take a more definite form—sometimes for the better, but sometimes not. A thin line separates a friend's ability to be the life of the party from his need to be the bride at every wedding, the corpse at every funeral.

The city offers more excuses for friendships' turning emeritus, because density and busy-ness simulate distance; all you have to do, instead of saying *I moved away*, is stop shelling out money for cabs. But friendships can stiffen anywhere—in small towns, monasteries, desert islands.

They can last anywhere too. There is one friend I met in the Nixon administration. We have not seen each other in so many years that we missed seeing our hair turn white. She lives two days' drive from the ocean, and all our correspondence is about her career, which is teaching. One day she wrote to ask if I knew the Poet, whom her students admired. The Poet is a Nobel Prize winner; my friend seemed to think that because I am a writer in the city, I could stroll over to the Laureate's Café any afternoon and ask Derek, Vidia, and Mario when they expected the Poet to drop by? But when I thought about it, I did know someone who had had a drink with the Poet once, and written a genial column about him. So I made a withdrawal from the favor bank, and in time the Poet was corresponding with my friend's charges. Her ardor is unchanged, as is my capacity for being impressed by it. Friendship, not emeritus. **NR**

Happy Warrior

BY MARK STEYN

Death to Freedom

For half a decade, ever since the Canadian Islamic Congress attempted to criminalize my writing, I've found myself waging a grim campaign for freedom of speech in my native land. We've had some success along the way, seeing off the Islamic enforcers, and getting a disgraceful federal law first rendered unenforceable and then repealed by the House of Commons. My comrade Ezra Levant and I are excitable chaps: As I like to put it, we went Magna Carta on the Canadian censors' medieval ass. My publisher, Ken Whyte, is rather more house-trained, and used to say that the end game was getting the issue to the supreme court in Ottawa and having it ruled unconstitutional. He seemed confident we had the votes.

No, we don't. Last month, the Canadian supreme court, at a stroke, undid all the good work of the last five years, reaffirmed the state's role in the thought-crime business, rejected truth as a defense, and took a narrow, generation-old ruling on "hate speech" and carelessly broadened it. And they did it unanimously. Nearly four centuries after John Milton declared, "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties," on the highest court in one of the oldest democratic jurisdictions on earth there is not a single vote for the rough-and-tumble of unfettered speech necessary to any free society.

The case in question was a minor one. Way back at the turn of the century, Bill Whatcott was convicted by the Saskatchewan "Human Rights" Tribunal for distributing a couple of unread flyers around Regina and Saskatoon with titles like "Sodomites in Our Public Schools." Ooh, yes, he said "sodomite"! In a free society, there's always the danger someone will utter the word "sodomite." As perilous as that is, erecting a permanent bureaucracy of aggressive apparatchiks to force us into state-mandated niceness is a thousand times more perilous. Not to mention just plain creepy.

It's traditional at this point for us free-speech crusaders to say how personally reprehensible we find Mr. Whatcott's musings. But to be honest I can't be bothered. Apart from the peculiar intensity of his obsession, he seems a harmless enough fellow. He takes the traditional Christian position of hating the sin but loving the sinner, pointing out that "the Church of Jesus Christ is blessed with many ex-Sodomites." Of course, if one were seriously interested in getting "sodomites" out of the public-school system, one would eschew the term as unlikely to win converts to one's cause. Thus, the very expression identifies Mr. Whatcott as someone entirely without influence in the public discourse.

On the other hand, the supreme court's words are truly offensive, beginning with its breezy contempt for "truthful statements" and its preference for "group rights" over individual liberty. In Canada, gay marriage is legal coast to coast; "gay-straight alliance" groups are mandated in every school in Ontario; Catholic educational institutions are obliged to let students bring their same-sex partners to the prom; publicly funded "Pride" parades are obligatory in not just the louche metropolitan fleshpots but remote small towns; gay arts festivals are enthusiastically sponsored by the Royal Bank of Canada, Air Canada, and every other important corporation. As societal approval goes, that's not bad for a demographic that represents 2 percent of the population. Mr. Whatcott's minority group—evangelicals—makes up about 8 percent of the population but is in no danger of municipally funded parades, or mandatory "evangelical-secular alliances," or corporate sponsorship from the Canadian Imperial Bank of Commerce. All Mr. Whatcott's left with are his photocopied flyers, with handwritten margin notes.

But that clear and present threat "demonstrably justifies" the supreme court in sodomizing the hell out of Canadians' free-speech rights.

By contrast, consider Bilal Philips, a Toronto boy who "reverted" to Islam in 1972 and was the keynote speaker at last year's big shindig at the Muslim Council of Calgary. He doesn't want the sodomites expelled from school life, merely from life in general: He believes that every homosexual should face the "punishment for deviant behavior . . . which is death." But don't get the wrong idea: "The media tends to take my words out of context," he said, explaining that he only favors the execution of all male homosexuals in Muslim countries, which Alberta is not, yet. So the head of the Calgary Police Diversity Unit, Bill Dodd, and various other panjandrums of Canadian officialdom were happy to attend the conference with Mr. Philips, because, after all, you can't get more diverse than a multiculti squish sitting side by side with a bloke who wants to behead every gay in town. The mayor of Calgary, an Ismaili Muslim called Naheed Nenshi, was less enthusiastic about Mr. Philips, but says he has "the right to say his piece."

Exactly. In Canada, the law denies "the right to say his piece" to the likes of Bill Whatcott, a man who believes that homosexuals are sinners and in need of God's grace and forgiveness, but it has no objection to those who think homosexuals are evil and should be put to death. Mr. Philips need never fear the scrutiny of the "human rights" commission, or the cost of ten-year legal battles.

No homosexual needs the state's protection from Bill Whatcott. But all of us need protection from nitwit jurists blithely sacrificing core Western liberties to ideological compliance. It's not about Left vs. Right, gay vs. straight, religious vs. secular; it's about free vs. unfree. And on that most profound question, Canada's supreme court is on the wrong side. Nuts to them. NR

Mr. Steyn blogs at SteynOnline (www.steynonline.com).

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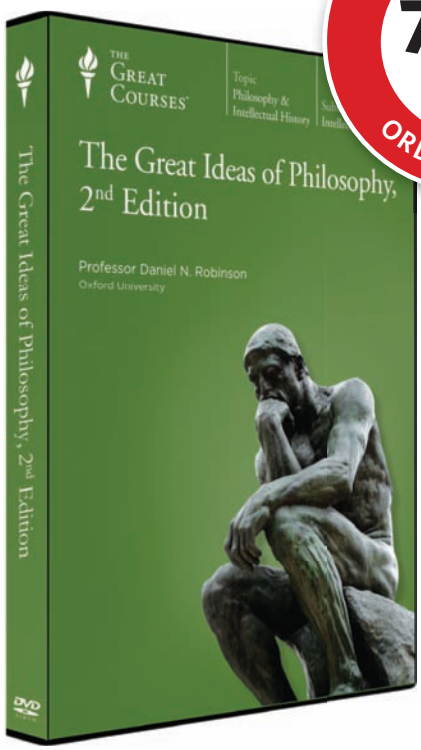

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