

THE EDITORS: OBAMA'S AFGHAN FOLLY

WILLIAMSON: THE RISE & FALL OF PATTON BOGGS

ROSS DOUTHAT
ON *GODZILLA*

DAVID HARSANYI
ON UNREAD BOOKS

NATIONAL REVIEW



Fight the Dragon

The case for retaliating
against China on trade

OREN CASS



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As any economist's model demonstrates, both China and the United States will benefit from greater wealth if they build strong trade ties and open their markets to each other. But while the United States strives to cooperate by opening its market, China has chosen betrayal. *Oren Cass*



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Letters



Is Causation **Magical**?

While I share David Pryce-Jones's aversion to Gabriel García Márquez's unforgivable political affiliations and the undue accolades he received in eulogy, I'm not certain that Mr. Pryce-Jones's article "Poet of Self-Pity" (May 19) accurately represents magic realism. First, though magic realism had its origins in Latin America, I would argue that the former director of the national library in Argentina, Jorge Luis Borges, had more to do with the genesis of this genre than did García Márquez. More important, the definition of magic realism I provide for my students is "a genre of literature that combines the mundane with the fantastic in order to demonstrate how imagination affects perception." Rather than promoting the idea that consequences require no response and effects exist independent of causes, García Márquez's surreal scenarios illustrate how our preconceived notions, cultural biases, and innate limitations prevent or at least significantly challenge our ability to objectively view the world. The result or *effect* is a world where what is so (reality) and what we think is so (fantasy, i.e., magic) are inextricably bound insofar as we experience it. Consequently, we should acknowledge this limitation and make a conscious and conscientious effort to accurately understand circumstances and *respond* appropriately.

This admonition is aptly demonstrated in García Márquez's short story "A Very Old Man with Enormous Wings," in which Father Gonzaga, the village priest, denounces a genuine miracle—the appearance of a very old man with enormous wings—while embracing (one suspects) the almost certainly fake sideshow attraction of a woman turned into a spider for disobeying her parents. Meanwhile, the village doctor simply examines the winged being without trying to categorize him according to a preexisting scheme and concludes only that the old man's wings seem quite natural. Regardless of whether one accepts or rejects García Márquez's conclusions, it is important to understand what those conclusions are. Ironically, García Márquez did not heed his own advice: Despite overwhelming evidence against it, he embraced the clearly immoral and logically flawed ideology of Marxism.

Erik Griffith
English instructor
Allen Community College
Iola, Kan.

DAVID PRYCE-JONES RESPONDS: I am certain that I do not represent magic realism accurately because by definition it can't be done, and that goes for the branch of it known as Marxism.

Beware the **Clown**

Upon seeing the cover of the June 2 issue, the thought flashed through my mind that it could have borne the words "A Dangerous Clown," comparing Senator Harry Reid to Tonio in the opera *I Pagliacci*.

Kevin Wolf
Via e-mail

Letters may be submitted by e-mail to letters@nationalreview.com.

Are you tired of feeling “foggy”... absent-minded... or confused?

Teach Your Brain How to Remember Again — with Just a Simple Pill

Find out how some people stay sharp and mentally focused — even at age 90! Here's their secret...

By Steven Wuzubia; Health Correspondent;

Clearwater, Florida: Nothing is more frustrating than when you forget names... misplace your keys... or just feel “a little confused”. And even though your foggy memory gets laughed off as just another “senior moment”, it's not very funny when it keeps happening to you.

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- Ethel Macagnoney

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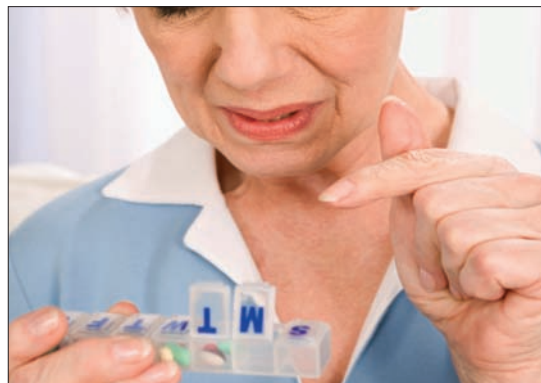
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The Week

■ Hillary Clinton has a new book out. At this point what difference does it make?

■ President Obama gave a commencement address at West Point, which he meant as a defense of his foreign policy. It read instead as a compendium of general principles; it might have been given by any president over the last 60 years. American leadership underpins world stability and advances liberation. Peace and enlarging freedom work to our interests as a commercial nation. We will use force, even unilaterally, when we must, but we should also rely on alliances and robust international organizations such as NATO (yes) and the U.N. (well . . .). The greatest threat we face today is terrorism from spin-offs of al-Qaeda. Obama's one flat-out wrong argument was a riff on leading by example: The examples he chose were climate control, signing the Law of the Sea Treaty, and closing Gitmo. This passage was a celebration of ineffectual gestures. But speeches, especially surveys such as this, do not shimmer in a void. They draw their force from the record of the speaker. After five years this president succeeds only at leaving: Iraq, Afghanistan. Bad actors seek to follow in his wake: Iran, Russia, China, North Korea. They scorn the most eloquent words. Better a president who was silent—but strong.

■ What sort of a movie will *Saving Sergeant Bergdahl* be? Bowe Bergdahl was captured by the Taliban in 2009. It is alleged that he deserted first: According to a 2012 article in *Rolling Stone*, he became disaffected and e-mailed his parents, "I am ashamed to be an American." Bergdahl's culpability remains to be established. The badness of the men for whom he was exchanged does not. The Obama administration gave up five high-ranking Taliban held at Gitmo, including Khirullah Said Wali Khairkhwa, a confidant of Mullah Omar, and Mullah Mohammed Fazl, a commander accused of massacring Shiites and Tajik Sunnis. The transaction would be bad even if Bergdahl were blameless. We negotiated with a barbarous and brutal enemy, as if we were peers. We advertised other Americans as kidnap bait, to be used in future exchanges. (Ronald Reagan in Iran—Contra and Israel in recent years made similar deals; they were wrong too.) Obama seems set on leaving Afghanistan and emptying Gitmo as briskly as possible—consequences, and honor, be damned.

■ When President Obama traveled to Afghanistan, the White House press office distributed a list of all the officials he would be meeting with. The list went to some 7,000 people. On the list was a particular name, followed by the person's job title: "Chief of Station." He was the head of the CIA's operations in Afghanistan. Presumably he is not any longer, his cover having been blown by the White House. The release of the station chief's name to the press was a gross mistake. It has occasioned barely a murmur in the press or punditocracy—compare this with the Valerie Plame case in the George W. Bush administration. (There



was even a movie made about that one.) Someday, we will have a Republican president again, and relations between the press and the White House will be back to normal.

■ Eric Shinseki resigned as secretary of veterans affairs a few weeks after the widespread, potentially criminal mismanagement of his department became well publicized by the media. Shinseki, an honorable man, surely wanted to fix the broken bureaucracy he inherited. But he failed to do so, so he had to go. Plenty more has to be done: The Senate should pass the VA Accountability Act, which was approved by the House 390–33 and will allow the secretary to fire senior officials much more easily. (None, to date, has been fired over the recent scandals.) It should also be made easier for vets to go outside the VA system. If we built from scratch a system for giving vets care today, it would never look like the fundamentally unaccountable, fully socialized system we have. But we can hold the system more accountable and subject it to more competition than has been the case, and we should.

■ Elliot Rodger's berserker spree in Isla Vista, Calif., killed seven people, including him, and injured 13. Yet it did not result in calls to ban guns, in part because he stabbed his first three victims to death. The talking nation focused instead on misogyny, for although he killed more men than women, Rodger left a grotesque manifesto lambasting the sex, and his failure to win their sexual favors. So should he be understood as a misogynist, or (the conservative variation) a loser in the sexual free-for-all? America is a big country, with millions of cranks, bigots, and



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plain crooks. There are some of them to hate every strand in the national skein. But the great majority of haters are not multiple murderers. Most multiple murderers are crazy young men. We need to spot and treat the severely mentally ill. Arsonists look at the world around them and see fuel. We cannot stop them all, but we should be on the lookout for them—not their lighters, or their alleged ideas.



■ Much of the tragedy of acute mental illness is that one of its common symptoms is an inability to recognize it. American law too often lets its sufferers go without treatment, deferring to the free will of people too radically impaired to exercise it. Representative Tim Murphy, a Pennsylvania Republican, has introduced legislation to change that and has won an impressive degree of bipartisan support. House Democratic leader Nancy Pelosi is, however, backing an

alternative bill by Representative Ron Barber (D., Ariz.). Her spokesman says that she wants a bill “that actually has the support of the mental-health community.” Instead of trying to ensure that the most severely ill get treatment, the bill concentrates on expanding treatment options for the more mildly troubled. Where Murphy’s bill clarifies federal law to let doctors give parents and caregivers information about patients in the midst of a crisis, for example, Barber’s bill would instead expand anti-bullying counseling in the schools. Murphy and the Republicans and Democrats behind him deserve credit for recognizing that parts of the “mental-health community” are a problem.

■ Obamacare remains as unpopular as ever, but some Republicans on the campaign trail are talking about it differently than they were before. Rather than promising to “repeal and replace” it, a few of them are saying they will “fix” it, or using the word “replace” without “repeal.” Several of them are waffling about whether they would leave the law’s Medicaid expansion or exchanges in place. It is not, in itself, all that important that the word “repeal” be used if a candidate would vote for a “fix” that would take health-care policy in a very different direction from Obamacare: Substance matters more than rhetoric. The defensiveness and clumsiness of these moves, however, suggests that Republicans are paying a price for failing to commit to a specific replacement plan, at least in outline. Without one, they cannot say what, in a post-repeal world, would become of people who are now getting their insurance through Obamacare provisions; this political vulnerability is making them wobble, at least rhetorically; and the wobbling in turn will demoralize conservatives who will have fresh reason to question Republicans’ commitment to undoing Obamacare. An alternative to Obamacare is also an alternative to flailing.

■ Same-sex marriage is on a legal roll, with Oregon and Pennsylvania the latest places where federal judges have rewritten state marriage laws. The Supreme Court, in last year’s *Windsor* decision, pointedly did not rule that states had to recog-

nize same-sex marriage. Judges with a sense of self-restraint would have likewise refrained. Instead they took the real charge of *Windsor* to lower judges to be: Go as far and as fast in rewriting the marriage laws as you wish; we are no longer in the realm of law. Given the absence of anything resembling traditional legal reasoning in Justice Kennedy’s controlling opinion in *Windsor*, it cannot exactly be said that these judges are interpreting the case mistakenly. Local officials such as Pennsylvania’s Republican governor, Tom Corbett, in declining to appeal these decisions, are doing their part to ensure that self-governance is subverted. Not just marriage laws but civics books will have to be rewritten to accommodate this cause.

■ Kentucky Republicans had a Senate primary with two tea-party candidates. Businessman Matt Bevin was endorsed by prominent tea-party-supporting groups, the Senate Conservatives Fund, and FreedomWorks. But Senate minority leader Mitch McConnell beat him with the support of most tea-party voters (an NBC/Marist poll showed him leading Bevin among GOP tea partiers by 53 percent to 33 percent). The out-of-state push to take down McConnell seemed fueled by Beltway grudges disguised as a crusade for unworldly purity. Neither is an attractive motive. Kentuckians recognized that McConnell is both conservative and shrewd (witness his friendly relations with junior senator and tea-party beau ideal Rand Paul, who endorsed him). The Senate Conservatives Fund endorsed McConnell after his victory and urged Republicans to unite against his Democratic challenger, Alison Lundergan Grimes. In that spirit we say: Better late than never.

■ Senator Marco Rubio (R., Fla.) became the first major politician to advance a reform of Social Security since President George W. Bush’s effort failed almost a decade ago. He would bring future spending down by slowly raising the retirement age and reducing benefit growth for the highest earners. At the same time, he would make it easier for people to work and save for their own retirement. Seniors still in the work force would see their taxes fall, for example, and people without access to company 401(k)s would be able to participate in the Thrift Savings Plan for federal workers. In a speech announcing his plan, Rubio also reiterated his support for a reform of Medicare that would use the power of competition to make the program affordable. Youthful-looking as he is, Rubio is a grown-up on this issue, one of too few in Washington, D.C.

■ The Internal Revenue Service announced in late May that it will revise proposed regulations that would have severely restricted the activities of 501(c)(4) social-welfare groups. The administration claimed it needed new rules—the existing ones have been on the books, without a problem, since 1959—to clarify confusing tax laws that supposedly led to the targeting of tea-party groups. In reality, the new rules would have codified that targeting, which the agency, on Lois Lerner’s watch, carried out furtively for years. In essence, the proposed regulations would have limited the amount of time social-welfare groups may devote to such activities as voter registration and voter education (in the case of the Tea Party, on subjects such as the size and scope of government). But they affected liberal organizations too, and groups from the ACLU to the NAACP charged that the regulations would violate their First Amendment rights. So out they



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went. The IRS, though, has not been tamed: The agency has promised to rewrite the rules, taking into account the 150,000 public comments, most of them negative, that they garnered. If they were serious about considering the feedback, they'd scrap the effort entirely.

■ *Room to Grow*, an essay collection published by YG Network, a conservative group, brings together much of the fresh conservative thinking that journals such as *National Affairs*—and, ahem, *NATIONAL REVIEW*—have been featuring on health care, financial reform, higher education, and other issues. The conservative authors of the book refuse to concede any of these areas to a Left that has often seen them as its exclusive territory, and refuse as well to adopt the role of defending a dysfunctional status quo from liberals who would make it worse. Instead they

argue for conservative reforms: breaking the higher-education cartel, bringing real competition to health care, making anti-poverty programs work-oriented. The book launch, at the American Enterprise Institute, included supportive comments across the range of today's Republican party: Senate minority leader Mitch McConnell and House majority leader Eric Cantor lauded the book, and so did tea-party stalwarts Senators Mike Lee and Tim Scott. *Room to Grow* is the latest evidence that conservatism may be experiencing an intellectual resurgence as well as a political one.

■ Fiat Chrysler CEO Sergio Marchionne is the worst car salesman ever. Speaking about his firm's 500e electric car at the Brookings Institution, he told those assembled: "I hope you don't buy it, because every time I sell one it costs me

Betting the World Cup

As the World Cup approaches, soccer fans from around the world are preparing for a bacchanalian soccer binge that will inevitably lead to a deep emotional crisis for all but one nation. Even with the many disappointments, the rapture of fans in the winning nation is so great that the World Cup undoubtedly contributes positively to worldwide happiness. World Cup revenues, after all, are projected to be northward of a billion dollars, with tourism spending piling billions on top of that.

So who will the lucky winner be? Economics has a surprisingly large amount to say on the subject. Forget Thomas Piketty: By far the most important academic study out this year is Goldman Sachs's massive "The World Cup and Economics 2014."

In order to calculate the chances of success for countries in each round of the tournament, the Goldman Sachs economists who authored the study drew on data going back to 1960. Discounting friendly games and focusing instead solely on mandatory international matches, they tested the ability of several different variables to predict the winners of about 14,000 such contests. These variables included whether a team was a host to a match, whether a team was playing on its home continent, the number of goals scored by a team in its previous ten matches and the number scored on the opposing team in its previous ten matches, whether the match was a World Cup match, and a composite measure of a team's success called the Elo ranking.

The authors developed the best possible econometric model drawing on those data, and used it to generate a prediction that Brazil has a 48.5 percent chance of being the World Cup champion. The accompanying table suggests that fans from other countries should be worried. For reference, the table below indicates in the far-right column the Goldman Sachs prediction for this year. To the left of that, for historical perspective, is the output of the model for the previous tournament.

Each column shows the predicted probability that each team would make it to a certain round in the tournament. So for Brazil in 2010, for example, the probability was 26.6 percent that it would win, 39.2 percent that it would make the final, and so on. The cells are highlighted to show how teams actually performed—for example, Germany made it to the second round, then the quarterfinals, and the semifinals, while Portugal made it only to the second round and Italy and France, despite good odds, failed to advance at all.

Team	2010 Model Predictions					2014 Model
	2nd Round	Quarters	Semis	Final	Champion	
Brazil	92.5	73.3	51.6	39.2	26.6	48.5
Spain	84.9	59.0	40.6	27.7	15.7	9.8
Netherlands	88.2	68.9	37.3	25.5	14.9	5.6
Germany	83.1	63.1	44.4	24.8	12.7	11.4
England	82.8	53.2	33.0	13.7	6.4	1.4
Italy	84.8	49.8	22.7	12.1	5.3	1.5
France	76.0	49.7	27.4	11.1	4.7	0.8
Argentina	71.8	41.3	20.4	8.3	3.2	14.1
Mexico	54.7	31.5	15.0	5.0	1.7	0.1
Portugal	57.1	20.5	8.9	3.6	1.0	0.9
USA	57.8	23.3	10.1	2.9	0.8	0.5
Uruguay	45.5	21.5	8.6	2.5	0.7	1.1

The model performed remarkably well in 2010, with the final including two of the top three teams, and the semifinals three of the top four. So it is quite likely that the semifinals will, after all of the drama, include Brazil, Spain, Argentina, and Germany.

And from that scenario, one can be sure of two things. First, if Brazil wins, the celebration in the home country will be so wild that the rest of us will simultaneously be sorry we are missing it and glad we are not there. Second, if Brazil loses, it will be one of the bigger upsets in soccer history.

—KEVIN A. HASSETT

Talk Show Doctor Reveals Digestion Remedy That Works Instantly!

Television host and best selling author explains how a new aloe-vera extract can make bouts of heartburn, acid-reflux, constipation, gas, bloating, diarrhea, and other stomach nightmares disappear!

Recently, alternative medicine expert Bryce Wylde, a frequent guest on the Dr. Oz show, revealed a simple secret that amazed millions who suffer with digestion nightmares. People haven't stopped talking about it since.

"I'd give anything to make it stop!"

That's what most people will say about their digestive problems. "It's just horrible says Ralph Burns, a former digestion victim. I was tortured for years by my Acid-Reflux. Sometimes I'd almost pass out from the pain. My wife suffers with digestion problems too. If she eats one wrong thing, she spends hours stuck in the bathroom dealing with severe bouts of constipation or diarrhea."

FDA Warns About Popular Antacids

A recent FDA warning explained that excessive use of antacids could lead to an increased risk of hip, wrist, and spine fractures. Especially in people over the age of 50.

So when alternative medicine expert Bryce Wylde discussed an alternative on National TV, you can imagine how thrilled people were to find out they could finally get relief without having to rely on *Prevacid*®, *Nexium*®, *Prilosec*® and other dangerous antacids. But now, according to Wylde, your stomach problems could be over by simply drinking a small amount of a tasty Aloe Vera extract.

Finally There's Hope...

This delicious "digestion cocktail" is doing amazing things for people who suffer with stomach problems --- even if they've had them for years. Here's how it works...

Stop Stomach Agony

Your stomach naturally produces acid so strong, it can dissolve an aluminum spoon in just 30 minutes! And when excess acid escapes into your esophagus, throat and stomach lining, it unleashes the scorching pain of Acid-Reflux, heartburn, ulcers and more misery. Add the problems of stress, and "all hell breaks loose."

Dr. Liza Leal, a well known expert on chronic pain management explains...

"*AloeCure*® can work genuine miracles. It buffers high acid levels with amazing speed, so your stomach feels completely at ease just moments after drinking it." In fact, it could wipe out stomach pain, discomfort, and frantic runs to the bathroom.

Until Now, Little Could Be Done...

But "*AloeCure*® can help virtually anyone. Even people with chronic stomach pain can feel better right away," says Dr. Leal. And what's really exciting is *AloeCure*® aids in keeping your digestive tract healthy, so intestinal distress stops coming back.



For most of my life I purposely avoided a lot of foods. Even ones with a tiny bit of seasoning. If I didn't, I'd experience a burning sensation through my esophagus-like somebody poured hot lead or battery acid down my throat. Add to that those disgusting "mini-throw ups" and I was in "indigestion hell".

A friend said, "Why don't you try *AloeCure*®. I was shocked! I stopped taking the PPIs altogether and replaced it with a daily diet of *AloeCure*®. Then something remarkable happened - NOTHING! Not even the slightest hint of indigestion. For the first time in 40 years I didn't need pills or tablets to avoid indigestion. Thank you *AloeCure*®!" - Ralph Burns

Digestion Defender #1: Balances Stomach Acid: Your first line of defense is calcium malate. This natural acid buffer instantly sends stomach acid levels plunging. And holds acid levels down so they don't return!

Digestion Defender #2: Instant, Soothing Relief: *AloeCure*® is brimming with polysaccharides, a "wonder" com-



Doctor recommended AloeCure® may be the most important application ever discovered for digestive health!

pound that gently coats the throat, esophagus and stomach, carrying instant relief to cells scorched by excess acid.

Here's What Doctors Are Saying!

AloeCure® is backed by important scientific studies that confirm... aloe calms stomach acid and allows your body to heal itself.

Dr. Liza Leal, M.D & Chief Medical Officer at Meridian Medical. says, "That's why I recommend it to patients who suffer from bouts of heartburn, Acid-Reflux, ulcers, and irritable bowel syndrome..."

Dr. Santiago Rodriguez agrees. "Just two ounces of *AloeCure*® reduces the acids in your stomach by ten times."

Safe And Easy To Use

With no sugar, no stimulants, and zero calories, *AloeCure*® is safe, all-natural and has absolutely no side effects. Just drink two ounces, once in the morning, and once at night, and start enjoying immediate life-changing relief!

Try It 100% Risk-Free!

The makers of *AloeCure*® have agreed to send you up to 6 FREE bottles PLUS 2 free bonus gifts with your order— they're yours to keep no matter what. That's enough *AloeCure*® for 30 days of powerful digestive relief, absolutely free! But hurry! This is a special introductory offer, reserved for our readers only. But you must call now!

Call Now, Toll-Free!
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\$14,000.” The electric Fiat exists not because of consumer demand—there is hardly any—but to satisfy zero-emissions rules in California and other jurisdictions that impose them. Fiat’s plan is to sell the minimum number of electric cars it is required by law to sell, at whatever loss it must endure, and then to sell not one more. Marchionne added that if automakers are forced to suffer losses in order to satisfy political whimsy, then they will be back in Washington asking for another bailout.

■ Under the terms of the bargain that Chris Christie, New Jersey’s Republican governor, made with Democratic state legislators, Christie is reappointing the court’s liberal chief justice, Steven Rabner, in exchange for the appointment of a Republican justice—one who, according to conservative legal scholars, does not have a reassuring track record. Rabner’s record, on the other hand, is quite reassuring to liberals: Among other things, he forced New Jersey to recognize same-sex marriage. Christie has reneged on an important campaign promise: In 2009, the governor-to-be pledged to remake the state supreme court. That pledge meant something to conservatives, because the New Jersey supreme court is perhaps the most out-of-control in the country: Since the late 1960s, it has gradually usurped the powers of the legislature and the executive, ordering education funds to be disbursed in a cockeyed wealth-redistribution scheme and nullifying the state constitution’s protections against profligate spending. We understand that a conservative governor of New Jersey has to pick his battles. But conservatives expect the future of the courts to be one of them.

■ First lady Michelle Obama has declared Republicans to be waging a war on “our children’s futures,” “sound science,” and the judgment of experts. Their crime in this instance is a proposal by a Republican congressman to allow schools to postpone compliance with federal school-lunch nutrition standards if they lost money on the program last year. As part of a 2010 law passed by Congress largely through the first lady’s efforts, limits on fat, sodium, sugar, and calories—and requirements that whole grains, fruits, and vegetables be served—have begun to be phased in over the past couple of years, with stricter rules set for the upcoming school year. A review released earlier this year from the Government Accountability Office found that implementation of the standards so far has been both costly and wasteful, as students routinely throw away unwanted servings of fruits and vegetables or forgo the unpalatable meals entirely. It turns out that you can lead a kid to veggies . . .

■ A Health and Human Services board decided in late May that Medicare recipients must be allowed to apply for taxpayer-funded coverage of their sex-change operations. The board overturned a 1981 determination that transsexual operations were controversial and experimental, with insufficiently known long-term effects and frequent serious complications, and would therefore not be covered by Medicare. Now such operations are deemed by the board to be “safe and effective” and potentially medically necessary. The decision came in response to a suit by a 74-year-old man who, the AP reports, “has lived as a woman on and off since she was a teenager and

full time since 2009.” Only a small minority of Americans opt to have their genitals surgically altered, and the percentage of the nation’s seniors who do so is presumably even smaller, but the ruling will accelerate the trend of private insurers’ routinely covering the operations. It will also accelerate the normalization of a practice that is not properly classified as medical treatment at all.

■ *The New York Times Magazine* had an article about the burgeoning marijuana industry. The article was written by an economics reporter for the paper, Annie Lowrey. She said, “Despite the potential, many investors are still hesitating at spending the money that might make joints and brownies less ad hoc, more corporate. Why spend \$20 million on a grow site that might be shut down, or a new brand that might get stamped out by the next administration’s Justice Department? A surfeit of laws—and confusion between them—is holding the market back.” Is that so? Amazing. Maybe Lowrey can teach her paper that what goes for pot goes for an economy at large.

■ The Obama administration has announced that it’s considering recognizing Native Hawaiians, an ethnic group that makes up one-fifth of the Aloha Isles’ population, as an autonomous political entity. This would give the group, currently represented by the state’s Office of Hawaiian Affairs, the right to construct a race-based government like an Indian tribe and, likely, all the privileges of this right that it may find profitable. The idea came up in Congress during the Bush years, and Obama’s proposal to impose it via executive fiat is certainly unconstitutional. It’s a terrible idea in any case: Native Hawaiians—geographically dispersed and with no history as a sovereign nation—are almost nothing like an Indian tribe, and the only point is to give a politically powerful constituency valuable powers over state land, tourism policy, and more. They lost us at “Aloha.”

■ Fifty members of the U.S. Senate sent a letter to the commissioner of the National Football League. The letter was on Senate letterhead, and the senators were all Democrats: Republicans were not asked to sign. The letter demanded of the NFL that the Washington Redskins be made to drop their nickname. (It studiously avoided the use of the word “Redskins.”) “The NFL can no longer ignore this,” said the senators, “and perpetuate the use of this name as anything but what it is: a racial slur.” Reasonable people differ on this question, including American Indians. But why are senators, in their official capacity, bothering the NFL? This is bullying, or in football language, piling on.

■ “Heavy fighting” was reported in early June near the eastern Ukrainian city of Slovyansk and other places between official Ukrainian forces and what are usually described as “pro-Russian separatists” or “insurgents.” In fact the latter are a mix of Russian soldiers, mercenaries in the pay of Ramzan Kadyrov, the pro-Russian Chechen strongman, and local thugs and criminals. They are equipped with heavy weapons capable of shooting down planes and helicopters. And they move freely back and forth across the Russo-Ukraine border. In other words the heavy fighting is the first stage not of a civil

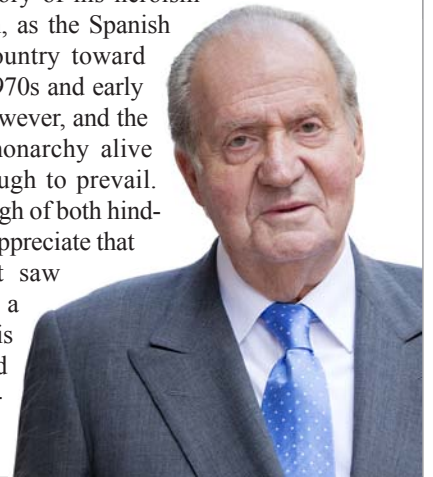
war but of a covert Russian invasion. It was probably designed by Russian military planners to spark a civil war when one did not erupt spontaneously, as they had first hoped. But recent political events have made it unlikely that it will develop on those lines. A new Ukrainian president was elected by a clear majority across almost all regions without the need for a runoff election. The “neo-fascist” parties alleged by the Kremlin’s propaganda apparatus to be running the Kiev government got 1 percent of the vote in the same elections. “Separatists” and “insurgents” were revealed in their true anti-democratic colors when they destroyed ballot boxes and beat up those trying to vote. Even in these discouraging circumstances, opinion polls showed that two-thirds of easterners and a larger percentage of all Ukrainians wanted an independent Ukraine outside Putin’s authoritarian grasp. Ukraine is stabilizing in response to Putin’s attempted subversion. Its newly “legitimate” president is offering a stronger military response to Russia’s salami tactics—and, for the moment, an effective one. Success in military conflict is uncertain, however, and Kiev might not restore its authority in the East. President Obama, visiting Europe, should reset the reset button. His promise of \$1 billion and more troops for NATO is a welcome down payment—but no more than that.

■ Awoken by the euro crisis to the undemocratic nature of the European Union, about one-third of Europe’s voters cast their ballots for “anti-establishment” parties in elections to the European parliament. Five million Spaniards abandoned the nation’s two major parties; the Front National defeated the two equivalent parties in France; and UKIP, led by Nigel Farage, was the first insurgent party since 1910 to win a U.K. national election. The parties are disparate: The hard-right nationalism of the Front National is very different from the welfare-state protectionism of the Danish People’s party or the free-trading liberalism of UKIP. But they are all reacting to the failure of supranational Euro-governance, and they all want a return of powers from Brussels to national parliaments. Prudent leaders in national politics recognize such earthquakes, but the leaders of the established parties in the European Parliament are too besotted with European integration to concede anything serious to the new arrivals. Instead they will work together in an unacknowledged “grand coalition.” The trouble with European politics does not lie on its fringes, but in its fanatical center.

■ Amid the usual sentimental claptrap about the majesty of the world’s largest democracy going to the polls, India has elected as its new prime minister Narendra Modi of the Hindu-nationalist Bharatiya Janata (Indian People’s) party. Modi replaces Manmohan Singh, who won admiration as the main architect of India’s economic reforms only to find his government mired in an endless succession of corruption scandals unfortunately typical of India. Modi’s promise is to combine an economic-modernization program with squeaky-clean ethics: He himself is an austere-living man with a very modest income; though legally wed as a teenager in an arranged marriage, he has lived a bachelor’s life for all of his adult years, and is believed to have taken a vow of celibacy in the service of a strict Hindu faction. While Modi’s religious scruples may be of some reassurance to scandal-weary India,

they are also a source of concern: As chief minister of Gujarat, he was accused of doing effectively nothing as Hindus massacred more than a thousand Muslims in reprisal killings for an attack on a train carrying Hindu pilgrims, in which 59 were killed. Modi has declined to make the sort of goodwill gestures toward Muslims that other BJP leaders have made as a matter of course. Modi may be personally clean, but what matters is that his government be clean: Corruption is a heavy tax, especially on India’s poor.

■ King Juan Carlos of Spain has announced that he will abdicate and that his son, Crown Prince Felipe, will succeed him on the throne. The king’s reputation had been damaged by scandals in recent years. Hunting elephants in Botswana in 2012, he fell and required hip surgery, which made the news and exposed his expensive lifestyle to scorn at a time when Spaniards were adjusting to austerity measures imposed by their cash-strapped government. He was embarrassed by a legal investigation into embezzlement charges against his daughter. Some on the Spanish left are using Juan Carlos’s concession to the decline in his popular support to argue that the monarchy be abolished. Though it is fading, the memory of his heroism after Franco’s death, as the Spanish king steered his country toward democracy in the 1970s and early 1980s, still lives, however, and the will to keep the monarchy alive appears strong enough to prevail. Spaniards with enough of both hindsight and foresight appreciate that the institution that saw them through such a severe political crisis not so long ago could someday prove helpful to them again.



■ *Plus ça change, plus c’est la même chose.* France has once again tried to impose punitive taxes on its citizens’ incomes, and it has once again faced a backlash. In May, ministers in the country discovered that despite rises in the income tax, VAT, and corporation tax rates, receipts from the three streams came to 16 billion euros—a 14 billion-euro shortfall. It is not just rich actors who have rebelled. President François Hollande’s approval rating among all voters is hovering at around 20 percent, his Socialist party has been greatly weakened in parliament, and his own prime minister, Manuel Valls, has complained that “too much tax kills tax.” What’s French for “Laffer curve”?

■ Many Venezuelans are enjoying a blog headed “RELOJES DEL CHAVISMO”—wristwatches of *chavismo*. It depicts and comments on the luxury timepieces sported by Hugo Chávez-style officials, who thunder against *yanqui* capitalism. Socialist and Communist leaders, like other people, have long abided by “Do as I say . . .” When he attended U.N. meetings

in the 1980s, the Sandinista chief Daniel Ortega liked to exploit New York for shopping. He had a particular fondness for luxury eyewear. In fact, President Reagan called him a “dictator in designer glasses.” Hypocrisy is maybe the least of the *chavistas*’, and the Sandinistas’, offenses, but it is one of them.

■ Michael Bloomberg, speaking at Harvard’s commencement, gave students, parents, and faculty nationwide something to think about. “You have to wonder whether students are being exposed to the diversity of views that a great university should offer,” Bloomberg said, citing data that showed that 96 percent of the faculty and staff in the Ivy League who gave money during the 2012 election gave it to Obama. “There was more disagreement among the old Soviet Politburo.” Bloomberg also rapped Brown students for shouting down NYPD commissioner Ray Kelly last year. “What were [they] afraid of hearing? Why did administrators not step in to prevent the mob from silencing speech?” In answer to Bloomberg’s points: Students are not being exposed to diversity, because too many of them fear it and too many of their keepers hate it.

■ In April, the University of South Carolina Upstate’s Center for Women’s and Gender Studies scheduled a satirical one-woman show—*How to Be a Lesbian in Ten Days or Less*—as part of its “Bodies of Knowledge” symposium. Some state legislators got upset, and the show was canceled. Now, as a result of state-budget cuts, the center is closing. Some on the left are calling foul, alleging an affront to academic freedom. USC-Upstate chancellor Tom Moore said that the decision has nothing to do with ideology and is just “part of an effort to be consistent and systematic across academic affairs in how we administer and support various programs.” The center’s \$45,000-per-year budget will be repurposed to teach USC-Upstate students about America’s founding documents—which we have to admit sounds like a better use of funds in the service of more important “bodies of knowledge.”

■ In Monroe, Mich., there was a teacher named Alan Barron. He was suspended a few weeks before his retirement. The problem was, he was teaching his eighth-graders about racism and Jim Crow. In the course of this lesson, he showed a video, which depicted white actors in blackface. The point was, this is what passed for entertainment in America once upon a time. An assistant principal, noticing the video, demanded that it be stopped, then suspended the teacher. While on suspension, Mr. Barron was forbidden to attend the annual banquet that honors retiring teachers. Parents went on a social-media campaign for him. One mother (whose daughter is half black) said, “It’s so sad this has happened to him. He’s one of the best teachers we’ve had. We can’t believe that this is happening.” The suspension was lifted. But the teacher had a rotten ordeal at the end of his career.

■ At North Dakota State University, the fencing club has been prohibited from practicing on campus, since its foils, epees, and sabres are considered dangerous weapons and banned under NDSU’s safety rules. (Off campus, on the mean streets of Fargo, there is no such prohibition, so the club meets in a nearby school.) Scoff if you wish, but it’s just common sense: After all,

how many times have we all turned on CNN to see live coverage of a deranged fencer poking terrified students in the chest with a foil’s blunt tip? None? Well, that just shows that the policy works—though, to be absolutely safe, we need a national registry of pistes and lamés, along with in-depth background checks to make sure potential purchasers haven’t rented too many Errol Flynn movies.

■ For rock stars and novelists, dying has long been a good career move. For Richard III, it was better to be dug up. Ever since his bones were exhumed last year from beneath a Leicester parking lot, his reputation has been extensively reassessed in the British media. Instead of the villainous Machiavellian murderer of Shakespeare’s portrayal, he is seen as fair-minded, a friend to the poor, something of a policy wonk—the David Cameron of his day, perhaps, except for the “not Machiavellian” part. Now a scientific reconstruction of his spine reveals that, contrary to tradition, he was not a hunchback. Far from being Shakespeare’s limping, “bunch-back’d toad,” he merely listed a bit to starboard due to a touch of scoliosis. So his physical rehabilitation now parallels his moral one, and the strange-new-respectification of Richard III continues. Next thing you know, the Kennedys will give him a Profile in Courage Award.



■ General Wojciech Jaruzelski was an outstanding example of the human puzzles that Communism habitually threw up: a dupe, a traitor, or a patriot, according to perspective. Born into the Polish gentry, he was deported by the Soviets in 1939. Also deported, his father died. Privileged people like them, he used to feel, deserved such fates. A slight figure who was impersonal behind the dark glasses he needed to wear, he became a commissar and rose

in Sovietized Poland to be prime minister, first secretary of the Communist party, and finally president. Solidarity under Lech Walesa was the first mass movement to threaten Communism. Claiming that the Soviets would invade to suppress Solidarity, Jaruzelski declared martial law. Dozens were killed, thousands detained. Whether the Soviet Union would really have sent the tanks in is still a mystery. Pushed by Mikhail Gorbachev, Jaruzelski finally negotiated to hand power over to Solidarity without more violence. Poles forgave him, and Walesa came to church for his funeral. Dead at 90. R.I.P.

■ One fears that Bill Clinton tapped Maya Angelou to read at his 1993 inauguration in order to have a black-female answer to Robert Frost, JFK’s inaugural bard—racial and sexual box-checking. (Three lines from the poem she read, “A Rock, A River, A Tree,” survive the occasion: “History, despite its wrenching pain, / Cannot be unlived, but if faced / With courage, need not be lived again.”) And yet she had real skills as a memoirist, and a life of memorable episodes. Pregnant at 16, she bore her child and worked any number of jobs to support him. And she prac-

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ticed the right to bear arms. When she heard an intruder trying the door of her house, she warned, “Stand four feet back because I’m going to shoot now.” (She did; no one was hurt.) When the cops observed that the shots had been fired from inside, she said, “Well, I don’t know how that happened.” Would Mrs. Wharton have done that? Maybe not. Emily Dickinson? Definitely. Dead at 86. R.I.P.

AT WAR

Abandoning the **Afghans**

PRESIDENT OBAMA’S Afghanistan policy is, in substance and timing, ideal for his political interests: He can boast (and already has) that all U.S. troops will be home from Afghanistan before the end of his eight years in office, and that he just brought home an American soldier from Taliban custody. But it’s ruinous for just about everyone else: for the U.S. and NATO troops now asked to continue sacrificing while Obama’s policies strengthen the Taliban; for both of the Afghan presidential candidates, who are running on a strong, permanent partnership with the United States; and for the Afghan people, who have tentatively and hopefully thrown in their lot with the West.

Good politics at home and in the short term looks very different abroad and for the long term. The president has broken an implicit promise he repeatedly made that the U.S. would stand by the Afghan government. It has long been agreed that the Afghans should assume full responsibility for combat operations after this year, and, partly to Obama’s credit, their forces have grown dramatically in size and capacity over the past several years. But they still need support and training from American troops, and the president has now put an expiration date on that aid.

Afghans will soon go to the polls to choose between two presidential candidates. Both of them got to the final round by promising to sign a bilateral security agreement with the United States, and both of them will face the task of knitting together a political coalition, maintaining the loyalty of the country’s manifold provinces, and holding off the Taliban. Whoever wins will now assume office with al-Qaeda, the Taliban, and plenty of other deadly foes knowing that in two years he will be fending for himself.

President Obama had never promised a large enduring presence in Afghanistan, but he had promised that this would remain an important partnership—meaning on-the-ground security cooperation and support. The Obama administration has instead proposed total withdrawal by 2016, with troop levels to be cut to 5,000 or so next year. It’s still better than going to nothing immediately, but strategy is a futures game, and Afghans will start hedging.

And we suspect President Obama may not even have the political will to continue U.S. funding for the Afghan armed forces. Their gains will go for naught if the Afghan government doesn’t have the money to pay the salaries of 350,000 soldiers and tens of thousands of police whom Americans have trained.

The next American president will inherit an alliance worth virtually nothing in a region where radical Islamism and militant groups of all stripes will grow more or less unimpeded, goaded on and supplied by rogue regimes. Once upon a time, President Obama said that Afghanistan was the good war, the one where we’d focus, where he was committed to victory. He has now formally, even proudly, broken that promise.

THE EPA

Obama’s War on **Coal**

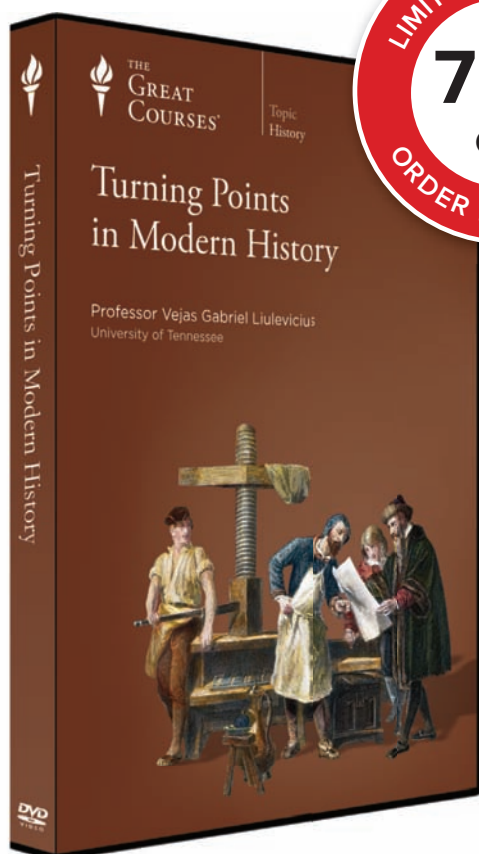
HAVING failed to get the Democrats’ cap-and-trade scheme through Congress, President Obama intends to create it through fiat, with the Environmental Protection Agency issuing what amounts to a bill of attainder against coal-fired electricity generators. The regulation will set a national limit on greenhouse-gas emissions from coal plants and then offer states a phony menu of choices for meeting that standard, stacking the policy deck in such a way as to force them into cap-and-trade programs administered by multistate cartels.



It is far from obvious that the Obama administration has anything like the legal authority for this; until quite recently, the White House seemed to think that it was necessary for Congress—remember Congress, the lawmaking branch of government?—to pass a law creating a cap-and-trade program. But, having lost that vote, President Obama is pressing on in rule-by-decree mode, apparently having mistaken himself for Charles de Gaulle.

To what end? There are two fundamental realities that the administration is committed to ignoring. One is that, even if we swallow whole the most alarmist version of the global-warming story, the phenomenon is inescapably a global one. In order for the United States to make national cuts that are of global significance, they would have to be substantially larger than anything under current consideration, and reducing emissions from coal-fired plants exclusively would be nowhere near sufficient. And that assumes that the rest of the world stands still, which is unlikely to be the case in consideration of the second reality: Coal does not care where it is burned. If we reduce demand for coal in the United States by substituting other fuels in our electricity plants, that does not transform a corresponding sum of the world’s coal deposits into fairy dust. It will still be coal, and it will still be useful for producing electricity elsewhere.

The administration’s hope is that we will be leading the world by example. In this case, when it comes to the global economy, we suspect it really will be leading from behind.



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12. 1839—The Opium War in China
13. 1859—Darwin and the *Origin of Species*
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15. 1893—First Women Voters in New Zealand
16. 1896—The Invention of Motion Pictures
17. 1903—Kitty Hawk and Powered Flight
18. 1904—The Russo-Japanese War
19. 1928—The Discovery of Penicillin
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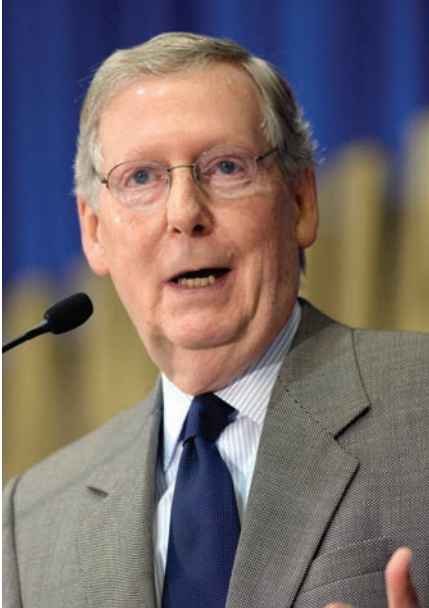
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"Establishment" and "Tea Party"—growing together

Right Reforms

Liberalism is not the future of conservatism

BY RAMESH PONNURU

LIBERALS are taking the publication of a new collection of essays by conservatives as an occasion to diagnose what ails the Right. The favor should be returned. Liberalism's reaction to the rise of "reform conservatism" shows us one of its great flaws: an unwarranted confidence in its own basic intellectual health.

"Reform conservatism" is the label that has been attached to a group of writers who believe that the conservative agenda needs to be updated and broadened: that conservative reforms to the nation's tax code, health-care system, higher-education policies, and safety net, among other institutions, would make it easier for the American middle class to grow and thrive, and that offering such reforms would make it easier for conservatism to grow and thrive. In May, the YG Network, a conservative group, published *Room to Grow*, a book presenting such an agenda. (I contributed an essay to it, and my wife, who works for that group, ran the project.)

Conservatives who have commented on the book have almost unanimously offered it handsome praise, and this consensus has leapt over some of the divisions that typically fracture the Right. When the American Enterprise Institute hosted a set of panels to discuss the book, Senate Republican

leader Mitch McConnell (R., Ky.) was one of the speakers, and Senator Mike Lee (R., Utah) was another. Both the *bête noire* and the champion of many tea-party groups could agree to laud *Room to Grow*.

Liberals, reasonably enough, have been less enthusiastic. Several commentators took the view that reform conservatism is merely a new coat of paint on a rusted right-wing agenda. Scott Winship's chapter argues, among other things, that transferring many families from Supplemental Security Income to other aid programs would reduce the risk of multigenerational dependence on federal support. Michael Hiltzik, writing for the *Los Angeles Times*, inveighed against the "contempt for the underprivileged" supposedly behind such ideas.

Other liberals have noticed that most Republicans have yet to take up these reformist ideas and then concluded that they have no political future. Taken together, these common reactions put reform conservatives in a no-win situation: Either the reformists' proposals have been made before by Republicans, in which case they can be dismissed as retreads of old ideas, or they have not, in which case they can be dismissed as politically irrelevant.

A few liberals have avoided this simple-mindedness. William Galston

devoted one of his weekly *Wall Street Journal* columns to the book. Galston summarized several of the chapters and appeared to agree with much of their content. He thinks, however, that the book is too timid about changing the Republican platform and disagrees with some of the specific political judgments implicit in the book. (He does not think conservatives will get anywhere advocating a replacement for Obamacare and faults the book for saying little about immigration, which he considers a central problem for Republicans.)

E. J. Dionne Jr. has written the most thorough liberal examination of reform conservatism. His essay appeared in the journal *Democracy* a few days before *Room to Grow* was published, but it shows that Dionne has been reading the reformers attentively. Like Galston, he agrees with many of the reformers' points but wishes we would go further. He wants us to make a sharper break with conservatism as it exists today by accepting a larger role for government, moving left on social issues, and criticizing our fellow conservatives more bluntly.

Dionne's analysis, it seems to me, goes off track by setting reform conservatism in opposition to tea-party conservatism. The reformers, he writes, did not find the Republican party's "wall of opposition" to President Obama's agenda during his first term "particularly appealing," and tea-party primary victories "sent a chill through the reform cause." He thinks we are too frightened of our tea-party adversaries to denounce them. He believes that we "pander to anti-Obama feeling" and refuse to acknowledge the moderation of many of his policies, including especially Obamacare, because we "don't want to offend" people to our right.

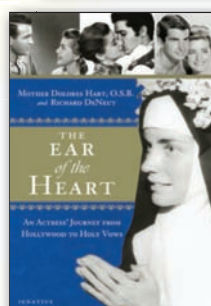
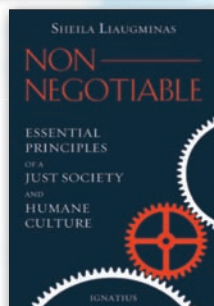
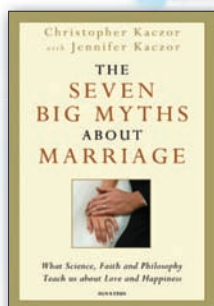
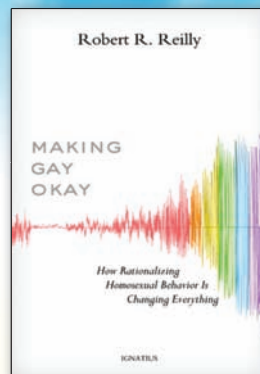
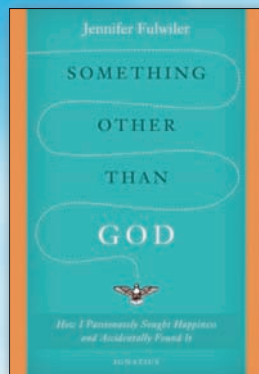
I'm confident that I do not speak only for myself in saying that my opposition to almost all of Obama's policies is quite sincere. And about three-quarters of the proposing legislation that bears the reform-conservative imprint would not exist if not for the tea-party victories of Senators Mike Lee and Marco Rubio. (Dionne writes off Lee as merely trying to rebrand conservatism, which I don't think does justice to his record of introducing creative new bills.)

Reformers disagree with many tea partiers, as Dionne notes, on some matters: We tend not to think, for example, that President George W. Bush's over-

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spending, as regrettable as it was, was one of the major reasons for Republican decline during his second term. But tea-party conservatism and reform conservatism overlap considerably, and it would be inaccurate as well as counterproductive for reformers to deny it—much as it may sadden Dionne. Both groups believe that too many Republicans have been complacent and detached from the concerns of most Americans.

Like other conservatives, most reformers think that the health-care law preserves the private-sector domination

aggressive in such areas as higher education and health care, where for decades we have been passive while liberals have tried, to some extent successfully, to set policy.

Both Dionne and Galston draw a parallel between the efforts of Republican reformers today and those of the Democratic Leadership Council in the late 1980s and early 1990s. There is quite a bit to the analogy, which is why people often make it. What the analogy misses is also important. The Democrats of the 1980s had to respond to a country that

Today the Republicans must reorient themselves in **a country that is persistently unhappy** and where liberal policy successes are too hard to detect to be the basis for concessions.

of health insurance mostly as a matter of outward form and rests actual decision-making authority over everything important with the federal government. It is true that features of Obamacare resemble policies that some conservatives in the past have supported. But those conservatives were, to my mind, mistaken, and even at that the law went much farther in a centralizing direction than they favored.

Some of the skeptical notes Dionne sounds about reform conservatism are reasonable. He asks whether we are “willing to put the money behind [our] solutions.” The expanded child tax credit many of us advocate, for example, leaves less room in the budget to cut income-tax rates (a trade-off Senator Lee’s proposal faces). Dionne, though, goes a telling step further. He warns that we “often engage in ‘rob Peter to pay Paul’ budgeting by calling for sharp reductions in programs progressives see as essential.” To complain that we do not share progressives’ budget priorities amounts to complaining that we are not progressives.

“The promise of reform conservatism is that it will move the right to more moderate and practical ground,” he writes. More practical, yes; but not, in any conventional sense, more moderate. I rather think of reform conservatism as expanding the Right’s agenda by making it more

was largely happy with Republican governance and to specific conservative policy successes; much of what they had to do took the form of concessions to conservatism. Today the Republicans must reorient themselves in a country that is persistently unhappy and where liberal policy successes are too hard to detect to be the basis for concessions.

Dionne writes that reform conservatives are “far too timid in their approaches to economic injustice and to the structural problems in the economic system.” We diagnose those injustices and problems differently than he does. But isn’t the contemporary progressive agenda pretty timid and unimaginative, too, even on its own terms? The central demand of a progressive president on economic matters is a higher minimum wage, and the left-wing favorite who recently became mayor of New York City wants more funding for preschools. Even if I thought these ideas were good ones, I would not think them likely to improve American life in any major way.

In his treatment of “the reformicons,” Dionne is thoughtful and even at times generous. But he seems to think that what contemporary conservatism needs is to be more like contemporary liberalism. Conservatives should decline the invitation and, because the condition of liberalism is not exactly enviable, should decline it without regret.

NR

#NoNotMe

The UCSB killings were not caused by “white male privilege”

BY CHARLES C. W. COOKE

COLLECTIVE guilt is *en vogue* at the moment, the ever-supple concepts of “privilege,” “rape culture,” and “entitlement” having been gradually brought into the mainstream and then ruthlessly applied to anything that moves. At first the tendency was limited to cultural criticism and reserved to practitioners of that peculiar form of word salad that is native to the college campus. Of late, though, it has taken a more sinister turn. In May, a shooting carried out by a California man—and justified by him in disgracefully misogynistic terms—became a rallying point for exponents of the idea that supposed structural inequalities in American life have, literally, turned deadly.

As the details of the killer’s ugly manifesto became public, a Twitter hashtag—“#YesAllWomen”—collected the accusations of the aggrieved. If, as Camille Paglia claims, feminism has indeed “become a catch-all vegetable drawer where bunches of clingy sob sisters can store their moldy neuroses,” then it is apparently in the darker corners of Twitter that the leaders of the traveling sisterhood have found their forever home. There, the killer’s peculiar motivations were grafted onto *all* men—the extraordinarily complex problems of untreated mental illness, a surfeit of guns, and a culture in which running amok has become the go-to outlet for the deranged being quickly cast aside in favor of buzzy terms with pliable definitions. Few bothered to look into the details of the case. The shooter was white and male, and had written a long manifesto outlining his hatred of women. What else did we need to know?

It wasn’t just “misogyny” and “male entitlement” that got an airing. The trendy concept of “white privilege”—and its more serious brother, “white supremacy”—reared their heads, too. “How many times,” Rutgers’ Brittney Cooper asked at *Salon*, “must troubled young white men engage in these terror-

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Henry Kissinger supposedly once joked that a full-blown “battle of the sexes” was unlikely because “there’s just too much fraternizing with the enemy.” He was right. It remains the case that men are stronger than women, that in consequence there is violence against women, and that, for as long as we privilege the presumption of innocence, prosecuting such violence will remain tough. Nevertheless, the vast majority of women do not spend their days in constant fear of attack—nor, for that matter, do they feel perpetually put upon. The shooter in Isla Vista was not a more savage version of the average male,

istic acts that make public space unsafe for everyone before we admit that white male privilege kills?”

This approach has two key flaws. First, its advocates conflate individual cases with societal or historical trends—and highly selectively, too. If the statistical link between men and violence serves as sufficient warrant to tar an entire sex with impunity, then one would expect the statistical link between minorities and crime to be similarly treated. It is not. What are the chances, do we think, of seeing a “#YesAllWhitePeople” hashtag? Almost zero. (And thank goodness.)

The second problem is that nothing whatsoever seems to be sufficient to falsify any claims that are being made. Neither that more men than women were killed in Isla Vista nor that the shooter hated men with a passion served to undermine the “rape culture” claim; it just showed that misogyny is a “problem for everyone.” That the killer had been in therapy for years and was refusing to take his medication did not suggest that he was unstable and therefore a poor example of anything; instead, it was deemed to be irrelevant—an excuse leveled by friends of the status quo. That he was half Asian did not undermine the early claim that he was an exponent of “white supremacy”; it reinforced it, *Salon’s* Joan Walsh self-parodically asserted, claiming that he was both a practitioner and a victim, and coining a new term in the process: “half-white privi-

lege.” Nothing, apparently, can shake the theory’s appeal. Last year the Navy Yard killer, who was black, had his crime attributed to white culture.

It is illogical and insidious to judge individuals based on group means. But it is worse when the beliefs used to inform this confusion are demonstrably false. Contrary to the general public’s conception, white people do not commit more mass shootings than any other race but stay neatly in line with their demographic share. Where, then, is this supposed entitlement culture manifesting itself in the nation’s shootings?

Where, too, one might ask, do we find evidence that the prevailing popular culture of the United States holds that men are “entitled” to women’s bodies and that the shooter was an obvious symptom of a generally sick country? If anything, it seems that the opposite is the case. College campuses, Hollywood, and the new cabal of morally posturing online scolds that has taken to the Internet as Lady Godiva did to her horse have spent the better part of the last 40 years building a case for the existence of what we now refer to as “rape culture.” In doing so, they have defined what constitutes “consensual sex” so narrowly as to make a mockery of the relevant language, and have thereby obscured what is awful in the very real offenses that a small number of men commit against women. Are we honestly to believe that genuine misogyny is anything other than a marginal attitude?

but a deeply disturbed exception—a “crazy” person, in the now unfashionable term. Among the beliefs expressed in his manifesto and final video were that if women were not willing to have sex with him, they should not be permitted to have sex with anybody; that if they were not smart enough to want him of their own volition, they should be put into concentration camps and executed under his watchful eye; and that the only circumstance in which men might be free to fulfill their potential would be if sex were all but abolished.

This is a repugnant worldview, to be sure. But, with obsessed murderers, if it is not one thing, it is likely to be another. John Lennon’s killer was obsessed with J. D. Salinger’s *Catcher in the Rye*; Charles Manson with the Beatles. Gabby Giffords’ assailant was fascinated by Marx; the Navy Yard shooter was convinced that the surveillance state was stalking him. In Isla Vista, the shooter believed he was justified in his actions. But, importantly, in this he was pretty much alone. There is no burgeoning anti-woman movement in the United States in whose name rational operatives are staging massacres—nor, in all likelihood, will there ever be one. Violence is a traditionally male trait, and some men can be brutish and unrestrained. But those are separate problems, and ones about which the abomination in California has little of importance to teach us—hashtags and righteous indignation or none.

NR

A Concert of Democracies

Russia's aggression shows the need to move beyond "collective security"

BY JOHN YOO

RUSSIA's annexation of Crimea and continuing pressure on Ukraine reveal more than the Obama administration's national-security paralysis and a lack of strategic vision. Like the collapse of the League of Nations between the world wars, it marks the failure of the progressive dream of collective security. The pressing question is not whether Russia has violated norms against aggression—it has—but how the United States and its allies should respond so as to strengthen the international system.

Only the United States can lead the world's democracies to rebuild a world order that allows forceful measures to protect international peace and stability. Though far superior in economic and military might, the United States and its European allies have shrunk before Putin's boldness. Russia annexed the Crimean peninsula without firing a shot, is stirring up unrest in eastern Ukraine, and has massed troops on the country's border. President Barack Obama has responded by sending a token force to Eastern Europe, imposing economic sanctions on a few of Putin's supporters, and sending only food and non-lethal aid to Ukraine.

Russia's successful aggression signals the crowning failure of the progressive approach to international affairs, which began with Woodrow Wilson's attempt to outlaw war following World War I.

As the Versailles peace conference concluded, Wilson admitted, his physician recounts, that the terms were "very

hard." "But at the same time," he believed, "everyone must realize that the Germans themselves had brought on this horrible war, and that they had violated all ethics of international law and international procedure, and had created a series of crimes that had amazed and shocked beyond belief all the people of the world." Rather than a tool of great-power politics, war would become a crime in a world governed by international law that global institutions would enforce.

After the League of Nations collapsed in the inter-war years, FDR resurrected this idea of collective security as the governing principle of the United Nations. Russia has now brushed aside the U.N. Charter. In violation of Article II of that document, Russia resorted to "the use of force against the territorial integrity" and "political independence" of Ukraine. As a permanent member of the U.N. Security Council, it blocked any collective authorization of force, military aid, or even economic sanctions in response to the invasion. Europeans, especially the German and French governments, which opposed the 2003 invasion of Iraq for lacking U.N. approval, do not seem to feel the same sense of outrage in this case. Fast forward a decade, and now European leaders reportedly are resisting tougher sanctions on the Putin regime and European intellectuals are pleading for respect for Russia's historical sphere of interest.

Beyond further undermining the U.N. system, Putin's latest land grab may signal the decline of the American post-war project. Between the end of World War II and Russia's invasion of Ukraine, the United States and its democratic allies succeeded in keeping the peace in Europe. Once the tinderbox for wars that killed tens of millions throughout the world, Europe has gone more than six decades without direct conflict between the great powers. In the words of NATO's first secretary general, Lord Ismay, the Atlantic Alliance was designed to "keep the Russians out, the Americans in, and the Germans down."

The United States spread this peace throughout the globe. The rate of death from inter-state wars has fallen lower in the last 50 years than at any time in the last five centuries. Several reasons contributed to the "long peace," as John Lewis Gaddis has described the Cold

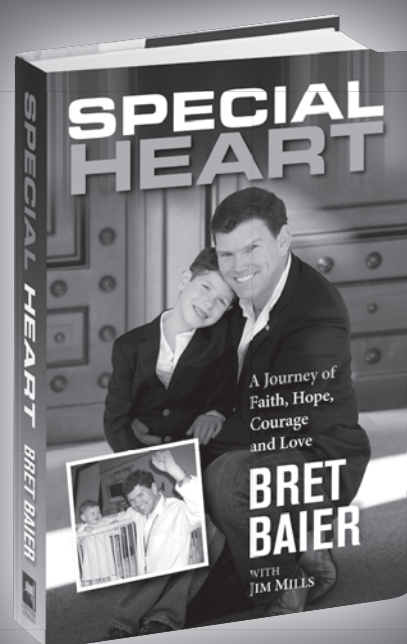
Mr. Yoo is Heller Professor of Law at the University of California, Berkeley, and a Visiting Scholar at the American Enterprise Institute. He is the author of the recently published Point of Attack: Preventive War, International Law, and Global Welfare.

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War. Nuclear weapons deterred wars between the great powers. The balance of power between the superpowers kept small conflicts from expanding into regional or worldwide wars.

But equally important was the role of the United States in building and maintaining a world order that spread political and economic liberty. Much as the Royal Navy enforced a 19th-century Pax Britannica, America supported NATO in the West, defended Korea and Japan in the East, and contained Communist Russia and China. In underwriting Euro-

not set up a permanent international institution, which would only replicate the failures of the U.N. and the League of Nations. Instead, it could set up an informal alliance of democratic nations to coordinate their efforts to maintain international peace and security.

History provides a guide. After the end of the Napoleonic Wars, for example, the great powers established a "Concert of Europe," a cooperative system aimed at maintaining the status quo. The Concert, and the balance of power it expressed, enjoyed relative

force used other than in self-defense, constrains only democracies and allows autocracies to run riot.

A new approach to global security would offer concrete responses to Russia's aggression. The United States could terminate the New START treaty, which limited both nations to 1,550 nuclear warheads. Russia, which can no longer afford to project power globally, should not enjoy an arsenal comparable to that of the U.S., which has broader responsibilities to ensure peace. Russia cannot keep pace with the United States

Today's **international law**, which criminalizes force other than in self-defense, constrains only democracies and allows autocracies to run riot.

pean and Asian security, the United States has led more people to freedom and prosperity than have ever enjoyed them at any previous time in recorded human history.

Whether by fault or design, the Obama administration is bringing this age to an end. The Pax Americana is receding from Eastern Europe and the Middle East. Asian allies such as Japan, Korea, and the Philippines openly worry that American security guarantees have little value. Washington's spending cuts are preventing the U.S. armed forces from shouldering global responsibilities. The administration shifts responsibility for maintaining peace to regional players, even though collective security has never proven able to replace a hegemonic power. The fading of hegemony has usually prompted widespread war and economic destruction—American assumption of world leadership in the wake of Britain's decline after World Wars I and II remains a rare exception.

But this development is not inevitable. The United States could avoid it by dispensing with collective security and enhancing the power of its democratic allies. It could lead a Concert of Democracies that would take steps, ultimately including the use of force, to respond to threats to world order: terrible human-rights disasters, aggressive rogue nations, the spread of WMD technology, and terrorist groups. Washington need

success in keeping a general peace for about a century, until the onset of World War I destroyed Europe. More recently, under the leadership of John Bolton, the Bush administration started the Proliferation Security Initiative, in which democratic nations cooperated to stop the spread of WMD and missile technology to rogue regimes. Other informal coalitions removed Saddam Hussein from power in Iraq and Qaddafi from power in Libya.

A more permanent Concert of Democracies could achieve similar benefits today. Cured of collective security's paralysis, the United States and its allies could openly confront nations that use aggression to seize power and territory. Such a system would rely on the great powers to maintain international peace, rather than blaming them as the cause of instability. Today's international law, which criminalizes

and would have to cut its nuclear arsenal anyway, so the agreement forces meaningful cuts only on the U.S. arsenal. Washington could restore anti-ballistic-missile defenses in Eastern Europe. Concerned about Iran's nuclear-weapons program, the Bush administration promised to deploy the systems in Poland and the Czech Republic. President Obama canceled the program as part of his administration's "reset" with Russia; redeploying it would be an important American commitment to NATO and raise the costs on Russia. These policies would require the Obama administration to turn away from its strategy of depending on international legal solutions and return to unilateral solutions or cooperation only with our allies.

A more fundamental and effective step would be to eject Russia from any meaningful role in global security. Along with China, Russia has used its veto on the Security Council to act as the defense attorney for oppressive regimes throughout the world. The United States cannot remove Russia from its permanent seat, but it can develop an alternative source of legitimacy for military force. The Ukraine setback is a chance to make a stand against nations that pursue aggression abroad and oppress their populations at home. This kind of new approach may not suit President Obama, but the security of the world hangs in the balance. **NR**



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There'll Always Be an England . . .

. . . but will there be a Britain too?

BY DAVID PRYCE-JONES

ON September 18, the 5 million or so who live in Scotland will be able to take part in a referendum to decide whether or not their country is to be independent. Polls show that the Yes vote is steadily gaining on the No vote, with barely a couple of points between them. Three centuries ago, the English, Scots, and Welsh put in place the United Kingdom in order to stop fighting one another to the death. Britain and British were make-believe concepts in this United Kingdom, but they served so well to express the common identity that they became believable. The Irish in their island stayed apart, and the existence of Eire is a standing reproach that the British have found hard to live with. A Yes vote must bring to a head what has been a slow-motion collapse of British

identity. Scotland, a significant part of the mainland, would be following the example of Eire. The folly of the present will then have undone the genius of the past.

The Scots have long since formed a very successful nation. Their culture is instantly recognizable and widely admired, with literature and speech, law, clothes, food, music and dances, athletics, and a religious enthusiasm and enduring clan system all their own. The dual identity of Scottish and British reinforced the sense of being special. Time was when schoolchildren were familiar with the example of the Scots Greys charging at Waterloo to gain a British victory with the war cry "Scotland forever!" Time was, too, when Scottish bankers, traders, doctors, engineers, and soldiers recognized that being British gave them privileges wherever the English language had spread.

Do the Scots really wish now to have a state for their nation? What conceivable benefit might that bring? These questions should be addressed in the first place to Brussels. The founders of the European Union held that the nation-state was the cause of war and therefore had to be eliminated. Because central governments over the years

have been steadily ceding authority to Brussels, ethnic or national minorities everywhere are encouraged to assert themselves and claim independence. If every nation is to have a state, and every state is to be a nation, lines and definitions will have to be fudged and boundaries put at risk. Slovaks obtained their state peacefully; Macedonians and Bosnians and Croats violently; Kosovars through a dangerous manipulation of the great powers, and perhaps only for the time being; and Moldovans, Ukrainians, and now Scots are still among the undecided. In short, the hostility of Brussels to the nation-state has the contrary effect of spawning more of them, but smaller, and all the offspring of destabilizing incoherence.

Until quite recently, Scotland was a stronghold of the Conservative party. Westminster used to contain a solid bloc of Tory members representing Scottish constituencies. Friction between Scots and English was at the level of barroom jokes about supposed national characteristics. Discovery of North Sea oil in the early 1960s began the shift in attitudes. The windfall of money raises expectations that have disrupted every oil-producing country, and Scotland is no exception. Bearing comparison with the Shiite minority who feel deprived

of the revenue from the oil-rich provinces they inhabit in Saudi Arabia, many Scots have come to complain that money that should be theirs goes into English pockets. In sober fact, the Treasury has had in place for years a complex formula whereby every Scot receives a larger subsidy from the central government than does every Englishman or Welshman, in effect buying off the Scots. But any benefit that this formula might have produced was lost when in 1989 Mrs. Thatcher introduced a poll tax and inexplicably tested it out in Scotland. Scots instantly perceived discrimination aimed at them and staged violent riots that spread, destroying Mrs. Thatcher's reputation and wiping away the Conservative party in Scotland.



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The Scottish Labour party looked set to govern Scotland indefinitely. Of the 59 Scottish seats in Westminster, 41 are today in the hands of Scottish Labour, and just one is a Scottish Conservative. The law of unintended consequences then took over. The governments of John Major and Tony Blair both determined that only self-rule could resolve the sectarian confrontation in Northern Ireland. Appeasement of one set of nationalists necessarily meant appeasement of all. A first referendum on devolution—a move toward self-government short of independence—failed in 1979. In 1997, in the manner now perfected in Europe, a second referendum was held to reach the required decision. Assembly buildings were hurriedly run up in Edinburgh and Cardiff. Like Lewis Carroll's White Queen, Tony Blair believes six impossible things before breakfast, and he was emphatic that devolution was handing strictly limited powers to the new assemblies—and moreover was a final end in itself. He was indignant with whoever insisted that devolution was the thin end of a wedge and must lead ultimately to independence.

This naïveté was soon exposed. Violence has been suspended in Northern Ireland but the gunmen have not reformed. In Scotland, devolution opened the way for the Scottish National party, the SNP. For years, the SNP had been marginal, a rabble with a hint of quasi-fascism about it. Parties of the kind need a leader able to impose himself, and Alex Salmond is one such. Fifty-nine, a man of the people, he is confident, smooth, every inch a populist politician. Thanks to him, the SNP has captured the Scottish parliament and forms the government. He and his critics throw suggestions and statistics back and forth. Whether the queen will be head of his Scottish state and whether it will have the pound sterling as currency are subjects of debate. Membership in the EU and NATO may or may not be accepted. The future of Scottish banks, tariffs, Scottish regiments, the Trident nuclear-submarine base at Faslane, and passport and border controls are among issues left in the air. A socialist as much as a nationalist, Salmond plays on the unspoken grievances against the English, especially if they own property. The Scottish Milosevic in this respect,

he understands that the decision to vote Yes depends on the Scots' thinking of themselves as victims; self-pity will mobilize them as never before.

Theoretically, Conservatives and Labour both participate in the No campaign, whose slogan, "Better Together," indicates their lack of inspiration. Afraid that anything they do or say might be counterproductive, the Conservatives are not even leading from behind. The Labour party is in the thankless position of having to defend the status quo, something contrary to its habitual political stance. Conviction is missing. Unpopular on several counts, Tony Blair does not dare show his face. The No campaign is in the hands either of former prime minister Gordon Brown or of Alistair Darling, his chancellor of the exchequer. Both men are patriotic Scots, but it is impossible to forget that these two wrecked the British economy. Since losing office, Gordon Brown, a Scottish member at Westminster, is like Achilles sulking in his tent. Darling is an unimaginably soporific speaker, and they seem more concerned to sideline each other than to rally the voters. Johann Lamont, the machine politician at the head of the Scottish Labour party, thinks it is sufficient argument to rant that the SNP's drive to independence is "the most dishonest, deceptive, and disgraceful political campaign this country has ever seen." The SNP does resort to intimidation, but Lamont's argument is less persuasive than it might be because it so happens that the Scottish Labour party has just been caught in really disgraceful behavior: Rigging internal elections is the least of it.

The English are objecting that they ought to have their say about the break-up of the Union. Some hope to be rid of the Scots, and point out that without the 59 Scottish constituencies Westminster would be forever Conservative. The millions of Scots who live outside Scotland are excluded from voting in the referendum, an injustice that looks prearranged to exclude probable No voters. Anxiety about the future is already turning into dismay and outrage. "Britain" and "the British" look like they are becoming terms without relevance, on a par with "Soviet" or "Yugoslav," of historic interest only. And it's left to luck to save the day.

NR

You deserve a factual look at . . .

Why Should the U.S. Fund the Palestinian Authority?

The Palestinians spurn peace talks with Israel and now plan to align with Hamas terrorists. Should we be sending them more than half a billion dollars a year?

Despite all efforts by U.S. Secretary of State John Kerry, the Palestinian Authority (P.A.) has rejected U.S. diplomatic efforts and a negotiated peace with Israel by unilaterally signing on to 15 international agreements. Even more alarming, the P.A. just announced a merger with the Islamic terror group Hamas. Currently the U.S. sends some \$440 million dollars annually in direct aid to the P.A., plus an additional \$225 million in funding through the U.N. Is this the best use of American tax dollars?

What are the facts?

Since 1979, the United States has expended untold diplomatic capital to forge an Israeli-Palestinian peace. Yet every time peace has seemed at hand—including the U.S.-brokered Oslo accords in 1993, and Israel's historic Camp David offer in 2000 of a Palestinian state with a capital in East Jerusalem—the Palestinians have refused to make peace. In 2008, following the Annapolis summit, Israeli Prime Minister Olmert again offered the Palestinians a state based on 1967 borders and a capital in Jerusalem, but P.A. President Mahmoud Abbas walked away without a counter offer. In 2010, in order to bring the parties together for new peace talks, President Obama convinced Israel to enforce a moratorium on building in the Jerusalem suburbs for ten months. For eight months, P.A. President Abbas refused to take part in talks, and eventually walked out. Now the Palestinians have again effectively ended peace talks with Israel unilaterally by seeking international recognition and a unity government with the Hamas terrorist faction.

In addition to its diplomatic investment, the U.S. has over the decades given the Palestinian Authority more than five billion dollars in aid. Today, the United States provides more than \$665 million annually in direct aid and funding through the United Nations.

Yet despite this generous diplomatic support and financial largesse, Mahmoud Abbas and Palestinian Authority officials have verbally attacked the United States and snubbed U.S. aid. In 2011, the Palestinian Authority announced a "boycott of the American consulate, its diplomats, and the American institutions in Jerusalem," adding that Americans "cannot extort the Palestinian people and humiliate it with a bit of aid." Referring to these huge U.S. financial grants, Abbas said, "This does not mean that they [the U.S.] dictate to us whatever they want."

The Palestinian Authority did indeed reject requests by the United States not to form an alliance with Hamas terrorists in

2011: President Abbas proceeded to seal that agreement anyway—though the deal later fell apart—knowing full well that it is against U.S. law for Congress to fund any organization with terrorist ties. Now Abbas has announced a new merger with Hamas, the faction that openly advocates the conquest of every inch of Palestine, cleansing it of Jews, and establishing a fundamentalist Islamic caliphate. Above all, Hamas refuses to accept the state of Israel and condemns any efforts to negotiate peace.

In 2011, President Abbas rejected pleas from the Obama administration and the European Union to return to negotiations with Israel and refrain from making a bid for unilateral

recognition of a Palestinian state at the U.N. Instead, Abbas proceeded to the U.N. and made his request. Now he has signed documents requesting additional recognition by 15 U.N. and other international organizations.

Time to stop aid to U.S. enemies. In 2011, Secretary of State Hillary Clinton stated that "We will not deal with nor in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority." In fact, annual U.S. foreign appropriations bills expressly forbid funding for "assistance to Hamas or any entity effectively controlled by Hamas or any power-sharing government of which Hamas is a member."

Both houses of Congress have already overwhelmingly passed resolutions that threaten withdrawal of aid from the Palestinian Authority if it persists in efforts to circumvent direct negotiations with Israel by turning to the United Nations for recognition—which it has done—and if the Palestinian Authority shares power with a recalcitrant Hamas. According to the chair of the House Foreign Affairs Committee, Rep. Ileana Ros-Lehtinen, "Despite decades of assistance totaling billions of dollars, if a Palestinian state were declared today, it would be neither democratic, nor peaceful nor willing to negotiate with Israel."

By allying with the terrorist group Hamas, abandoning peace talks with Israel, and taking its case for statehood unilaterally to international bodies, it's clear that the Palestinian Authority has no respect for the interests of the United States in the Middle East, including peace with Israel. With today's ailing economy and soaring budget deficits, isn't it time for Congress to stop spending more than half a billion American tax dollars annually supporting the rogue Palestinian Authority?

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A Long Way From Harlan County

One man's reflections on labor unions in our time

BY JAY NORDLINGER

IN May, the Oslo Freedom Forum takes place. It is the premier human-rights conference, held in the Norwegian capital. This year, it was canceled, or postponed. The reason: a hotel-workers strike. Conference organizers could not find a way around it. Hundreds of people from all over the world were set to fly to Oslo. But, at the eleventh hour, they were called off.

They had something important to do. Many of them are former political prisoners or otherwise victims of gross persecution. They were going to give their testimonies to an international audience, including the press. But the hotel workers, in a sense, decided that the conference would not take place. So it didn't.

I thought, "We all have grievances at work, from time to time. But most of us,

on account of our grievances, don't stop life for others."

I further thought back to October, and the opening night of Carnegie Hall in New York. Actually, Opening Night did not come off. There was to be a concert by the Philadelphia Orchestra. But the stagehands union had a grievance. And they decided that Opening Night would not take place. So it didn't.

The orchestra had no say. The conductor and soloists had no say. Neither did the thousands of ticket-buyers or anyone else. Only the five guys who belong to the union. They were like an emperor who can give thumbs up or thumbs down. They could stop life for others, and did.

These are not horny-handed sons of toil: The head guy makes \$530,000 a year. The other four make over 400. There are millions of long-term unemployed in our country. I imagine some of them would be willing to put out chairs and stands for a mere \$350K. Some of them might be willing to go as low as 295.

I once wanted to be a supporter of labor unions and their efforts, but I found that, in my time and place, it was impossible. When I was quite young, I got the idea that unions were noble, standing up for the rights of people who were relatively powerless. They were

little people, being exploited by big people. To be on the side of the unions was to be on the side of the angels, or certainly of humanity.

In my part of the country—southeastern Michigan—we learned about Walter Reuther and the Battle of the Overpass. This was the day in 1937 when the United Auto Workers took a stand, and were smashed by the goons of Ford Motor. They rose again, however, stronger than before. There was something romantic about the Battle of the Overpass, and about unionism generally.

Countless TV shows and movies had businessmen as the villain and labor as the hero. In 1976, when I was twelve, there was a celebrated documentary about the Harlan County coalminers: black-lunged sufferers who merely wanted their simple rights. Three years after that, there was a big Hollywood movie, *Norma Rae*, about textile workers. Adorable Sally Field held up a sign that said "Union." Hearts and consciences swooned.

That same year, 1979, there was a truckers strike. I was 15 and becoming ever more interested in politics. The striking truckers were shooting at scabs (or "replacement workers," to use the hated euphemism). I mean, shooting bullets at them. They killed a driver, in

Alabama. (His name was Robert Tate.) This shook me up a little: Strikers weren't supposed to be black hats. They weren't supposed to be murderers.

In my town, Ann Arbor, the teachers went on strike from time to time. They weren't murderers (well, one was), but it sure seemed they were working fewer and fewer hours, at greater and greater pay and benefits. There was a time when teachers were almost like missionaries. They took virtual vows of poverty, to serve the community. In the summer, they had to take odd jobs, such as painting houses, to make ends meet until September. I wouldn't have wanted a return to that. But weren't current demands a little excessive?



We had a neighbor, Mr. Southwick, who took walks around the block. One day, I asked him what he thought of the teachers strike, then under way. He said, “Well, first, I don’t think professional people should strike.” I was shocked at the answer. It wasn’t that I disagreed with it. It’s that I never knew anyone had that opinion.

In 1981, when I was going into my senior year, the new president, Reagan, fired the air-traffic controllers. (“I didn’t fire them, they quit,” he would say—because they broke a law that he was

makers they opposed to rally on their lawns and intimidate families inside. There was a whiff of *actos de repudio* about this. These “acts of repudiation” are routine in Cuba, where Communist mobs go to the homes of dissenters for the purpose of screaming, denouncing, and cowing. There is physical violence, too, of course.

By the way, Fidel Castro holds the key to the City of Madison (the Wisconsin capital). It was given to him by Mayor Paul Soglin in the 1970s. That man, Soglin, is mayor today. And his

not a cute, cuddly rat, but a giant nasty one. Non-union workers are supposed to be “rats,” you see. Didn’t Nazis equate their opponents with vile animals? Last October, before the opening night that never occurred, the stagehands placed this rat in front of Carnegie Hall. That tells you even more about their character.

I hate this rat. I hate the word “scab.” I hate the idea that you can’t cross a picket line—some holy cordon. I hate the whole bullying, ugly, greedy, undemocratic nature of unions.

To a degree, I am stunned and abashed to be **anti-union and pro-management**. I would not have planned or wished it.

merely enforcing.) I heard a family friend say to his brother, “Say what you will about Reagan, but at least someone stood up to labor.” These words were so foreign and interesting to me: Labor was something to stand up to? But didn’t they exist to do the standing up? Like, to the Man? Was labor the Man?

A union, or union movement, I could admire without reservation was Solidarity in Poland. They were led by Lech Walesa, the stirring electrician. Solidarity was standing up to the Man of dictatorship. The movement was strongly supported by President Reagan, and also by the president of the AFL-CIO, Lane Kirkland—who was a dedicated anti-Communist. (He and the founder of NATIONAL REVIEW, William F. Buckley Jr., had a warm, teasing relationship. WFB would greet him with, “How’s socialism?” Kirkland would answer, “How’s Wall Street?”)

I could pause at many points along the way—the Hormel meatpacking strike in 1985, for example—but let’s go to Wisconsin, in 2011. The scenes there were among the most sickening I have ever seen in America. Teachers and other public employees descended on the capitol, to protest reforms by Governor Scott Walker. Fine. But how did they protest? By screaming, beating drums, littering, equating Walker with Hitler, etc.

These are people we want teaching children?

Worse, they and other public employees went to the homes of law-

friend Castro is still boss of a one-party dictatorship with a gulag.

I long ago reached the point where I can barely stand to read about unions and their tactics. Harry Bennett (Ford Motor’s notorious head of security in the time of the Battle of the Overpass) had nothing on them. At the end of 2012, my NR colleague Jillian Kay Melchior had a piece called “Unions Defend the Worst of the Worst.” It began with a report of nursing-home workers in Connecticut, who had a grievance. Before they walked off the job, they sabotaged their workplaces, endangering the health of their patients. For instance, they monkeyed with equipment.

Jillian talked to a man whose wife lives in one of the homes (or at least did at the time). He refused to have his name disclosed, though, because union members had threatened him, and her. “I don’t want to get involved,” he told Jillian. “My wife is helpless.”

The nursing-home workers belong to the Service Employees International Union, famous for their purple T-shirts. In fact, the union boasts of forming a “purple ocean,” in order to get their way. When I see these shirts, and the mob mentality that goes with them, I can’t help thinking they seem a little brown.

On the sidewalks of New York, there is often a huge inflatable rat parked in front of a building, blocking your way. A union has put it there, to shame the people within. They are non-union. It is

To a degree, I am stunned and abashed to be anti-union and pro-management. I would not have planned or wished it. Jeane Kirkpatrick, Reagan’s first U.N. ambassador, became a Republican at age 59. She had always been a Democrat, and not just any Democrat, but a member of Hubert Humphrey’s inner circle. When she switched her registration, she said, “I would rather be a liberal.”

I know just what she means. But you have to adapt to the atmosphere and politics around you. And what have American unions been in my lifetime? From the Harlan County coalminers to the purple-shirted saboteurs, or the plutocrats of Carnegie Hall, it’s a “fur piece,” to use Faulkner language. It is a long way. Underdogs have become appalling overdogs. David is Goliath.

The Universal Declaration of Human Rights says, “Everyone has the right to form and to join trade unions for the protection of his interests.” I believe that (I guess). But I also believe in temperance. With every passing year, I see that a bane of our existence is extremism—extremism of Right or Left. The taking of something good and pushing it too far, into destructiveness. One definition of conservatism, I suppose, is anti-extremism.

In the previous issue of NR, I ended a piece with the admonition attributed to Talleyrand, and often quoted by Bill Buckley: *Surtout pas trop de zèle*. Above all, not too much zeal. This maxim may be square or boring, but it’s not unwise.

NR



Fight the Dragon

China's threat to the economic peace

BY OREN CASS

THE standard economic model treats free trade as obviously positive, creating prosperity for all participants. Conservatives, and most neoliberals, have embraced that view and consistently press for further liberalization while condemning as backward and reactionary “protectionism” any proposed obstacles to the free flow of goods and services. But the model is incomplete, and blind allegiance to it only weakens the U.S. economy and the health of the international trading system as a whole.

Rather than an easy win-win for all involved, trade policy presents a variation on the prisoner’s dilemma, the classic game-theory problem in which two people must choose whether to cooperate with or betray each other. Each has an individual incentive to betray, but responding to those incentives and betraying leaves both worse off than had they cooperated.

So it is with the global economy and specifically with China and the United States, its two dominant players. As any economist’s model demonstrates, both nations will benefit from greater

wealth if they build strong trade ties and open their markets to each other. But while the United States strives to cooperate by opening its market, China has chosen betrayal. It restricts access to its market, aggressively subsidizes its domestic producers, and shamelessly expropriates intellectual property, all while manipulating its currency and loaning the ensuing surplus of dollars back across the Pacific to the United States.

Just as the betraying prisoner goes free while leaving the cooperative one behind in a jail cell, China has produced unprecedented economic success at the expense of the United States. In 2009 it overtook the United States as the world’s largest exporter, in 2011 as the largest manufacturer, and this year it may be declared the world’s largest economy. The U.S. economy, meanwhile, will likely stagger in 2014 to its ninth straight year of less than 3 percent growth, after having experienced only one stretch of even four years since World War II. Other open, Western economies face similar challenges, while other developing nations watch China’s success and dream of emulating it.

Fortunately, today’s challenge differs from a prisoner’s dilemma in one important respect: Rather than choosing a strategy once and living with the consequences, the players are in a

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IMAGINECHINA VIA AP IMAGES

“repeated game.” The United States need not allow itself to be taken advantage of forever, or assume that China and its followers are irrevocably committed to their course. To the contrary, America and her allies have the opportunity to make clear that they will no longer play on these terms, that they would rather take their ball and go home than continue to compete on a tilted playing field, and that it is the cheaters who must decide whether they will finally comply with the rules or be ejected from the game.

Forcing such a decision is not “starting a trade war” any more than committing to the defense of one’s borders constitutes an invasion. Indeed, far from being protectionist, threatening nations like China with severe trade sanctions is critical to ensuring a prosperous future for the global economy.

Market distortion comes naturally to China, a Communist country with a barely market economy dominated by state-owned enterprises.

The international trading system is governed primarily by the World Trade Organization (WTO), an international body, created in 1995, with more than 150 member nations. In theory, the WTO guarantees that all nations engage in free trade under the same rules and receive reciprocal benefits from their trading partners. In practice, it does nothing of the sort.

The agreements covered under the WTO at the time of its formation provide only limited protection for trade in services and for intellectual property, the bedrocks of U.S. economic strength, and were always intended to evolve through subsequent negotiations. Unfortunately, no such evolution has occurred—in its 20 years the WTO has failed to take a single step forward on trade liberalization. Expectations have fallen to the point where a recent, unremarkable streamlining of customs procedures led the organization’s head to declare: “For the first time in our history, the WTO has truly delivered.”

Nor does the WTO provide an effective enforcement mechanism for those rules that are in place. It does not have the power to enforce penalties against nations whose policies defy existing agreements. Rather, after lengthy litigation and appeals processes, a nation wronged by another wins only the right to retaliate in kind—an approach to conflict resolution typically left behind sometime around kindergarten. Any such retaliation may then itself be the target of further litigation.

Prospects for future progress are no better. Any agreement would require unanimous support from all 157 nations—support that is not forthcoming from those that benefit from the existing weaknesses. In short, the WTO has become little more than an economic United Nations, an/ ineffectual debating society beholden to agendas running directly counter to the organization’s supposed purpose.

SINCE joining the WTO in 2001, China has ruthlessly exploited the free-trade system’s reliance on mutual trust and goodwill, wreaking havoc in the markets to which it gained access while bullying entrants in its own market. Its eco-

nomic strategy falls within three broad and complementary categories: market distortion, intellectual-property theft, and currency manipulation.

Market distortion comes naturally to China, a Communist country with a barely market economy dominated by state-owned enterprises. While its WTO commitments establish the official tariffs it can impose on imports, they are unable to restrain it from placing importers at other insurmountable disadvantages when attempting to sell into the Chinese market. China designs regulations and establishes technical standards that its domestic producers can more easily meet, provides direct subsidies to give those producers a financial advantage, and slows the approval of foreign products. It establishes “local content” requirements that force foreign firms to set up shop within the country and enter

into joint ventures with local companies, rather than manufacturing at home and exporting the finished goods to China. And it ensures that government procurement gives preferential treatment to local firms—no small matter in a state-run economy where the government is often the primary consumer.

As a result, China pays its “dues” into the global economy by offering up a massive domestic market that is in theory open but in practice closed to competition. The situation is only worsening. *The Economist* announced in a cover story earlier this year that “China loses its allure,” noting that while “China’s government has always made life difficult for firms in some sectors . . . the tough treatment seems to be spreading” and companies are being forced to pull out.

Even when American companies do have the opportunity to enter the Chinese market, they are rightly reluctant to do so for fear of falling victim to the pervasive intellectual-property theft that the Chinese government permits and in many cases facilitates. It is official Chinese policy to promote “indigenous innovation” by forcing foreign firms to transfer their technology and trade secrets to local Chinese companies as a condition of doing business in the country. The U.S. Chamber of Commerce had described the policy as “a blueprint for technology theft on a scale the world has never seen before.” Meanwhile, the government provides little to no enforcement of protection for foreign firms that find their patents and trademarks ignored by their Chinese counterparts.

Nor does staying away from China provide a respite; China’s market distortions and intellectual-property abuses come home to roost in the U.S. market as well. A subsidy that advantages Chinese firms in China gives a similar advantage to those firms when they export across the Pacific. And China is actively pursuing an unprecedented global campaign of industrial cyber-espionage, targeting thousands of U.S. companies as diverse as Google, Coca-Cola, and the New York Times. The issue has risen to the top of the U.S.–China economic dialogue as hundreds of billions of dollars’ worth of intellectual property has been seized through centrally coordinated Chinese cyber-attacks that

have given Chinese firms access to their competitors' strategies. In a stark sign of that dialogue's failure, the U.S. Department of Justice last month indicted five Chinese-military officials for cyberattacks on the proprietary data of American steel, solar, and nuclear-power companies.

One can read through page after page of case studies, compiled at the request of Congress by the U.S. International Trade Commission, that detail how Chinese policies are systematically eroding the position of crucial American industries—software, telecommunications, automotive, aerospace, renewable energy—by blocking their market access and appropriating their technology. Ironically, one of the report's few examples of successful participation by a U.S. exporter in the Chinese

market was American Superconductor (AMSC), a provider of wind-turbine technology to Sinovel, the largest Chinese wind-turbine manufacturer. But today, the two firms are embroiled in multibillion-dollar litigation across two continents. AMSC accuses Sinovel of outright stealing its software and building it directly into the Sinovel products—as it discovered after Sinovel abruptly canceled all of its AMSC contracts and Sinovel turbines showed up in Massachusetts running the (allegedly) stolen software.

Underpinning this systematic perversion of a supposedly free-market trading system is a program of intensive financial engineering that allows China to maintain an enormous, otherwise unsustainable trade surplus with the United States. Last year, China exported \$440 billion in goods to the United States while importing goods worth only \$122 billion—an imbalance of more than \$300 billion at a nearly four-to-one ratio. In theory that should not be possible: An excess of U.S. dollars should build up in China while a shortage of Chinese currency develops in the U.S., driving up the value of the Chinese currency and therefore the relative cost of Chinese goods so that the trading relationship rebalances. Instead, the Chinese government manipulates its currency, extracting the dollars and in many cases turning around and lending them back to the U.S. government to finance the federal budget deficit.

The combined effect of these Chinese policies applies a pincer movement to the U.S. economy. From the supply side, the U.S. market is flooded with cheap foreign goods that drive domestic firms out of business. Lower prices are generally desirable, and one might think that if China wants to send over subsidized products, often on effectively free credit, then Americans should gladly accept the offer. But this represents a form of predatory pricing—a tactic rightly banned under antitrust law—on a geopolitical scale, and the resulting long-term cost in destroyed firms and eroded economic strength greatly exceeds any short-term benefit.



From the demand side, U.S. employers that might have employed U.S. workers and exported the resulting goods and services to China are instead forced to set up shop in China (often in joint ventures with Chinese firms), which is unsustainable in the short run for U.S. workers who are now unemployed and in the long run for the firms that succeed only at the pleasure of the Chinese Communist party and, in the process, give up their intellectual property. Even where U.S.-based multinational corporations are able to position themselves for long-term success, the ensuing profits are most likely to be held and reinvested overseas, away from the U.S. tax and capital bases. Ensuring that the American people share broadly in that prosperity would require an aggressive redistribution of wealth from the owners of those corporations to their (now unemployed) former work force.

As the Chinese economy grows ever larger, its technological capabilities expand, and its policymakers become emboldened by the world's acquiescence, the situation only becomes more dire and the U.S. ability to respond more constrained. One can hear in this warning echoes of largely overblown fears raised by Japan's economic rise several decades ago. The devastation Japan wrought on major U.S. industries was real, however, and its success helped to blaze the trail that China follows today. China, led by a political regime fundamentally incompatible with America's, is ten times larger than Japan, its abuses are more severe in degree and in kind, and it is steamrolling its path into a freeway down which many more nations will enthusiastically cruise. If China is the next Japan, the United States should be very worried indeed.

THE issue of currency manipulation has become a symbolic flashpoint in policy debates not because it is the most serious of the Chinese abuses but because it is the

most obvious instance of America's failure to take Chinese abuses seriously.

Almost no one disputes that China manipulates its currency. The U.S.–China Economic and Security Review Commission, a federal body established by Congress to monitor the economic relations between the two nations, stated plainly in its last annual report that “China continues to manipulate the value of its currency, the RMB, to achieve a competitive advantage with the United States.” In its semi-annual report on currency manipulation, released in April, the Treasury Department declared China’s currency “significantly undervalued” and noted “continued [Chinese] actions to impede market determination.” Chinese policy appeared to be worsening, and “recent developments,” it said, “raise particularly serious concerns.”

The United States needs a comprehensive arsenal of retaliatory economic weapons that it can credibly threaten to use if China does not quickly and sharply alter its course.

But as in every other report of the past two decades, the Treasury Department refused to call a spade a spade and officially designate China as a currency manipulator, for fear of offending the Chinese. Therein lies the root of the problem. Even as China thumbs its nose at the international trading system and surges forward economically at U.S. expense, the consensus remains that the United States should do nothing to respond lest it provoke China’s ire. The situation is so sensitive, evidently, that even taking the extraordinarily tepid step of assigning the (entirely accurate) label of “currency manipulator” could trigger a painful response. And yet, if China knows that it will face no consequences for even its most blatant and undeniable abuses, who can blame it for taking an ever more aggressive approach?

China has found itself an ideal arrangement, in which it betrays while the United States cooperates. It has calculated—correctly, so far—that faced with this betrayal the United States will opt to continue its cooperation anyway rather than risk open economic conflict. But this arrangement is not sustainable. The international trading system is not self-enforcing; it is a reciprocal construct in which only the prospect of benefits denied compels each nation to operate within the rules in a manner that can make all nations better off. If the threat of retaliation is not credible—if large economies so fear the possibility of a trade war that they would rather simply surrender—then more and more countries will flout the rules more and more aggressively and the system will unwind.

This dynamic is not unique to the economic sphere. It is the same one that plays out in potential military conflicts, where a credible willingness to meet force with force is critical to deterring aggression in the first place. As long as nations prefer peace to war, the peace is kept. But if Nation A believes it can choose force that will be met not with force but with complacency, using such force suddenly becomes the most attractive option. It is in this moment, when Nation A chooses force, that Nation B must decide whether to fight back.

There are always those calling on B to tolerate the provocation as preferable to open conflict. The word for such an

approach is “appeasement.” In the military context conservatives generally reject it, recognize that removing the consequences for aggression only invites further aggression, and argue for imperiling American lives in defense of the national interest. Yet somehow, when the topic turns to trade and it is a quarterly profit statement potentially imperiled, bold declarations of “peace through strength” turn into squeamish equivocations about the need for dialogue.

Perhaps once upon a time, when China’s economy was small, its violations were a mere inconvenience unworthy of response. But that time has long since passed. China’s strategy is causing severe, permanent damage to the U.S. economic interest, and the United States needs to make clear that, faced with such misconduct, its choice will be retaliation rather than tolerance.

China will then need to decide whether to return to a peaceful equilibrium in which all sides play by the rules or to continue down its current path and destroy its economic relationship with the United States.

Given only those two options, following the rules would seem the obviously more attractive one for all involved. That is the hope and the goal—not actually to retaliate but rather to create conditions under which betrayal is no longer contemplated by either side. But the crucial point is that if China does in fact prefer an open trade war to genuine free trade, then collapse of the economic relationship is inevitable. With a country that prefers a trade war to free trade, the United States has no better hope of maintaining a beneficial relationship than it has of keeping the peace with a country that prefers war to remaining within its own borders.

The typical condemnation of such an approach as “starting a trade war” represents a nonsensical form of economic pacifism. The trade war has already started, but only one side is fighting. The question for the United States is whether to respond or surrender, bearing in mind that a response has a good chance of defusing the conflict, whereas a surrender will only embolden nations with no commitment to free markets, undermine the health of the trading system as a whole, and leave the committed free-traders to fight on far less favorable ground at some point in the future.

If America will not respond to the current abuses, when will it respond? When China’s economy is dramatically larger, less reliant on exports, and supported by robust alliances with other mercantilist nations? When China announces it will no longer purchase American drugs and will instead manufacture its own versions locally? When the first Chinese commercial airliner rolls out of the hangar, looking suspiciously similar to Boeing’s latest model but available at half the price?

THE United States needs a comprehensive arsenal of retaliatory economic weapons that it can credibly threaten to use if China (and, in the future, any other nation) does

not quickly and sharply alter its course. Some of these weapons it can develop and deploy unilaterally. Others will rely on coordinated action among developed economies to achieve the desired effect without disadvantaging U.S. producers. All should be designed as ratchets that can apply increasing pressure—the goal, after all, is not to actually use any of them or to do damage but only to make clear to the Chinese that the threats of such action are credible.

UNILATERAL U.S. ACTION

The United States should create structures that enable broad-based retaliatory actions against the government subsidies and intellectual-property theft embedded in Chinese exports, while also applying maximum pressure at discrete points where it has the most leverage. The best leverage point is America's higher-education system, access to which is desperately coveted by the Chinese and is a critical ingredient to their technological advancement and economic development. More than 200,000 Chinese nationals studied at American universities last year, representing more than 25 percent of all foreign students (though only about 1 percent of total enrollment). None of these students need be expelled, but visas for new entrants should be sharply curtailed and ultimately cut off. Such a move would pose no threat to America's academic preeminence, but it would badly damage China's human-capital development and focus the injury directly on the Chinese elite with the most leverage over their nation's policy.

A second leverage point is the American life-sciences industry, which produces an extraordinary array of technologies for which there is often no substitute. While China's health-care system is still in its infancy, the country will increasingly seek to provide access to these products—particularly for its wealthier citizens. The U.S. should bar manufacturers of the most sophisticated and difficult-to-replicate biologic treatments from discounting their prices in the Chinese market below what they charge to private-sector U.S. insurers. So long as China is running a \$300 billion trade surplus, it can surely afford to pay list price. The U.S. should also bar those manufacturers from establishing production facilities in China, lest the technologies be “transferred” to domestic Chinese producers. U.S. firms might find themselves with a limited Chinese market, and China might attempt to produce generic versions of the treatments, but both outcomes are likely (and more attractive to China) under current policy as well.

More broadly, the U.S. should designate China as a currency manipulator and then classify that manipulation as an illegal subsidy that benefits all Chinese products entering the U.S. market. Such a finding would give the Department of Commerce authorization to impose a countervailing duty—i.e., a tariff to offset the subsidy. The result would be a tax of likely 20 to 30 percent applied to all imports from China, phased in gradually over a number of years. This would drive prices in the United States back toward market levels while reducing the advantage enjoyed by Chinese firms. It was the threat of similar action in 2005 that first led China to relax its currency peg and allow the RMB to appreciate significantly.

The U.S. should also create a process through which Chinese firms can be designated as beneficiaries of intellectual-

property theft in either their products or their processes, and such firms should be barred from selling products in the U.S. market or from accessing U.S. capital markets. A finding that Chinese cyber-espionage has targeted an industry in which the Chinese firm competes, supported by evidence from American companies that demonstrates the type of intellectual property that has been stolen, should be treated as sufficient to create a rebuttable presumption that the Chinese firm has benefited from the theft. Chinese firms could be offered a limited time frame and process for clearing their names and demonstrating the integrity of their products.

MULTILATERAL ACTION

Bringing the world's developed economies together to pressure China will greatly amplify U.S. leverage, both because the magnitude of threatened economic disruption will be greater and because it will make Chinese retaliation far more difficult. Where the United States acts alone, it risks Chinese retaliation against U.S. firms, leaving them at a long-term disadvantage against other competitors in the Chinese market. Where nations act in concert, they can do so without fearing such a consequence. And while none have been harmed by China's approach to trade as much as the United States has been, all would benefit greatly from the successful curtailment of those abuses.

The most powerful step that the world's developed nations could take would be to form a multi-party free-trade agreement that encompasses all of their economies while excluding China and other nations that exploit the trading system—essentially, a trade-focused analogue of NATO to complement the U.N.-like WTO. The agreement would be “open,” meaning that it would establish clear standards in critical areas such as services trade, capital-market regulation, and intellectual-property protection and would offer membership to any nation willing to abide by its terms.

Such an agreement would have immediate value to those nations committed to the principles of free trade, allowing them to make significant progress on strengthening the free-trade system outside the WTO framework. The agreement would place substantial pressure on China, excluding it from a host of economic benefits made available to its competition and making it an unattractive node in international production networks. And the agreement would provide a forum in which to coordinate other actions.

The first such action should be the establishment of intellectual-property sanctions to bar the introduction of sensitive technologies into the Chinese market, where they would likely be expropriated. Such policies already exist for sensitive military technologies under the Wassenaar Arrangement and are employed case by case in the application of other sanctions regimes (as with efforts to prevent nuclear technologies from reaching Iran). To China's indigenous-innovation policy, which clearly identifies the industries whose intellectual property it intends to take—aerospace technology, biotechnology, etc.—other nations should respond by refusing to allow their firms to transfer such technologies into the Chinese market.

Finally, the U.S. and its allies should restrict access to their capital markets for Chinese state-owned enterprises and firms identified as benefiting from subsidies and intellectual-property

theft. China's own capital markets are no match for their Western counterparts, and depriving Chinese firms of access to both management discipline and sources of funds would hobble their growth while denying them important symbols of economic status. Nations should also restrict the terms on which their firms may bring foreign direct investment to China, further constraining access to capital and know-how. And they should block Chinese investment into their own economies in sectors where China does not accept unfettered incoming investment. Particularly in the current interest-rate environment, China needs those investment opportunities—to manage its capital flows and to gain strategic ground—far more badly than developed nations need China's capital.

IT must be stressed again that the goal in developing each of these tools is not to use any of them. The United States should not want to exclude Chinese students from its schools, to impose tariffs, or to restrict access to medical technologies or capital markets. But developing these tools is every bit as important as developing the next generation of military technologies, and being prepared to use them is every bit as important to preserving the international system.

The United States should begin by clearly outlining what it expects of China and what steps it will take, on what timeline, if those expectations are not met. Assigning the formal “currency manipulator” designation would be a good first step in demonstrating that the game has changed. But more-substantive steps would need to follow close behind if Chinese practices continued as before.

This course of action risks an escalation by China, either because it would truly prefer an all-out trade war to good behavior within the trading system or because it hopes that the U.S. could be scared back into capitulation. But China, already committed to an offensive strategy, has only so many more levers left to pull. It already distorts its market as aggressively as it believes wise and steals intellectual property as rapidly as it can. Firms are already abandoning the Chinese market; forcing them out has only so much effect. Bringing WTO cases against the United States would be of little value to China when victory would only entitle it to withdraw concessions it has never truly made. While some analysts look at China's massive holdings of U.S. debt and currency and fear that it could use these tools to gravely harm the U.S. economy, that assessment badly misconstrues China's leverage as the party that has made the loans and needs the assets to retain their value.

If the U.S. were forced to move forward from threats to action, it would no doubt experience significant economic pain as well. Some firms would be hurt. Some consumer goods would become more expensive. Some economic disruption would occur. But that is the inevitable result when a bad actor in the international system forces a conflict of any kind. Tariffs and other market interventions are blunt, inefficient tools, made more so by the political machinations that will accompany their use. But that is an unavoidable cost of the large-scale government action that such a conflict demands.

Freedom isn't free, and neither are free markets. If a resilient, free-market system of international trade is worth fighting for, the United States must be prepared to fight for it. **NR**

Victus

The rise and fall of Patton Boggs

BY KEVIN D. WILLIAMSON

THERE were a few plying the dark arts of lobbying in Washington before it, but Patton Boggs was in some ways the original modern lobbyist shop. A D.C. law firm with its roots in the old Washington aristocracy—and in Washington “aristocracy” is mostly a polite term for nepotism-ocracy—Patton Boggs had a winning pedigree. Thomas Hale Boggs Jr. was the son of a long-serving Louisiana Democratic congressman, a former House majority leader and a member of the Warren Commission who bequeathed his seat in Congress to his wife upon his death; Boggs *mère* held the seat for nearly 20 years before Bill Clinton eventually made her the ambassador to the Holy See. So, Mom and Dad were in the House, and his sister Cokie Roberts (that's Mary Martha Corinne Morrison Claiborne Roberts, née Boggs) happily does the Democrats' business in the media, while another sister served as mayor of Princeton. Mr. Boggs himself made a run at a House seat in 1970, just four years after leaving Lyndon Johnson's White House to join James R. Patton Jr.'s law firm. The my-dad-was-in-Congress model worked splendidly in the early days, that golden age when, as Mr. Boggs would later put it, there were only “fifteen people who ran the government.” The most successful lobbyists formed what the *Washington Post* would describe as a “cult,” and Mr. Boggs was that unholy congregation's pontifex maximus.

Like many high priests before him, Mr. Boggs was quick to see the value of a specialized language in which only initiates were fluent, in this case the increasingly technical language of federal law. Mr. Boggs played a small role in helping to launch the explosion in the size and scope of the federal government during his time in the Johnson administration, and then he surfed the wave he'd helped create to a position of immense wealth and power. He knew that the boutique lobbyist shop—generally run by a former federal-agency head or a member of a political family such as himself—was soon to be a thing of the past. What was needed, he calculated, was a lobbying operation integrated into a sophisticated and diversified law firm, so that the highly specialized lawyer sitting on the government side of the desk was facing a highly specialized lawyer with the same technical knowledge and subject-matter mastery. Lobbying was to be not about trading or simply suborning favors, but about having a hand in writing the law itself, whether in the form of legislation or of regulation.

And that model worked well for a long time. Patton Boggs occupied a sweet spot from the 1970s until the turn of the century, its combination of political connections and legal expertise perfectly suited to the model of government prevalent at the time: big enough and complicated enough to require highly specialized legal representation, but concen-

trated enough that Patton Boggs could be extraordinarily well connected across the legislative and executive branches both, with strong ties to leaders of each party both in and out of office. When Trent Lott and John Breaux started a bipartisan firm to exploit their own deep ties to the Senate, Patton Boggs simply bought them.

But there were problems. Patton Boggs had a great deal of diverse legal expertise, but it was very much Mr. Boggs's firm. Clients worried, and competitors hoped, that its dominating position would erode as the aging Mr. Boggs handed over more responsibilities at the firm to the succeeding generation. On top of that, the firm's infamous eat-what-you-kill compensation model, which allowed senior partners to cruise along for years taking an unusually large share of the profits from business that they had originated but had long since stopped actively working on, put the senior partners and the junior members of the firm at odds. In the Reagan years, when it still seemed possible that a man might go to work for a firm and remain there for his entire career, waiting to move up to the top of that food chain was simply part of how the world worked. But after the dot-com explosion a decade later, which saw people in their early twenties starting firms that would go on to be worth billions, waiting for old lawyers in seersucker suits to kick off became less attractive. Patton Boggs became a high-turnover firm, and as the partnership's finances deteriorated, it wasn't just low-level lawyers looking for better opportunities elsewhere. "When partners leave, sharks smell blood," writes legal observer David Parnell. "That's what sharks do. Only romantics and poets smell roses."

By the first decade of the 21st century, history had caught up with Patton Boggs. There was pressure on revenue, and the sloppy internal financial management for which big, old-school law firms once were infamous took a toll. At one point, money was so tight that senior partners were asked to stop taking their "draw"—the salary-like deductions from the firm's expected revenues through which the majority of the firm's profits were paid out.

But Patton Boggs believed that it had a line on a Perry Mason moment, a chance for a dramatic turnaround in the form of a big piece of a multibillion-dollar action against one of the world's largest, most profitable, and most prominent firms. It spelled out its strategy in a private internal memo bearing the title "Invictus," in reference to the William Ernest Henley poem that, among other things, constituted the last words of Timothy McVeigh. And the Invictus strategy would do to Patton Boggs roughly what McVeigh did to the federal building in Oklahoma City.

WHEN Patton Boggs agreed to act as the U.S. legal arm of the Ecuador-based conspiracy to shake down Chevron for billions of dollars based on perjured testimony, falsified evidence, and bribes to corrupt judges, the firm assured its employees that it was taking the moral high ground—Texaco, it said, had undeniably committed horrible environmental abuses in Ecuador, and Chevron had acquired responsibility for those crimes when it took over Texaco. In language that would come to be mercilessly ironic, the Invictus memo spoke of "facing an unscrupulous

adversary with vast resources and a seemingly limitless appetite for litigation," and it attempted to explain away evidence of corruption in the case, including a videotape of the judge talking about the disbursement of \$3 million in bribes. Adding to the generally lame-thriller-novel aesthetic of the proceedings, the memo's subheads read like Robert Ludlum titles, e.g., "The Alegato Finale." It even contemplates using the work of the American Tort Reform Association, which is dedicated to opposing lawsuit abuses, as a *guide* to shopping for a plaintiff-friendly jurisdiction in which "judges—not only juries—tend to be plaintiff-friendly."

The bottom-line promise was a piece of the \$18.2 billion judgment against Chevron, or, short of that, at least of a smaller settlement still amounting to billions of dollars. In reality, Patton Boggs would end up offering Chevron an abject apology—along with a check for \$15 million. And more.

The general theory of the Chevron shakedown seems to have been that the oil giant would, in the end, settle, especially if given the option of doing so at some fraction of that \$18.2 billion. But Chevron was disinclined to do so. It is not clear whether Patton Boggs knew exactly how corrupt the action it became involved with was—Chevron executives, having signed a "non-disparagement" agreement with Patton Boggs as part of the settlement, aren't saying—but the law firm would later confess that there were certain "factual findings about matters which would have materially affected our firm's decision to become involved and stay involved as counsel." Those findings, spelled out in district appellate judge Lewis Kaplan's opinion in March, included collusion with and payments to judges and supposedly neutral experts, with reports and judicial rulings that were literally written by the plaintiffs' agents rather than by the judges and experts whose names appeared on them. Patton Boggs, whose role was to seek to collect on the judgment, was a step removed from that, but it would be remarkable if a firm composed of some of the nation's most sophisticated lawyers and political operators did not recognize a grand-scale shakedown when they saw it.

Similarly, it is not entirely clear how much of that corruption was known to such Democratic political operators as Andrew Cuomo's ex-wife, Kerry Kennedy, who had a \$40 million stake in the suit in the form of a percentage assigned her as part of her work as a PR consultant for the plaintiffs, and Karen Hinton, the former Cuomo and DNC aide who angled for a percentage of the Chevron judgment while she was blasting the firm at *Politico* and boasting that she was personally responsible for siccing the attorney general of New York on the company ("He is doing this for me. Because I asked," she wrote in a 2009 e-mail). Whether these Democratic operatives and D.C. lawyers knew they were engaged in a wildly corrupt enterprise is something that will come out in future litigation and, possibly, criminal investigations. The very friends-and-family model that launched Patton Boggs all those years ago could entangle an entire cadre of Democratic activists and environmental opportunists.

Regardless of what Patton Boggs knew, what matters is that Chevron knew. It knew precisely how corrupt the action against it was. And so it was willing to spend a harrowing amount of money to fight it out. "Corporations that find themselves in a

similar position in the future may use Chevron's strategy as an example," writes legal reporter B. Keith Gibson. "Although costly to pursue, the aggressive approach taken by Chevron has likely saved the company hundreds of millions, if not billions, of dollars. Additionally, the brand capital that was likely saved by shifting the focus of the case from alleged pollution of rainforests in Ecuador to a corrupt legal process cannot be overlooked."

Though far from taking Pollyanna's view of the U.S. legal system, throughout the process Chevron remained confident that if it could get its evidence in front of an honest judge, it would prevail. Which is what happened: Judge Kaplan not only threw out the judgment against Chevron but opened the door to suing or even prosecuting the plaintiffs under organized-crime laws. That was a shocking outcome for the main legal mover behind the Ecuadorian plaintiffs, Steve Donziger, an old basketball buddy of Barack Obama's. And it was a knockout punch to Patton Boggs. Patton Boggs was a law firm unusually dependent on its lobbying business, and it had not only read the legal realities in the case wrong—it had misread the politics.

With partners and associates already headed for the doors as the firm's financial woes deepened—its top election-law specialists, including Mitt Romney's campaign lawyer, decamped as one for a competitor—Patton Boggs suddenly had a problem that put the partnership at odds with its partners. Those senior partners looking to scurry like white-shoed rats off the sinking corporate vessel were intensely

worried that their individual involvement in ongoing litigation would render them unemployable, or at least seriously damage their post-Patton prospects. When they finally surrendered, they surrendered hard: \$15 million in I'm-sorry money, a statement of regret, assignment of all the firm's interests in the case to Chevron, and, perhaps most important, an agreement to share certain documents with Chevron. By means of their \$15 million gesture of goodwill, Patton Boggs and its partners ensure that they will not be invited to the what-did-they-know-and-when-did-they-know-it party that is awaiting the plaintiffs and their agents. Mr. Donziger has protested that the apology prejudices the case and that the sharing of documents violates attorney-client privilege, but Patton Boggs has stated that no privileged documents are to be shared, which brings up the very interesting and as yet unanswered question of what exactly is in those files.

Invictus, the unconquered, was anything but. Patton Boggs, a felled giant with its metaphorical tail tucked firmly between its legal legs, merged with a competitor, Squire Sanders, and some genius decided that the new firm would have the goofy quasi-medieval name "Squire Patton Boggs." A few weeks after the election-law team departed, at least two dozen attorneys and policy experts, including one who specialized in representing government contractors, left the struggling firm en masse as the merger was being implemented.

Patton Boggs, as it was, is no more. But the men behind it, and the business model behind it, are still out there. And they probably always will be. **NR**





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The Long View

BY ROB LONG

Memorandum

CONFIDENTIAL

TO: POTUS
FROM: Strategy
RE: Rebranding as “Promise Keeper”

Sir:

We’ve spent the past few cycles seeing where we are in re: our rebranding efforts, and we think we’re making great progress.

In the past few days, we’ve seen a shift in national attitudes from, “The president broke his promise when he said ‘If you like your health plan, you can keep your health plan’” to “The president kept his promise to release all suspected terrorists from Guantanamo Bay.”

This is terrific news! Everyone at the Strategy Shop couldn’t be happier. We feel that a concentrated strategy to release as many “Gitmo” detainees as possible will help mitigate—and even erase—any lingering impression among the voters that the Obama administration cannot be trusted. We may have broken a promise when it comes to people’s health insurance, but we’re keeping one in re: releasing terrorists.

There are approximately 149 detainees left in custody, and that gives us a stretch-goal to close out 2014 with an entirely empty facility in Cuba, save the awkward possibility that recently traded prisoner Bowe Bergdahl will end up, after his court-martial for desertion and treason, in that same facility. But that falls in the category of cross-that-bridge-when-we-come-to-it.

Of the 149 remaining, we assess the value of 25–30 of them as “Very High to High,” due to their past employment as al-Qaeda field commanders in

North Africa and recruiters in Algeria, Yemen, and the Af-Pak region. The largest tranche of detainees comes under the heading of “Moderate Value,” and that numbers about 100.

The issue at hand, sir, is what to trade these detainees for. Unfortunately, due to the professionalism and bravery of our armed forces, we don’t have any more “military” cards to trade, whether in the AWOL ranks or “treason” classification.

On the other hand, we’ve made a pretty exhaustive count of our other “assets” in the region, and a couple of them seem promising in terms of trading value for detained terrorists.

In 2011, three Philosophy of French Literature majors from Brown University slipped into Afghanistan on a “personal witness for peace.” They were quickly taken prisoner by Taliban forces and have not been heard from since, save for a few odd and underlit YouTube videos in which they denounce the American-military presence in the region and claim to have converted to Islam. These videos can easily be removed quietly from YouTube servers in the coming weeks if necessary. They are mostly inconclusive and irrelevant, except for the fact that the former students now speak almost flawless Pashto.

In early 2012, a delegation from an ad hoc group calling itself “Lesbian, Gay, Transgendered, Questioning, Bisexual, and Queer Activists for Reconciliation” entered the unsecured zone around Kandahar. Radio-communication intercepts indicate that they are being held in some kind of unclear status. These are remote locations, many miles from villages and other social situations. We don’t know much about their current mindset, though experts surmise that the “Questioning” members of the delegation are no longer in that category.

It’s unlikely that we’ll get the kind of terrific photo-op we got with Sergeant Bergdahl’s parents—for example, the parents of all three Brown University undergraduates seem relieved not to

have been paying Brown tuition for the past three years—but we’re still confident that we can trade these 25–30 “High Value” detainees for the Brown University French majors with little difficulty. According to our Qatari intermediaries, the Taliban authorities would like to be rid of them.

We suggest throwing in the 15–20 detainees rated “Low Value” as a bonus, to show our goodwill and commitment. (This category of detainee is hard to assess, risk-wise. They are mostly suicide bombers and single-victim murderers, and as such unlikely to make headlines for the duration of your time in office.)

That leaves roughly 100 “Moderate Value” detainees—these are mostly technicians, bomb-builders, experts of this kind—who still need to be released.

Unfortunately, we’ve run out of American deserters and college students with which to make an effective—and politically acceptable—trade.

To that end, the Strategy Shop suggests that we accept, in exchange, colorful Afghan handicrafts—to include, but not to be limited to, the eponymous “Afghan” blankets so popular with American collectors and craft enthusiasts on websites such as Etsy.com. The optics of this are, obviously, excellent. As you know, women are the prime creators of these kinds of craft objects, so there’s a way to make this less about “Obama Lets Terrorist Masterminds Go Free” and more about “Republicans Hate Afghan Women.”

We’re right now brainstorming on the appropriate Twitter hashtag to describe this kind of policy—something along the lines of #CraftersForDetainees or #FullHearts-EmptyGitmo—but the key is to tie it all in with the overarching concept of a president who keeps his promises, especially in regard to freeing suspected terrorists.

Let’s discuss as soon as possible. Would like to get this project moving before the midterms.

Argument of the Week

It would appear that writers for *Slate* wake, stretch, yawn, and think: What comfortable, familiar, harmless aspect of life can we destroy today? What means of arranging society, accumulated over the centuries, can be torn asunder by whelps hungry for novelty? Latest case: the need to rethink the week.

“The case for the week was never airtight. It’s now weak and getting weaker.”

Having never thought “the week” needed a series of postulates and proofs, I found this line alarming. All these years we’ve accepted the week, but without sufficient evidence? Duped by Big Calendar! Year after year, we’re sold more pro-week propaganda with pictures of puppies, and we accept the week as an unalterable fact of life, when in fact it’s one of those “certainties” that *can* be redefined, *must* be redefined, like gender or marriage or which Dr. Who was the best.

You think: If they want a ten-day week called the “deca,” and I balk, I am a decaphobe.

The author continues to build his case:

“Most Westerners no longer observe a weekly Sabbath, and the coordination advantages of keeping everyone on the same uniform schedule have evaporated.”

Poof! Gone like a spritz of mist on a hotplate, just like that. Makes you realize what’s been nagging at you the last few years: *diminished coordination advantages*.

“So why does this arbitrary time cycle still dictate the rhythm of our lives? Is it time to abolish the week and find a better way to structure time?”

Possible responses:

1. I’m sure you have put a lot of time and thought into your new calendar, mister. Judging from your notebooks—thick, smudged, filled margin to margin with cryptic squiggles and big block-letter eureka moments like “NON-VARIABLE COORDINATED CALENDRI-CAL OPTIONS = RULING-CLASS PRIVILEGE” underlined in red—well, it’s impressive! But we are at a coffee shop and you smell faintly of *eau de hobo* and I would like to return to my magazine and no I will not lend you a dollar.

2. Yeah! Abolish the week! It would be great if we demolished centuries of tradition. We still get Friday, though, right? There’s a keg at the office Friday afternoon at one place I work and that’s awesome, although my contract with them is up in a month so they can get rid of the calendar after that.

3. Or you think: Is this your job? Coming up with things that will never, ever happen but make you sound like a bold freethinker? Can’t wait for your next one. “Clothing! We waste time and money on choosing what fabrics we will use to cover our skin, when a heat-conserving foam, applied by nozzles in the shower, would make everyone

more likely to concentrate on his true essence instead of the cut of the suit. Is it time to rethink clothing?”

At least we’d have a conversation about it, because that’s what counts. Nowadays if you can’t make anything like gasoline or circuit boards or steaks, you make conversation-starters. It isn’t as easy as it appears. Start with some blog posts; a few tweets that establish your credibility (“Hump day combines racist camel imagery & rape-culture slang. #RethinkTheHump”); and perhaps some funny pictures of your cat looking angry because it’s Monday, which makes sense only within the chronological hegemony of the existing system.

Then you get the call to the editor’s room: We’ve seen your work on the days of the week, and we really enjoyed those videos you did in support of 45-minute hours. We think it’s time you tackle the big issues. Now, we have Sonja working on the necessity of doing away with the month—it’s a women’s issue, you understand—but I think you’re ready to help the world rethink the week.

This is what the bossy hyperactive Left does these days: shout “YOU’RE DOING IT WRONG,” from the days of the week to the way you make your coffee.

At this point you may be asking exactly how the *Slate* writer intends to replace the week, and I can’t tell you, because I do not care. This will be mistaken for cranky mulish resistance to *thinking outside the box*, as if society hadn’t been frogmarching everyone out of the box for the last 40 years. The only way for a progressive to be taken seriously is to purge society of all its boxes, which (a) guarantees we can look at our problems with fresh eyes unclouded by the useless lessons of history and (b) guarantees jobs for the Box-Elimination Commissars, who will guide us through the transitional period.

Great! Let’s do it. Let’s remove the past’s dead hand from the controls. Let’s rethink the public schools. The ruinous effects of regulation. The obese VA bureaucracies that result in six-month wait times for a hemophiliac bleeding out in the ER. The notion of federal rules for school-sandwich composition. The idea that cities exist to transfer money from residents to the pensions of public workers. All the century-old ideas that have turned into rusty, ossified chains trailing behind the withered corpse of 20th-century progressivism like Marley’s cash boxes—well, the case for managerial collectivism was never airtight. It’s weak and getting weaker.

Nah, bro, that’s . . . conservative. Let’s get rid of the week. If enough people like the idea on Facebook the author can be trusted to write why driverless cars will help eliminate the fallacy of autonomy, and that would be awesome. You’ve heard about Google’s self-driving cars, right? A progressive’s dream: No steering wheel. No brakes.

Of course it leads to Utopia! Where else could it possibly go?

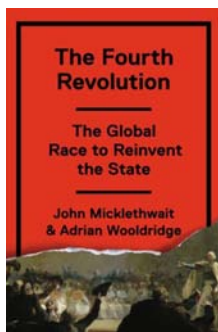
NR

Mr. Lileks blogs at www.lileks.com.

Books, Arts & Manners

Dysfunctional Government

FRED SIEGEL



*The Fourth Revolution:
The Global Race to Reinvent the State,*
by John Micklethwait and Adrian
Wooldridge (Penguin, 320 pp., \$27.95)

THIS book speaks directly to the malaise that has accompanied Barack Obama's second term in office. "The West," write John Micklethwait and Adrian Wooldridge, "has lost confidence in the way it is governed." The authors, both editors at *The Economist*, are referring to the loss of political confidence not only in America but in Europe as well, where a government capable of achieving an electoral majority has become a rarity. "The modern overloaded state," they rightly insist, "is a threat to democracy": "The more responsibilities Leviathan assumes," the worse it performs them and the angrier the people become.

They argue that government in the West has metastasized because people demand more services even as they are unwilling to pay for them. America, they scold, taxes "itself like a small-government country and spends like a big-government one while hiding its true liabilities." But of course, when it comes to liabilities, the same is true of much of Europe: In Italy and France, income taxes are piled on top of value-

added taxes and the difference is made up with debt that obscures the government's arrears. Further, generous social spending hasn't spared France and Italy from a sharp rise in inequality.

Long-term unemployment has wreaked havoc on both sides of the Atlantic. In the U.S., rent-seekers and Silicon Valley oligarchs have, under Obama, produced both unprecedented wealth and an unprecedented growth in joblessness. The upshot has been a resentment and cynicism that have undermined the West's ability to pull itself out of its current torpor.

The underlying problem, according to the authors, is that the West, which has at different junctures reinvented government, is caught between the third and fourth iterations of Western government. They present England as their model. The first stage, monarchy, was succeeded by the second, which incorporated Lockean limited government into the royal system. The third iteration was the welfare state, which was a response to industrialization; and the fourth, emerging from globalization and the current technological transformation imposed by digitalization, is now struggling to be born.

The authors tell their story with a sprightly style. Writing about Beatrice Webb and the Fabians, who shaped a British welfare state organized around experts and a purblind over-centralization of government, they note that she described herself as "the cleverest member of one of the cleverest families in the cleverest class of the cleverest nation in the world." She was so clever, they point out, that she became a fervid apologist for Stalinism.

Micklethwait and Wooldridge take succor from the reforms that have taken place in Scandinavia and Asia. Sweden, for instance, seems to have cured itself of "Baumol's disease"—the disorder that extracts an ever-increasing cost in order to run a government in which services seem immune to any efforts at efficiency. Sweden, which has benefited from widespread educational vouchers and "arguably the most efficient [health care] in the rich world," has reversed the old ratchet. "Rather than extending the

state into the market," the authors write, the Swedes are extending that market into the state.

Swedes are still "socialist," they explain, in that Sweden provides public goods such as education and health care "free at the point of delivery"—"but it uses capitalistic methods of competition to ensure that those public goods are delivered as successfully as possible." The benefit is that Sweden, empowered by a cross-party consensus, has reduced public spending from 67 percent of GDP in 1973 to 49 percent in 2009 without a social upheaval.

It's Sweden in the West and Singapore in the East that carry the authors' hopes for reinventing government: We live in an era "when the West no longer has all the best policies." For proof of this claim, they cite the way the combination of intelligently authoritarian rule and a system of public-welfare investments transformed Singapore from a swamp to a shining beacon of neo-modernity studied by Chinese and Westerners alike. "Our strength," explains Lee Hsien Loong—Singapore's prime minister and the son of Lee Kuan Yew, the architect of Singapore's success—is that, by substituting meritocracy for democracy, "we are able to think strategically and look ahead." By contrast, he argues, Western democracy is "a never-ending auction whereby votes are purchased with debts to be paid off in the future by the coming generations," and charity has become entitlements that subsidize indolence.

The authors have a wide range of reference, sprinkled with sparkling quotes and apt bons mots, which makes the book an enjoyable and informative read. They quote, for instance, the insight of the British small-"I" liberal Gladstone that "if the government takes into its hands that which the man ought to do for himself, it will inflict upon him greater mischiefs than all the benefits he will have received." But their overarching argument, while appealing, is thin: It is far better at describing the democratic disorders that threaten to bring us low than a purported fourth revolution that will save us from ourselves.

Mr. Siegel is the author of *Revolt against the Masses: How Liberalism Has Undermined the Middle Class.*

Micklethwait and Wooldridge assume that the Swedish and Singaporean efficiencies that engage them will appeal to American liberals because liberals necessarily have an interest in conventional measures of success. This is badly mistaken. So is their bald and bizarre assertion that Marx's naïve view that the state could disappear once private property had been abolished was strangely similar to what they see as the anarchist undertones of the Tea Party's anti-Washington rhetoric. They seem unaware that many in the Tea Party are far from naïve; many support a constitutional conservatism aimed at arresting the growth of an encephalitic central government conducive to crony capitalism. The Tea Party, whatever its numerous failings, has long recognized, like many other critics of liberalism, that apparent failures such as the breakdown of the family can serve as a boon for the expansion of social services and hence state power.

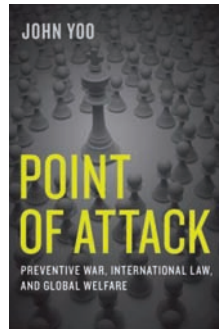
Public-sector unions are the linchpins of contemporary liberalism. They are powerful, their inefficiencies notwithstanding, because they can deliver bloc votes, such as those that helped elect Obama as president twice and Eric Garcetti and Bill de Blasio as the mayors of Los Angeles and New York. Liberalism in deep-blue states such as California and New York has no interest in reinventing government. It is doing just fine with government as it is.

Liberals had lost three consecutive presidential elections in the 1980s, so, in the 1990s, they turned to reform out of necessity. Prompted by the Democratic Leadership Council's concepts for reinventing government, Clinton and Gore adopted reforms as a matter of electoral strategy. But in the current climate of polarization, the moderate Democrats, so central to the 1990s reforms, have been crushed. The Democratic party nationally and its state strongholds are firmly in the grip of a bi-class alliance of those who have most benefited from globalization and those who are either the least likely to be in the labor force or the government workers who service them. Neither of these classes has any interest in adopting the reforms that appeal to Micklethwait and Wooldridge but threaten the combination of crony capitalism and public-sector unionism that currently dominates American governance.

NR

When to Go to War

MARIO LOYOLA



Point of Attack: Preventive War, International Law, and Global Welfare, by John Yoo (Oxford, 272 pp., \$35)

‘THERE never was a war in all history easier to prevent by timely action,” said Winston Churchill in his Iron Curtain speech of 1946, “than the one which has just desolated such great areas of the globe.” Had they confronted Hitler over Germany’s remilitarization of the Rhineland in 1936, or the *Anschluss* of Germany and Austria in 1938, or his aggressive claims on the Czech Sudetenland later that same year, the French and British could have prevented the war—because Germany was still weak.

Instead France and England waited to declare war until Germany actually attacked Poland in 1939. But by then Hitler had already undone the straitjacket imposed on his country by the Treaty of Versailles and had put Germany in a position of overwhelming strategic superiority. By 1939, the conquest of Europe could no longer be averted.

The United Nations Charter stands out as one of the few peace treaties that would actually have made the last war more likely. This is because, as commonly understood nowadays, the U.N. Charter permits preemptive self-defense, but only if an attack is “imminent.” Otherwise, a first use of force is illegal

Mr. Loyola served as counsel for foreign and defense policy to the U.S. Senate Republican Policy Committee.

without Security Council “authorization.” Therefore, assuming a deadlocked Security Council, it would have been illegal for the Allies to act preemptively against Nazi Germany until the attack on Poland was finally “imminent.”

This supposed rule has several interesting features. First, it is remarkably stupid, given the circumstances that led to World War II. Second, it fails any moral test because it doesn’t distinguish between acts of pure aggression and military actions that are urgently necessary for humanitarian or defensive reasons. And, not surprisingly, it is not the rule that the Allies thought they were agreeing to when they ratified the Charter.

War is always a tragedy. But oftentimes war *is* the answer, because the alternatives can be so much worse. That is the argument of John Yoo’s new book, *Point of Attack*. Yoo attempts to reconnect international law to reality—from which it has become mostly unwound, especially in academic circles. A former senior attorney in the Bush-era Justice Department, Yoo attained brief notoriety for his advocacy of sweeping presidential powers in response to 9/11, including the power to use enhanced interrogation. Now back in his previous position as law professor at the University of California, Berkeley, Yoo takes a quintessentially academic approach to the subject, first tracing the history of the international law of war, then proposing what he thinks the right rule is.

He starts the story at the beginning, in the middle of the terrible Peloponnesian War between Athens and Sparta. After its failed expedition to Sicily, Athens demanded that Melos, a small island city-state aligned with Sparta but formally neutral, join its coalition or face destruction.

According to Thucydides, a lively legal debate ensued. Melos claimed that it had the right to refuse to join any coalition it didn’t want to join. The Athenians responded that “expediency” was on their side. Yoo presents this as an early historical example of the dispute between a moral argument and material interest.

What continues to elude scholars, however, is why the Athenians found it necessary to threaten Melos in the first place. The expedition to Sicily marked the beginning of the end for Athens. Perhaps they felt that they needed to

cow Melos in order to avert a break of neutral city-states in favor of Sparta. Maybe they acted out of what they thought was dire necessity.

But was it just? Classical and medieval philosophers struggled to devise a theory of the just war. “St. Augustine’s approach justified a broader scope for war” than Cicero’s had, writes Yoo: “Cicero’s just war was either defensive or sought compensation for a past injury. Christian just war pursued a broader, punitive dimension that sought not only to make the state whole but also to punish the wrongdoer for violating moral principle.”

The 17th-century Dutch philosopher Hugo Grotius, commonly considered the father of modern international law, alighted on a cardinal problem: Sometimes, both sides in a dispute have “justice” on their side.

The *Anschluss* presents the dilemma in stark form. Nazi propagandists claimed that the German-speaking peoples wanted to unify, and they had on their side the principles of “self-determination” and “political independence” enshrined in Woodrow Wilson’s Fourteen Points. But if this union proceeded, Czechoslovakia—the key to the defense of Europe—would be surrounded by Nazi Germany on three sides, and become indefensible.

The episode demonstrates how dangerous a bad rule of international law can be. Once widely accepted, rules of international law help shape both diplomacy and public discourse. It is true that governments have often ignored international law, but only when they could afford the political risks of violating it. And sometimes they can’t: The unresolved diplomatic dispute over the legality of the Iraq War helped to mire the war in controversy and nearly crippled the war effort.

Yoo argues for a rule that distinguishes between legitimate and illegitimate uses of force according to a cost-benefit analysis based on global welfare. “Only when the benefits to global welfare—not just to that of the intervening nations—exceed the costs should nations resort to force,” he writes. Yoo draws a page from the “Chicago school” of law and economics, characterizing peace as a “public good” (like clean air) that “the market” will not supply absent the right legal incentives.

Yoo relies a bit too much on economic rationality (at one point he suggests that

an increase in “per capita world gross product” might be a useful benchmark). An economic cost-benefit analysis will strike some as cheapening life. And real-world decisions of war and peace normally have to make do with woefully incomplete information about costs and benefits.

Still, Yoo’s rule cannot be hastily dismissed, because, unlike the Charter, it corresponds to the actual practice of states. Especially in democratic societies, the desire to achieve the greater good is what almost always animates leaders as they contemplate sending the nation’s young men and women to war. The principles are not economic, but they are utilitarian, as Yoo’s rule implies—although, to be sure, political self-interest and the vagaries of public opinion impose their own constraints.

Yoo seems to accept that Iraq falls into the category of misguided wars because Saddam was not likely to attack the U.S. anytime soon, and it turned out that there were no WMD. He thus passes too quickly over a case that, despite all the controversy, deserves more careful treatment than virtually anyone has given it.

Those who think the Iraq War was a mistake take it for granted that a military occupation was unnecessary because there were no WMD. But if that is so, a military occupation was necessary to prove that a military occupation was unnecessary. Otherwise, what would we have known?

More precisely, why was Saddam unable—or unwilling—to prove that he had no WMD? Hans Blix, the chief U.N. inspector, would have leapt at any evidence that Saddam was in compliance with disarmament obligations. But in report after report to the Security Council, he reported only that he could come to no firm conclusion and needed more time. It was soon clear that Saddam’s regime was simply too criminal and irregular to permit a conclusive audit.

The Iraq situation raised a crucial question for both grand strategy and international law. Absent conclusive evidence, should the benefit of the doubt go to Saddam, or to his enemies? Once that problem was brought to the Security Council, the place to resolve it was the Security Council. But Resolution 1441, which warned against “further material

breach,” failed to resolve it, or rather resolved it in Saddam’s favor, by apparently shifting the burden of proof to the U.S.

In general, the issues Yoo addresses in his book—and there is hardly one he leaves untouched—deserve better treatment than they’ve gotten among legal scholars. One of Yoo’s strengths is his ability to organize and categorize with clarity. *Point of Attack* manages to stitch international law and reality back together again not just at points, but all along the seam.

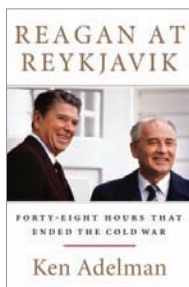
The victors of World War II thought that they were ratifying a treaty that would permit the use of force in accordance with the purposes of the U.N. Charter, which included “the prevention and removal of the threats to the peace.” Obviously Churchill had no intention of granting Joseph Stalin a veto over Britain’s use of force in matters of urgent concern to the British Empire. The point of the U.N. was to facilitate preventive action, not constrain it. Alas, that understanding of the Charter died with those who created the United Nations. What remains today is the poorly written text of the Charter, which unfortunately supports the idea that preventive self-defense is illegal without Security Council authorization.

Notwithstanding the Charter’s text, virtually every U.S. administration since World War II has affirmed the right to act preventively when necessary, regardless of the imminence of the threat. Consider the Cuban Missile Crisis, or the fact that Clinton nearly bombed North Korea’s nuclear reactor at Yongbyon in 1994 and decided not to for (unsound) military reasons, not legal ones. Even Israel’s 2007 strike on a Syrian nuclear reactor was later endorsed by Candidate Obama in a speech to AIPAC. As Yoo patiently demonstrates, the rule of the Charter has never worked, will not ever work, and needs to be jettisoned.

A just war can be rooted in compelling reasons of state. Charles de Gaulle lived to see France nearly destroyed by Germany twice, yet he believed to the end of his days that a strong, unified Germany was vital for the future. Henry Kissinger once asked him how he hoped to keep an unfettered Germany from dominating Europe. Said de Gaulle simply, “Par la guerre.” **NR**

High Stakes

PAUL LETTOW



Reagan at Reykjavik: Forty-Eight Hours That Ended the Cold War, by Ken Adelman (Broadside, 384 pp., \$29.99)

IN October 1986, President Ronald Reagan and Soviet general secretary Mikhail Gorbachev met in Iceland for what were supposed to be brief working discussions to prepare for a summit later that year in Washington. What actually transpired over that weekend in Reykjavik was one of the oddest episodes of the Cold War. Reagan and Gorbachev engaged in over ten hours of wide-ranging, unscripted debate. The Soviets caved on long-held arms-control positions one after another, which stunned and elated the Americans. In their final session, Reagan proposed to Gorbachev that they abolish all of their nuclear weapons. Gorbachev agreed. Yet Gorbachev insisted on tying arms reductions to terms that would sharply limit Reagan's cherished dream of a defense against missiles. Reagan refused. The media, which had known little of what had been going on all weekend, suddenly witnessed a furious Reagan and a resigned Gorbachev parting outside the wooden house where they had met.

From that moment, the almost universal reaction to Reykjavik, including among U.S. allies and even members of Reagan's own administration, was bafflement. In the meeting's aftermath, few seemed to understand what had happened, why, or what it would mean. As it turns out, two who did were Reagan and Gorbachev.

Ken Adelman was Reagan's arms-control director at the time of the Reykjavik meeting, and participated in it. In *Reagan at Reykjavik*—part history,

part memoir, part requiem—he looks back on that weekend and does his part to answer those questions. Adelman's career before joining the Reagan administration had been unorthodox. He had held a post in the Ford-administration Pentagon, but had also served as a staffer in the Nixon White House's anti-poverty office and as a translator for Muhammad Ali before his "Rumble in the Jungle." Since leaving the Reagan administration, Adelman has devoted much time to teaching and writing about Shakespeare. Perhaps because of that background, Adelman's book is more deftly written, and more infused with humor and wistfulness, than the typical effort by a former official.

Adelman vividly conveys what it was like to be there that weekend. The officers who carried each country's nuclear codes stood silently, just a few feet apart from each other, in the hallway outside Reagan and Gorbachev's meeting room. Reagan and Gorbachev each selected a handful of negotiators to work in greater detail on an arms agreement during a break in their own sessions. Led on the U.S. side by the 78-year-old Paul Nitze, who had held a senior post in the Truman administration, and on the Soviet side by Marshal Sergei Akhromeyev, who had stood his ground for 18 months during the Siege of Leningrad, the teams pulled an all-nighter. (Adelman's first, he notes.) Adelman and the other U.S. officials marveled as Akhromeyev, head of the Soviet armed forces and Hero of the Soviet Union, made sweeping concessions to the Americans, restraining his Soviet colleagues when they tried to relitigate prior positions. Officials from the two countries, united in being mystified by the one copier in the house, resorted to writing their agreements on carbon paper, which the Soviet officer who brandished it referred to as "Soviet high-tech." During the climactic session, the U.S. and Soviet delegations waited upstairs, anxiously and helplessly, as throughout the weekend the only advisers Reagan and Gorbachev had with them in their meeting room were their foreign ministers, who barely got a word in edgewise.

Adelman keeps a sense of perspective, which means that the central figures are Reagan and Gorbachev. His portrayal of Gorbachev is both appreciative and realistic. Gorbachev knew that the Soviet system had to change. And he believed that,

to have the time and space to reform that system, he needed to curtail the Cold War competition. The Soviets were devoting obscene resources to that global contest—far more, relatively speaking, than the United States—while falling ever farther behind economically and technologically. Adelman usefully includes meeting notes taken by Gorbachev's closest aides as the Soviet side prepared for Reykjavik. Gorbachev told his colleagues that should he fail to secure an agreement at Reykjavik, "we will be pulled into an arms race beyond our power, and we will lose," because the USSR was "presently at the limit of our capabilities." "The arms race overburdens our economy," he said. "That is why we need a breakthrough."

Long before he became president, and throughout his years in office, Reagan believed that the Soviet Union was vulnerable—economically, technologically, ideologically—to a sustained, reinvigorated competition from the West, including a military buildup. We know this because he said so, over and over. He also believed that if faced with that all-out competition, Soviet leaders could be forced to change, to moderate their foreign policy and also the internal Soviet system. The Reagan administration drew up classified strategy directives in his first term that combined a thoughtful analysis of the Soviet regime with a policy approach aimed at shaping the environment in which Soviet leaders made decisions, so as to encourage the mellowing of Soviet behavior and even changes in the nature of the regime. And, through its actions, notably its military buildup, it pressed hard.

Reagan also had a utopian side. He believed it was something of a personal mission to abolish nuclear weapons. And in his beloved Strategic Defense Initiative, his program to research and develop a defense against missiles, Reagan saw both a catalyst for a nuclear-free world and a guarantor of it. Adelman rightly emphasizes a fact that is underappreciated still today: To Gorbachev and others in the Soviet leadership, the promise of SDI seemed to embody their fears about falling behind the United States economically and technologically. It raised the specter of a new, high-tech arms race when they were struggling with the existing one. And Adelman notes that only one person at Reykjavik, and maybe in the world, actu-

Mr. Lettow is the author of Ronald Reagan and His Quest to Abolish Nuclear Weapons.

ally believed Reagan's promise that the U.S. would share a working missile defense with the Soviets: Reagan himself.

Reagan's combination of hardheadedness and idealism was on full display at Reykjavik. Gorbachev repeatedly complained during the meeting that while he was making unprecedented concessions, Reagan simply pocketed them and moved ahead. Reagan genuinely wanted to abolish nuclear weapons, and was genuinely upset that Gorbachev scuttled their deal because he insisted on trammeling SDI. Yet he understood that Gorbachev's moves had been motivated by something not far from desperation.

Despite his hyperbolic subtitle, Adelman does not actually argue that Reykjavik ended the Cold War. But he observes, quite properly, that after Reykjavik, Gorbachev saw much less hope of restraining the U.S.—Soviet competition through near-term agreements, and more urgency for making more-thorough changes in Soviet foreign and domestic policy. Adelman also observes that while Reagan was relentless in pushing the Soviets and seeking advantage over them, he was nimble in working with Gorbachev when he perceived, much earlier than most, that Gorbachev could be the critical source of change he had sought for so long.

Reagan left office over 25 years ago. He haunts us now like a ghost of greatness. Leaders of his party yearn to be the next Reagan. Even President Obama wraps himself in the Reagan mantle, at least on the subject of nuclear abolition.

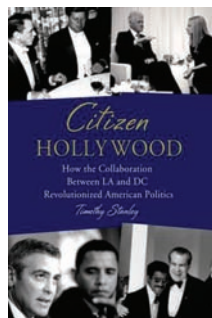
Here is something we forget, or overlook: Reagan was a strategist. He understood what our adversaries were up to, why, and what it meant for us, and how we could shape the environment in which they made decisions through peaceful competition. He was keenly attuned to the relative strengths and weaknesses of the United States and our adversaries, exploiting the Soviet Union's comparative vulnerabilities while relentlessly pressing U.S. comparative advantages. In league with perhaps only the Roosevelts and Eisenhower, Reagan understood how trends in hard power—economic, technological, and military—affected our and others' freedom of action in the world, including the ability to promote one's values. In short, Reagan played the long game.

Those who would be Reagan, take note.

NR

The Real Tinsel

ROB LONG



Citizen Hollywood: How the Collaboration between LA and DC Revolutionized American Politics, by Timothy Stanley (Thomas Dunne, 320 pp., \$26.99)

THE story can now be told. Sort of.

Almost 1 million years ago, when then-president George H. W. Bush was running for a second term, his running mate, Dan Quayle, gave a speech in which he drew the connection between the breakdown of the American family—then, as now, a major reason so many families remain poor—and the prevailing attitudes in popular Hollywood entertainment.

After connecting the statistical dots between fatherless households, poverty, and crime, the vice president summed it up this way:

Ultimately however, marriage is a moral issue that requires cultural consensus, and the use of social sanctions. Bearing babies irresponsibly is, simply, wrong. Failing to support children one has fathered is wrong. We must be unequivocal about this.

It doesn't help matters when prime-time TV has *Murphy Brown*—a character who supposedly epitomizes today's intelligent, highly paid, professional woman—mocking the importance of fathers, by bearing a child alone, and calling it just another “lifestyle choice.”

I know it is not fashionable to talk about moral values, but we need to do it. Even though our cultural leaders in Hollywood, network TV, the national newspapers routinely jeer at them, I think that most of us in this room know that some things are good, and other things

are wrong. Now it's time to make the discussion public.

Note to young people: *Murphy Brown* was a sitcom.

If you're in your forties or older, you'll remember the result of those paragraphs: pandemonium. The earth shook. Hollywood and the liberal media went bananas. Dan Quayle—despite being factually correct in his analysis and moderate in his language—was portrayed as a dangerously unhinged lunatic. Later, of course, after the freakouts had ended and the liberals had revived themselves from their fainting couches—a moment roughly coincident with the election of the Democratic challenger, Bill Clinton—they all decided that, in the words of *The Atlantic*, “Dan Quayle Was Right.”

But that's not the cool part. The cool part is that I was working in television at the time and somehow came across a copy of the top-secret script of the *Murphy Brown* season premiere in which the main character “responds” to the vice president. It was weird, obviously: The vice president was a real-life person and “*Murphy Brown*” was a fictional character, but back then—before Twitter and Facebook and Instagram and, especially, Fox News—a big network-television show was a serious piece of political artillery.

I had in my hands a pretty powerful object, something that I knew my political allies would want to see. But I was also—and defiantly remain—an absolute coward who didn't want his fingerprints on any professionally compromising transaction. So what I did was this: I said in a loud voice to no one in particular that it would be good if this script somehow found its way to my friends in the Bush campaign, friends whose specific addresses were clearly hand-printed in my address book (remember: 1992). Oh, and FedEx one to Rush Limbaugh while you're at it.

That last part, by the way, is the cool part.

You will not find that story in Timothy Stanley's smart and far-ranging history of Hollywood and politics, *Citizen Hollywood*, but you will find an interesting and (to me, at least) much more persuasive argument about the effect Hollywood storylines have on the culture at large. The *Murphy Brown* example, Stanley avers, was a foolish one for a Republican pro-life candidate to bring up:

If Quayle had watched the show closely enough he'd have noted that Murphy makes what some would see as the very conservative decision to keep her baby rather than abort it. Some Republicans thought the show's message admirable. "Murphy Brown was right," the right-wing pundit Pat Buchanan told me. "She kept her child. What did Dan want her to do with it?"

Hollywood's liberal bent has been exhaustively documented, but Stanley's book is a wider and more sweeping survey of the ways Hollywood and Washington, D.C., have interacted since the days of Coolidge, when Secretary of Commerce Herbert Hoover jotted a note to Louis B. Mayer promising that he'd be "glad to see you anytime on 24 hours' notice," which was quite a promise in those days. Hoover helped MGM build a powerful—and monopolistic—radio empire: an early sign, as Stanley notes, that the old political bosses were losing power to the new masters of the American audience.

There's some great dish in this book, too. Louis B. Mayer's first night as a guest in the White House—born in Russia! a penniless kid!—kicks off the book in a charming way, but Stanley quickly gets into the grimmer stuff. He describes the complicated rings of power at a Hollywood political-fundraising dinner—the higher the ticket price, the closer to the center—and how the little fish along the edge can nibble their way closer to the big producers at the high-rollers' table. He tells us about a friend of his who consistently—and successfully—gatecrashes these kinds of events. There's great background stuff about the famous Democratic presidential-primary campaign of 1968, in

which Hollywood progressives like Paul Newman threw their support behind Eugene McCarthy, and, in their opinion, helped unseat Lyndon Johnson. And it wouldn't be a book about Hollywood if it didn't include some casting-couch gossip, some Communists, and some complicated interactions with Nazis.

Stanley's book is witty and entertaining, and does a thorough job of illustrating the ways in which Hollywood works Washington, the ways Washington works Hollywood, and the ways both are subject to the surprisingly unpredictable whims of the American public.

Hollywood is basically like the drunk at the party: It's loud and sloppy, but it's also close to inconsequential. (As long as it doesn't break anything.) One of the strengths of Stanley's book is that he takes a critical and unconvinced look at the current vogue among conservatives to blame the "liberal media" or "Hollywood values" for the things that plague us. "In most cases," Stanley writes, "TV and movies haven't driven social changes but simply reflected them."

That has certainly been my experience working in Hollywood for 25 years. The place is filled with progressive liberals—movie-studio parking lots are a sea of Priuses and Obama stickers—but the real role of the entertainment industry is to deliver cash to the Democratic party. It's a powerful function, of course, but that's about where the influence ends.

That's what I learned, anyway, in my brief experience as a dark operative for the Republican party. You can send the top-secret script to the campaign. You can send it to Rush Limbaugh. What you cannot do is reelect a president. **NR**

OVERHEARD

"Just think about her name and hit 'delete.'"
I want to interrupt, say, "Don't believe the steps could be so simple and complete. Love rifles through your trash bin to retrieve each image that your consciousness erases, and send you pop-up pictures of her smiles and longing gazes with familiar places in the background; corrupt all other files. No download can remove her memory, no shield can stop it hacking as it will. No matter what we spend on R and D, we'll never match its data-mining skill. Since man first scratched his code across papyrus, no one has engineered an anti-virus."

—STEPHEN SCAER

The Great Flood

MICHAEL NOVAK



The Johnstown Girls, by Kathleen George
(Pittsburgh, 348 pp., \$24.95)

ON May 31 of this year, the often-flooded city of Johnstown, Pa., marked the 125th anniversary of the Great Flood of 1889. Five hundred more people died that day (more than 2,200 out of a city of 29,000) than died in the horrific Hurricane Katrina in 2005. There were more civilian deaths in Johnstown that day than in any American disaster except 9/11.

Whole families were wiped out in minutes. Once darkness fell, many bodies were consumed when debris piled up at the Stone Bridge burst into flame. In the next days, bodies—many never to be identified—lay in temporary morgues all along the flood's path. More than 2,000 coffins were needed immediately. Hundreds of unidentified corpses now lie buried in neat rows in Grandview Cemetery high up on Westmont Hill overlooking the flood plain.

Ever since I was seven years old, I have been collecting books and articles on the Great Flood, hoping to write the full account myself. David McCullough's *The Johnstown Flood* (1968) was so brilliant that it rendered my own ambition otiose. Now for a second time: A novel has appeared far better than the one I have

Mr. Novak, a Templeton Prize winner, is the author of two novels and many other books, and is currently a distinguished visiting professor at Ave Maria University in Florida. He delivered the keynote address at the 125th-anniversary event in Johnstown this May 31.

DAY #4 ON THE NR 2014 POST- ELECTION CRUISE

Well, after four incredible days aboard the *Allure of the Seas*, you wouldn't have known that Mary and I once thought we "weren't cruisers." I'm so glad our friends finally convinced us to really check out those NR magazine cruise ads we'd been looking at for years. Those NR post-election trips always sounded like fun, and heck, now I can admit, they ARE. No question, this voyage is a BLAST. It's everything my pals said it would be, and more. Take the ship for starters: It's beautiful. The cabins: beautiful. The restaurants (there are many to choose from): beautiful. And the food: deee-licious. The public spaces: beautiful. You like spas? The *Allure's* are super. You like quiet places? There are plenty, so you can read, write, nap, whatever (on Monday Mary handed me a pencil and this notebook and pointed at some palm trees: I think I am getting the hang of it! Didn't know I was an artist!).

Want to zip line or climb a rock wall? Yep, you can. Make new friends? We've made a lot, including a few of the NR speakers.

MORNING PANEL SESSION

Every "panel" is an exclusive and intimate 2 1/2-hour session that kicks off with a fascinating one-on-one interview.

This morning's began with Jay Nordlinger quizzing Luis Fortuno about Puerto Rico's future. Jay's way of getting to the heart of any matter is the tops. After a short break there was an hour-plus panel with Jon Kyl, Tim Pawlenty, Ralph Reed, Cal Thomas and Fred Thompson--yep, all of them--giving very smart analyses of the elections. One was better than the other. And Mary even got a chance to ask a question (to Pawlenty, or as we now call our new pal, "Tim," about the 2016 race).

Afterwards, we figured we'd hang around, just a few minutes, to get Cal to sign his new book, and, well, as he was signing we got to talking, one thing led to another, and we ended up having lunch with him and his wife (she is so cool, and even funnier than Cal). You see the ads, you wonder--are these guys and gals really going to be on the cruise; are Allen West and John Goo



Don't forget to tell kids...

- Did hzd long talk w/ RICH LAWRY about Lincoln book!!
- and he smoked a cigar w/ JONAH!
- We hzd lunch w/ MONA CHARBEN*

oh my she is sooo nice and sooo smart!

- Did they get the cocktail party pictures I emailed of RALPH REED and FRED THOMPSON?!
- LOVE LOVE the cabin!
- Food. Is. Fabulous!

(I played blackjack with him in the casino the first night!) and Brent Bozell and the NR Gang of Rich, Ramesh, KDW, K-Lo and Charlie Cooke (damn he is sharp!) and the rest going to be on the ship? They are! And they're so accessible, fun, friendly. I swear I was Rob Long's BFF for a few minutes after I lit his H. Upmann cigar at last night's smoker.

AFTERNOON PANEL

Where to start? Andy McCarthy and VDH (my favorite!) and Bing West made mincemeat of Obama's national security policy. They were brilliant--what a unique chance this was to hear them expound. And that came after a kick-off interview of Cleta Mitchell by John Miller. Turns out Cleta knows everything about the IRS scandals--I wish she had another hour to talk. That was just one of nine sessions happening this week. When it ended I turned to say something to Mary, and she had such a look of contentment. I don't think she ever looked so beautiful. This really is proving to be a once-in-a-lifetime experience.



6:00PM--PRIVATE COCKTAIL PARTY

Great event! Out by the pool hundreds of NR guests were enjoying each others company. We met several people just like us (Red State vote, Blue State address) and before you knew it a dozen of us were talking about the direction the conservative movement is taking and shared our local-level experiences. Then Jim Geraghty and Tim Phillips joined us. I can't tell you how cool that was. It only

ended when the steward came around chiming his bells letting us know it was time for dinner.

10:15PM--"NIGHT OWL"

What could you possibly do after a sumptuous dinner? We walked into the show lounge to see Jonah, Rob, Michael Walsh, Michael Ramirez, and James Lileks talking about Hollywood and Washington, and having us in stitches half the time. What a way to end a phenomenal day: Another one is just a few hours off. Mary and I are so glad we decided to come on this great cruise!



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ACKNOWLEDGEMENT: I understand and accept the terms and conditions of booking this cruise package and acknowledge responsibility for myself and those sharing my accommodations:

SIGNATURE OF GUEST #1 **DATE**

been working on (an imagined first-person account) for the last 15 years.

Kathleen George, a Johnstown girl herself, is a professor of drama and creative writing at the University of Pittsburgh, and a successful detective novelist several times over. Here she has figured out an extremely imaginative way to tell the story both of the flood and of the wreckage it left in thousands of individual lives. She does it through the tense story of the reuniting, after a hundred years, of two twins pulled apart by the 40-foot-high, constantly tumbling-over floodwaters.

One of the girls went missing, and everyone else thought that she had to be dead; but her twin sister, Ellen, *knew* that her sister was still living—how could that part of herself *not* be alive? But where could she be?

The story of these twins has been known since the days after the flood, when eyewitnesses came forward and newspapermen from New York interviewed the lone survivor. The two were being swept along on a mattress atop the roiling waters, until it hit smack against a floating house.

According to the long-accepted story, the mattress and the cart into which it had been rammed lodged against the house for a moment while an older cousin saved himself, then pulled one of the three-year-olds through an open window. Then churning waters tore away the other little girl, who was wailing pitifully.

This brisk novel begins with two intrepid reporters from the *Pittsburgh Post-Gazette* arriving in Johnstown in 1989 to do a feature for the 100th anniversary. The older reporter is the feature writer, Ben Bragdon, who has some time earlier been kicked out of his home by his wife with a blurted-out “You disgust me!” The younger journalist, Nina Collins, 27, is along as a guide, for she knows Johnstown and the flood story and has prepared the way.

Nina is also along as the loving new mistress to a not-yet-divorced older man. The hold of Ben’s magnetism over her is beautifully rendered. She and Ben slip into the Johnstown Holiday Inn to make love the day before Nina tells her mother that she will arrive. Mother knows nothing of

Ben—and will not approve. Nina has also arranged a trip to the South Fork Dam that afternoon, and a 14-mile drive down the route the flood took before it burst out of the narrow valley onto Johnstown.

The next morning Ben is to interview the surviving twin, Ellen Emerson, who has been brought to his attention by Nina. He discovers that Ellen, walker and all, is now a very alert 103. Brilliant since birth, Ellen was sent on a scholarship to New York University. She became an editor at a well-respected book-publishing house, where she slowly became mistress to the publisher. The two of them handled the affair with considerable dignity and mutual consideration, until Ellen began to discern the true relation of her lover to his wife, and quietly went back to Johnstown. There she became one of the best teachers Johnstown ever had—perfectionist, loving, and inspiring to three generations of students.

Ellen and a favorite student of hers, Ruth, a black woman utterly dedicated to caring for her best teacher ever, are setting the table for a lovely lunch with the visiting journalist. On every big anniversary, journalists come into town, seeking an easy story with “the last survivor,” and every time her story has remained invariant. Ben has been told by his editor to come back from Johnstown with “something new.”

Luckily for him, coals have been burning in Ellen’s chest for many decades. So, just before Ben arrives, she decides that 100 years of respecting a family secret is long enough. If she trusts the reporter, she will at last tell all.

Ellen does like the polite and considerate Ben, and she looks him in the eye and says that for years she has been lying to reporters . . . well, not telling the whole truth. And now she wants to do it, and back it up with written proof. Decades ago, she was threatened by her older cousin, who slinked back into town and frightened the child that she must never tell: She must protect her family.

The long-hidden truth is that the older cousin, when the mattress lodged against the floating house, has kicked her father back into the angry water to his death, saved himself, then pulled Ellen up, but could not bring himself to make an attempt to save her little sister

even while there was still a chance. Ellen cannot forget Mary’s wails.

This novel is essentially about the *character* of the people of Johnstown, still today. Cloudbursts lasting for days brought new floods in 1936—when waters climbed nearly as high as in 1889, but with nowhere near the fury of the 20 million tons of water from the bursting dam. In 1977, days of rain, nearly a foot in one day alone, overwhelmed Johnstown again.

Down all these years, the hometown novelist wants to show what Johnstown girls are like—what her mother, and Ellen, and everyone else she knew and loved, were like. And she nails it. For her, here is what defines Johnstown (in my summary): *Work. Work. Work. Persistence. Love. Sacrifice. Do not ever be surprised at how painful life is. Never, never panic. Hold steady. And: We still have a chance—throw that “Hail Mary”! Fling it as far as you can.*

Even Ms. George’s heroine, Nina, exemplifies the type. She discerns early enough that Ben’s wife, despite her previous ugly behavior, wants a second chance, and Nina insists that Ben give it to her (maybe only for the sake of Ben’s two boys). Nina will not accept a Ben divided, only whole. He must give his wife the six-week chance she wants. Otherwise how will any of them ever know?

And at the end, while Ben is on a last-ditch weeklong retreat with Amanda and unreachable, an incredible break comes Nina’s way. I will not reveal the plot twists; suffice it to say, this book has one of the most joyous endings I have ever experienced. **NR**

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Film

Monster Mash

ROSS DOUTHAT

SOMETIMES your feelings about a two-hour movie can be summed up by the way you react to a single fleeting scene. In the latest incarnation of *Godzilla*, that moment arrived for me in the film's final act, when the titular monster and his two radiation-devouring rivals are having their way with the innocent skyscrapers of San Francisco. In one shot, we see the city-destroying creatures through the windows of an office building's 80th-or-so story, from whose cubicles and conference rooms a cluster of hapless Bay Area white-collar types watch, screaming, as their doom comes sweeping in.

And all I could think was: *What are those people doing on the 80th floor of a skyscraper? Don't they know what's going on outside?*

Keep in mind that by this point in the movie, *Godzilla* and Co. have been leading the nightly newscasts for days, large portions of Japan, Hawaii, and Las Vegas have been reduced to rubble by their tails and claws and wings, and the Bay Area is under military occupation, with schoolchildren being bused across the bridges and civilians herded into BART shelters. Yet the office-building shot is staged as though the people inside had been somehow taken completely unawares—too preoccupied with their TPS reports, apparently, to hear about the prehistoric monsters converging on their city.

This is a small detail, a pedantic complaint, the kind of whine you'd expect to hear from the Comic Book Guy on *The Simpsons* . . . except that the whole movie is like this. Scene by scene, line by line, the script and story aren't just lazy, they are *offensively* lazy, in ways that no amount of spectacle can overcome.

This is unfortunate, because, as spectacles go, the new *Godzilla* is a visually accomplished work: The director, a newbie named Gareth Edwards, has a gift for shooting action sequences, an eye for moments of beauty amid the flame and

ash and lizard tails, and a healthy restraint when it comes to revealing too much too soon. And the narrative starts out promisingly enough, with opening credits that play with the original *Godzilla* mythos (a scaled, spiny back rises amid footage of the Bikini Atoll tests) and then the introduction of Ken Watanabe, Bryan Cranston, and Juliette Binoche as our apparent leads, a Japanese scientist studying prehistoric megafauna and two married nuclear-plant supervisors doing expat work in the land of the rising sun.

But this is a movie in which the quality of each actor's work correlates almost inversely with his or her screen time, and so before you can say "nuclear accident

there's at least a stab at humor here and there, a rumor of a shadow of a hint that actual human beings might have been involved in the writing of the dialogue. In this case, it feels as if the script were "written" by a computer program tasked first with assembling the flattest dialogue from 1950s B-movies, and then with editing it, with algorithmic rigor, to erase anything that remained that even resembled soul or wit.

The story, meanwhile, has a moronic rhythm that becomes almost reassuring after a while: Start with a boneheaded military decision, then put a cute dog in peril, then show Ken Watanabe murmuring something about nature's awesomeness, then throw a cute child into



that isn't really an accident at all," it becomes clear that the master thespians are around just to cash paychecks, and the actual leads are going to be a tragically body-built Aaron Taylor-Johnson, playing Cranston and Binoche's grown-up Marine son, and Elizabeth Olsen as his San Francisco-based M.D. wife.

I know that both Taylor-Johnson and Olsen *can* act; I've seen the movies where they proved it. But let's just say that in this case I could have replaced them with two pretty faces plucked at random from the streets of Hollywood and saved the filmmakers a lot of money without reducing the quality of their movie one iota.

In fairness, the leads are working off a script that, as noted earlier, doesn't even bother trying. You don't go to a *Godzilla* movie for the repartee, but usually

peril, then a still more inexplicable military decision, then back to Watanabe, then put a bus full of cute children in peril, then have the military try to salvage its terrible strategy with a surpassingly idiotic gambit, then Watanabe, still murmuring . . . and then, at last, the monsters fight.

The fighting is good: Edwards understands how to direct a slugfest, and it was a smart choice by the filmmakers to resurrect the vintage *Godzilla*-versus-the-monsters trope and make the big dude, ultimately, a humanity-saving hero.

But all this only makes the movie's underlying terribleness more frustrating. A weekend of script doctoring—heck, an afternoon—could have made this movie a solid B-plus blockbuster, instead of what it is: a big, scaly G-minus. **NR**

Country Life

Homecoming



RICHARD BROOKHISER

As a weekender, I do not subscribe to any of the daily newspapers upstate, so I had no advance notice of Sergeant Shawn Farrell's homecoming, which happened on a Wednesday. But signs of it remained for days afterward.

The state road follows the diagonal of the valley from northeast to southwest. The first markers were the clusters of flags, thicker and more numerous even than on Memorial Day or the Fourth of July, sprouting like red, white, and blue daffodils in front of stores and on lawns. Then, all the roadside reader boards, black letters on white backgrounds, that usually announce tractor pulls or hardware sales, instead carried unfamiliar messages. The driving eye, jogged by the first few, focused on the subsequent ones and registered the common sentiment, differently expressed: SGT. SHAWN FARRELL MISSED BUT NOT FORGOTTEN. SGT. SHAWN FARRELL FAIR WINDS AND FOLLOWING SEAS. OUR LOCAL HERO SGT. SHAWN FARRELL. A talk with a friend and a search online told the story.

Shawn Michael Farrell II, born September 1, 1989, joined the Army Reserve in his senior year in high school. The *Oneida Daily Dispatch* interviewed his track coach. "Farrell joined the team because he needed to be able to run a mile-and-a-half in a certain amount of time to join the Army. 'I can remember him saying, 'I'm not a runner,''" his coach recalled. Farrell became one enough to qualify for active duty. "I can remember when he first came into school in his Army fatigues," the coach added.

After training at Fort Benning and assignment to Fort Riley, Farrell joined the Tenth Mountain Division at Fort

Drum. He deployed to Afghanistan from March 2011 to March 2012, then again in November 2013. "Sergeant Farrell was the first to greet me to my new platoon," a fellow sergeant in Afghanistan told the DVIDS (Defense Video and Imagery Distribution System). "Just about anytime anyone new came to the platoon, he was always the first to greet them. . . . If a soldier didn't understand something, he sat down and taught them what they needed to know."

On April 28, Sergeant Farrell was supporting a Special Forces team in the Nejrab district of Kapisa Province, north of Kabul. "We got ambushed from multiple positions," wrote a Special Forces soldier, who was there, on a blog called "Breach Bang Clear." "[Sergeant Farrell] was on the Mk 47. . . . He had gone through multiple cans, we were two hours into the TIC and his truck was already shot up. The gun went down so he pulled out the SAW and exposed himself over the chicken plate to engage a s**tload of dudes in multiple positions." Mk 47 is a grenade launcher; SAW (squad automatic weapon) is a machine gun; chicken plate is a gun shield (ironic—gunners are not chicken); cans are cans of ammunition; TIC stands for "troops in contact," or the engagement. "Then he caught one through his arm into his chest. This kid was slinging it, and his last words to his team were, 'I got him.'"

Sergeant Farrell is survived by his parents and stepparents, three brothers and two sisters, and his wife of one year and four months. The first comment on the Breach Bang Clear blog entry was from his mother. "Thank you for sharing more detailed information on my son's final moments. I am so proud of him but miss him so very much."

At the state capitol, his state senator offered a resolution in his honor, whose last *Whereas* reads, in part: "It is fitting and proper that we who are the beneficiaries of those who risk their lives, leaving their families behind, express our appreciation and eternal gratitude for their sacrifices and courageous acts." The governor ordered flags at state office buildings to fly at half-staff.

The motorcade that accompanied Sergeant Farrell on May 7 up the Thruway and down the valley took eight minutes to pass any one point; footage of it is online, too. (America is a country of millions and time zones, but the Internet sometimes



shrinks it back to a village.) There are fire trucks and sheriff's and police cars; the black vehicles for coffin and family; most impressive, because most unusual, the Patriot Guard Riders. Formed originally to block off and drown out the evil mummery of the Westboro Baptist cult, the Patriot Guard Riders now accompany military, veterans, and first responders to their long home. So they rode, two by two, bike after bike, as if in a dream, the steady murmur of their engines a kind of silence.

In the city, the National September 11 Memorial & Museum has opened at the site of the World Trade Center. The consensus of the early reviews is that the layout and the exhibits—from twisted girders to ownerless eyeglasses—are both powerful and sensitive. (The gift shop and a planned museum café are another matter.) But the full September 11 Memorial spreads beyond the city, nationwide. Sergeant Farrell had just turned twelve years old when the Twin Towers were taken down; because they were, he died when he was 24. If it were not for al-Qaeda and its soulmates, no American would go to Kapisa Province in Afghanistan from one century to the next. But we do not get to choose the times we live in. This is not the place to argue the course of the war or the wisdom of its commanders. But even the best causes and leaders present a butcher's bill. The American Revolution and World War II are well thought of; Nathanael Greene and Douglas MacArthur were on the whole capable warriors. Tell that to the soldiers at Fort Washington or Bataan. "I have always regretted that the last assault at Cold Harbor was ever made," wrote Ulysses Grant crisply in his memoirs.

Sergeant Farrell and the other 2,321 American military who have died in and around Afghanistan have done their duty. Ours is to think and vote wisely, and to remember. R.I.P. and thank you. **NR**

Personal Library

NOT long ago, I popped into a Salvation Army store in suburban Maryland to check out the used-book section. I'd unearthed plenty of gems in similar places, so it wasn't surprising that the visit proved similarly productive. Home came copies of William Safire's *On Language* and the novel *Van Loon's Lives*, an 890-page tome written in 1942 that imagines what dinner parties featuring some of history's most famous people might look like—Torquemada dines with Robespierre, Saint Francis with Mozart, and so on. Or, at least, this is what Wikipedia informs me *Van Loon's Lives* is about. The thing is, I probably won't read *Van Loon's Lives*. Actually, I may never again crack open *Van Loon's Lives*. Yet there it sits on my bookshelf between well-worn copies of *A Short History of Byzantium* and *A Man Called Destruction: The Life and Music of Alex Chilton*—and, if I have my way, there it will sit for the next 30 years.

This kind of bibliophilic overindulgence has caused me plenty of angst over the years. The last time I moved my family—and we've moved multiple times—there were many more boxes of books than there were of clothing, utensils, dishes, and all other household items combined. So, unsurprisingly, every so often, mutiny breaks out and domestic forces prod me into scaling back my collection. This typically entails frivolous protests about the amount of "space" my books take up or equally unpersuasive arguments about how stacks of "messy" books scattered across the house are aesthetically disagreeable. Other shaky arguments include: "You've already read them." "You'll never read it again." "Why don't you get a Kindle like a normal person?"

This year, in the hopes of quelling insurrection, I decided to defend my book collection. "Every book is necessary. Surely I am not, as popular opinion around here has it, some kind of hoarder." Well, things began somewhat precariously when it took me 20 minutes to decide whether I should retain a single slim volume called "Extra Lives," an amusing history of video games, or condemn it to exile in some far-flung Goodwill where it would mingle forever with discarded copies of *A Brief History of Time* or yellowing Robert Ludlum paperbacks. It did not get any easier from there. Though I was only able to find maybe ten books suitable for expulsion, I had to admit that I probably owned hundreds of books for no practical or logical reason whatsoever.

There were the science-fiction books with covers so juvenile I'd be embarrassed to read them in front of my preteen kids. There were academic books on science and mathematics, the contents of which I couldn't possibly pretend to begin to understand. There were Umberto Eco

novels. There were books about punk rock and country music and histories of heavy metal and modern classical music. There were inane manifestos from long-forgotten politicians and trendy books on pop economics. There were the mystery books and there were mysterious books. For reasons unknown, for instance, I own not one but two biographies of the acerbic Oscar Levant and two books of "conversations" with Woody Allen. Perhaps, I rationalized, these tomes may be useful when I pen that historic book on the American Jewish comic—a project I'd concocted mere seconds earlier. The same shelf featured a book titled "The Anatomy of Swearing," which is undoubtedly fascinating, and Neal Pollack's *Stretch*, which is about a middle-aged man discovering the restorative powers of yoga. *Yoga*?

There were books I hadn't read and there were books I had read but would never read again and then there were books I wished I hadn't read in the first place. *Killing Yourself to Live* is an account of Chuck Klosterman's journey to the sites of tragic rock stars' deaths, and Frank Sheeran's *I Heard You Paint Houses* is about the Mafia hood who confessed to killing Teamster leader Jimmy Hoffa. Neither was particularly enjoyable or educational, so why were they taking up space in a basement that should contain evidence of my children's hobbies? Do I really need *The Story of Tibet* or *The Story of Sushi*? Do I really care "Why Mahler Matters"? Is it rational for someone to eat up valuable square footage in the Washington, D.C., area with Arthur Koestler's absurdly ahistorical *The Thirteenth Tribe* or a history of the Westies?

Turns out it is.

A book collection is, of course, the story of your intellectual and cultural life—with all the high-mindedness, pretentiousness, shallowness, and curiosity that comes with the project. As sappy as it sounds, browsing through my own unreasonably cumbersome book collection, one that took more than 20 years to compile, became something of a sentimental experience. It turns out that even what you don't read says something about you. Perhaps some of your books aren't about what you know; they're about what you hope to know and what you once thought you wanted to know. This connection simply can't be made in digitized form. As Joe Queenan pointed out in *One for the Books*, it is the objects themselves that are sacred. One stack in my home features *The Servile Mind*, *The Rational Optimist*, *Cryptonomicon*, and *Parliament of Whores* because together they say something about my sensibilities. And I hope that one day I will read that biography of Disraeli or Diarmaid MacCulloch's gargantuan book *Christianity: The First Three Thousand Years*. There might be better, less messy, less intrusive uses for that space. But I can't think of a single one. At least, that's the story I'm going with.

NR

Mr. Harsanyi is a senior editor of the Federalist.

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