A Symposium on

The Great American Film

Plus:

Connecting Leo Strauss and Neoconservatism

Contesting Progressive Contempt for Politics

Considering Chinese Parenting

Condemning our Law Schools
Counterpoint
Spring 2011 Issue 5

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We at Counterpoint seek to publish thoughts which reveal the principles and practices of American politics, policymaking, religion, and society. We are conservative in the sense that we find wisdom in the time-tested, vigor in enduring morality, and greatness in the ordered liberty of the American polity.

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Contents

Incidents on 57th Street 2

A Bottle of Water with a Scarlet Letter by Michael Talent 4

What is the Green Campus Initiative Up To? 6

Progress and Reaction by Josh Lerner

The Progressive Contempt for Politics

America’s Bulwark by Eric Wessan

A Case for American Support for Israel 12

A Symposium: The Great American Film

Up In The Air by Kevin Jiang 14

On The Waterfront by Josh Lerner 15

Apollo 13 by Tod Lindberg 16

Blade Runner by Thomas Pavel 17

The Godfather by John Podhoretz 17

Patton by Jeremy Rozansky 18

Shane by Diana Schaub 19

Casablanca by Abram N. Shulsky 20

A Few Good Men by Ben Silver 21

Dirty Harry by Michael Talent 22

Pride of The Yankees by Kenneth R. Weinstein 23

Reviews

Dead Wrong by Jeremy Rozansky

A review of Neoconservatism: An Obituary for an Idea by C. Bradley Thompson with Yaron Brook 24

The Science of Bad Philosophy by Joseph Bingham

A review of The Moral Landscape: How Science Can Determine Human Values by Sam Harris 33

What Rumsfeld Knows by Eric Wessan

A review of Known and Unknown: A Memoir by Donald Rumsfeld 36

Reflections from a Tiger Son by Cory Liu

A review of Battle Hymn of The Tiger Mother by Amy Chua 38

The Way Out by Nikolaj Zemesarajs

A review of The Wrong War: Grit, Strategy, and the Way Out of Afghanistan by Bing West 40

After The Fall by Martin J. Salvucci

A review of The Executive Unbound by Eric A. Posner and Adrian Vermuele 42

Flaw School by Tom Palmer

A review of Schools for Misrule by Walter Olson 43
very bleeding heart has his day, and we can only hope his day is as short as possible. On April 21st, the tallies of student government elections were released, giving two victories to the growing caucus for “socially responsible investment.” A resolution urging the creation of a Socially Responsible Investment Committee passed overwhelmingly while third-year Nakul Singh was elected Undergraduate Liaison to the Board of Trustees on the platform of “socially responsible investment.” These are only fleeting victories. A plebiscite is not binding and the student body has no authority over the University's endowment. It is merely a barometer of the self-righteous mood gripping the campus left and fellow travelers. We predict no future for the cause, but the University has surprised us before. To those who wish for such a body, we say that now is not the time to abandon the Kalven Report that has helped the University to mostly survive as a model of free-inquiry in eras of campus politicization. A Socially Responsible Investment Committee will cause every element of the endowment to be put to scrutiny, emboldening student activists as inquisitors. Some groups will push to divest from fossil fuels, others from sweatshop employers, still more from Israeli companies. Such measures would have little to no actual affect on the business practices or policies of the investments in question (if it is a profitable investment, another investor will merely take the University's place), but it will breed self-satisfaction among the rabble-rousers. The administration's policy should be clear: to provide the best education possible by maximizing its endowment. Whatever business practices students want to ban or countries they wish to sanction, they can pursue those ends as citizens of a self-governing nation. Activism must remain an extracurricular.

The reality of being in a major recession is finally starting to show its effects on campus. Recently, the University of Chicago Medical Center, after many months of deliberation, decided to close down its Trauma Center as a cost-cutting measure, choosing instead to redirect those funds towards “pediatric, neonatal, and advanced specialty care.” While eliminating this service seems rather cold and uncaring, the fact of the matter is that no South Side trauma center has been able to stay above water financially for any sizable length of time, and unless the state of Illinois or the city of Chicago are willing to bear the costs of it—something we sincerely doubt given our tremendous statewide deficit—then it cannot be the responsibility of the university to maintain a charity service. The fact of the matter is our endowment—what we need to maintain research at our university—shrank by over one billion dollars between 2007 and 2010, even though the school is admitting more students than ever before at one of the highest tuition rates in the nation. Economic realities, sadly, must mean cost-cutting. Perhaps those clamoring for the trauma center to remain open might suggest other means of revenue enhancement, and not silly things like cutting administrative salary, but serious things like raising tuition or eliminating the Uncommon Fund and other useless boondoggles. We won't hold our breath.

One should not be surprised that college students will exploit an occasion to throw a party. So when an operation of Navy Seals shot and killed Osama Bin Laden in Abbottabad, Pakistan on May 2, 2011, the Sigma Phi Epsilon fraternity organized a celebratory party entitled “America, F*** Yeah!” for the next night. Such celebrations may minimize the harrowing sacrifice of American soldiers and their families that has brought us to this symbolic victory. They may also neglect the sober fact of the evil that Bin Laden represents—an evil that remains despite his death. We do not take pleasure in this nation's graveresponsibility to do justice in a dangerous world. But put us on record as asserting that the vanquishing of a villain deserves good cheer. That the reach of American power now, as evident from this mission, is almost as great as our creed is cause for pride and jubilation. Perhaps juvenile, we find the simple patriotism of Sigma Phi Epsilon more decent than the rejoinder from some on campus who could not identify Bin Laden's death as a clear good and the American military as an arm of justice. Exuberance is not to be condemned, moral confusion is.
Equally intended for architects and statesmen, Edmund Burke advised that an addition should be “as nearly as possible in the style of the building.” The landscape of our campus for many years maintained this sense of place—when Cobb Hall was renovated, the façade was unchanged, even as a four-story building gained a fifth—but our view has suffered as expansion committees give in to fashions, many of which seem absurd today. While the cause of gothic architecture beyond the main quadrangle is today a pipe-dream, we can meekly suggest that new additions not be so given to trend, so loud. So we register our dissent at the new Mansueto Library, set to open this spring on the former sight of the tennis courts wedged between garish Max Palevsky Commons and the Joseph Regenstein Library which itself looks more like the offices of the Stasi than the traffic hub of campus. The Mansueto Library is supposed to be a biosphere for bibliophiles; to our tender eyes, it is a giant cyst on campus’ rear end.

The banality of campus sex may be a fact we cannot avoid, but we need not be proud of it. The problem with the undergraduate entrepreneurs behind uchicagohookups.com (now eduhookups.com) is that they seem proud of, or, at the very least, unbothered by the listless venture from lust to lust they now make available in a site hosting anonymous sex ads. It is, frankly, embarrassing that the champions of grim polygamy would come from our school. Is this because one can now elude the Symposium or Shakespeare’s sonnets in the revised Core? Still, this is not a simple victory for the cause of sexual amorality. A heavy majority of the ads (as one would expect) are men seeking women. Perhaps women still need to be wooed, courted, even. It may now be impolite to speak of morals, but that does not mean we no longer act on them. In fact, recent studies have suggested that our generation is more monogamous than our closest predecessors. Love, to quote the Bard, is an “ever-fixed mark,” anonymous sex ads cannot make that star opaque.

On April 22\textsuperscript{nd} and 23\textsuperscript{rd}, The Leo Strauss Center sponsored a conference celebrating the uploading and digitizing of the recordings of Mr. Strauss’ courses at the University of Chicago as well as Claremont Men’s College and St. John’s College from 1958 until his death in 1973. In addition to being one of the most original and important philosophers associated with the University of Chicago, Mr. Strauss was a gifted teacher, earning praise as an instructor from students ranging from Allan Bloom, A.B. ’49, A.M. ’53, Ph.D. ’55, to Susan Sontag, A.B. ’51. The audio files and transcripts, while an aid to those interested in Leo Strauss’ view of the history of political philosophy, are mostly a gift to the students of political philosophy generally. Recorded are enticing investigations into books of philosophers from Thucydides to Nietzsche. Some of us find ourselves wishing we attended a University of Chicago of a different era; a wish based less on thoughtless nostalgia than an intuition that other ages have better met the University’s promise. The Leo Strauss Center has given the contemporary student a resource for that promise.

Barack Obama is actually not the first president to have lived in Chicago’s Hyde Park. Ronald Reagan lived for a time during his childhood in a six story flat on the northeast corner of Maryland and 57th. The University of Chicago, as part of its hospital expansion is likely to knock down the structure in the years to come. While some may oppose this being done to the former home of an important historical figure, the right way to honor Reagan’s Hyde Park legacy is to accede to his bedrock belief in the importance of creative destruction. There is already a Reagan home and museum 120 miles west in Tampico and the 40\textsuperscript{th} President does not need another one in Hyde Park. Rather, the University should commission a statue on that very corner where the Gipper once lived. The statue should be of Reagan sitting at a table, listening to an important informal advisor: Milton Friedman. ♦
Bottled water falls into the category of “things that most people don’t care about.” After all, for most of our lives, we have been drinking bottled water without as much as a second thought. However, the University of Chicago’s Green Campus Initiative wants to change this. They want to reduce bottled water use on campus in the name of sustainability, citing, among other things, that bottled water transport requires burning fossil fuels; plastic bottles are piling up in our landfills; and other reasons that span the economic and administrative.

However, the bottled water push is just one facet of the sustainability movement on campus. As of February 2011, the University of Chicago Sustainability Council, part of the Office of Sustainability and the main coordinator of environmental events on campus, came up with the following definition of sustainability: “Sustainability embraces and pursues the precept that human well-being is ultimately sustained by the natural world, which is increasingly impacted by human activity. This calls for balancing development with attention to and investment in the health and productivity of the environment.” Pursuant to this goal, the group has started many other sustainability projects. Some are more well known, such as advocacy of Meatless Mondays and the creation of Earthfest. Others, however, are more obscure; promoting urban agriculture and the creation of SAGE (Sustainable Action for a Greener Environment), which educates students in the University’s sustainability policies and has them work on projects to promote green initiatives.

Preserving the environment is a worthy cause. However, the central argument regarding bottled water reduction so far has focused on the economic benefits of its substitute—tap water. As quoted in the Maroon, Students Against Bottled Water (SABW) leader, Joe Sullivan, emphasized the economic argument against bottled water, claiming that it the movement’s most persuasive point because “not everyone is passionate about the environment.” However, there are going to be individuals out there who would argue that people around know about the relative cheapness of tap water, yet still choose bottled water as a matter of taste. SABW and the other groups affiliated with the anti-bottled water movement have answered this question. They point out that that “40% of bottled water in the US is sourced from public tap water” and have set-up drinking booths at different University events where people, in a blind test, compare bottled water with tap water. The result is that people could not tell the difference.

It does appear, therefore, that within this movement is a strong desire to educate students about the economic benefits of drinking tap water. There might be some individuals who have never thought about this before, and, for them, what the campus sustainability groups are doing is instructive. However, it is unlikely that the majority of the student body and faculty have not already considered the economic arguments and the relative difference—or similarity, as the case may be—in taste of tap and bottled water. The formula cannot be as simple as tap water is free and tastes the same as bottled water; therefore, you should consume tap water. Economically, this makes sense. It is hard to believe that individuals would choose a relatively expensive substitute for a cheap one if there were no other factors involved. For example, some people may find bottled water to be more convenient since they can carry the water around and not have to look for a water fountain.

One of those factors, and one that needs to be addressed better than it has been by the sustainability groups pushing for bottled water reduction, is the belief that bottled water is healthier for an individual than tap water. To be fair, the anti-bottled water campaign has attempted to address this issue, citing the fact that bottled water...
water is less regulated than tap water. However, tap water is not without its own regulation and health issues. Part of the reason bottled water became so popular was that a 2009 study was released showing that tap water contained “315 pollutants,” that “more than half of the chemicals detected [in tap water] are not subject to health or safety regulations and can be present in any amount,” and that these chemicals included an ingredient of rocket fuel and arsenic. Thanks to this study released by the Environmental Working Group, a green organization, the US population found out that their common drinking water was going to kill them and decided that they should consume more bottled water.

Yet, has this point come up at all in the discussion about reducing bottled water use? After all, the Environmental Working Group found that the tap water supplied by the Chicago Department of Water Management contains fourteen chemicals in concentrations over health guidelines as well as twenty-one pollutants. But, as of February 2011, the Sustainability Council had only considered getting a FOIA request from the city regarding tap water quality. One would think that getting this information would be a top priority number when considering a campus wide movement designed to phase out water bottle use. At the very least, intellectual honesty requires that they deal with this fact.

I am sure there are other reasons why people drink bottled water besides just for reasons of convenience and health. Human preferences are complex, since they are personal. In fact, the entire economic argument against bottled water, as currently presented, is shallow, bereft of any true value, ignoring, as it does, the complexity of human preferences. It is one thing for the sustainability group to bring up points regarding the environmental impact of drinking bottled water, and try to influence students that way—in fact, I encourage such behavior as an exercise in true intellectual discourse—it is another to state that “tap water is free” and “tap water is the same as bottled water.” The first is obvious; the second is a matter of personal preference. These points are not influential or educational.

But why would they be brought up, then? The people who run the bottled water reduction campaign are not stupid, and they surely know that their economic arguments are shallow. The reason is found within the sustainability movement’s mentality that bottled water is an environmental evil, and, therefore, bottled water must go. It follows from this that those who drink bottled water, as contributors to this evil, are either evil in and of themselves or hopelessly misguided.

Understanding this intellectual premise provides the framework under which the mantras “tap water is free” and “tap water tastes the same as bottled water” should be considered. Firstly, they are unassailable statements. Tap water is free, and no one denies it. In addition, tap water, as has been shown, does taste the same as bottled water. But tastes and taste are two different things. The former is hard to quantify and, in many cases, hard to explain. The latter is relatively easy to prove, an item has either one flavor or another. But only looking at the surface, the environmentalists have a deceptively persuasive argument, consisting, as it does, of a stated fact and a gross simplification of human preference. In fact, one would have to be rather stupid not to accept their arguments, if one is immediately confronted with it—and that is the point. Considering how they framed their arguments, there is no way an individual can rationally choose to drink bottled water.

The National Association of Scholars issued a critique of sustainability online, citing nine points in which “the sustainability movement has gone wrong.” One of their points is that the sustainability movement seeks to stifle inquiry because of “its tendency to assume rather than argue its basic propositions.” The bottled water reduction campaign is a classic example of this. From their assumption that bottled water is an evil, they have derived an economic argument that is too simplistic to be educational, but, at the same time, deceptively persuasive enough to condemn those who drink bottled water as economic morons. And, for the sustainability movement, condemnation is their modus operandi when it has come to reducing bottled water. The Sustainability Council, for example, wants to give stickers to individuals with reusable water bottles, thereby creating a class of the environmentally conscious in contrast to the environmentally insensitive. Furthermore, the posters that hang above the water bottles in campus stores are clearly meant to arouse guilt, not intellectual debate.

There is no doubt that the individuals pushing for a reduction in bottled water use are well intentioned. But they are also idealistic, attaching to the environment a mystic position in their life. And, like all idealistic movements, they are prone to Puritanism and a belief in the absolute rightness of their agenda. From this stems the disturbing tendency of the environmentalist to hold more to dogma than debate. It is my hope that, at a school like the University of Chicago, which believes in debate and academic discussion, this sustainability movement's unfortunate tendency towards stigmatization rather than debate can be halted, and, in its place, an intellectual discussion about what will bring about true sustainability can take place. 📜

Counterpoint
Progress and Reaction
The Progressive Contempt for Politics

By Josh Lerner

No one has ever run for office on the promise of promoting the practice of politics in its most contentious form. The general wisdom emanating from mainstream political discourse is that the biggest problem in Washington today is not spending money on unaffordable entitlements or the threat of Islamic terror but rather rank partisanship and discord in the political process. Following the attempted assassination of Gabrielle Giffords last January, the political commentariat agreed that nothing short of a return to bipartisanship would prevent similar attacks from happening, that political discourse was the problem that needed a swift and stern remedy. Former Speaker of the House Nancy Pelosi even went as far to declare, “elections shouldn’t matter as much as they do.” It takes a very peculiar mindset to declare, as an elected official, that elections are an unimportant thing—it is, after all, a congressman’s raison d’être—but it is also a telling look into the mindset implicit in modern liberalism, one that decries the practice of politics while concomitantly placing primacy on the political. More concretely, the business and practice of politics specifically, and pluralism generally, are to be derided but, at the same time, decisions that are necessarily political must be placed above reproach.

This mindset concerning politics is one that is built on a few very powerful assumptions: that objectively knowable policy frameworks exist, that History is the best way to illuminate them, and that there are only two real positions in politics, forwards and backwards. The dichotomy between progress and reaction, as it is sometimes framed, is the conceit that often underlies assaults on conservative political positions; the language concerning conservative political initiatives usually is built on the idea that conservatives wish to take us back to a different and worse time in our history, that they wish to undo the great political achievements of the past century. The consequence of such propositions and assumptions about politics is the paradox of the ubiquity of politics in non-political life, and the denigration of politics as practiced.

Modern Politics for Progressives

The ubiquity of politics in modern liberalism is rather hard to avoid. Consider the ongoing series Jay Nordlinger, one of the most affable and witty associate editors National Review has ever had, has written about the phenomenon of politics emerging in places that it doesn’t belong. His series, entitled “Safe Zones Violations” details the myriad of ways in which liberals in essentially non-political lines of work—musicians, sportswriters, and artists are the worst—insist on not only bringing in contentious political issues at the most inappropriate times, but doing so in such a way that blithely assumes that no reasonable person could disagree. He has stories of 2nd rate sportswriters (a redundant description) needlessly using political figures as either the butts of jokes or the end of a poorly constructed metaphor, like the barely literate writer who declared that “The Jaguars’ front seven surrendered rushing yards as willingly as Dick Cheney admits to strategic errors in Iraq.”

Or consider the number of figures in the music industry will to prostrate themselves at the shrine of bland liberalism. Leonard Bernstein, my favorite 20th century composer, completely befouled himself by hosting “radical-chic” (as the inimitable Tom Wolfe described it) parties for the Black Panthers and other radical causes back in the 1960s. This is a phenomenon that is as old as radical politics itself; art and other essentially non-political enterprises become needlessly caught up in the

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This is the companion piece to my previous piece entitled “Understanding the Progressives.” Whereas that gave an overview of Progressive thought, this one deals with an overarching theme within Progressivism and fleshes out some of the ideas mentioned in the previous piece. Reading them together is not required, although that would make some of the sections of this piece more comprehensible.
The primacy of politics, ultimately, comes down to recognizing no force within the state—whether that is economics, religion, or culture—that is more important than the furtherance of the state. As such, pure politics becomes the only decision-making mechanism of any real tractable value to a state: whether or not any action is taken by the state must be evaluated on a political contingent alone. For the common good and not for his own ambition,” Justice, it seems, was no longer as important to statecraft as the consequences of one’s actions. But Machiavelli didn’t wholly embrace something like the primacy of the political. His vision was a different creature altogether. But his ideas did lay the seeds for what would blossom into the modern understanding of the political and its dominance in the modern world.
The next intellectual step was the codification of the state as something meaningful, something that is not a creation of bargains or chance, but rather a deliberate rational being. The state moves from social construction—or more precisely the form of the state moves beyond that—and into the natural realm. It is impossible to understand such statecraft without understanding the historicism of Hegel and other 19th century German thinkers. Hegel, in his lectures on History, first recognized in a serious way the idea that the state was neither a static creation of contracts—as Enlightenment thinkers argued—not a product of eternal cycles with ideals set in stone, as the classics argued. Hegel understood the state to be a product of historical development; he held that it existed as the creation of a dialectic historical process—in which forces of “contradiction and negation” play off each other to help progress society in a rational way—and, as such, had progressed from epoch to epoch embodying the greatest expression of reason for the era. “Truth is the unity of the universal and subjective will; and the Universal is to be found in the State, in its laws, its universal and rational arrangements,” he said, in Lectures on the Philosophy of History. “The State” he concludes “is the Divine Idea as it exists on earth.”

For Hegel, understanding the state in its own time and place meant understanding what was rational socially and politically. Deducing the course that history is supposed to take gives you special providence over what the future will hold. For Hegel, history and rationality were inseparable, and the only way to understand one was in the context of the other. He argued “that world history is governed by an ultimate design, that it is a rational process... this is a proposition whose truth we must assume; its proof lies in the study of world history itself, which is the image and enactment of reason.” Hegel, by placing reason in a historical context, as opposed to the universal one which had been the dominant definition up through then, made the wisdom and judgments of any particular era subordinate to future ones, not in that their reason was inferior per se, but that it was only fruitful to think of their work in light of what the dominant intellectual mode of their epoch was. Far from elucidating universal truths, ancient works only provided the context of their debates and thoughts.

Hegel's thoughts, or to be more fair to the philosopher, what his students thought he thought, led to ideas about the origins and progressions of statecraft. If Hegel's historical method, as Karl Popper famously claimed, could be used to justify any current power structure as “rational”, then his students took it one step further and decided that they could in fact move history in the direction they wished. If it were possible to know what history up until that point meant intellectually, what the flow of history had been in an objective way, then predicting what the future holds would surely be no different.

But this, although it is far more politicized than previous eras, still does not reflect how Hegelian historicism became the primacy of the political. For that, we need to step back for a second and ponder what it means to understand where history trends. If one can have perfect intellectual accord with history, then have a perfect knowledge of what the future needs to hold, politics takes on a very different meaning than in more traditional conceptual structures. How so? Through compartmentalizing roles within the political process as being part of something trans-historic, and pigeonholing people into these roles. Again, we must return to Hegel's dialectical historical method, in which he recognizes historical roles playing off of each other as best expressing the zeitgeist intellectually. Development and progress is impossible without this tension. But if you already know where history is headed, is such tension completely necessary?

This is where post-Hegelian theorists expand on his ideas. Hegel, if read in a very literal sense, would tend to dissuade any reform or revolution within a given regime, with the logic being that if the regime exists it must be a rational creation, and it must be deserving of its existence. This extremely conservative reading of Hegel does not engender a political platform except the furtherance of the existing state structure. However, if you read Hegel as demanding something beyond that, transcending this historical structure, and if, of course, you know how that needs to be done, then politics becomes your raison d'être. How does this work? If trans-historical ends become obtainable through acting in political ways, that you have the capability of diving the purpose of politics, then politics takes on a level of importance that is beyond the scope of just affecting policy. Achieving this proper political goal then becomes your calling, so it starts to partially define your existence. Taken to its logical extreme, the primacy of politics demands that nothing stand in the way of ultimate political ends, that, to promote the proper growth and maintenance of the state, nothing is beyond the pale. If politics becomes the only way to judge meaning and value, then existing limitations become irrelevant.

**A Progressive Embrace of History Necessitates an Elevated Role for the Political**

How does the primacy of the political relate to progressivism then? I will grant that although progressives are beholden to ideas about politics that do tend towards this complete politicization of everything,
they were not (and are not) proto-Carl Schmitts, the thinker most closely associated with defending the primacy of the political in Nazi Germany, nor are they hidden fascists. The extent to which politics is primary to progressives does not extend to the gas chambers, nor does it extend to a totalitarian state. But politics plays an unusual role within progressiveism, given the American context, and brings American politics far closer to something like Schmittian primacy.

These ideas are important because a large part of the modern progressive project has been the subjugation of standard moral judgments about actions, based on things like reason or revelation, to essentially political judgments about ethics. Consider the ethical standard that is “social justice,” a rather nebulous term that places what had been traditionally political issues—like inequality or the treatment of nonunionized workers—as essentially questions of ethics. Nonpolitical action must be guided, therefore, by a broader sense that justice is achievable through politics, that the just society is a political problem above all else. Realizing social justice, which has tended to take on a decidedly socialist flavor in the past, is to be the goal of politics, and society must subsume every other consideration to accord to a politicized sense of justice. Can the just be seen as something political? Can true justice be found only in the proper manifestation of politics? Social justice teachings would say as much, placing politics ahead of ethics by itself, because ethics depoliticized becomes less and less important. In that sense, politics becomes ubiquitous.

Bringing it back to the Progressives, the primacy of the political becomes only apparent when viewed through their larger policies and (this is crucial) in their justifications for their policies. The classic example is Woodrow Wilson, the eminent Progressive theorist and our 28th chief executive, who defended his more moderate reform agenda (when compared to Socialist Eugene Debs and Progressive Theodore Roosevelt) on the premise that “real social development” required an “active” state presence. As we shall see later, Wilson and other progressives saw the “end” of the state as being complete social development and the thriving of a united organic state under which ultimate fidelity and homogeneity would create a broader national community around the state. They wished to have the state become the centerpiece of their entire broad social community, and such a vision necessitates a holistic political approach.

If historical progress is the means by which Progressivism want to transform the American political system, then History was its justification. America, it had been observed, was the nation in which politics played the least central role in making personal day-to-day determinations. One of the central lamentations of many progressives was the absence of a strongly political culture amongst American citizens; American culture existed, and there were major political problems, but, save for the slave owners in the South, no one defined themselves primarily by a political conviction. American politics was narrowly constructed around the logic of Lockeian contract theory and Natural Rights, both of which posit politics as being subservient to a superstructure of either consent or nature. Commercial considerations were far more likely to define one politically then an overarching ideological framework. The justification for the American system was not an elevation of man’s personal beliefs to the point of making new politics, but rather to the balancing of man’s vices—their passions and interests—to create a sustainable system that does not require a reordering of human nature. The government, in the Founders’ constitution, was to be a reluctant leader, something that exists only because of the frailty of humanity, not because it is the epicenter of virtue. The overarching doctrine of American Constitutionalism can be summed up in the famous quotes from Federalist 51, in which James Madison declares: “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

Progressivism, then, rejects that statement as being completely beholden to the values of the 18th century, and not at all relevant to modern problems. Part of the Progressive agenda is accepting that government is necessary, but acknowledging that the progress we’ve made subsequent to the American Founding has rendered the restraints on government completely unnecessary. This is the origin of much of the Progressive contempt for restraint on their reason in the form of governance; in light of their belief in their knowledge of history, such impediments as built into the US Constitution seemed not only counterproductive but desultory.

Progressives brought with them from their studies at Germanic research universities the idea of the state as an organism, and the view that the progress doctrine they promulgated was the mechanism by which such an organism can evolve concomitantly with the changing world. Wilson, in his essay “What is Progress”, defined constraints on actors in a political body as drawn from “Newtonian” rather than “Darwinian” principles. Madisonian checks and balances, as Wilson puts it, fail because “government is not a machine, but a living thing. It falls, not under the theory of the universe, but under the theory of organic life. It is accountable to Darwin, not to Newton. It is modified by its environment, necessitated by its tasks, shaped to its functions by the
sheer pressure of life. No living thing can have its organs offset against each other, as checks, and live... There can be no successful government without the intimate, instinctive coordination of the organs of life and action.”

So, according to Wilson, government is an actual living breathing organism, and needs to be treated as such. As Joshua Hawley, an admirer or Theodore Roosevelt’s brand of progressivism noted, said about the ends of government: “The state would be the chief agent of the people’s sovereignty; the state would be the chief reformer of society; the state would ultimately be the bond that linked one citizen to another in an ever more diverse and pluralistic republic.”

Since such value was placed one the ends of government, such ideals were contingent on politics changing man. As was discussed earlier with the example of social justice, progressive politics implies a connection between the ethics of personal redemption with the political, meaning that ultimate redemption becomes possible only through the political. What this also means is that, since redemption is tied to government, one can count on government shaping the behavior and characteristics of the people. Human nature becomes something that is entirely malleable and mutable. A conception of human nature that has anything resembling constancy loses its relevancy for Progressives because of their belief in the temporality of politics. If political values can be defined by their epoch, then things that claim to be universal and unchanging are only true given that specific time and space: it’s the progressive criticism of the natural rights doctrine of the American founding, that it cannot be relevant today given its remoteness and the new challenges faced today, that informs their disbelief in the permanence of human nature. It is this belief in the malleability of human nature that provides Progressives with the justifications for their vision of politics as holistic, organic, and total, the primacy of the political.

In many ways, seeking redemption via politics is the quintessence of the primacy of the political. But once we have established that politics is of at least some primacy and provides a meaningful source of ethical values—again, think of any number of liberals or leftists who feel the need to politicize even the most mundane of consumer activities—we must move on to another very powerful conclusion: political primacy means the irrelevancy of the practice of politics.

It is rather well known that Progressives were rather contemptuous of common politics; they hoped to replace it with scientific administration of essential tasks. Frank Goodnow, a prominent Progressive political scientist, put it best when he said much of government:

“[S]hould be free from the influence of politics because of the fact that their mission is the exercise of foresight and discretion, the pursuit of truth, the gathering of information, the maintenance of a strictly impartial attitude toward the individuals with whom they have dealings, and the provision of the most efficient possible administrative organization. The position assigned to such officers should be the same as that which has been by universal consent assigned to judges. Their work is no more political in character than is that of judges.”

The idea that experts can be non-political here, that judges can be completely beholden to his proudest vision of non-partisanship, is the naked Progressive mindset. Politics is, at best, a distraction from the true business of government; the contentious debates and deal making only divert resources away from the true administrative ends of government. Experts, like Goodnow, already know (or can easily determine) what policies are to be pursued, so impediments to their direct implementation, like representative democracy, are things to be overcome.

One of the governing doctrines of Progressivism was that what they were engaged in was most explicitly not the practice of politics but something greater, something historic, something that would get us closer to a true understanding of man’s place in the polis. Nowhere in the progressive narrative, however, is there room for real disagreement. If your operating principles include the deduction of the course of history and the scientific impartiality of political judgments, then the value of pluralism becomes nil. If politics and ethics become inseparably intertwined, then those seeking to undo great political actions not only disagree with you, but are, if you take it to its logical extreme, doing evil. If tenable political achievements are the domain of morality, then by definition those seeking contrary political goals must therefore be agents of immorality. Seeing these things in such stark black-and-white terms may be unfair to Progressives at a practical level; no one thinks that progressives are going to start rounding up conservatives and send them off to Dachau, but the tendency to see politics in moralized terms and to structure your life around the political, is a phenomenon in this country that largely came out of the progressive movement.

So at some basic level, it seems that the primacy of the political and the practice of politics must always be diametrically opposed. If politics is concerned with ultimate cultural, social, and ethical considerations, then practicing pluralistic politics would tend, therefore, away from attaining meaning. The primacy of the political really turns politics into a religion, and Progressivism embraces this wholeheartedly. From the literal singing of Hosannah’s at the Progressive Party Convention in 1912—in which Teddy Roosevelt concluded his speech with a proclamation that “We stand at Armageddon, and we battle for the Lord”—to the modern pseudo-
deification of our current president, the religious aspects of Progressive political culture ends up treating alien ideologies like the Church treated heretics. Politicking and disagreements presuppose an ignorance of the ultimate course of history, because of a belief in the fallible vision of man. Madisonian republicanism keeps politics at under the purview of natural rights and real morality, something modern Progressives would be wise to heed. The conflation of politics with meaning necessitates destructive results politically.

The conflation of progressive politics with non-political life is one of the defining characteristics of progressivism. Ideological pronouncements about politics become synonymous with—or at least inseparable from—a worldview and lifestyle that defines an entire cultural subset. This reality is something that was found at the onset of progressive politics in the United States, and represents a stark break from the cultural treatment of politics present in the previous century. What made America unique was that we really existed ideologically in a rather constrained set; as numerous scholars of American political history from both the right and the left have pointed out, American ideology in the 19th century centered around the very narrow debate about the meaning of the Constitution and the extent of federal power. Progressives saw that debate as being completely immaterial to serious political debates, and as such they rejected completely the entirety of the 19th century political setup. It is why progressive political life has become devoted to altering the American political system; the justification for the conflation of non-political and political amongst American Progressives is built on the logic of competing interests and mediating institutions, serves no purpose to progressives at all, instead only acting as an impediment to History.

This devotion to altering American political destiny is why modern progressives are so beholden to claiming the language of history for their arguments. Nothing further delegitimizes an opposing argument then claiming that it is running contrary to history; if your policy is obviously the course that history will be taking, reactionary positions (itself a loaded term) and other orthogonal political views are completely worthless. The value of pluralism, which can conveniently defined by the “marketplace of ideas” framework promulgated by John Stuart Mill, diminishes to nothingness when “knowledge” of history becomes paramount. It is an implicit hostility to pluralism—further embodied by doctrines like political correctness and “hate speech” laws—that characterizes a particular dimension of the Progressive mindset, one that can, a priori, declare a position outside the “acceptable” norms. The intersection between political primacy and repressive toleration, a phrase that appears in a particularly noxious essay written by Frankfurt School philosopher Herbert Marcuse, better captures the seeming paradox of Progressive politics, in that the ideology of Progressivism is inextricably intertwined with Progressive ethics and meaning, while concomitantly denying the validity of pluralistic politics. Progressivism, by starting with the answers about the shape of government and the path it needs to take, has very little use for competing ideologies and, as such, wishes to greater marginalize the vestiges of parliamentarian style liberal democracy. Republicanism, built on the logic of competing interests and mediating institutions, serves no purpose to progressives at all, instead only acting as an impediment to History.

The legacy of Progressivism is our anti-political political class, that very special brand of pseudo-ideologues and technocrats who define what is an acceptable political doctrine and what is not. It is the culture that promotes, rather than shames, musicians and artists for making inane political statements in public. It is the culture that promotes certain foods over others because of the political causes supported by the company’s owners. The convergence between our overly political life, homogenized political elite, and the growing hostility to the practice of politics is the result. Hopes of returning to a more traditional American politics, one that is fidelitous to the restraints of the American Constitution and the natural rights doctrine of the Declaration of Independence, rests on re-separating politics from culture and ethics, and ending the idea that politics has real primacy. Operating in a constitutional framework requires rejecting the doctrines that lead to progressive political primacy. Cp

“If your operating principles include the deduction of the course of history and the scientific impartiality of political judgments, then the value of pluralism becomes nil. If politics and ethics become inseparably intertwined, then those seeking to undo great political actions not only disagree with you, but are, if you take it to its logical extreme, doing evil.”
Currently, the Middle East is aflame. It seems to be only fitting that the flame of revolution was sparked by an act of self-immolation. Countries as large as Egypt are realigning themselves, and not necessarily in a pro-American manner. As we contemplate the emergence of a new world order, we realize that the dictatorial regimes of the Middle East are not the only ones dumbfounded by the sudden spark of democratic initiative. This conundrum is also causing much trouble for the Obama administration in the U.S. As countries that range from Egyptian style faux-democracy to open dictatorships such as Libya and Yemen face pressure from revolutionaries, questions arise as to where U.S. loyalties are supposed to lie. A tension arises of idealism against pragmatism, of supporting a tyrant friendly towards the United States, or of supporting an oppressed people’s drive for democratic governance. However, there is one country in the Middle East that the United States need not worry about. One country that has proved to be an island of stability in the midst of the tumult and that, according to Mike Mullen, Chairman of the Joint Chiefs of Staff, remains “a vital ally and a cornerstone of our regional security commitments.” This country is Israel.

Israel is a liberal democratic nation in the Middle East that General David Petraeus claims is “an important strategic ally of the United States.” It is for this reason that Israel must be treated as a valuable component of ensuring the safety of America and its forces overseas. Recently, claims have resurfaced that supporting Israel is more of a hindrance than help. This charge is not new. In fact, Secretary of State George Marshall first made this claim when Israel was founded in 1948. It was made during the Nixon era, when Israel was seen as an obstacle to détente. It was made at the end of the Cold War when Soviet support for the Arab states ended, and the case for supporting a democratic ally in the Middle East became less defensible. It was raised after 9/11 when Israel was portrayed as an impediment to greater support during the military campaigns in Afghanistan and Iraq. And it is raised now again as the Middle East is in turmoil. Articles posted on websites ranging from Huffington Post to BBC Online even try to posit that supporting corrupt autocratic regimes is better than supporting free Israel. This, quite simply, would be a disastrous move not only for the United States, but for the cause of liberty and democracy the world over. Israel guarantees in its constitutional analogue, the Basic Laws, freedoms that are not seen anywhere else in the Middle East. Israel holds transparent, free and open elections in which members of any race or religion can be represented, and has party system that allows all voters, regardless of their social standing, to have a voice. Israel is a modern parliamentary democracy. Israel is undeniably more democratic than its neighbors.

One way in which Israel has been a vital partner to the United States is in dealing with matters of military strategic importance, especially in regards to the Middle East. Officially starting in 1983, the United States and Israel have had high-level military cooperation in a variety of ways. In addition to the Israeli Defense Force and Pentagon being in constant contact, groups such as the Strategic Dialogue group and the Defense Policy Advisory committee help to form reasonable ideas and solutions to problems that plague both the United States and Israel. Last year, Craig McKinley, head of the United States National Guard, visited and advised Israeli Home Front Command as part of a long-term partnership program promoting shared accord between the two nations. This past June, the Defense Policy Advisory Group made recommendations concerning Iran and Islamic terrorism, two existential threats to the state of Israel, as well as problems capable of posing quite a threat to American interests at home and abroad, using knowledge based on American-Israeli cooperation. Bob Detzel, a training officer in the United States Navy, explained the relationship as a “transfer of information. They tell us how to conduct operations and we tell them how we run our operations.” Israel has also shared its extensive intelligence on Iran’s nuclear capability with the United States shortly after the Iranian Nuclear program.

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was deemed to be a threat by the United States, allowing for the United States to build off of the groundwork already done by Israel. Without Israel’s help, valuable time would have been lost in the search for information already gathered. The U.S. military actually actively depends on Israel for human intelligence, especially where pertaining to terrorism and radical Islamic movements, in part because of Israel’s proximity to our numerous enemies and in part because of Israel’s extensive intelligence apparatus. Israel allows the U.S. to focus its efforts in a more efficient and efficacious manner.

In addition to valuable strategic advice, Israel also helps with United States security through a sharing of technology, savvy and general know-how. One example of this would be the joint creation of missile defense systems. The developed systems are often tested in Israel, protecting civilians before being expanded to protect Israeli and U.S. troops alike. The recently-concluded Operation Juniper Cobra served as testing-grounds for the new Arrow missile system. This system can shoot down incoming missiles at high altitudes traveling at supersonic speeds, and now the United States and Israel can effectively use the system in order to defend their nations’ borders, something particularly important given Iranian nuclear ambitions. But the joint exercise, which occurs once every two years (Operation Juniper Falcon takes place in the intervening year), is always valuable for both countries.

Another exceedingly relevant example of U.S.-Israeli cooperation is the digital defenses being developed that will be able to better protect the American people. The ability to communicate seriously has always been of absolute import during war time; Herodotus, the father of the study of history, wrote about runners who had to go 150 miles from Sparta to Athens in order to keep lanes of communication open during the Persian Wars. “Israel has developed and shared a system of computers, cameras and other digital devices that allow for significantly improving communication between troops and their officers. Israel also has been at the forefront of drone and unmanned aircraft research, helping the United States advance even further in a field promoting relatively safe missions that can help neutralize and track terrorists without risking nearly as many American lives.” While there may be more modern conveyances today, the importance of communication cannot be overstated in places of conflict. Israel has developed and shared a system of computers, cameras and other digital devices that allow for significantly improving communication between troops and their officers. Israel also has been at the forefront of drone and unmanned aircraft research, helping the United States advance even further in a field promoting relatively safe missions that can help neutralize and track terrorists without risking nearly as many American lives. This is especially important when battles are fought in unknown areas where the enemy has the “home advantage”. Drones have also been of enormous use in mountainous terrains of Afghanistan, allowing us to explore regions previously impenetrable with minimal harm. Improved technology allows for big picture thinking occurring simultaneously within the heat of battle, reducing significantly the infamously deleterious fog-of-war.

As dictatorships flourish and wither in the Middle East, one American ally stays strong and constant. There is only one country in which the American flag is raised with admiration and respect. There may be wide spread democratic revolutions in Lebanon or Saudi Arabia, as there have already been in Egypt and Tunisia, but one country which already has the freedoms being clamored for elsewhere is Israel. The State of Israel is an important strategic ally for the United States that shares not only the Western Democratic ideals of the United States, but makes a real and concrete contribution to American national security. Cooperation with Israel has made the United States a safer place, and has enabled the United States army to remain at the apex of international strength. Israel’s partnership and determination to maintain a state of free democracy surrounded by dictators is not only admirable, but it is also important for U.S. security.
A Symposium on The Great American Film

We asked students, faculty, and alumni to tell us which movie is the Great American Film and what that movie says about this country.

Up In The Air
By Kevin Jiang

When looking for the “great American movie”, we require one that not only provides a compelling story and powerful message, but develops to both reflect and define American life as we know it. It may seem strange to crown a movie so recent and relatively unheralded among the pantheon of great American films, 2009’s Up in the Air makes my list because of its unique portrayal of American life, and subtle commentary on middle America’s shallow and sheltered life. Far from the idealized, dramatized portrayals of American life seen in typical dramatic life comedies, Up in the Air provides a sobering snapshot of the simple pleasures and challenges that define everyday life for upper middle class Americans. At its core, Up in the Air is a comedic, but telling look into how the American dream can be dramatically corrupted by the complicated, fast-paced, modern America.

For the protagonist, Ryan Bingham (George Clooney), a constantly traveling business consultant who specializes in mass layoffs, relationships are nothing more than a burden on life that can only keep us from rising to our full potential. As he puts it, “Some animals were meant to carry each other to live symbiotically over a lifetime. Star crossed lovers, monogamous swans. We are not swans. We are sharks.” Ryan spends almost his entire life without permanent relationships. He has no long-term relationships and rarely even interacts with his sister. His house is almost devoid of possessions as his entire life is focused around his work and the travel that accompanies it. Ryan’s life is an extreme parody of the lifestyle that has somehow evolved out of the American Dream in modern America.

In the past, the American dream represented the ideal that, with hard work, any person could achieve great things. For Ryan, his life’s goal is to accrue ten million American Airlines frequent flyer miles, a highly ambitious, yet tragically shallow. With this as an underlying storyline, Up in the Air reveals that, rather than pursuing success for the betterment of themselves and their society, Americans, such as Ryan, are pursuing goals simply for their status. At some point in recent history, in the pursuit of greatness, Americans have lost touch with the idea that the value of performing impressive feats and reaching high status encompasses more than simply the difficulty of achieving that goal or the magnitude of such an achievement. Yet, even as Ryan represents some unforeseen pitfalls of the modern American dream, his foil, the young and idealistic Natalie Keener (Anna Kendrick) does little to redeem the modern American lifestyle. Introduced as a top graduate of a top-tier university, Natalie, through her plan to streamline layoffs via teleconferencing, epitomizes how out of touch most educated Americans, particularly the youth, can be with the realities of the working middle class world. In her pursuit of career perfection, she treats the workers she fires as nothing more than statistics, proposing that impersonally firing people over internet video would drastically increase the efficiency of the layoff consultants. Indeed, it is only after witnessing firsthand the anger and

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despair that “the newly unemployed” experience, that she begins to understand the impact her decisions make on real humans. While Natalie’s enthusiasm for love and social relationships stands in stark contrast to the Bingham’s cold pragmatism, she seems unable to grasp core American value of social dignity.

One might expect from a film of this genre, that, in the end, these troubled characters work out their problems. Ryan would learn to love, and Natalie would learn to empathize with those she fires. However, and this is what sets Up in the Air among the great films, nothing works out. Ryan continues to live a solitary, frequent flyer lifestyle; Natalie quits her job at the firm, overwhelmed by the emotional burden, and both still pursue the corrupted husks of the American Dream. In both characters, we see the tragic degradation of the American Dream where, despite their education promising talent, two ambitious young Americans lose touch with their social and human responsibilities in the pursuit of success.

Yet, Up in the Air does not end in doom and gloom for the American dream. The final sequence, one where real, laid off Americans (not actors) discuss their lives post-firing, gives hope that the American dream is not lost. They note that, while their lives were devastated, the firings have rekindled their sense of purpose and desire to work hard to provide opportunities for their children and families. In both exposing the modern deterioration of the American dream, while simultaneously foreshadowing the resurrection of the true American way, Up in the Air is surely worthy of the title “Great American Movie.”

On The Waterfront
By Josh Lerner

Equal parts drama and gangster film, Elia Kazan’s masterpiece On the Waterfront (1954) is as moving and powerful as it is brave and intense. At the same time, it is his moral reawakening that makes this film work. Based on the true story of the mafia infested New York shipyards, On the Waterfront tackles questions of hopelessness and corruption with a unique grace and dignity, personified by the wonderfully stoic Karl Malden as the beleaguered priest who is the only man left to see just how wrong things have become.

On the Waterfront begins, like many great films, with a murder. Terry Malloy, Marlon Brando in perhaps his greatest performance, witnesses the entirety of the heinous act but, as he is completely beholden to the morals of the mobsters who run the docks, is unable and unwilling to do anything. That is, until he meets Edie, played by the ethereal Eve Marie Saint, who calls to Malloy’s human side. Malloy, we find out, hasn’t always been the corrupt bum he is at the beginning of the film. He once was a great boxer, moving up the middleweight division and almost contending for a title shot. But, as he is rising through the boxing ranks, his brother Charlie (Rod Steiger) has become the lawyer for notorious mobster Johnny Friendly (Lee J. Cobb). Charlie, in the single great act of betrayal, tells Terry to throw the number one contender fight, essentially ending his boxing career before it begins. Now Terry, confronted with the failures of his past, finally has the chance to do right. The only issue is whether he is still good enough, human enough even, to do the right thing.

The central question of the film is the morality of testifying to the police at the expense of your friends and family. Kazan’s villains, a collection of nefarious mobsters and union bosses, capture the sheer normalcy of the corruption found at the docks. Implicit throughout the film is the indictment of inaction: Malden regularly chastises the non-corrupt members of the community as being just as guilty of the crimes as the mobsters themselves. Fear and oppression, however, are the modus operandi of the unions, and those who do speak up tend to end up in floating down the Hudson. Kazan brilliantly captures the environment of oppressive silence, a feeling that resounds in the unofficial motto of the docks: it is better to be “Deaf and Dumb” than dead.

But the single force that makes this movie great is Brando. On the Waterfront has Brando’s greatest performance, in which we clearly see both a man who is loyal to his brother Charlie even though Charlie ruined Terry’s fighting career by asking him to throw the fight, and a good Christian man ready for redemption. Were it not for his love for Edie he never would have found the courage to make a change.

The most famous scene from the movie—the oft quoted “I coulda been a contender” speech—shows

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Brando’s character come full circle. He finally confronts his brother over the decisions he’s made, over the lives they’ve ruined. He regains, through his love for Edie, a sense of self-worth and a conscience. No longer content to sit by as he sees the world drown in corruption, Malloy braves his own beating (not unintentionally designed to be something of a modern Passion play) to do what is right. Kazan, himself called to testify against his Hollywood colleagues accused of being Communists, defends testifying as the embodiment of justice. Solidarity is not about a class or what party you are loyal to, but rather to what is right and wrong. Brando’s Malloy, for all of his faults, is the great hero here because he has the courage of his convictions. The moral center of this movie provides us with as clear a vision of justice as does any film, and what could be more American than that?

**Apollo 13**

By Tod Lindberg

When I got Counterpoint’s invitation to participate in this symposium, the first thing I did was to drop a line to John Podhoretz to ask him if he was going to write about “The Godfather.” The answer, as you can see, was yes. I crossed that off my list and moved on to “Casablanca.” The editors informed me that Abram Shulsky was on Rick’s case, though they had no objection to duplication. I moved on without regret. The answer to the question of the great American film depends, after all, on whether the emphasis is on “great” or “American,” and on the sense in which one means “American”: made in America by an American (in which case “The Godfather”), or limning the archetypal American hero (in which case “Casablanca”), or somehow capturing the essence of the American spirit — in which case, I propose *Apollo 13* (1995).

There are many brilliant aspects to Ron Howard’s 1995 movie about the effort to bring a crippled spacecraft and its three astronauts back to earth. The casting was flawless: Kathleen Quinlan as Marilyn Lovell above all. Quinlan was then 41 years old, actually two years older than Tom Hanks, the star. The temptation if not the pressure to select a younger actress for the part must have been immense. But the real Marilyn at the time of the Apollo 13 mission, 1970, was about 40, a mother of four. Quinlan was the right choice.

The performances were uniformly superb, from Hanks down. Ed Harris plays the Houston flight director, Gene Kranz, to the absolute hilt. The screenplay crackles. It has in common with “The Day of the Jackal” the creation of extraordinary suspense despite an outcome known to viewers in advance.

And it is about persevering together and mustering all available resources in order to achieve a near-impossible objective. That’s its Americaness. It’s 140 minutes of can-do spirit. As Ed Harris says (though the real Gene Kranz actually didn’t say), “Failure is not an option.” When a NASA higher-up worries, “This could be the worst disaster NASA’s ever faced.” Harris/Kranz quickly and ingenuously replies, “With all due respect, sir, I believe this is going to be our finest hour.” And so it was. The crew of the *Odyssey* makes it home. Here, however, it is not the wiliness of an Odysseus that brings about the homecoming, but the unwavering dedication of a group of people working against all odds. Harris/Kranz: “Let’s work the problem people. Let’s not make things worse by guessing.”

It’s a great story and an America story, brilliantly rendered on film. It’s also a mostly-true story. *The* great American movie? In one sense, yes.

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The great American film is <i>The Godfather</i> (1972)—and it is not only the great American film, but the greatest of films. It is a peerless combination of the epic and the intimate, the grand set-piece and the small and quiet moment, and it features the most compelling figure the screen has yet seen in Michael Corleone, whose journey from war hero to mob boss is the cinema’s most perfectly realized character arc.

What <i>The Godfather</i> tells us about America is rather less clear; people have taken it over time to be an attack on capitalism, on America’s treatment of immigrants, and the like. Its co-writer and director, Francis Ford Coppola, made all that more explicit in the sequel, <i>The Godfather Part II</i>, which is a wonderful movie but far too on-the-nose (and ideologically dated with its rapturous depiction of the Communist takeover of Cuba). None of that is
really central to *The Godfather*, which is, at its core, about the choices family imposes. Michael Corleone wants to be free of his family’s criminality, but the assassination attempt on his father awakens a more atavistic hunger in him. The moment when he lifts the gun to kill the man who sought to kill his own father—thereby consigning himself to a fate he had sought to escape—is an example of what the movies at their best can do better than any other medium. They can zero in on a moment in time and through the coordination of sound and picture and performance, make it as vivid as your most painful memory or most haunting dream.

The most interesting thing about *The Godfather* is that it is a very faithful rendering of a very enjoyable but disposable novel. That novel was somehow transmuted into a great work of popular art. That tells you something about novels and movies, which is that serious readers need more from books than moviegoers need from movies.

**Patton**

By Jeremy Rozansky

That the signers would pledge their “lives,” “Fortunes,” and “sacred Honor” proved as important a line in the Declaration of Independence as their statement of creed—“Life, Liberty, & the Pursuit of Happiness.” Those rights could only be secured by the collected brawn of the colonies. To the signers, it was not merely a risk, but a risk staked on “sacred Honor.” There was, in America’s first moment, a sense of the special dignity acquired in battle.

This sense resurfaces in the biopic of, perhaps, its greatest American proponent, General George S. Patton. *Patton* (1970) locates with precision the small ground between failing to recognize greatness and hagiography. General Patton, “Old Blood and Guts,” is the most charming of fanatics, with an overconfidence and old-worldliness that is bound to bristle against the American grain.

For a movie that opens with a full projection of the American flag, its first words are, in many ways, un-American to the core. Patton, whose complexities are captured with an easy accuracy by George C. Scott, rises to the dais to address the Third Army. “Americans,” he proclaims, “traditionally love to fight. All real Americans love the sting of battle.” This is as untrue now as it was in the days of isolationism. Democracies do not love a fight; they love peace and prosperity, acquisition and the enjoyment of freedoms. Patton favors war over peace, teamwork over individuality, zeal over moderation.

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The arc of *Patton* is a familiar one. He brilliantly commands American forces against the Nazis in Northern Africa. While his hubris gets the better of him in the next campaign, Sicily, it isn’t what does him in. It is his stubborn sense of honor so at odds with the pity essential to democratic regimes. He repeatedly slaps a soldier suffering from what we would today call post-traumatic stress disorder. To Patton, there is no such thing. There is only bravery and cowardice, and cowardice is to be scolded. Patton finds himself in the wilderness because of the incident, too politically radioactive to be given a prestigious assignment. It is only because the Allied armies need his brilliance that he is again put at the head of an army. Patton never changes; only the circumstances do. As such, Patton heroically commands the Third Army, lifting the Allied forces from a moment of inertia, but, when the war ends, Patton again clashes with American sensibilities. He wants to press forward the war against Russia and claims the Nazis to be just a political party, “like the Democrats and Republicans.” He is in the wilderness again, with no war to fight. The Nazi’s psychological profiler says it best of Patton: “The absence of war will kill him.”

Yet, it is unqualifiedly clear by the end of the film that Patton was as responsible as anyone for America’s victory in Europe. As much as it may grate against our democratic consciences, we need a few “Old Blood and Guts” in every generation.

America cannot be a nation of only acquisitionists and materialists, with no sense of history or destiny. Remarkable times call for remarkable men and democracies, by empowering the everyman, run the risk
of lauding the mundane. It is up to men who believe they are the reincarnation of history's great warriors, who marvel in regalia, who take honor too far, and who can spit “God, how I hate the 20th Century” to take us through the most trying of human endeavors, war.

As these are the most trying of endeavors, wars also exhibit the most profound possibilities of human greatness. *Patton* shows an American audience greatness, and, perhaps more importantly, our own uncertainties about greatness, about the “sacred Honor” of our founders. The movie’s last words are “all glory is fleeting,” but that there even is glory is the broader point.

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**Shane**

By Diana Schaub

"Is our West ultimately more a civilization or a kind of human being?" This question is raised by Eva Brann at the end of a wonderful essay, “The Empires of the Sun and the West,” in her recent book *Homage to Americans*. Evidence that the West is indeed defined by a particular human type is provided by the whole genre of movies called “Westerns”—movies in which civilization is scarcely present though a certain kind of human being, the “Odyssean individualist,” is central. When civilization is the merest veneer of clapboard, it is character that counts and that prevails.

If America is “the West’s very West” then the American West is West even of that and the genre of the Western is its poetic epitome. To my thinking, the greatest Western (and thus the greatest American movie) has always been *Shane* (1953).

While Shane is the hero, as the title plainly indicates, it is also true that the movie indicates very sensitively the nature of the emerging American civilization. The relationship between self-reliant individualism and the possibility of a decent, law-abiding community of equals is complex and not without serious strains and ambiguities. For those who haven't seen this classic Western, the conflict in *Shane* is not between the native peoples and the new arrivals but between two types of white settlers. The hard-drinking, unmarried, ruffian ranchers (who've been in the West longer) are pitted against the sober, married, security-minded farmers. Ranchers and farmers represent alternative foundations of political order. The victory goes to the farmers, but only because Shane, a gunslinger gone good, puts his expertise in the service of the new order based on families. The battle is seen through the eyes of a boy, a sort of American Telemachus, with a boy's fascination with guns and status. That boy, and all the American boys who listened, received an education in the true meaning of manliness. As it happens, a very large part of that education was a lesson about the subordinate status of manliness. War is for the sake of peace.

This message is by no means unique to *Shane*. In fact, one Western after another demonstrates that proper male honor is in the service of women and children. The genre of the Western assisted in the domestication of the American male by giving it an imaginative basis (just as Homer's *Odyssey* perhaps assisted in the taming of the Greeks). Although Shane himself disappears into the sunset (his Penelope being already the wife of another), the boy will return to hearth and home knowing now that true security requires a willingness to hazard one's life in defense of a worthy way of life.

Watching *Shane* today, we are reminded of the needfulness of the manly virtues (something a feminized age prefers to forget). Courage is far from being the sole or the highest virtue, but it is a virtue, and one that civilization can not survive without. We are often told today that men are biologically disposed to violence; however, that disposition is also usually regarded as lamentable. Perhaps the incorporation of young males into the body politic would be more successful if our attempts to harness them also honored their natural spiritedness.

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Rick is quite drunk when he utters these words, evidently during the first week of the month. On the surface, they don’t quite make sense, but, as they say, *in vino veritas*: America is soon to be jolted awake and thrown into the war already raging in Europe and Asia. And, by the end of the movie, Rick himself has entered the fray, a development that the highly civilized and committed anti-Nazi fighter Victor Laszlo sees as decisive: “This time I know our side will win.”

The Rick we meet in *Casablanca* (1942) is characterized by cynicism toward other people and their problems and toward moral sentiments generally: when warned by French police chief Renault not to help a dealer in black market visas, he assures him: “I stick my neck out for nobody.” When the pitiable Annina asks him about dealing with the lecherous Renault, who is willing, for a non-monetary price, to facilitate her and her husband’s escape from the war-torn Balkans, his advice is abrupt and cold: “Go back to Bulgaria.”

Furthermore, his past is dubious. Speculating on the reason why Rick hasn’t returned to America, Renault mentions three possibilities: embezzlement of church funds, an affair with a senator’s wife, and murder. Rick’s laconic answer is amusing but unlikely: “It was a combination of all three.” In fact, the only thing we really know about Rick’s American past is that, in 1930, he – along with many other Americans – was looking for a job.

Nevertheless, Rick had been something of an idealist. In a conversation with Renault, he implies that mercenary motives led him to fight against Franco and to help Ethiopia resist fascist aggression, but the Frenchman doesn’t buy it: “The winning side would have paid you much better.” He cynically, but unconvincingly, attributes this pattern of helping the underdog to his “never [having been] much of a businessman.” As a result of these activities, he is wanted by the Germans, necessitating a hasty flight from Paris on the eve of its fall.

Rick is a disillusioned idealist whose policy is one of “isolationism.” The cause is his having been jilted by the young and beautiful Ilsa Lund, just as the two lovers were about to leave Paris to escape the advancing Germans. It is only when, in the course of the film, Rick comes to understand the reason for her abandonment of him (that she was secretly married to Laszlo and that, having believed him dead, she suddenly found out that he was ill and hiding in the outskirts of Paris) that he is able to recover his previous idealism and join the Allied cause.

By the end of the film, the three main male leads (Rick, Renault and Laszlo) are united in the fight against Nazism. Renault seems annoyed by Vichy’s subservience to Germany, which grates on him. While we appreciate his simple patriotism, he is fundamentally a comic character.

Laszlo, however, is an ideologically committed intellectual, able by means of his rhetorical abilities to stir large numbers of people to action. Unlike Rick, his commitment to the anti-Nazi cause is consistent – and has been undertaken at great personal risk. How is it that Rick, and not he, is the hero?

This brings us to the film’s dramatic core: the love triangle among Rick, Laszlo and Ilsa. Laszlo’s love for his wife is clearly genuine, but seems bloodless. As he has to remind Rick, “Apparently you think of me only as the leader of a cause. Well, I am also a human being.” (Emphasis supplied.)

This characteristic is demonstrated when Laszlo claims that he had intended to leave Ilsa behind in Lille and Marseilles when, for various reasons, she hindered his ability to travel: “I meant to [leave you], but something always held me up.” Immediately after this rather shocking statement, he apparently incongruously adds: “I love you very much, Ilsa.”

We understand the connection: his love for his wife and concern for her safety leads him to say what sounds very much like the opposite, in a vain attempt to convince her to leave for America without him. (A visa might be obtainable for her, but not for him.) Confronted by her refusal even to contemplate this, Laszlo argues that one
spouse ought to be willing to abandon the other when necessary.

This makes sense if one looks only at the political commitment. When Ilsa pulls a gun on Rick in an attempt to force him to help Lazlo and her escape, Rick dares her to shoot: “If Laszlo and the cause mean so much to you, you won’t stop at anything.”

But the cold rationality of Laszlo’s argument also makes clear the disconnect between his political commitment and his personal feelings. Her enigmatic reply to his profession of love – “Your secret will be safe with me.” – is hard to interpret, but it seems to recognize that the primacy of his ideological conviction prevents him from accepting his love for Ilsa as an integral part of his personality.

Rick, by contrast, is, to use Tom Wolfe’s phrase, a man in full. His passion goes to his very core, and, when he sacrifices his love for the greater political good, he does so without having in any way to deny it or call it into doubt. He is not as “good” a man as Lazlo, but his goodness is instinctual. The examples of love that he encounters (Annina for her husband, and Laszlo for Ilsa) are sufficient to break the bonds of his bitterness and enable his basic goodness to become effective.

America, too, was able to regain its idealism after the disappointment surrounding the aftermath of the “war to end all wars” (the mauling of Wilsonian idealism in the course of negotiating the Versailles Treaty, to say nothing of the disastrous economic consequences of the war) and to enter wholeheartedly into the fight against tyranny.

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**A Few Good Men**

**By Ben Silver**

It is not quite clear what to look for when trying to find a distinctly American movie, but, undoubtedly, one that stresses the return of America to its original principles ought to fit nicely. In that regard, *A Few Good Men* (1992) proves to be an appropriate candidate for the title considering its emphasis on honor and accountability—two beliefs held dear in America’s youth but abandoned in exchange for personal gain during the latter half of the twentieth century.

The movie tells of the trial of two enlisted Marines, Harold Dawson (Wolfgang Bodison) and Louden Downey (James Marshall), who are accused of murdering one of their fellow corpsmen, Santiago. Their JAG lawyers, Daniel Kaffee (Tom Cruise) and JoAnne Galloway (Demi Moore) are charged with defending the Marines by showing that two of their superior officers, Jonathan Kendrick (Kiefer Sutherland) and Nathan Jessep (Jack Nicholson), had ordered Dawson and Downey to assault Santiago, and that the death itself was an accident.

Aside from being a moral struggle and a tale of redemption, *A Few Good Men* is, at its very core, an exposition of what it means to be honorable. Before the trial begins, Kaffee negotiates a plea bargain deal with the prosecution amounting to six months in prison for both Dawson and Downey. Dawson, a man completely adherent to his principles, refuses the deal proclaiming, “I believe I did my job. I will not dishonor myself, my unit, or the Corps so I can go home in six months.” The fact that Dawson and Downey decide to press their luck by going to trial, facing a high chance of conviction and then prison, is a testament to the film’s statement that honor should be the central creed of each and every person, especially members of the military.

In the wake of Vietnam and during the First Gulf War, when narratives of American combatants related stories of civilian abuse and general misconduct, *A Few Good Men* calls for the reinstatement of honor in the American military and, thereby, society at large.

As much as it is about honor, *A Few Good Men* is just as much about bringing justice to individuals who commit wrongs, even those who command authority. Though Jessep actually ordered the assault which resulted in Santiago’s death, he covers up his involvement and more or less condemns Dawson and Downey to an unjust conviction. In the trial, Kaffee attempts to show that Jessep definitively did give the order, and is therefore responsible for the murder. Kaffee works Jessep into a fervor, prodding him with questions and asks for the truth of whether Jessep ordered the assault on Santiago.

Jessep responds with one of the most famous and lasting lines in cinema: “You can’t handle the truth!” Jessep attempts to maintain his innocence in this legendary line, but in doing so realizes the inevitability of being brought to justice. Jessep then quickly admits to his involvement in Santiago’s death, and he is finally held accountable for
his crime. The movie shows that high-ranking individuals are not outside the rule of law, especially those in the military who can hide behind their subordinates.

Though accountability, especially in the governmental arena, and honor are not in and of themselves distinctly American ideas, they are still elements of American society that, at least superficially, we still hold dear in the present. The fact that A Few Good Men calls attention to them confirms the realization that Americans have lost those values, such as with military actions in Vietnam or even the lack of accountability for corporate executives who caused the decline in the American economy in the late 1980’s. And in calling attention to the reality that America has, to a degree, abandoned the ideals of accountability and honor, A Few Good Men presses for the restoration of those values which helped found our nation and shape our government. In that sense, A Few Good Men is a distinctly American movie.

Dirty Harry
By Michael Talent

There are few lines in American cinema as well known as that uttered by Inspector Harry “Dirty Harry” Callahan, “You’ve got to ask yourself one question, ‘Do I feel lucky?’ Well, do ya punk?” Delivered by actor Clint Eastwood, staring down the barrel of a .44 Smith and Wesson, the line is as memorable as the movie itself. In brief, the story is about a loose-cannon cop who hunts down a vicious serial killer, called Scorpio—played by a creepy Andy Robinson—in San Francisco. One of the most stunning scenes of the film occurs when Callahan is tasked with delivering a ransom to Scorpio in order to save a kidnapped girl who is buried alive. Scorpio, wearing a ski mask, attacks Callahan and, standing over him, whispers that he has decided to let the girl die. The scene viscerally displays the acting skills of Robinson and Eastwood, and serves the underline the depraved nature of Scorpio.

In fact, the entire cast portrays their characters very well. However, it is Eastwood’s portrayal of Detective Callahan that makes the film great. Eastwood’s acting shows Callahan’s black-and-white attitude towards crime is hidden behind a stoic demeanor. One of the most remarkable scenes in the film is when he finally catches Scorpio. After shooting the killer’s gun out of Scorpio’s hand, Callahan trains his revolver on Scorpio while saying his famous line. With a snarl on his face, Callahan spits out, “Well, do ya, punk?” This, more than anything, reveals Callahan’s contempt for the criminal and his desire to kill him.

The brutality and tenacity with which Callahan goes after Scorpio is memorably stunning, even by the standards of today’s cinema. For example, Callahan tortures Scorpio by pressing his foot against a bullet wound he had given the man in order to find the location of a girl Scorpio had buried alive, all after he had illegally entered the man’s residence. Yet, the film does not portray this act as wrong. Scorpio is beyond deranged—randomly killing people and hijacking a school bus—so when Callahan does “violate his rights,” there really is no sympathy for him.

This was, and is still, a controversial message. The film was made in 1971 when the Supreme Court was expanding the constitutional rights of criminals through rulings like Miranda, and is a reminder that the Bill of Rights, in addition to protecting the law-abiding citizen from government abuses, also protects killers like Scorpio. George Orwell’s old adage that “we sleep safe in our bed because rough men stand ready to visit violence on those who would do us harm” is clearly on display in Dirty Harry (1971).

Roger Ebert, in his review of Dirty Harry, says that movies reflect ideas in society, and then uses this to claim that the “fascist” tendencies of Dirty Harry are present in America. I have to disagree with him. What Dirty Harry reflects is the idea that criminal elements need to be removed, and that it is possible to go too far in preserving rights. What Dirty Harry shows is that, while we would like to live in an ideal society where we can respect the rights of others, sometimes it is impossible; sometimes, there are individuals who are just so evil that it takes an individual willing to bend the rules, to do something that we would find distasteful, to stop that person. This is not a fascist idea; it is just reality.

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Pride of the Yankees
By Kenneth R. Weinstein

Pride of the Yankees (1942), the biography of the Iron Horse, New York Yankee slugger Lou Gehrig, and starring Gary Cooper and Teresa Wood, is the Great American Film.

Yes, the film explores distinctly American themes: immigrant life in New York City, assimilation through the great American pastime (a game Gehrig's German-born parents can barely comprehend), hard work, love and Gehrig's goodhearted naivete, so typically American, especially in the face of the locker room pranks by his crasser and more worldly teammates, including Babe Ruth.

But the film's real focus, as it were, is the American character as embodied in the Iron Horse. Through hard work, Lou Gehrig becomes the greatest hero of the game of baseball. Gehrig becomes the embodiment of a distinctively American work ethic, playing nonchalantly in 2130 straight games, despite pain and countless injuries, and, eventually, the illness that would claim his life. His athletic excellence, humility, and strong leadership through quiet example, are a model for us all.

Through the film's vignettes culminating in the diagnosis with what would later be called “Lou Gehrig Disease,” we come to see a man who faces adversity and challenge yet never complains. He prevents others from seeing his pain and sorrow, shielding his fans, his teammates, his parents and his beloved Eleanor from his rapidly declining condition.

Even the most cold-hearted of Red Sox fans can’t help but be brought to tears at film’s finale on “Lou Gehrig Appreciation Day” (fittingly July 4, 1939), when Gehrig, standing before a microphone in Yankee Stadium between the great Yankee teams of the 1920s and 1930s, declares himself, in his immortal words, before a standing room only crowd, to be “the luckiest man on the face of the earth.”

Gehrig is one of the greatest of American heroes, never boastful in his astonishing feats and never embittered when dealt fortune’s bad fate.

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Stand athwart campus yelling “Stop!”
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Articles and Book Reviews for the Autumn 2011 Issue are due Sunday, October 16th

Email counterpoint.chicago@gmail.com to let the editors know in advance.
I first heard of Leo Strauss my freshman year of high school, when a liberal friend mentioned a documentary she watched that revealed that this professor, Leo Strauss, was the original font of neoconservatism, and hence the secret mastermind of Bush Administration policy. As a neoconservative sympathizer, I shrugged off the claim—if I had never heard of him then he couldn’t be too influential. A year and a half later, during the summer before my junior year, I was reeled into a discussion about the then ongoing Israeli invasion of Lebanon. A Berkeley undergraduate connected Israel’s response to American neoconservative foreign policy and proceeded to tell a story of neoconservatism beginning with a professor of political philosophy at the University of Chicago, Leo Strauss, and his belief that political leaders should tell Noble Lies to obtain power.

These two incidences were not accidents. To the left, it was clearly impossible that the decision to go to war in Iraq was based on elected leaders’ perception of national interests. Such an interpretation was altogether too mundane. It must be Crusaderism, or filial vengeance, or Leo Strauss.

That Leo Strauss inspired a small, secretive group of second tier Bush Administration officials to puppeteer the militarization of America made its way from the web postings of Lyndon LaRouche and Lew Rockwell to articles in The New York Times, The New Yorker, and Le Monde among others. Tim Robbins even scripted a play, Embedded, in which the war masterminds follow an autoerotic episode with an “All hail Leo Strauss!” salute.

As will become clear, this is all nonsense, but that does not mean that Leo Strauss does not have a role within the rise of what has been called “neoconservatism,” a strain of conservative politics most identified with the impetus behind the Iraq War. After all, neoconservatism’s “godfather,” Irving Kristol, identified Strauss as one of his two chief influences. Clemson professor C. Bradley Thompson, with the aid of Ayn Rand Institute president Yaron Brook, meticulously inquires into the question of just what neoconservatism is and what Strauss has to do with it, in their recent book Neoconservatism: An Obituary for an Idea. From the title, it is obvious their book is hostile to neoconservatism like the other nonsense works of the past decade. For those who do not notice the tombstone for neoconservatism on the cover, the first few pages make it clear that neoconservatism is not yet dead, but that Thompson and Brook wish to kill it. What is most unique about their book is that, as far as I know, theirs is the first major examination of Strauss and the neoconservatives that comes from the right—albeit from an American conservatism in the uncompromising mode of Ayn Rand. The aforementioned articles and books like Shadia Drury’s Leo Strauss and the American Right come from the left, or, in the case of the LaRouchians, Mars.

Thompson believes these previous attempts are mostly inane. He seeks to analyze neoconservatism as “a comprehensive and integrated political philosophy
with its own system of metaphysics, epistemology, ethics, and politics” and he locates its roots in a detailed, which is not to say careful or correct, reading of Strauss. An Obituary for an Idea begins with a description of the neoconservatives as ad-hoc power-seekers and fascistic virtucrats, continues to identify Irving Kristol as a secret Straussian, and reads Strauss’ political philosophy as that of ad-hoc power-seeking and the fascistic imposition of virtue, a synthesis of Machiavelli and Plato. The discussion of Strauss, in turn, helps us realize the “hidden core” of neoconservatism and the full extent of “the threat posed to this country by neoconservatism,” especially to America’s founding principles. He is wrong on all accounts.

**What is Neoconservatism?**

Thompson correctly admits the basic methodological problem of the study of the neoconservatives and what they believe: it is not so clear just who is a neoconservative and who is not. For one, the neoconservatives are not self-defined—the title was coined as a perjorative by the socialist writer, Michael Harrington. Many of the neoconservatives who Thompson refers to would dispute the label. In addition, many neoconservatives wrote in the mid-nineties that neoconservatism was dead—it had been absorbed by the larger conservative element in American politics and they were now indistinguishable. Thompson, to an extent, agrees, but views this as a mutation of American conservatism into something new, something that originated with the neoconservatives.

The neoconservatives were a group of intellectuals who broke with the left over the aftermath of the Civil Rights movement (policies like busing and affirmative action), the failure of the campus left to make moral claims—an enforceable claim—to their entitlement. “Welfare recipients have a legitimate right to a certain level of government services, that, to Kristol believes the people have an inalienable ownership claim—to their entitlement.”

By minimizing the role of the neoconservative social scientists, Thompson neglects two essential aspects of neoconservatism: its embrace of empirical methods and its emphasis within these methods upon the “Law of Unintended Consequences.” By neglecting their modest empiricism, Thompson can make the neoconservatives both more Straussian (Strauss was no friend of positivism and social science) and more confident in the powers of government.

For Thompson, the neoconservatives are the opposite of the principled opponent of modern, expansive government that a conservative should be. They are statists and relativists, indistinguishable from liberals only by degree and the depth to which they conceal their true agenda.

In 1976, Irving Kristol penned an article entitled “What Is a Neoconservative?” that articulated the few ideas that distinguished the neoconservatives. The first political tendency is that “Neoconservatism is not at all hostile to the idea of a welfare state… it approves of those social reforms that, while providing needed security and comfort to the individual in our dynamic, urbanized society, do so with a minimum of bureaucratic intrusion in the individual’s affairs.” They thus opposed the Great Society but accepted the New Deal, seeing the Great Society as inducing the “paternalistic state.” The state may buffer the pangs of the market, but it should not be so arrogant as to try and solve social problems once and for all. The result of such arrogance would be a coddling, inefficient, and unaffordable state.

Thompson over-interprets Kristol’s many statements like this. When Kristol rejects the thesis of F. A. Hayek’s The Road to Serfdom—that the inevitable consequence of central planning is the demise of fundamental political freedom—Thompson accuses him of being a meliorist and unskeptically endorsing state expansion. Kristol writes that

> In our urbanized, industrialized, highly mobile society, people need government action of some kind if they are to cope with many of their problems: old age, illness, unemployment, etc. They need such assistance; they demand it; they will get it. The only interesting political question is: How will they get it?

Thompson hones in on the word “need” here to indicate that Kristol believes the people have an inalienable right to a certain level of government services, that, to quote Thompson, “Welfare recipients have a legitimate moral claim—an enforceable ownership claim—to their entitlement.”

James Q. Wilson, Seymour Martin Lipset, and Richard John Neuhaus are barely mentioned, while Aaron Wildavsky, Michael Novak, and Daniel Patrick Moynihan never appear.

Counterpoint
Thompson is trying to deduce Kristol's complete understanding of why the welfare state can and should exist. This is especially strange given that he spends a good portion of the book discussing how the neoconservatives do not have axiomatic political beliefs. Indeed, a search through Kristol’s corpus will review no such proof. The welfare state, according Kristol, is with us for better and for worse. Policy suggestions must view the world as it is, including political factors like the popularity of, say, Social Security. Conservatives, Kristol believes, have no political future if their aim is to disassemble the welfare state. Yet Kristol's support for some sort of welfare state is not merely tactical, there are virtues to it. It is an example of generosity and mercy. Its major vice is not its lack of strict constitutional legitimacy but that it creates dependency. So Kristol envisions a welfare state that lessens its vices and strengthens its virtues. The conservative welfare state does not create dependency, but rather promotes responsibility.

Just as neoconservatives don’t regard the welfare state as wholly evil, they don’t regard capitalism as wholly good. Kristol gave two, not the full three cheers for capitalism. Thompson demands all three; two is as good as none. In the tradition of Adam Smith, Kristol saw capitalism chiefly as a moral system. It provides moral goods like training in responsibility and thrift, political freedom, and, yes, the moral good of previously unimagined prosperity. Kristol’s criticism was not based on the usual targets of inequality of results or the possibility of exploitation. Instead Kristol found the profit motive morally lacking and given to subjective, personal understandings of the good. He saw rampant nihilism as a symptom of the inadequacies of a system based on the profit-motive. Capitalism needs to be buttressed by institutions that fostered other valuable virtues like courage, discipline, and generosity. Capitalism thus needs religion. “Kristol found the profit motive morally lacking and given to subjective, personal understandings of the good. He saw rampant nihilism as a symptom of the inadequacies of a system based on the profit-motive. Capitalism needs to be buttressed by institutions that fostered other valuable virtues like courage, discipline, and generosity. Capitalism thus needs religion.”

We believe it is both necessary and possible to establish an absolute, permanent, certain, and secular moral code that grounds individualism and economic laissez-faire and that is derived from and consonant with man's nature as a rational and volitional being. Interested readers will find this demonstrative science of ethics presented in the novels and nonfiction writings of Ayn Rand. [original emphasis]

Although this footnote comes in the conclusion, Rand's penumbra is present throughout. Every admonishment for the neoconservatives is based in the fact that they are not sufficiently Randian. He thus argues past the neoconservatives again and again.

One such example concerns the role of the state in the perpetuation of moral behavior and good character. Thompson articulates the conservative ethos in statecraft as “if done properly, human nature and traditional values can be ‘incentivized’ with the proper inducements and guidance, and that social reform is therefore possible.” The neoconservatives agree with George Will that “statecraft is soul-craft,” that the webs around us can make us better, and that men of great judgment will help weave those webs. But Thompson neglects how the neoconservatives temper this ambitious project of soulcraft with a powerful awareness of the law of unintended consequences and the limits of human contrivance. He never mentions the neoconservative emphasis on the soul-craft possibilities of “mediating” institutions like church, community, and family. Thompson’s accusation that the “neocons have faith that properly trained social planners can figure out how to make various social welfare programs work without causing negative externalities and moral hazards” is plainly untrue.

This and other summaries of neoconservatism—the party that says “stop worrying and love the state,” for example—are often based on select quotations from David Brooks. Thompson sees Brooks as the proper heir to Irving Kristol. He never says why. The fact is that Brooks, although an intriguing columnist, does
not inhabit the same role as Irving Kristol or anything close to it. Brooks is a journalist, Kristol an essayist and public intellectual. Brooks is not the institutional hub Kristol ever was. Brooks is chosen because he is on the Hamiltonian wing of the imaginary neoconservative caucus and because his writing is frequent and, due to the constraints of the format, often truncated. His ideas are more manipulable and more in favor of activist government than Irving Kristol's, so it's useful for Kristol's adversaries to quote David Brooks when Kristol quotes are insufficient for their accusation.

Thompson does his most critical refashioning of neoconservatism when he starts to address neoconservatism as a political philosophy. The very insistence on a neoconservative philosophy is a refashioning. The neoconservatives never once refer to it as a philosophy, but rather a persuasion, mood, or disposition. It has its tendencies, but no doctrine, no systematic origins. Thompson's first gloss on the neoconservative philosophy—he revisits the issue after discussing Leo Strauss' thought and influence—is that they are prudentialists, a category no different from relativists.

Neoconservatives talk often of prudence, this is true. Prudence is akin to Aristotle's *phronesis* or practical judgment, the discernment of the right ends and means in a particular circumstance. Prudence is doing the right thing—finding what Norman Podhoretz calls the “precise point” of what is in the public interest. But the right is not divinable by theory alone. Circumstances frustrate theory, and experience, not theory, is the great tutor of such judgment given circumstance.

Thus the neoconservative embrace of prudence originates in a belief in the insufficiency of a priori decision-making. The neoconservatives rightfully remind us just how complicated the world is and therefore how complicated morality is.

It is true that the neoconservatives do not like “ideological straightjackets,” although he overstates it, saying they believe “systems of ideological thought... lead invariably to social engineering, show trials, concentration camps, gulags, manmade famines, the Terror, and eventually to the killing fields.” Not being ideological is not the same as having no principles. Thompson equates ideology with principle, neglecting the difference in rigidity. One can hold two principles that come into conflict in certain circumstances; most do, especially in politics. Experience is needed to negotiate between competing goods or competing evils—this is prudential practice. Anything else forgets circumstance, which is to say that it forgets the world as it is.

Politics is inherently applied. One must work within the world as it is. This means, of course, that one must be in the political position that allows him to apply the policy. What achieves political power is an element of prudential political decision-making. The neoconservatives admit this, but Thompson reads any concern about power as an overriding concern about power. He reads the neoconservatives as secret Thrasymuchians, believing that might makes right. In one example Thompson quotes William Kristol's assessment that “a minority party becomes a majority party by absorbing elements of the other party.” Thus, according to Thompson, the neoconservatives abandon conservative principles and become liberals in order to get votes. Kristol, however, isn’t describing the appropriation of progressive platforms, but the subtle shifts in messaging, platform, and circumstance that can cause a phenomenon like the Reagan Democrats.

The neoconservatives, it is true, take calculations of political power into account. In a democratic republic this means winning elections. What is popular matters, and not just because Irving Kristol thought the people (in contrast to the intellectuals) are more often right. Thompson's claim—that the neoconservatives care about power, thus all they want is power—does not follow logically. Because it is not enough to hold a position, one must enact it, compromise, even of principle, is necessary for statesmanship. The neoconservatives are not shape-shifters, but rather they are prudentialists.

This may all seem basic, but Thompson interprets neoconservatism as believing principle “just gets in the way.” If he wants a systematic defense of prudential politics, he won't get it from Irving Kristol or David Brooks. He will, however, get it from Aristotle.

**Irving Kristol and Leo Strauss**

In a famous passage concerning what it means to be a neoconservative—that is a conservative who once was not—Irving Kristol describes his changing tastes. He now believes Jane Austen a superior author to Proust and Joyce, that Raphael is greater than Picasso, and that Aristotle is more worthy of study than Marx.

Aristotle is not a random choice. Libertarian conservatives would find the rest of the roster of great political philosophers superior to Marx, but they would not choose Aristotle, rather Hobbes or Locke, possibly Mill. To Kristol, these great classical liberal thinkers are not the best alternative to Marx. Rather, it is the ancients one must search for if one is looking for exemplar political philosophy. This suggests that Kristol is a partisan of the need to return to the study of the ancients over the moderns—that the moderns, indeed, share a crucial error that permeates their political thought.

This distinction, indeed this call to go back, is the distinctive call of Leo Strauss, a superb and pioneering student of the history of political philosophy in his.
years at this university and others. But is Irving Kristol a Straussian? Thompson thinks yes and thinks that Kristol’s neoconservatism is a derivative of Strauss’ thought.

There are a couple things we must do before answering this question. The first would be to provide a sketch of Strauss’ thought that is sufficient for our purposes. Second, we should address how well the ideas of neoconservatism conform to this sketch, being careful of the differences between Thompson’s caricature and the true character of the neoconservatives. After presenting the evidence, we should call up the witnesses. Thompson calls a 1953 review of Leo Strauss’ 

Thus the neoconservative embrace of prudence originates in a belief in the insufficiency of a priori decision-making. The neoconservatives rightfully remind us just how complicated the world is and therefore how complicated morality is.”

In an essay, “Four Heads and One Heart: The Modern Conservative Movement” professor of political science James Ceaser identifies “natural right” as the “foundational concept” of the neoconservatives. The emphasis on virtue and the desire for a society that perpetuates virtues is characteristic of the neoconservatives. Moreover, they seem to adopt an Aristotelian notion of prudence. Virtue is imprecise and unscientific. It requires judgment.

In this way the neoconservatives revive the political thought of the ancients. But they are also firmly in the First Wave of Modernity. The emphasis on social science is not exactly Straussian. Strauss writes that social science “abstracts from the essential elements of social reality.” The house organ of the neoconservatives, The Public Interest presents a picture of their emphases. It was by and large a social scientific journal, with the exception of maybe
counterpoint

an article in each issue that dealt with philosophic issues related to public policy. Kristol, while aware of the moral limits of social science, often found it useful to prove a point and made a major criticism of the New Left—and therefore an important criticism in his breaking with the left—its inability to think economically.

But this comparison of Strauss and the neoconservatives rightly understood has so far neglected a key element of Strauss’ writing: exotericism. This is paramount for Thompson. He cites Kristol’s review of Strauss’ *Persecution and the Art of Writing*—where Strauss makes his most significant argument for exoteric reading—as evidence that Strauss shares the conclusion. Thompson says very little about the actual article, other than that it exists and that he is the first to mention it. Kristol was in the New York Intellectuals’ scene when Strauss was one of the recent German émigrés teaching at the New School for Social Research. One would think New York’s young Jewish intellectuals would pay attention if some of the greatest Jewish students of philosophy landed in their neighborhood, just as they did. It is clear that Kristol had heard of Strauss and read Strauss by the time of the review. While Strauss intrigued Kristol, the review does not make clear whether Strauss yet persuaded Kristol. Kristol writes that Strauss would accomplish a “revolution in intellectual history” if these conclusions take hold. That is no doubt true. If Strauss is deemed to be right then everyone would have to go and reread Plato, Aristotle, Maimonides, and more and would need to accept often reverse conclusions.

That Kristol found the possibility of exoteric reading potentially revolutionary, does not mean that Kristol wrote exoterically or that he read exoterically—not that Kristol published many studies of political philosophers. Thompson interprets this review as Kristol’s admission that he will follow in Strauss’ footsteps and write exoterically. It is first worthwhile to mention that there is a debate over whether or not Strauss wrote exoterically. There is a serious case that he did not. For one, he practically declares the idea of exoteric writing from the rooftops. Moreover, he writes that exoteric writing died with Kant. Ideas of pluralism in liberal democracies could more or less secure philosophers from persecution. The desire for popular enlightenment also made philosophers more willing to face persecution.

Subtlety should not be confused for exotericism. The fact that Kristol writes sometimes in the space between two ideas does not mean that he is concealing anything. Moreover, Strauss’ caginess should not be seen as a function of the philosopher’s need to hide truths. Catherine and Michael Zuckert argue in their book, *The Truth About Leo Strauss* that the difficulties a reader finds with Strauss are products of a pedagogical method. Philosophic inquiry involves an erotic uncovering of the mystery. To write dryly, to enumerate each idea is to fail to nourish the eros so critical to philosophy.

Kristol indeed writes about what Strauss taught him, and it was not the esotericism of *Persecution and the Art of Writing*. He writes that Lionel Trilling and Leo Strauss were his two major influences in *Neoconservatism: An Autobiographical Memoir*. Trilling was a skeptical liberal and Strauss a skeptical conservative, as he tells it. First encountering this skeptical conservative proved an “intellectual shock” because he reversed one’s vantage point on intellectual history. It was the ancients, not the moderns, who most merited consideration. He describes Strauss’ exotericism as the source of his revilement in academia, but not his influence on Kristol. To practical politics, Kristol writes, Strauss was not conducive. He gave no “ready-made political opinions.”

**Strauss and Fascism**

In addition to mistaking Kristol for a Straussian, Thompson interprets Straussianism as fascist. It will be enough to provide a sparse outline of the Strauss-the-Fascist argument and then hone in on Thompson’s key piece of evidence.

Thompson’s argument works something like the following: Strauss begins by rejecting liberalism and individualism. An individual is no good—that is, he cannot be lifted to natural right—without the community. Communal natural right, of course, implies an ideal society. That society for Strauss is Plato’s ideal in *The Republic*. This state requires an empowered elite who know the public interest better than the public. Thus the philosophically trained elite will obligate all citizens to a variety of virtues, including martial virtues like self-sacrifice and love of fatherland.

Thompson clearly pored over Strauss’ oeuvre to find the quotations that fit this scheme. I have chosen not to review each one for Thompson’s misinterpretations or to spend a similar length of time with Strauss’ many books and essays. Rather, a general understanding of Strauss is sufficient.

Strauss certainly did not believe liberal democracy was the ideal regime; it was, after all, a product of the First Wave of Modernity. Some Strauss scholars like Yale’s Steven Smith argue that Strauss was a friend of democracy, in the sense that friends can provide constructive criticism. Strauss writes that liberal democracy “in contradistinction to communism and fascism, derives powerful support from a way of thinking which cannot be called modern at all: the pre-modern thought of [the] western tradition.” This way of thinking is Aristotelian constitutionalism: that the best regime is the mixed regime. Liberal democracy can be seen as mixed, combining the pure...
democratic (elections) with the aristocratic (representative assemblies) with the monarchic (a strong executive). Regardless of how true this picture is, Strauss inarguably endorsed liberal democracy above its modern alternatives.

In a letter to Karl Lowith in 1946, Strauss admits that he agrees the "perfect political order" is the one sketched by Plato and Aristotle. Plato and Aristotle, of course, do not speak of the same perfect political order. Thompson, strangely, focuses only on Plato. Strauss read The Republic not as an illumination of the best regime so much as an esoteric discourse on the conflict between philosophy and politics. In this reading, Socrates' proposals are absurd and are meant to demonstrate the limits of theory. The Republic is not the original utopia, but rather the great anti-utopian dialogue. The philosopher, it is the lesson of this reading, should not give up searching for the best regime, but he should know it is not his place to actualize this scheme. Statesmanship requires practical wisdom and philosophy is not the same as practical wisdom. Thompson sees Strauss' indications that the best regime is possible as indications that the philosophers should, in fact, seek out the actualization of the best regime. This is false.

Strauss distinguishes between just regimes and the best regime. The best regime is only possible under the most favorable of circumstance. Statesmen, we remember, use prudence to negotiate the just solution in differing circumstances. Judgment, not philosophic declaration, is therefore necessary even in the very rare instance in which the best regime is possible. Strauss, or any follower of natural right in this sense, would not call for the immediate actualization of the best regime. Moreover, Strauss, in the very passage of Natural Right and History that Thompson quotes at length, makes clear that the best regime as understood by the ancients has two forms: the more Platonic rule of wise gentlemen and the more Aristotelian mixed regime.

Thompson looks only to the more Platonic best regime, and seems to see it as proto-fascist, similar to Karl Popper's vision. He argues that Strauss masked an understanding of the Platonic best regime very similar to Popper's. Thompson's argument amounts to: Strauss esoterically writes that his esoteric reading of Plato is not the true esoteric reading of Plato. The section is short, unconvincing, and repeatedly absolutizes Strauss' statements that are not absolute.

But if all this does not convince one that Strauss is a fascist, Thompson plays the trump card: Strauss was a fascist (back in his early thirties). Thompson makes note of a letter Leo Strauss sent to Karl Lowith in May of 1933. Strauss has escaped the rise of the Third Reich (as a Jew) and is doing research in Britain, he tells Lowith:

"Strauss seems to have found in Anglo-American liberalism a regime more resistant to the critique that vanquished the Weimar Republic. Perhaps this is because he sees its classical elements, especially in its proximity to Aristotle's mixed regime or because it possesses leaders of the classical, prudential but magnanimous mode like Churchill."

This is an admittedly strange excerpt. We must remember first that this is Strauss as a young man, before his discovery of esotericism, so even if Strauss sympathized with Mussolini as some have alleged, it does not need to define his later thinking. He is, however, clearly hostile to the weak liberalism he knows and to the First Wave of Modernity. This letter appears to be, above all, an appeal for a Caesar of the German Right (although not the "shabby abomination" of Hitler) to crush the arrogant. There is no reason to crawl to the cross, neither to the cross of liberalism, as long as somewhere in the world there is a glimmer of the spark of Roman thought. And even then: rather than any cross, I'll take the ghetto. [emphasis original]
Counterpoint

whether they believe the assumptions of the founders are correct or whether Enlightenment liberalism sowed the seeds for the moral decay of the 1960s.

The problem with Thompson’s answer is that he reduces the founding and over Straussianizes the neoconservatives. Thompson’s version of the American founding seems to have self-interest as inalienable and axiomatic and acquisitiveness as a virtue. It is as if the only founder was Thomas Paine (or, more bizarrely, Ayn Rand). If American conservatism conserves the liberal founding, then the neoconservatives are the conservators of the more Hamiltonian streak. This may be contra-Rand, but it is not contra-founding or against the American grain.”

Fascism, American Style?

Thompson writes an obituary for neoconservatism, not because it is dead, but because he wishes to kill it. It is therefore important to know what Thompson wishes the dominant strain of American conservatism to be. In a 2006 essay in the Randian journal, The Objectivist Standard, “The Decline and Fall of American Conservatism”, Thompson summarized the reason for the fall and how conservatives may rise again:

Because they refuse to defend capitalism morally, on the basis of egoism, conservatives have compromised and sold-out the rights of the American people. They have ceded the principled high ground to the Left by accepting the moral rationale for the welfare state—altruism and its attendant notion that “need” is a legitimate moral claim.

Egoism—that self-interest is an ultimate principle of morality—must replace altruism. Under this scheme of axiomatic libertarianism, the welfare state is to be buried, not reformed.

It would be enough for Thompson to argue that the neoconservatives have repeatedly suggested the wrong policy, that Randianism is a superior alternative. These sorts of intraparty debates are frequent and interesting, if unproductive. But Thompson uses the f-word. He makes two separate accusations (although, for him, they seem to be a tandem). First, the neoconservatives have not “in the American grain”—that is they are contra the founding. Second, the neoconservatives are fascists, although their fascism is a kinder, gentler, American style fascism.

The neoconservatives’ writings are certainly patriotic—the question for Thompson is whether that patriotism is genuine. The neoconservatives could be outwardly patriotic in order to successfully advance an agenda that is contra the founding. The question is whether they believe the assumptions of the founders
Institute fellows might advocate more regulation than Cato Institute fellows. Rather, and this is completely missing from Thompson's book, neoconservatives prefer mediating institutions like families, churches, and community groups as virtue incubators to government bureaucracy. The neoconservatives do glamorize great statesmen like Churchill and Lincoln, and why not? Their courage is impressive and proper prudential judgments today require the instruction of history, including the examples of great statesmen.

The fourth topic has been partially addressed. Neoconservatives accept much of the English and Scottish Enlightenment; they just think classical natural right can provide a valuable correction. Kristol writes that “liberty was not enough,” that rights needed counterbalancing duties which are only possible in a political community. Statecraft as soul-craft thus required supplements to liberalism: religion, mediating institutions, education, etc.

What seems to really irk Thompson is that the neoconservatives consider self-interested acquisitiveness’ opposite, altruism, a virtue. In Yaron Brook’s only chapter (which is on foreign policy), he argues that the neoconservatives did not carpetbomb Afghanistan in the wake of September 11th like they should have because their delusions about the virtue of altruism led them to want to construct a democratic regime. This, of course, leads to the final topic: just what are the virtues the neoconservatives want to result from statecraft as soul-craft?

The answer to this question for Thompson is sacrifice. The neoconservatives laud war because it is sacrificial and they involve us in more wars because they like the prospect of sacrifice. To almost all readers, Thompson’s understanding of virtue will seem off base. Altruism, doing good unto others, strikes them as an especially laudable virtue. Thrift, industry, and self-reliance, the bourgeois virtues Thompson favors, will strike most as good but insufficient. Kristol thought the same way. Hence his two cheers for capitalism, which promotes these bourgeois virtues. But discipline, altruism, and magnanimity are not residuals of capitalism; it thus is not to be given a perfect score. The neoconservatives do not put forward the martial virtues—they put forward the wide array of virtues, virtues most would assent to even if only their sentiments are speaking.

I know of no proof of Kristol’s for the array of virtues he suggests. Again, I recommend Thompson take up Aristotle if he’s looking to mine Kristol for a philosophical treatise that isn’t there.

Perhaps it is due to the fact that Kristol argued for a set of virtues which most Americans would by and large assent to that neoconservatism, and not Randian libertarianism, is the dominant strain in the American right today. To kill neoconservatism would be to level most major conservative institutions and gut the rest. The fact that neoconservatism is ascendant is admittedly not the strongest evidence for its basic truth, but this polemic makes nary a dent in its armor, preferring to interpret neoconservatism and Leo Strauss out of whack. Someday a serious book will be written that seeks to understand the role Leo Strauss plays in neoconservatism—this is not that book.

Instead, Thompson and Brook have written a rambling, nasty, strangely exuberant, and terribly distorting book that concludes with the charge that neoconservatism will bring a softer fascism to America. The charge is absurd and prefaced on the complete rejection of altruism and political community as well as total faith in a priori determinations of justice in every circumstance. His is an ideology that says “the greatness of America is captured in a computer chip smaller than your baby-finger nail, in Amazon’s Kindle reader, or in an iPod’ and not habits of free-inquiry, the self-made man, the proposition that all men are created equal, or the sacrifice of an American serviceman for these ideals.”

Fascism, American-style may yet be a possibility. But rest assured, it will never be the neoconservatives commanding “To a gas chamber—go!”
The Science of Bad Philosophy

A review of *The Moral Landscape: How Science Can Determine Moral Values* by Sam Harris

By Joseph Bingham

Sam Harris’s announced project, in the subtitle of his most recent book, *The Moral Landscape: How Science Can Determine Moral Values*, is to show how science may determine moral values. One immediately suspects a misuse of “determine”; Harris may be taking the plausible position that science can explain why we tend to adopt the moral opinions we adopt. This is not the meaning of his subtitle. Instead, he claims to explain how science may in fact tell us what we ought to do, in an objective moral sense. This makes the book sound interesting; how does Harris propose to accomplish what philosophers and scientists alike tend to agree is impossible? The answer is that despite his claims, he does not propose to accomplish it at all. The subtitle is misleading, and while it might make the book less laughable—who knows what Harris might have accomplished had he actually undertaken to explode the is-ought distinction?—it makes it much less interesting.

Harris in fact does not, as he purports, derive ought from is, or (objective) values from (purely descriptive) facts. Rather, he assumes utilitarianism, and moves on to describe how science may play a role in utilitarian calculations, something which it is probably safe to say that not even the densest person alive has ever doubted.

To say Harris “assumes utilitarianism” is not precisely fair; Harris does present an argument for utilitarianism, but it is not an argument from science, it is a dialectical argument that utilitarianism is self-evidently true, because it is the only possible way to speak in moral terms. Imagine, he says, a state of the universe in which every conscious creature endures constant, excruciating misery. Surely we can all agree this state of the world is “bad” in some moral sense. According to Harris, the moral senses of “bad” and “good” can only be understood in relation to conscious “well-being,” which he uses interchangeably with “happiness” and “satisfaction.” All of these terms are understood by Harris to be forms or degrees of certain chemical brain states.

Harris’s is not the crudest conceivable utilitarian account, but this may only be because it is so hazy that it is completely impotent. He fudges between act and rule utilitarianism—he suggests that rules (such as “do not lie,” “do not procure judicial execution of an innocent man”) are simply useful heuristics to be employed in an act utilitarian calculus (“What will lead to the greatest aggregate pleasure? Usually not procuring the execution of an innocent man, therefore I will err on the side of not procuring this innocent man’s execution.” [These parenthetical examples are mine, not Harris’]). In some cases he suggests that our wrong (by his account) moral intuitions and the distress they cause us should be taken into account as part of our utilitarian calculus. For example, the average person’s response to the trolley-and-fat-man problem¹ is obviously irrational (according to Harris), but the distress it causes a person to murder the fat man is an aspect of well-being that should enter the calculus of whether the act is moral.

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¹ The problem compares two cases: (1) You see a trolley is about to hit and kill five people. You can throw a switch to divert the trolley to another track, but doing so will result in its killing a single person on the other track. (2) You see a trolley is about to hit and kill five people. The only way to stop it is to push the fat man in front of you to block the trolley. Nearly everyone would throw the switch, but would not push the fat man.

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This is rather a silly nuance, since even in the trolley-and-fat-man problem itself (let alone, say, the case of a nuclear bomb or other vast danger) it does not seem to me conceivable that the distress to the protagonist would amount to five conscious lives worth of disutility. Harris’s utilitarian formula will likely still seem repugnant to most people, even once he adds their repugnance into the formula.

Harris also fails to explain whether his utilitarianism is purely quantitative or qualitative. He is unclear about whether the difference between lower and higher pleasures, or “deeper satisfactions,” as he calls them, is one of kind (and presumably accordingly in the associated sort of brain state, or type of chemical reactions) or merely intensity (in which case pleasure would presumably be associated with a single type of brain state which was more or less present on some particular dimension). The second account is wildly implausible. The first account, which holds that pleasures differ in kind, with deeper pleasures like those stemming from intimacy or Bach being a different sort of pleasure than lesser pleasures like those stemming from PixiStix or cocaine, presents many other damning problems for the utilitarian account of well-being. More importantly, the first account does not seem to get Harris where he wants to be. For his “science of morality” to be possible, the brain states that morality requires us to maximize must be quantifiable. But it will be impossible to quantify different sorts of brain states in relation to one another unless we rely on some subjective measure like self-reported happiness. This may mean the measure of morality Harris believes exists objectively (independent of our subjective judgments about it) likely exists only in the form of the objective reality of our subjective judgments themselves about our own brain states.

Harris does not seek to define well-being beyond saying it “relates to” the brain states of conscious creatures (a low bar indeed). But there are more fundamental and obvious problems with his account than simply his inability to say what he means by the concept on which his entire book hinges, even in the most general sense. The most basic problem is that his argument for utilitarianism is that it is self-evidently true, even though to most people it is self-evidently false.

Consider Harris’s thought experiment, described above, about the world in which everyone suffers the worst possible misery. One need not think about this for long to see problems with Harris’s argument from intuition. Suppose half of the conscious creatures in the world suffer the worst misery of which they are capable and the other half of the creatures enjoy a moderate amount of delight, which is derived entirely from a distilled sadistic pleasure taken in the misery of the other half. To Harris, this world would presumably be self-evidently better than the worst-possible-misery world; to most of us, it is at least a tricky question, because we have a sense that sadistic pleasures are not good in the way innocent pleasures are. Another obvious and oft-cited thought experiment is to imagine the Matrix; is there any reason to take the redpill and escape the Matrix? To most people, it is obvious that it is better to take the redpill, but this seems completely inconsistent with crude experience utilitarianism. There are sophisticated responses to the Matrix question (Nozick’s “experience machine” in the literature), but Harris offers no account which leads one to think the bluepill could be anything but perfectly moral and rational—Cypher, even if his means were unscrupulous, apparently had the right idea about maximizing his own well-being.

As for Harris’s engagement of the relevant literature, it is nearly non-existent. Any reader with much interest in utilitarianism will scan the index for Peter Singer, the most famous and controversial utilitarian today. He is cited for, by my count, one uncontroversial point. Of course, Harris does not face the problem most utilitarians and others who closely link a human being’s (or other creature’s) moral worth with cognitive capacity would face, which is eagerness to distance themselves from Singer’s morally abhorrent advocacy of infanticide and so forth. Harris is himself perfectly willing to adopt abhorrent conclusions, although—since this is, after all, a tract—he does not go out of his way to point them out. I confess that I have not read Harris’s previous books, and after enduring this one, it is unlikely I shall ever bring myself to do so (you may learn more and better philosophy from the editorial page of the Wall Street Journal, at the expense of less time and fewer brain cells, and without the guilty conscience that comes from lining Harris’s pockets). But Harris’s earlier work has by his own account made explicit his support for torture and preemptive nuclear strikes against Muslim nations. This of course follows from his moral perspective (one hesitates to call it a theory, given

2. Two commonly raised objections are (1) the variety problem and (2) the fungibility problem; this view requires that (1) there is a single quality intrinsic to all pleasurable experiences, from singing to canoeing to kissing, and (2) that ten thousand years of the mildest possible pleasure, such as having one’s back gently scratched, may be better than, say, twenty years of happy marriage, because the net quantity of the single quality which all pleasures have in common is greater. On this view, there are no “higher” or “lower” pleasures except in the degree of a single type of pleasure they produce.
its underdevelopment). For whatever it’s worth, Oxford philosopher G.E. M. Anscombe gave her thoughts on Harris’s ilk in 1958: “[I]f someone really thinks, in advance, that it is open to question whether such an action as procuring the judicial execution of the innocent should be quite excluded from consideration—I do not want to argue with him; he shows a corrupt mind.” Harris, the reader discovers, is open to this and more.

A reader with any interest in epistemology (Harris’s epistemology reeks of logical positivism, which is to philosophy something like what geocentrism is to astronomy) will scan the index for Plantinga, one of the most respected epistemologists of the last six decades, the most formidable critic of philosophical naturalism, and the most potent defender of the possibility of warranted Christian belief. It is, of course, not present. Harris never engages seriously with sophisticated arguments—in fact, he goes out of his way to disclaim them; he notes that although he has read some ethical theory, his own theory is highly original and arrived at independently. The reader is relieved.

A Harris book would not be complete without a tangential tantrum about religion, to which he dedicates a chapter. Much of the chapter is spent sneering at Francis Collins, erstwhile director of the Human Genome Project, current Director of the National Institutes of Health, and an evangelical Christian. An undefended philosophical naturalism, which Collins of course does not share, is a premise of the chapter, much of which is dedicated to Harris’s quoting Collins saying things like that atheist materialism is to be resisted, then by turns gaping, presenting sarcastic strawmen, and showing off his incomprehension of Christian thought. Harris exclaims that one cannot distinguish the writing of British physicist and theologian John Polkinghorne from “an extraordinarily patient Sokal-style hoax.” Of course, when one finds a passage incomprehensible, it is possible that the passage is actually meaningless. It is also possible that one has simply not comprehended the passage. Harris frequently mistakes the one for the other, strengthening the sense that he employs an implicit logical positivism.

There are innumerable silly things throughout the book, too many to do it justice in a short review. A personal favorite: an early endnote, Harris defines “science” as “our best effort to form a rational account of empirical reality,” not to be distinguished from a more general concept of “facts.” For example, the fact that JFK was assassinated, he writes, is a scientific fact as he will use the term science. Of course, under this bizarre and idiosyncratic definition of “science,” essentially every intellectual inquiry is a science, including philosophy and religion. It is typical of Harris, though, to misuse terms in this way. He regularly elides relevant distinctions—between pleasure and satisfaction, between showing the existence of moral reasons for action and persuading someone to act morally, between something’s existing and its being quantifiable, between religion and metaphysics, and—the ultimate conflation on which the entire book pretends to be based—between facts and values. If you find a discarded copy, read the book for a laugh; if you don’t, read some of the many philosophers Harris should have considered reading before undertaking this project.

Intrigued? Amused? Enraged?

Counterpoint is now taking Letters to the Editor submissions.

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Limit 1000 words
There are three ways knowledge can be categorized: known knowns, known unknowns and unknown unknowns.” So begins Known and Unknown, the new memoir from Donald Rumsfeld. This point is that there are certain items of knowledge that you can know, such as that there is an al Qaeda presence in Afghanistan. There are other points or tidbits of information that you lack, but that you know that you lack, such as the exact composition or location of those forces. Then there are pieces of information you do not even know you lack, and therefore cannot even seek out.

Known and Unknown focuses on illuminating Rumsfeld’s role in government for the past almost fifty years that Rumsfeld has been involved with politics in Washington. While some of the most contemporary and controversial material occurs close to the end of the book, this details Rumsfeld’s incredibly interesting life and career. It allows observation of one of the most influential men on US defense policy from the 1960s to today. Unlike Bush’s recent Decision Points, this biography follows a chronological timeline through life.

This biography is definitely not dry. Rumsfeld comes off as not only smart and witty, but also quite sharp. He interjects his various stories of state affairs and deciding policies with fairly humorous anecdotes from his life. An early one involves his ten year old quest for a Schwinn bicycle. Another involves his “patriotic duty” to serve as an escort for the Miss America pageant in 1954. Later on, some of the lighter moments are concerned when

Rumsfeld is serving overseas as Ambassador to NATO. One moment of fun irony was in the first dealing that Rumsfeld had with Saddam Hussein. He spoke about how Saddam was extremely open to work with “France in particular”.

This sort of prescience was not alone for Rumsfeld. There is a joke that if everyone just listened to Jack Bauer the show “24” would be called “12”. A similar epithet could be given to Rumsfeld. While serving at times as a congressman, chief of staff, defense secretary or even CEO, Rumsfeld seems to have a streak of prescience. Whenever an administration made a mistake, Rumsfeld seems to have spoken against it, or sent one of his “snowflake” memos to counter it. These were called “snowflakes” because they were small, white sheets of paper that would come straight out of his Dictaphone in a flurry of action. Throughout his career, “snowflakes” were the way that Rumsfeld communicated with others and took note of what occurred. Taking Known and Unknown at face value it seems to be true that Rumsfeld could do no wrong.

In a similar vein, Rumsfeld’s smart comments oftentimes turn caustic. Rumsfeld creates narratives of people. He introduces a person and within the first time mentioned you can tell how much Rumsfeld likes or dislikes him or her. Two excellent examples of this are Dick Cheney and Condoleezza Rice. Throughout Known and Unknown, Cheney comes off as a protégé of Rumsfeld. As time progresses Cheney moves from assistant job to assistant job, all on Rumsfeld’s recommendation. It is very clear through repetition that Cheney’s involvement in government was incredibly beneficial, and also entirely due to the actions taken by Rumsfeld. Later, when Cheney becomes Vice-President,
an air of paternalism is still apparent. Condoleezza on
the other hand is introduced by refusing to serve on a
board with Rumsfeld. She later goes on to make negative
gestures concerning the quality of Rumsfeld’s suits. It
is no surprise later on when Rumsfeld repeatedly talks
down Rice’s decisions as oftentimes poor.

One major sticking point throughout Known and
Unknown is that of Defense Secretary Rumsfeld. He
has various relationships with different departments
throughout his presidency, but arguably most important
were his two tenures in defense. Mr. Rumsfeld was the
youngest and later oldest Secretary of Defense. An
interesting note is that both times Rumsfeld entered
the Pentagon, he entered as a reformer. Whether young
or old, he bucked tradition and tried to force steps of
modernization and rationality among an organization that
comes off as steeped in the past. Even while Rumsfeld’s
respect of the Pentagon is quite large, Rumsfeld is seen
as a necessary savior among a generally hide-bound or
inertia filled mess.

The heart of this memoir though, focuses on
Rumsfeld’s relationship with Iraq. It is quite clear that
we should have invaded Iraq, and that we should
have removed Saddam Hussein. While Colin
Powell now claims that he was misled, or lied
to, Rumsfeld dismisses this as poppycock. He
goes so far as to say that Powell probably had
more intelligence in the State Department than he had in Defense.
Everyone believed that
Saddam had Weapons of Mass Destruction
(WMDs) in Iraq, and that he was limiting weapons
inspections in order to hide it. Rumsfeld produces much
evidence that even though no WMDs were found in Iraq,
Saddam had the capability to create WMDs on short
notice. The fertilizer and pesticide factories could easily
have been converted to produce chemical and biological
weaponry. These facilities with two uses were almost as
dangerous as actually having stockpiles of WMDs. For
this reason, Rumsfeld is very apologetic about the
decision to invade Iraq.

Rumsfeld had a very clear plan for how Iraq
round two was supposed to go. He felt that the United
States should get into Iraq, clear out Saddam and then
transition to Iraqi forces as quickly as possible. He
did not believe in protracted state building, nor did
he believe in occupation. A few times throughout the
memoir, Rumsfeld offers resignation. This illustrates
Rumsfeld’s willingness to sacrifice himself for the good
of the policies he believes in. When the scandal broke
in Abu Ghraib was one instance in which he was willing
to resign. Even in his failures (which were according to
Known and Unknown no actual fault of his own) allowed
Rumsfeld to show his savvy.

Rumsfeld notes some gaping problems that existed
in the structure of American defense and intelligence
gathering. Originally, he pushes for the Abrams class
tank to exist in the form it exists today. While much
of the upper echelons in the military seemed to favor
a different schematic that would have been slower and
non-NATO compatible, Rumsfeld pushes for the new
tank to have cannon that is a little smaller, but of the same
caliber as US allies. This is just one instance of Rumsfeld
reforming the defense department to make it faster and
more lethal. Another note is his increase in the use of
smart weaponry, really pushing for a modernization of
the US armed forces.

With Iraq though, the idea that Rumsfeld was always
right takes a little bit of a beating. Throughout his
memoir, Rumsfeld seems to know how to act correctly
albeit sometimes his superiors do not agree
or listen. With Iraq, Rumsfeld’s strategy seemed light. While
it was obvious that he had specific goals
he wished to reach, such as the quick
overthrow of Saddam, he was not successful
for planning what came after. The idea
of a quick transition seemed to be a non-
option almost immediately after the main military action
ended, but Rumsfeld refused to accept it. The surge,
brought about mostly by his successor Robert Gates and
General David Petraeus, would likely not have happened
had Rumsfeld stayed in office.

Known and Unknown provides an incredibly interesting
viewpoint of how one man has had a lifelong relationship
with US government. Donald Rumsfeld is a character and
a wit that embraces his foibles, even as he sets himself
upon a self-righteous pedestal. In
the end, Rumsfeld embraced one of his
famous quotations when writing his memoir.
Whether or not the events occurred as he
stated, he would definitely still say, ‘I believe
what I said yesterday. I don’t know what I
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Cp
Reflections From a Tiger Son

A review of Battle Hymn of the Tiger Mother by Amy Chua

By Cory Liu

Never let your children earn a grade of less than an A. Tutor them in math until they are two years ahead of their classmates. Require them to play either the piano or the violin. These are the staples of what Amy Chua calls “Chinese parenting.”

In her controversial new memoir Battle Hymn of the Tiger Mother, Chua contrasts her strict style of “Chinese parenting” with “Western parenting.” Her usage of the terms Chinese and Western are simplifications, and she acknowledges that plenty of Westerners practice Chinese parenting—in fact she even ponders whether previous generations of Americans would have approved of the indulgent style of parenting that has taken hold in the US.

According to Chua, there are three main differences between Western and Chinese parenting. First, when it comes to setting expectations for children, Western parents are anxious about hurting children’s self-esteem, while Chinese parents believe that their children are strong enough to endure shaming and will grow because of it. They assume strength, not fragility, and if their children don’t make perfect grades, they assume it’s because the child wasn’t trying. Second, Chinese parents sacrifice everything to help their children succeed and therefore believe their children owe them everything; this Chinese attitude traces back thousands of years to the ancient Confucian value of filial piety. And third, Chinese parents believe they know what is best for their children. They have no problem overriding their child’s desires and preferences for the child’s own good.

What results from these three values is a parent that is highly strict, intensely obsessed with achieving success for their children, particularly when it comes to academics, and willing to control their children’s lives to help them succeed.

Throughout the book, Chua provides many emotional and personal stories about the exhausting challenges that come with being a Chinese parent.

For example, when her daughter, Sophia, came in second place on her weekly fifth grade multiplication test, she responded by making Sophia take twenty practice tests with 100 problems each over the course of one week. After that one week of intense practice, Sophia was first in her class for the rest of the year.

In another anecdote, Chua describes how she struggled with her daughter Lulu over practicing a difficult piece for the piano that she had been struggling with. Lulu resisted physically by punching, kicking, and even tearing the music score, but Chua refused to let her to quit. She taped the score together, encased it in a plastic covering, and would not allow her to leave until she mastered the piece. When Lulu continued to resist, she called her lazy, cowardly, self-indulgent, and pathetic. She even threatened to sell her toys. They fought for hours until, all of a sudden, Lulu finally managed to play the piece successfully. When Lulu performed the piece at a recital several weeks later, someone came up to her afterwards and told her, “What a perfect piece for Lulu—it’s so spunky it’s so her.”

Chua’s book teaches us two simple truths about life. First, true self-esteem comes through achieving success, not being coddled and hearing empty praise. And second, success is achieved only through hard work and perseverance. Through describing her parenting methods, Chua reveals the process through which Asians have produced the stereotype of being academically successful. Are Asians genetically predisposed to be good at math? Are they divinely gifted at playing the piano? Chua’s answer is a resounding no. She makes clear that the success Asians achieve is due to a strict, military-like work ethic driven by an obsessive fixation on competition and success. Chua’s style of parenting is one that many Asian-American readers will identify with, myself included.

That being said, Chua does not blindly advocate Chinese

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Reflections of a Tiger Son : Spring 2011
parenting. Her book is a memoir of her journeys as a parent, not a manual for parenting. While she vigorously defends the merits of Chinese parenting, she also discusses its shortcomings, sometimes through self-deprecating humor, and other times through serious reflection. One of the main subjects of the book is how Lulu became increasingly resentful of her mother for forcing her to play the violin, resulting in Chua eventually “Going West,” as she describes it in the title of one chapter, and allowing Lulu to quit the violin. (Chua switched Lulu from the piano to the violin—without consulting her, of course—because she worried about rivalry with her sister Sophia.)

There are two significant shortcomings of Chinese parenting that Chua reveals. The first is that, in being so strict and demanding, parents may lose the ability to empathize with their children, and end up neglecting the children's emotional need to feel accepted and loved by their parents. As she reflects on her decision to allow Lulu to quit, she describes the effects of Chinese parenting on her father, ‘his mother didn’t respect his choices, his individualism, or worry about his self-esteem—all those Western clichés. The result was that my father hated his family…and as soon as he had a chance he moved as far away as he could, never once looking back.”

Chinese parents have the tough love part of parenting down. They have no problem making decisions that will upset their children for their own good. But they must not forget to show their children affirmation of their worth, and during adolescence, approval for their decisions. As children begin transitioning into adulthood, parents who always think they know best for their children will find themselves running into more and more conflicts with their children, as Chua’s vivid accounts of her conflicts with Lulu demonstrate.

I had many similar experiences in high school myself. For example, in tenth grade, my mother suddenly decided that I need to join the math club. Math was boring to me, and the people in the club were irritating. After going just once, I hated it, and I told my mother so. Her response was to tell me to keep going, because I never knew if I would grow to like it. I was pretty certain that I wouldn’t, but I kept going a few more times, protesting increasingly loudly about it when she picked me up. She ignored my complaints each time.

Eventually, I got so furious that I told her that if she wanted me to go to math club, she would have to come to school and force me. I informed her that I planned to take the bus home, and she wouldn't find me if she came to school to pick me up. Thankfully, she was merciful enough, or perhaps just sane enough, not to call my bluff and that was the end of math club for me. (There were, in fact, multiple friends of mine, all Asian, whose parents would show up at school to check up on them.)

With all their demanding, criticizing, and comparing with other children, Chinese parents need to know when they're going too far, and must not forget to also show occasional demonstrations of approval. Otherwise, they run the risk of alienating their children, the way Chua’s father was.

There is a second shortcoming of Chinese parenting that Chua is not so self-aware about. While Chua concedes that there are possible side effects of Chinese parenting, such as pushing your children too hard and neglecting them emotionally, she never questions the central premise of Chinese parenting—that pushing your children to compete is always a good thing. Having such an attitude clearly has benefits in helping children be motivated and succeed, as Chua demonstrates, but that fixation on competition comes at the expense of spontaneity and creativity.

Competition is about conforming to a set of rules and expectations, with success being determined by comparing one’s ability to conform against other competitors. At its core, competition is inherently at odds with individual self-expression. Certainly people can express themselves through competition, but this expression is limited in scope because its ends are pre-determined by the rules of the competition itself.

For example, basketball players can be creative with their slam dunks and alley oops, but the extent of their creativity is limited to finding ways of moving the basketball into the hoop. Chinese parenting, because of its obsession with competition, overlooks the possibility of success and greatness being achieved through undirected, spontaneous, creative activity that arises from within.

With enough focus and practice you can learn to bring out all of the emotional nuances of Beethoven's Moonlight Sonata. But even with the best technical proficiency and performance skills, a person may never be able to create anything as beautiful and expressive. What Beethoven had was creativity, the ability to envision something original and turn it into a reality.

Of course, as Chua might point out, turning that creativity into a brilliant creation requires a strong foundation of training. You have to understand the tools you’re using before you create your work. Simply knowing how to “be yourself” is not enough to produce greatness, and spontaneity without discipline to guide it is mere passion.

Yet with many Chinese parents, particularly those who are first generation immigrants (which Chua is not), spontaneity and creativity are entirely overlooked. When I first told my father I wanted to study political science at a liberal arts college and pursue a career in law or politics, he initially tried to persuade me to study engineering or computer science, because they offered more reliable job opportunities. He told me that I needed to be practical, and that life’s not about doing what you want to do, it’s about doing what you can do.

Although I’ve devoted significant energy to describing the flaws of Chinese parenting, I have to say that at the end of the day, I’m thankful for the way I was raised. The same is true for Sophia, who wrote an open letter thanking her mother that was published in the New York Post. Chinese parenting teaches children the value of hard work and individual responsibility, and for all the times I’ve resented my parents for thinking they knew better, I’ve also been thankful for the number of mistakes in life they’ve helped me avoid. In a sense, my criticisms are themselves a form of Chinese parenting—I focus on its flaws precisely because I believe in its strength.
I wanted to begin reading Bing West’s work on the train on my way home for Spring Break. Before even having the chance to open the book, the person sitting next to me saw the book and told me that he was an Afghan War vet. For the entire six-hour ride back to Ohio, he explained what Afghanistan really was like. He said the current war is essentially an unwinnable hell for the troops there. The United States military is not structured to fight the unconventional wars we are fighting across the greater Middle East. Bing West reaches this same conclusion in *The Wrong War*. *The Wrong War* is not your traditional academic, Ivory Tower book about counter-insurgency (COIN) and war fighting in the Third World. Instead, Bing West uses his experiences over a two-year period in Afghanistan, where he was embedded in some of the most dangerous provinces and villages with US Marines, in order to comment and critique current COIN strategies employed by our armed forces.

“Winning hearts and minds” has been the most popular expression of what counter-insurgency entails in post-Vietnam US military strategy. In its simplest form, as Bing West describes, COIN is a combination of economic, political, and military tactics meant to achieve the end of stability and governance in the provinces and towns of a state. The path taken in Afghanistan predominately focuses on the economic and political means in order to drive provinces, villages, and civilian’s towards the Kabul government and away from the influence of the Taliban and other extremist groups. Current COIN strategy limits the military means available to American troops by placing a large number of restrictions on when military action can and cannot occur, leaving the Taliban relatively unscathed throughout Afghanistan and their safe haven in northwest Pakistan. Instead of being war fighters, American troops are acting as a humanitarian force, serving the needs of corrupt village elders influenced strongly by the Taliban. It is within this framework that West explores how the war is being “fought,” using case studies from the North and the South of the country to show just how widespread the problems for the United States are in a war that was declared “won” years ago. The wrong war, indeed.

The root of the problems we face in Afghanistan are, as Bing West explains, founded in geography. In the first part of the book, West is embedded in the infamous Korengal Valley that borders Pakistan-a region characterized by harsh mountains, thick vegetation, and a relatively permeable border with Pakistan. These three characteristics make it nearly impossible for the US military to decisively defeat the Taliban and win in Afghanistan. Multiple times a day, Taliban snipers pepper the valley from the relative safety of the mountains, unreachable by American forces on the ground in adequate time. The insurgents get their rounds off and melt into the countryside, across into their Pakistan safe-havens or into the complex cave systems that are part of many mountains in the region. Every day, insurgents, weapons, and money are funneled across this 1500-mile border with relative ease and are used against the United States and her NATO allies. This is one of the major problems with fighting counter-insurgencies, as our experiences in Vietnam and even Iraq have showed; it is impossible to completely shut off supply lines like in a conventional war Without a decisive defeat, the problems of COIN will haunt the United States for a great deal of time, especially given the geographic considerations there. This is not a statement on the effort put forth by American armed forces, but a matter of fact that large conventional armies cannot fight -insurgencies easily. Put the American military up against Russia or China and...
we easily win, yet put us up against a 3rd world army in treacherous geographic areas and we struggle greatly.

Geography also has a very important implication for the possibility for political unification in Afghanistan. Hundreds of different tribes and nations populate the countless valleys and mountain ranges, especially in the Northern Provinces of the country. Places like the Korengal have kept themselves in relative isolation since the times of Alexander the Great, developing their own culture, languages, and even ideas on governance. These variable geographies have a great impact on war fighting and in bringing provinces into national governing circles.

Within this geographical setting, West details in specifics the exact mission that our troops are assigned with in Afghanistan. Troops on the ground are not fighting much with guns but instead with money and developmental aid, engaging in a public relations operation meant to draw everyday Afghani civilians toward Kabul. The US Military is there, not to kill the Taliban, but to provide jobs and consult with village and provincial elders to find out what we can give them in order for their support. Everyday combat Marines have tea with locals, sort out land disputes, and recompense farmers for accidently shooting cows in the course of battle. The theory laid out in the US COIN Manual, and in the interactions Bing West has in his book with troops for “fighting” in this way is quite simple. Theorically, small actions, like installing water wells in a town, help convince villagers and town elders to turn in Taliban rebels and to join with the national Afghani political structure. The idea is that the benefits of a better and simpler life outweigh those of harboring Taliban fighters or withholding information on them.

In practice, West shows that this does not work as intended. “The elders are powerless, “ Farris said, “We talk to them, and they check with the muj. We leave blankets and stuff for them outside the village. Sometimes they burn it, or give it to the muj. We offered to build a road and the villagers sent a delegation to Pakistan to petition Abdul Rahim, a Taliban head honcho. Rahim said no. So no road.” (41). The Taliban is deeply engrained in the political life and structure of a large percentage of towns, especially in provinces near Pakistan where they have great influence. As a result, even with the massive investment on the part of the US military towards winning the goodwill of the populace, there has been no change in their allegiance.

When it comes to military actions, the realm of action is very narrow for Marines and Army personnel on the ground in Afghanistan. West catalogs countless instances where troops see a Talibani fighter retreat into a school with an AK-47, and then see that same fighter leave within five minutes without being apprehended. Even when the identity of an insurgent is known, he cannot be captured or killed unless he is actually caught fighting allied troops. This great care when dealing with the enemy comes out of a response to the horrors of “Search and Destroy” in Vietnam, but the opposite extreme seems to have been taken in Afghanistan. War fighting, as West shows, is a last resort to be used in counter-insurgency operations across the provinces. How can you defeat the Taliban if you cannot root them out of the towns and provinces you are trying to bring closer to the Karzai government? The Afghan strategy seems flawed in practice. Our military is not structured to be a humanitarian force; our military is designed to go out and kill the enemy. West and myself included does not believe this is being done in Afghanistan.

“The United States military is not structured to fight the unconventional wars we are fighting across the greater Middle East.”

In the end, West calls for what amounts to an “Afghanization” of the war, which dovetails greatly with arguments put forward by University of Chicago Political Scientists John Mearsheimer and Robert Pape. Afghani's should fight the Taliban, build new infrastructure, and unify the country around the central Kabul government, not the United States. Not only are we not equipped to fight insurgencies, but the effort in Afghanistan is also costing hundreds of billions of dollars that the US does not have. If there were much more tangible results, then maybe the cost would be justified. But, as West shows, great sums of money have been spent for very little if anything at all. The US should reduce its commitments in the region and focus on advising and instilling a winning spirit into the Afghan Army in hopes that they defeat the Talibani in a long drawn out fight. In no way does West just want to pick up and leave like many on the left have called for, because doing so would bring us back to the Afghanistan of September 10, 2001. He believes that our troops should not be used like the Peace Corps. “Let them fight, and let the Talibani fear.” Our troops are fighting valiantly and bravely in Afghanistan, but are fighting the wrong war.
S purred by the severity of the crises that bookended the Bush Administration, a growing cadre of left-leaning academic authors has unleashed a spate of popular monographs announcing inevitable fiscal, military, and political ruin. Chief among them, Bruce Ackerman’s recent book, *The Decline and Fall of the American Republic* (2010), argues that the steady agglomeration of executive power threatens the fundamental nature of the American Constitution.

The much-anticipated publication of *The Executive Unbound: After the Madisonian Republic* (2011) marks the first book-length response to Ackerman’s concerns, as well as the second book-length collaboration between Eric Posner and Adrian Vermeule, after their outstanding *Perils of Global Legalism* (2009). Law professors at the University of Chicago and Harvard, respectively, Posner and Vermeule claim to offer a strong rejoinder to the pessimism of the likes of Ackerman, with whom both authors share a longstanding academic feud. Given the high quality of the authors’ previous collaborations—to say nothing of the aforementioned personal drama—it is not difficult to understand why expectations for *The Executive Unbound* were so high.

Posner and Vermeule begin with the provocative premise that the American Constitution—on whose behalf founding father James Madison is posthumously elected spokesman—has failed. Madison is taken to represent a perspective the authors label *liberal legalism*, which holds that the rule of law is grounded upon a system of checks and balances that maintains a more-or-less equal separation of powers. But the separation of powers, Posner and Vermeule opine, requires that each branch of government—executive, legislative, and judicial—claim some genuine political power *vis-à-vis* one another. Of course, that notional equality has—in practice, at least—proven to be a whimsical farce since the advent of the New Deal.

In the land of power politics that Posner and Vermeule describe, the executive branch has achieved near-hegemony over matters of state. Congress, then, is little beyond a sideshow, and the Supreme Court, well, is a nice building. The authors seem to think they’ve discovered something profound in detailing the rise of the executive-dominated administrative state. But the only reader for whom this ascendancy would be newsworthy is one that has spent the past sixty years in a coma. In fact, nearly every major social theorist of the postwar era—Jürgen Habermas chief among them—has grappled, more or less successfully, with the rise of the administrative state. Moreover, if *legalistic* voices like Habermas are to be believed, the putative demise of liberal legalism might be greatly exaggerated.

Strangely, none of this is of any consequence to Posner and Vermeule, whose cavalier reportage of the death of the American Constitution smacks more of failed aspirations toward an *End of History* one-liner than it does of dispassionate, scholarly analysis. Some readers might find what comes next to be yet more bizarre, even alarming. Enter Carl Schmitt, the Weimar-era German lawyer whose legacy as crown jurist of the Third Reich has outpaced his legacy as a political theorist. In a perverse twist of fate, it is this moment where the authors argument suggests maximal potential. His political baggage notwithstanding, Carl Schmitt was one of the most perceptive modern theorists of politics. Unfortunately, the authors reveal themselves to be painfully unaware of the most basic aspects of Schmitt’s thought.

Aside from clichéd tropes like *the sovereign is he who*...
decides the exception (taken from Political Theology), and other quotations that may as well have been gleaned from a primer to the hitherto unpublished edition of Carl Schmitt for Dummies, the authors make no substantive use of Schmitt’s rich and profound thought. Instead, Schmitt—or the highly superficial rendering that the authors provide—becomes a stand-in for two relatively trivial observations: 1) the executive has centralized all meaningful political power within the ascendant administrative state and 2) the actions of the executive are constrained by political—rather than legal (or constitutional)—concerns.

The combination of these observations yields little in the way of original scholarship. As indicated earlier, the first is available elsewhere to anyone willing to read a book, hardly a fortuitous development, given that there seems little reason then to read this book. Nor need Chicago readers cross the Midway for the second, which is available to any Chicago student willing to brave the prospect of coursework with Gerald Rosenberg, the distinguished scholar of American Politics with dual appointments in the Department of Political Science and the Law School. Rosenberg’s well-argued meditations upon the entanglement of law and politics might prove instructive to both authors.

Perhaps because the authors reduce Schmitt to a shallow caricature, the role that he actually plays in their self-described Schmittian Model is relatively inconsequential. Instead, the Schmittian Model is presented with a set of highly simplistic rational-choice arguments, none of which seems to have anything to do with Schmitt. The basic conclusion: as citizens, we need not fear the rise of a unitary executive because the executive—as a rational actor, like any other—is constrained by public opinion. Strangely, the authors barely address the relatively obvious question of how public opinion on these superficially legal (or constitutional) issues is formed. Dare we suggest that quaint notions like the separation of powers might play a role?

Why, exactly, we should take these rational-choice arguments seriously is never stated. And unlike the calculations of economists—whose likeminded efforts may rest upon the majesty of incomprehensible mathematics, if nothing else—the various charts and graphs that the authors present in an effort to bolster and to clarify their claims lack any semblance of dispositive authority. Of course, there is majesty to the study of the law, despite the best efforts of Posner and Vermeule to disabuse their readers of it. Their self-conscious legal realism is so painfully exaggerated that we must wonder why exactly the authors even bother teaching the law. If nothing else, I suppose it’s a paycheck.

Regardless, my advice is to skip this one until it is housed in the bargain aisle alongside the latest installments from the likes of Andrew Bacevich and Chalmers Johnson. Otherwise, it is sad to say, the search for a worthy successor to liberal legalism must continue. Until that search is completed, all of us must continue to make due with the naïveté of James Madison. And that’s fine with me. Qp

Flaw School
A review of Schools for Misrule by Walter Olson

By Tom Palmer

Walter Olson’s Schools for Misrule fills a gap, a gap which most folks in the legal academy will think merited preservation. The book is a survey of the legal academy’s role in contemporary American life and the development of that role over the last century, and reads as a collection of “That’s Outrageous!” columns. It will not be persuasive to readers on the left, because it assumes, rather than argues, that radical progressive ideas are misguided. It will be instructive to those in the center and on the right who are unfamiliar with the radical nature of the legal academy and its unduly influential role in America. The book is useful, despite a few weaknesses: (1) it completely ducks the question of what an appropriate role for the legal academy would be, and how it might be brought about, (2) the brief, un-nuanced nature of the survey leaves it ripe to rebuttal from—or dismissal by—sophisticated advocates of the radical positions and institutions he describes, and (3) it should have made better use of the
Olson, the founder of Overlawyered, widely recognized as the first legal blog, as well as the Manhattan Institute's Point of Law blog, is a prominent advocate of tort reform and recently became a senior fellow at the CATO Institute. The book describes a number of problems with the legal academy. To list them semicomprehensively: it is the source of all kinds of influential and radically misguided ideas; it is ideologically unipolar; it is oriented too little toward educating students in the law and too much toward implementing radically misguided ideas via the judiciary (via other means than well-educated students); it systematically overvalues litigation as a means to policy goals; its professors and institutions are involved in ethically problematic ways with the litigation industry; its curriculum employs “public interest” litigation which is essentially one-sided political advocacy not in the public interest at all; it has overseen the erosion of expectation-friendly and cost-effective limits on standing, litigation timing, and so forth; some of these pathologies have had profoundly antidemocratic effects, even leading in some cases to international judicial rule over domestic politics.

Some of these complaints are in tension with one another. For example, clinical education is largely one-sided and ideological, but it does provide a sort of practical experience which addresses student complaints about too much philosophy and not enough law. Also, professors who spend their time doing side jobs for cash have less time to write articles for Yale Journal of Che Guevara’s Queer Racebaiting and the Law. And teachers’ ineffectiveness at teaching black letter law seems just as likely to contribute to less litigation (because attorneys are less effective at bringing novel cause-expanding theories) as to over-litigation. And the more that the radical left sticks to the academy, rather than to legal practice, the less effect it is liable to have through litigation—there’s something of a zero-sum game, given that these highly motivated leftists will be working somewhere, after all.

But most of all, it is simply not clear how to deal with almost any of the problems Olson cites. The most commonly-discussed element of his critique is the groupthink-risking ideological homogeneity of elite law schools, which is an evident problem. Even at the University of Chicago, known as a relative exception, try asking the average student whether one may rationally oppose gay marriage, or whether the Bush policy on embryonic stem cell research pitted science against religion, or whether it is illegitimate to regulate some stipulatedly harmless form of conduct on the basis that it is immoral (as opposed to violating Mill’s harm principle). You will receive an answer which can only be a function of deficient engagement with diversity of viewpoints—respectively, “no,” “yes,” and an un-defended “yes.” But what is the fix for too ideological homogeneity? Solutions seem like they would necessarily involve some sort of affirmative action antithetical to the ideas of most conservatives themselves. This is, of course, not a criticism of Olson, whose goal may be simply to raise appropriate awareness and skepticism of the legal academy, rather than to promote change in it. But problems beg for solutions. I suspect the only answer is for faculties to make a self-conscious effort to hire people with divergent viewpoints, but this probably already occurs to some extent, and part of the problem is the miniscule supply of conservative legal academics. As in other areas of the university, the reasons for the shortage are not clear, but it surely stems in part from the bias conservatives expect to face in the academy.

Olson devotes considerable discussion to legal clinics, institutions attached to law schools which provide, generally, hands-on practical experience in fighting for left-wing causes. It is probably true that clinics ought to be more ideologically diverse, if only to offer options more appealing to conservative students. Schools ought to install clinics which litigate on behalf of white-collar defendants whose assets have been seized, leaving them unable to pay for good defense, on behalf of landlords who are unable to evict reprobate tenants, on behalf of victims of scurrilous libel suits by the out-of-control plaintiff’s bar, on behalf of the victims of federal habeas petitioners, and on behalf of students persecuted under unconstitutional campus speech codes. Yet at Chicago, which today houses something like nine broadly left-wing clinics, the Chicago Reader reported that the school’s one non-litigation pro-entrepreneur clinic opened “to considerable controversy” in 1998 because, according to an anonymous clinical professor, “[i]t would alienate those students at the law school who aren’t conservative, and the U. of C’s reputation as a conservative think-tank would only increase.”

It is hard to be optimistic about the future of ideological diversity at law schools when the most market-friendly—by reputation—of the top law schools has difficulty gaining approval for a non-litigation clinic that will assist indigent entrepreneurs. But more than just the bigotry of a few faculty contributes to this situation; there is also the sense, probably correct, that most of the students most interested in public-interest practice are in fact left-wing students. At least some of
imbalance is probably due to schools rationally meeting student demand, which comes mostly from the left, with the current lineup. Even if this is not the whole story, it may be a barrier to parity (and an argument against my contention that parity should even be a goal).

Another minor deficiency in the book relates to its discussion of the role of faculty witnesses in litigation, both in the courtroom and in public commentary on litigation, where they often act in advocacy roles under a veneer of impartiality. Olson provides ample anecdotes of unethical faculty providing dubious testimony for monetary gain. But precisely because these anecdotes are so entertaining and outrageous, it is disappointing to see Olson leave out one of the most outrageous examples, and the closest to home: Martha Nussbaum, who holds appointments in the Law School, the Divinity School, and the Philosophy Department. Nussbaum's case illustrates a significant point which would have merited more expansion: dishonesty and hackery in the courtroom are not merely the province of the financially self-interested professoriate at poorer schools; they're also the province of public-minded ideologues at elite schools.

Nussbaum was demonstrably dishonest on the stand and in filings in Romer v. Evans, and important constitutional law case in the mid-1990s. The claims of the plaintiffs (challenging a Colorado statute which prevented localities from making homosexuals a protected class) invoked complex questions of moral philosophy. Philosophers Robert George and John Finnis served as expert witnesses for the state, and Finnis's affidavit made claims about the positions of Plato, Aristotle, and Socrates on homosexual conduct; the plaintiffs called Martha Nussbaum as an expert witness in response, to argue that condemnation of homosexual conduct was inherently theological. In the course of her testimony, as Finnis and George later documented (in claims largely undisputed by Nussbaum), she systematically sought to deceive the court.

She testified that the translations used by John Finnis in his filings took a position that scholars could not reasonably disagree was wrong. Unfortunately, her position was directly contradicted by the universally-used relevant Greek-English Lexicon. Not to be deterred from the cause of justice, she referred (without acknowledging the fact) to the 1897 version of the lexicon (the only one she had lying around?), which she called “the authoritative dictionary relied on by all scholars in this area,” and to which she had never referred in any of her published works. As it happens, Nussbaum always referred to the very version of the lexicon which offered the definition she claimed no scholar could reasonably believe to be correct.

The absurdities do not end here. Nussbaum's contention under oath was a misrepresentation even of the dictionary she herself had used under the false pretense of its being authoritative and widely-used. She fabricated a “consensus” about the word translated by others as “unnatural” from a single source which did not itself support her claim; she was forced to lie about that lonely source itself. She also omitted the fact that the authorities used most regularly by her in the very filings containing these lies disagreed with her about this alleged “consensus.” Most ludicrously of all, she explicitly and repeatedly contradicted her own previously published work about Plato. The misrepresentations go on and on, with too many to recount; though she has never denied most of the allegations, Nussbaum has never recanted or expressed regret for trading academic integrity—and integrity generally—for the chance to help thwart democracy.

All these happenings probably turned out to be irrelevant to the case. Justice Kennedy is quite capable of manufacturing animus and willing away moral and philosophical reasoning. He did not need the assistance of Martha Nussbaum's lies; she sold her soul not knowing Wales was already in the bag. But the significant point is this: Martha Nussbaum was hired by the University of Chicago after this clearly-documented, uncontested abrogation of academic integrity. This fraud (though she is not a lawyer) is employed at our own university's law school.

It is true that she is not, like Northwestern's law professor Bernardine Dohrn, a convicted terrorist. I suppose we should be grateful that Northwestern bears the honor of employing Dohrn and we bear only the shame of granting her a law degree and appointing her, from time to time, to alumni committees. Together, Dohrn and Nussbaum epitomize everything contrary to the role of the legal academy, properly understood: one sought to subvert the rule of law through open rebellion and terrorism; one sought to subvert it through a perversion of the role of an academic and of a witness, misusing her credentials as a means certainly to lie, and almost certainly to commit perjury. It is difficult to imagine a more damning indictment of the extent to which the legal academy's ideological unipolarity have resulted in academic rot than that it is possible for people like these to be employed at top law schools, with nearly no one thinking to question their positions. If *Schools for Mistrue* accomplishes nothing other than bringing to mainstream attention this morally horrifying state of affairs, it will do a great service.
“THE FUTURE IS UNKNOWABLE, 
BUT THE PAST SHOULD GIVE US HOPE.”

- SIR WINSTON CHURCHILL

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