



CONSERVATIVE BATTLELINE ONLINE

*The "Bold Colors" Conservative Voice in
Washington*

Issue 122 - December 17, 2008

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Merry Newspeak Freedom

by Donald Devine

Issue 120 - November 19, 2008

As Christians prepare to enjoy their most popular holiday, concern is growing that President-elect Barack Obama will fulfill his 2007 promise to Planned Parenthood that the Freedom of Choice Act would be among the first laws he would sign upon becoming president. Unfortunately, FOCA would actually deny freedom of choice to a large segment of those Christmas celebrants.

At their recent December annual meeting in Baltimore, the Catholic bishops of the United States were advised by their lawyers that if FOCA were adopted, the law would no longer allow their hospitals and personnel to refuse to perform abortions. "For once," the left-leaning National Catholic Reporter commented, Catholic Church leadership was "remarkably" united on a major issue. As the Reporter noted,



Cardinal Francis George

Cardinal Francis George of Chicago, president of the conference, floated some "talking points" on Tuesday for a statement on policies under Obama. He alluded to FOCA but did not mention it by name. Several bishops, including Cardinal Edward Egan of New York and Archbishop Joseph Naumann of Kansas City-Kansas, insisted that FOCA be explicitly denounced in the text, and in the end George followed their lead. "FOCA would have lethal consequences for prenatal human life," says the statement released by George, in the name of all the bishops, on Wednesday. "It would be an evil law that would further divide our country, and the church should be intent on opposing evil."

Even liberal Archbishop George Niederauer of San Francisco, demanded that the church make the case against FOCA "early and often, both with members of Congress and with the new administration."

Auxiliary Bishop Thomas Paprocki of Chicago was most concerned with the problems FOCA posed for Catholic hospitals.

It could mean discontinuing obstetrics in our hospitals, and we may need to consider taking the drastic step of closing our Catholic hospitals entirely. It would not be sufficient to withdraw our sponsorship or to sell them to someone who would perform abortions. That would be a morally unacceptable cooperation in evil.

Cardinal George said such fears are "well-founded," because "once something is enshrined as a right in law, then I have no authority to deny it to someone." When asked what the country would do without its Catholic hospitals, George replied there could be "one-third fewer facilities for health care in the country than you have now, wouldn't you, at least in the state of Illinois?" About 12.5 percent of U.S. hospitals nationally are Catholic, treating 5.5 million patients annually. With the ubiquity of government health programs, almost all receive government funds directly or indirectly and therefore could be considered as acting under cover of law.

The Act's purported goal is to allow women to have a free choice to have an abortion. It proposes that the U.S. national government grant a "fundamental right" to every woman "to terminate a pregnancy prior to fetal viability, or to terminate a pregnancy after fetal viability when necessary to protect the life or health of the woman." Yet, to grant such a broad right to termination requires that

others must be forced to perform it. The proposed law does not simply provide that no one may forcibly prevent abortions. FOCA not only grants the right to abortion but also forbids others to “discriminate against the exercise” of that right.

Any individual denied this “abortion right” is allowed to sue for civil remedy. Nominally, only federal, state and local governments are forbidden from discriminating against the right but the Act would also allow suits against any “other individual acting under color of law.” This means that if doctors, nurses, or other state-licensed professionals, and hospitals or other health-care providers, decline to provide abortions, these individuals can be sued for “discriminating” against those desiring an abortion. Federal “conscience laws” allowing those morally offended by abortions to refuse to participate in them would be annulled under the reasoning that these are actually “refusal clauses” because they allow individuals to refuse to perform an abortion.

When an individual is not allowed to refuse to do something, he or she is refused the freedom of choice. So the “freedom of choice” provided by FOCA is an absolute requirement that that some individuals receive an abortion that others are forced if necessary to provide. Moreover, FOCA overrides all state and local laws, including their conscience clauses but also parental notification and consent requirements for minors seeking abortions, 24 hour waiting periods, partial-birth abortion bans and funding prohibitions - forbidding a federalist option of diverse solutions in different states. This national preemption over state law is justified under the interstate commerce clause of the Constitution merely because women and abortion providers cross state lines and clinics receive medicine and supplies that cross state lines. While such minor degrees of interstate activity have passed federal judicial scrutiny in the past, these have pushed the extremes of interpretation and are viewed by many as wildly excessive especially in such a sensitive area as abortion.



Clearly, some very large percentage of the U.S. population considers abortion gravely immoral. Whatever the precise number, being forced to participate in what one considers evil is an extremely broad use of the government's coercion power against a very large number of people. The Catholic Church is the nation's largest single organized religion. Orthodox Christians, Jews and Muslims have similar strictures against abortion, as do many traditionalist Protestant churches and even some who are not religious at all. But if these people are doctors, nurses or other health professionals or even support staff, FOCA would require these to assist in providing something they consider reprehensible. This is hardly freedom of choice for them.

To assess the degree of opposition, one bishop at the Catholic conference went further than merely threatening to close hospitals. Arlington Virginia Bishop Paul Loverde said if he had a hospital in his diocese, he would not close it but would order its management and staff to ignore the law.

I would say, 'Yeah, I'm not going to close the hospital. You're going to arrest me, go right ahead. You'll have to drag me out, go right ahead. I'm not closing this hospital, we will not perform abortions, and you can go take a flying leap.'

Actually, according to the official teachings of the Catholic Church, its Catechism states that Catholics are “obliged in conscience not to follow the directives of civil authorities when they are contrary to the demands of the moral order, to the fundamental rights of persons or the teachings of the Gospel.” Catholics may refuse to obey governments, “when their demands are contrary to those of an upright conscience.”

Catholics have already faced such circumstances. When one house of the Australian state of Victoria passed a bill not only requiring physician assistance in abortions but also pharmacists and nurses to administer abortifacients, Archbishop Denis Hart declared simply that “Catholic hospitals cannot be any part of any abortion. Even providing a referral is cooperation in evil, and that impacts very

strongly on us as Catholics." Consequently, he said would be forced to close the fifteen hospitals that accommodated one-third of the births in the state.

In America, when the Connecticut Senate required all state hospitals to provide the Plan B "morning after pill" to rape victims, state bishops William Lori and Henry Mensell originally claimed the bill was "a violation of church and state" and maintained that this would "involve Catholic hospitals in the performance of early abortions and would violate Catholic principles." When the bill was signed into law, however, they then declared "there is serious doubt about how Plan B pills work," and retreated on their demand that a prior test for ovulation was necessary to assure the woman was not pregnant, although concluding that they would reopen the matter if they found that abortions did occur at Catholic hospitals as a result of administering the pill.

When the full power of the government is put behind the law, even the freedoms that seem most valuable can be threatened as those who are targeted shrink at the consequences of disobedience. This is especially the case if it is done gradually, one step at a time. As Nobel economist Milton Friedman often emphasized, no frog would be harmed if thrown into boiling water. He would simply jump out. But if he is put in cool water and the temperature is slowly raised, he will be lulled into abandoning his freedom of action and will slowly become frog soup.



Milton Friedman

Has freedom come to this, President-elect Obama? Shall some large group of Americans be forced to choose between shutting down their hospitals, performing civil disobedience, or violating their consciences so that they are forced to serve the "freedom of choice" demands of others with special rights? As George Orwell dramatized so well in his classic novel "Nineteen Eighty Four," the most effective trick is to employ a "newspeak" language defining the proper freedom for society to be slavery.

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Editor**

Libertarian Social Right Defense

by Randall Hoven

Issue 122 - December 17, 2008

Social conservatism is taking a beating lately. Not only did it lose in the recent elections, it is being blamed for the Republican losses. If only the religious right would get off the Republican Party's back, the GOP could win like it is supposed to again. I beg to differ.

I'm anything but a social conservative. In nine presidential elections, I voted Libertarian in six. I am a hard core "limited government" conservative/libertarian; I want government out of my pocket-book and out of my bedroom. Concerning my religion, it's none of your business, but I'm somewhere in the lapsed-Catholic-deist-agnostic-atheist spectrum; let's just call it agnostic.



Having said all that, I have no problem with "social conservatives" or the "religious right" and their supposed influence on the Republican party. I base this not on the Bible or historical authority, but on the love of liberty and the evidence of my own eyes.

The most obvious point to me is that it is the do-gooding liberals who are telling us all what we can and can't do. The religious right usually just wants to be left alone, either to home school, pray in public or not get their children vaccinated with who-knows-what. Inasmuch as the "religious right" wants some things outlawed, they have failed miserably for at least the last 50 years. Abortion, sodomy, and pornography are now all Constitutional rights. However, praying in public school is outlawed, based on that same Constitution.

Just think for a moment about the things you are actually forced to do or are prevented from doing. Seat belts. Motorcycle helmets. Bicycle helmets. Smoking. Gun purchase and ownership restrictions. Mandatory vaccines for your children. Car emissions inspections. Campaign ad and contribution restrictions. Saying a prayer at a public school graduation or football game. Trash separation and recycling. Keeping the money you earned. Gas tax. Telephone tax. Income tax. FICA withholding. Fill in this form. Provide ID.

For the most part, the list just cited is post-1960. Neither Pat Robertson nor James Dobson ever forced any of that on us.

I can get pornography right at my keyboard, or drive a mile and get all the sex toys I can fit into my car. I can walk to the nearest casino to gamble (but can no longer smoke there). I do need to travel to Nevada for a legal prostitute. If my teenage daughters had wanted abortions, they could have had them free and without even notifying me. (However, had they taken Advil to school, we'd all be in trouble.)

There is one thing I can think of that is actually outlawed and that the religious right wants outlawed: illegal drugs. But the criminalization of drugs enjoys broad bipartisan support; it is not exactly an issue owned by the religious right. Last I heard, 70% of those polled wanted to keep drugs outlawed.

But recall that in the Supreme Court decision that ruled against medical marijuana, *Gonzales v. Raich*, it was the "social conservative" contingent of Rehnquist and Thomas who *dissented*. Clarence Thomas began his [dissent](#) as follows:

Respondents Diane Monson and Angel Raich use marijuana that has never been bought or sold, that has never crossed state lines, and that has had no demonstrable effect on the national market for

marijuana. If Congress can regulate this under the Commerce Clause, then it can regulate virtually anything-and the Federal Government is no longer one of limited and enumerated powers.

I'll take that kind of "social conservatism" all I can. It sounds like freedom to me.

It was also the very conservative William Buckley at the very conservative National Review (and who was not alone among conservatives) who [said](#) this to the New York Bar Association:

I leave it at this, that it is outrageous to live in a society whose laws tolerate sending young people to life in prison because they grew, or distributed, a dozen ounces of marijuana. I would hope that the good offices of your vital profession would mobilize at least to protest such excesses of wartime zeal, the legal equivalent of a My Lai massacre. And perhaps proceed to recommend the legalization of the sale of most drugs, except to minors.

Let's talk about the unavoidable issue: abortion. Who made it a federal issue? The ACLU and then the Supreme Court. Before 1973 it was left to the states; some allowed it, some didn't. Different states could adopt different criteria. Some might allow it under all circumstances. Some other none. Some at 12 or 20 weeks. Some might define "health" of the mother in different terms.

But all that flexibility was halted with *Roe v Wade*. Since 1973 abortion has been a Constitutional right. Do you know where that right is found in the Constitution? In these words of the 14th Amendment: "[No state shall] deprive any person of life, liberty, or property, without due process of law." Those words, according to our finest Constitutional scholars, mean it's OK to shove scissors through the skull of a baby and suction its brains out, as long as that skull has not yet left the birth canal. I'm sure you see that in those words of the 14th Amendment. Look hard, into the penumbras and emanations - it might take a little imagination.

Regardless of what you think about abortion, to find it in the 14th Amendment is an act of ink-blot reasoning. It might almost be OK, if it meant the court said we have true sovereignty over our own bodies. But the court [explicitly said](#) otherwise.

The privacy right involved, therefore, cannot be said to be absolute. In fact, it is not clear to us that the claim asserted by some *amici* that one has an unlimited right to do with one's body as one pleases bears a close relationship to the right of privacy previously articulated in the Court's decisions. The Court has refused to recognize an unlimited right of this kind in the past... We, therefore, conclude that the right of personal privacy includes the abortion decision, but that this right is not unqualified...

So you do *not* have the right to do with your body as you please. Neither women nor men own their own bodies. That's what *Roe v Wade* said. In short, the decision was not "pro-choice". It was pro-abortion, pure and simple. That is the only choice it protected.

If taking abortion out of the hands of the federal government and putting it back into hands of the states, where it is legislated per each state's popular sentiment, let it be. I can stand that kind of "social conservatism." It sounds like federalism and democracy to me.

Now let's talk about guns. Why is that a "social" issue? We're talking about the Bill of Rights here. You know, where we find the freedom of speech, freedom of the press, religious freedom, freedom from unreasonable searches and seizures, no cruel and unusual punishments or excessive bails, etc. The right to keep and bears arms is No. 2 of 10. This is a right the "religious right" wants to *keep*, not take away. If you keep your gun in your bedroom, it is the religious right that wants the government to stay *out* of your bedroom. Who is treading on whose rights here?

I am not dead set against gay marriage. I'm mildly against it, but if it comes to an honest vote in my state and passes, I can live with that. But so far, every single time the issue has gone to a popular

vote, the people voted it down. The only reason it is legal in two states right now is because of the *courts* in those states; a mere handful of robed Merlins made the decisions.

I also think it a bit risky to redefine such a fundamental institution that has been defined as between one man and one or more women in every successful civilization I know about, for the last 6,000 years or so. How about we use federalism and the states as laboratories before we dive head-first into opaque water on this one?

I must say, even as an agnostic, something is creepy about a government that outlaws Nativity scenes at City Hall, but subsidizes Piss Christ. That tries to disband the Boy Scouts but promotes gay marriage. That disallows even voluntary, student-led prayer at public school, but teaches children how to put on condoms.

What is so funny about Bill Maher's *Religulous*? What is so bad about Sarah Palin hoping to do God's will or praying for His guidance?

I am not religious myself, but I kind of like the idea that whoever makes and enforces our laws thinks that some invisible being knows his every move and will judge him accordingly in eternity. I would not be offended if the being he prays to is the one who gave the Sermon on the Mount.

I have yet to see the absence of religious devotion replaced with true scientific rationalism. Instead, I see it replaced with Environmentalism, Marxism, New Age "spiritualism" or any of a host of other pseudo-religions. On the other hand, Isaac Newton, for my money the greatest scientist ever and one of our more rational thinkers, wrote way more about the Bible and God than he ever did about calculus, mechanics and optics combined. There is nothing inconsistent between science and religion or reason.

By the way, I know enough about rationalism to know this: anyone who thinks he practices it rigorously has no idea what he's talking about. Bertrand Russell and Alfred North Whitehead are famous for taking a thousand pages to prove, with rigorous logic, that one and one are two (I'll trust them on that). How can anyone with an ounce of humility, or real sense, think he knows the "rational" method of improving the lot of mankind? Lenin and Mao thought they knew, as they sent tens of millions to their graves in the effort.

I'm still searching for the mythical creature that is the "financially conservative, socially liberal" politician. In virtually every case, the pro-abortion or pro-gay marriage politician is the first to vote against a tax cut, the first to vote for more spending and quick to compromise principles on any issue there is.

Using the [National Journal's ratings](#) of Senators in 2007, the correlation coefficient between "economic" scores and "social" scores is 90%. That means they almost always go together; financial conservatives are social conservatives and *vice versa*. Every Senator scoring above 60 in economic issues, scored above 50 in social ones. Every Senator scoring below 40 in economic issues, scored below 50 in social ones. If there is such an animal as a "financial conservative, social liberal", it does not exist in the US Senate.

Finally, there is the concept of small "c" conservative. While we should make some changes in our institutions so that we can evolve, as F.A. Hayek might describe, toward a better society, we should also be careful. Don't change everything at once, for example. Try a few things incrementally and see how they turn out. Maybe we should consider "evidence based" government.

We should be especially careful in tinkering with the most successful society ever to exist on this planet. I would hope I wouldn't have to defend that claim. By 1969 we put man on the moon and brought him back safely. We were the richest and most free country on earth. Immigrants flocked to

our shores. We had defeated some of the most despicable regimes in history. Our schools were the envy of the world and our people produced more patents than any other country.

Shouldn't we have some humility about changing the most fundamental institutions that got us to that point? Things like traditional marriage, the nuclear family, schools, private property, the free market and the Bill of Rights? That is not to say we don't change them at all. But let's be careful, incremental and be prepared to change the change. Do not throw out the baby with the bathwater.

It was communism that tried to change everything all at once. Karl Marx described the approach in the *Communist Manifesto*.

"Abolition of private property. ... Abolition of the family! ... Communism abolishes eternal truths, it abolishes all religion, and all morality ... this cannot be effected except by means of despotic inroads ... In short, the Communists everywhere support every revolutionary movement against the existing social and political order of things."

The Soviets said they would create the "new man." Pol Pot wanted change so drastic he set his revolution in the "year zero." The results were 100 million dead, prison camps, re-education camps and boat people. These new societies, new men, and new calendars did not last.

When the day comes that the only thing between me and liberty are some Bible-quoting know-it-alls, I'll reconsider. But right now, there are a lot of things between me and liberty, and the "religious right" is not one of them. In fact, I see them voting for more liberty, not less. If the Republican Party ever decides it really wants to be the party of liberty, rather than the slower-road-to-socialism party, I'll gladly join the religious right there.

Randall Hoven writes for American Thinker, where this first appeared.

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Editor**

Democrat Bailout Agenda

by Timothy Carney

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"You never want a serious crisis to go to waste," incoming White House chief of staff Rahm Emanuel recently said. "And what I mean by that is an opportunity to do things you think you could not do before."

What "things" do Emanuel and the Obama administration want to do, and what "opportunities" have been presented them by the current economic crisis? In short, the armada of bailouts deployed by the outgoing Bush administration will soon become the weapons the Democrats need to push greenhouse gas regulations that they haven't been able to get in through the front door.

Put another way, with the federal government now paying (with your money) the Detroit piper, Obama and congressional leaders get to call the tune. This provides a chance for a regulatory agenda that would never fly otherwise.

General Motors, Ford, and Chrysler all have come begging at the federal trough for a series of bailouts. In recent weeks, Democrats have made it clear what they will demand in exchange for the bailout cash: more attention to fuel-efficient cars, fewer gas guzzlers, more research into alternative-fuel-powered cars, and other green efforts.

It's also obvious what the Democratic Congress won't demand of Detroit—they won't call on the Big Three to significantly renegotiate the absurdly generous pension plans the unions demanded and irresponsible past CEOs agreed to.

Democrats in Washington have long fought to protect the unions and have been champing at the bit for greenhouse gas restrictions. The bailouts provide new leverage on both of these scores.

Specifically, the Obama administration and Congress can now regulate greenhouse gas emissions and fuel efficiency through a back door. While there is broad public support for action on climate change, that support is shallow. People aren't willing to have their energy prices hiked in order to reduce their carbon footprint.

This past May, the National Center for Public Policy Research asked 802 likely voters, "How much extra would you be willing to pay for gasoline in the near term (with more increases to come later)—on top of increases that would occur anyway—in an effort to reduce U.S. greenhouse gas emissions." Sixty-five percent of respondents said "nothing more," and only 10% were willing to pay even an additional 6%.

When Gallup listed twelve environmental concerns to voters, "the 'greenhouse effect' or global warming" ranked 10th in importance, with the ozone layer and loss of tropical rain forests sparking more worry. While many leaders in industry, with lobbying champion General Electric taking the lead, back restrictions on greenhouse gases—seeing profit and positive public relations in such measures—top companies cannot agree on the best way to regulate.

For these reasons, Democrats, controlling both chambers of Congress for the past two years, never passed a bill addressing the issue. Now, they can follow government's three-step process for turning previously hesitant business into pro-regulation advocates [link [here](#):] (1) offer massive taxpayer bailouts to the company; (2) make the bailout cash contingent on the business "voluntarily" adopting policies you prescribe; (3) sit back as that business soon starts lobbying to impose the same restrictions on all companies.

In the auto industry's case it's pretty easy to see how this will play out. Congress and the White



Tim Carney

House, without having to pass a new regulation, can require the suffering automakers to create more hydrogen-powered cars, plug-in hybrids, or cars that can run on high-ethanol blends. This isn't technically a regulation: it's government placing conditions on access to taxpayer money.

But once GM and Ford are forced into following whatever green marching orders Obama sends down, then the companies become an ally to the carbon-cappers. If Detroit is bending over backwards to reduce CO2 emissions, you can bet they will start lobbying to require all cars sold in America to meet whatever standard they're meeting. In other words, the conditions Detroit will agree in order to get bailout cash will soon be imposed on even those automakers (like Honda and Toyota) not begging for federal handouts.

The winners, of course, are the politicians and bureaucrats who now will have powerful allies in their push to expand government—or, as Rahm Emanuel puts it, they will have “an opportunity to do things you think you could not do before.” These bailouts are a kind parting gift from the Bush Administration to the Obama Administration.

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**E-mail the
Editor**

Christmas Godfathers

by Spencer Warren

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In the canon of the best Westerns directed by our greatest director of Westerns, also the man generally regarded as our greatest of all directors, John Ford's 1948 "*3 Godfathers*" is rarely included. This is unfortunate, because the film illustrates Ford's poetic genius and how he infused his Westerns, as well as many of his non-Westerns made between 1935 and the end of his career in the mid-1960s, with the themes and images that inspired his art.



3 Godfathers is based on a 1913 magazine story by Peter B. Kyne. Its story of three outlaws who come upon a dying woman and her newborn stranded in the desert, and who endure hardship and even death in rescuing the child, thereby finding redemption, is so compelling that it was filmed several times, including two other times by Ford: his silents *Marked Men* (1919) and a looser adaptation, *Three Bad Men* (1926). In addition, the 1990 Tom Selleck movie *Three Men and a Little Lady* adopts the basic plot for a contemporary story, if without the moral depth.

But this 1948 version is entirely different from the others in how Ford deals with the material. In the opening scene, three outlaws (John Wayne, Pedro Armendariz and Harry Carey, Jr.) enter the quiet town of Welcome intending to hold-up the bank. Needing directions, they ride up to a gentleman tending his garden, Buck Sweet (Ward Bond) and become engaged in a friendly conversation. One example of Ford's subtlety as a director – and the essentially visual, rather than literal, quality of his films -- is how he directs the gentleman's movements and easy manner, as he looks up from his gardening to greet the strangers, thus suggesting the domesticity that Ford so loved to portray in his films. The "Boss," Mrs. Sweet (Mae Marsh) joins them and brings out some hot coffee, inquiring in a motherly way about the youngest, William (Carey). Then Buck Sweet just happens to pull back his vest, which had hidden his gleaming sheriff's badge.

Buck now is suspicious because William had identified himself as the "Abilene Kid." Thumbing through Wanted posters, he finds his man. But now the trio holds up the bank (lots of shooting but no one is hurt except the Kid, shot in the side), and they escape Buck and his makeshift posse, seeking refuge in the vast southwestern desert.

At this point they come upon an abandoned Conestoga wagon and are astonished to find inside a woman (Mildred Natwick) in labor, but no husband to be found anywhere. Pedro reluctantly volunteers to act as mid-wife. The birth scene as directed by Ford is holy. Inside the wagon is relatively dark; Ford shoots the canvas at the open rear-end of the wagon, from the point of view of the woman, as if she is looking up at the arch of a church. All is quiet as Pedro (Armendariz) slowly climbs in to succor the poor mother in painful labor. We then hear the little newborn crying out, but the mother is dying. She asks the trio to be her son's godfathers and bring him to safety and take care of him. They bury her on a hill nearby, Robert (Wayne) speaks over the grave, and the Kid sings a Ford favorite, "Shall We Gather at the River." (He forgets the final verses, a device Ford uses to cut down on the sentimental nature of the scene.) Ford shoots the burial scene looking up from down the hill, creating one of his countless dramatic, noble compositions.

Now, their horses having run off in a sandstorm, the trio's ordeal begins, with a real posse led by Sheriff Buck in pursuit. Shrewdly, he judges correctly which water tank along the rail line his prey will go for, and has it emptied before they can reach it. They suffer severe thirst as they struggle to conserve what water they have for little Robert Pedro William, as they have named him. Now crossing totally barren desert, first the wounded Abilene Kid succumbs to a frightful death (filmed in Death Valley), then Pedro, until only Robert is left carrying the child, dragging his emaciated body

toward the mountains beyond, and thence to the town of New Jerusalem.

Collapsing in a cave, he struggles with his demons, who urge him to give up, it's no use. But the Bible he had taken from the wagon falls to the ground and magically (!) turns to a page that inspires him to go on. He drags himself up, still tenderly holding the little one, swathed in a blanket. Just outside the cave, in the star-lit night, he comes upon a donkey, which supports him, exhausted, as he heads for the town. It is Christmas Eve.

This scene, and perhaps the birth scene as well, may sound corny, but anyone with knowledge of our artistic heritage should appreciate Ford's genius for careful composition, camera angle and lighting for dramatic effect. (This film is in color.) Indeed, the care and thought that has obviously gone into his direction (his visual sense has been compared to the painter Renoir) itself gives proof how deeply this curmudgeon with the often exceedingly gruff exterior felt about his themes and images. This is the personal involvement with his material that distinguishes an artist from a craftsman (or a hack).

Readers should also be mindful that seeing films of the greatest directors on DVD or cable television – whatever the size – gives the viewer only an approximation of the film. The films of Ford, Hitchcock, Vidor, Stevens, Minnelli, Ingmar Bergman, Jean Renoir and others are so visual that they must be seen as they were intended, on a big screen in a big theater (not a multi-plex). Of course, this is difficult to arrange, unless your city has a repertory theater or museum. Last year I had the good fortune to view three Ford Westerns – *Fort Apache*, *She Wore a Yellow Ribbon* and *Rio Grande* – which I had seen many times on television, at the restored 1930s theater of the American Film Institute outside Washington, D.C. These are contemporaneous with *3 Godfathers*, having been made between 1947 and 1950. It was one of the most stunning and memorable movie-going experiences of my life. *Fort Apache*, in black and white and, like the others, filmed in the more square, less rectangular ratio that arrived in the 1950s and still is the standard, demonstrates how Ford did not need wide-screen or color to create as spectacular a cavalry-Indian battle as has ever been filmed. The formal compositions of the cavalry forming up for attack and, by modern standards, the epic distance of Ford's camera, just bowled me over. Such qualities are miniaturized on DVD, losing much of their impact. Also, the sound (gunshots, whooping Indians, thundering hooves, grand orchestral music score) on a 35 mm. print ringing out in a big theater also is essential to experiencing a film like this.

Entering the saloon, where the piano player is playing "Holy City" and "Silent Night," Robert collapses. Soon thereafter, Sheriff Buck arrives. No longer the amiable man-at-home, he thinks the bank robbers are responsible for what we now learn was his sister-in-law's death, and he is consumed by vengeance, even daring Robert to draw in front of the bar. But Robert is too weak. "Ya got me," he says, collapsing to the floor from exhaustion.

Well, later Buck learns the truth. He is grateful to Robert and now they are friends, though of course Robert is still his prisoner. They play chess through the bars of Robert's cell and Robert is getting fat on the "Boss's" home cooking. (Comic relief, sometimes overdone, is another Ford staple.) The trial is held in one of Ford's favorite settings, the saloon. Sitting high behind the bar, the judge (Guy Kibbee) tells Robert that if he gives up the child to Buck and his wife, he'll go very easy on the sentence, which otherwise will be very stiff. To this, Robert responds (in the inimitable John Wayne drawl), "I ain't gonna break a promise to a dyin' woman." He wants to raise the boy as he promised, "teachin' him right from wrong" and "how to say 'Yes, sir' when spoken to." Gleefully, the judge responds, "I thought you'd say that." He gives Robert a light sentence and orders that in the meantime Buck and the Mrs. are to have custody.

The final scene is truly vintage John Ford. Robert, headed for the state "pen," is escorted to the train station by Buck and his deputy (Hank Worden). As they arrive, they are greeted by the women of New Jerusalem, all decked out in their finest, singing as a chorus "Bringing in the Sheaves." Their husbands, mounted on their horses in a neat column, stand alongside. Sheriff Buck earnestly asks Robert to make sure the deputy gets back on the train in good order after they reach the state pen because the deputy has never been on such a long journey before. And just as they are about to board, a winsome young lady presents Robert with a cake, her favorite which she baked herself.

Then she asks, shyly, "Can I write you?" "Can I call you . . . Bob?" "I'd be rightly pleased, ma'am," Robert replies, bowing and elaborately tipping his cowboy hat. He departs, and, in the final shot, is seen from a great distance, waving.

Thus, Ford has transformed what in other hands would be a basic ending into a celebration of Christian brotherhood. The redeemed Robert has reminded the good sheriff the pitfalls of hatred and rushing to judgment. Unlike most contemporary films, Ford's themes are not presented literally with lots of dialogue, but, building on the plot, figuratively, with metaphor and imagery. Only a director who felt deeply about his work and had the confidence in his ability to pull it off would film the final scene with the chorus of ladies singing "Bringing in the Sheaves." (Music and song as ritual play an important part in many of Ford's movies.) Another example is Frank Capra's device in *It's a Wonderful Life* (1946) of George Bailey (James Stewart) being shown by his Guardian Angel (Henry Travers) how bad life in Bedford Falls would have been had he been granted his wish never to have been born. (For examples in Ford's work how in several films he presented his view of the inseparable loving bond of the living and the dead, as well as his use of music, see [here](#).)

Ford's employment of metaphor and imagery is typical of the best directors of pre-1960s movies. Such techniques, in art and literature, have long been used by the artist to give voice to his or her personal expression. And what can be more effective in engaging the spirit of the audience, particularly if one is trying to give expression to truths beyond words, to the transcendent? One reason these artful techniques are rare today in movies is that few directors have anything to say about the transcendent. So their movies rely on talk and more talk, or they assault the sensibilities of the audience.

Spencer Warren is ConservativeBattleline's media critic.

**E-mail the
Editor**

Does Gloom Sell?

by S.T. Karnick

Issue 121 - December 3, 2008

It's not the economy, stupid! Despite the badgering by America-hating critics, people never gravitate to deliberately negative and depressing movies.

Taking up a theme about which I've been writing for several months (and indeed for more than two decades), [AP wonders, "Will economy make crowds shun gloomy flicks?"](#) Well, yes and no, as I've noted earlier in my weekly updates on the U.S. movie box office. They will shun gloomy flicks, but not largely because of the economy.



The reality is that people always tend to shun gloomy movies regardless of economic conditions.

Certainly it's true that some downbeat films can be very popular, as was spectacularly true of *Titanic* and *The Dark Knight*, but such successes are greatly the exception. Plus, downbeat films that achieve real popular success almost always have some big compensations that satisfy audiences despite the unhappy endings, as in the spectacular action and romance of *The Dark Knight*, *300*, and *Titanic* demonstrate.

Absent that, however, gloomy movies don't do very well, and even with them it's a tough road. So, no, the economy isn't driving people away from depressing Oscar-bait films; the movies themselves are accomplishing that quite effectively.

That's the real reason the animated comedy film *Madagascar: Escape 2 Africa* led the U.S. movie box office with a spectacular \$63.1 million in its first weekend of release. Let's see, funny talking animals or another fictional expose of U.S. perfidy in the Iraq War . . . what do you think, honey?

Thus also the strong showings for the silly comedy *Role Models*, which finished second at \$19.2 million, *High School Musical: Senior Year* (third at \$9.2 million), and *Zack and Miri Make a Porno* (fifth at \$5.4 million). Also in the top ten were two horror films, *Saw V* and *The Haunting of Molly Hartley*.

The one serious film in the top ten was Clint Eastwood's *The Changeling*, finishing fourth with \$7.2 million and benefiting from a strong performance by Angelina Jolie and an appealing, positive element in the central characters' personal strength and courage—a couple of those big compensations mentioned above.

This preference for movies that actually entertain is not something unique to wicked Americans, either; it appears to be all but universal. India, after all, is known for its aggressively entertaining Bollywood films, and most countries in the world enjoy Hollywood's escapist fare and don't have much use for our antiwar dramas and pro-homosexual cinema.

The same week the latest James Bond movie, *Quantum of Solace*, was tops at the UK box office again, selling another \$14.3 million worth of tickets. Also strong in Blighty were *High School Musical 3: Senior Year*, *Ghost Town*, and *Saw V*. Sound familiar? Only slots five, six, and ten had particularly serious films among the entire UK top ten for the weekend.

All of this is good news, actually, as it confirms once again that although most critics are incredibly stupid, audiences tend to be very smart. That keeps the U.S. film industry from entirely destroying itself by devoting its efforts exclusively to the kind of frightful, idiotic, politically driven nonsense the filmmakers would really like to make. God bless the free market!

S.T. Karnick edits The American Culture at stkarnick.com

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Editor**

Maher's Dumb Country

by Brent Bozell

Issue 122 - December 17, 2008

Here's an extremely obvious test of how anti-religious our entertainment culture has become: Bill Maher can make a film that strenuously aims to mock all religions. His ads on the Internet shows three monkeys; one Jewish, the second a Muslim monkey, and the third, a monkey Pope. The reaction? Our cultural commissars yawn. National news and entertainment magazines howled at the supposed insensitivity of "The Passion of the Christ," but Bill Maher can't seem to locate an ounce of outrage in all the fashionable places.

The film is called "Religulous" – a lame merger of "religious" and "ridiculous." One reason it's not urgently mentioned is that while everyone knew "The Passion" was going to be an enormous box-office hit, Maher is hearing the sound of crickets in the fields of controversy, which may match cricket sounds at the box office.

Frank Rich of the New York Times attacked Mel Gibson and "The Passion" with a feverish pitch, but he hasn't penned a word about Maher. Maher can mock Hasidic Jews as subhuman monkeys in his Internet ads, but Frank Rich is too busy chasing after Sarah Palin with his flamethrower. He has a problem with orthodox Christians, but certainly not with Hollywood atheists who think the Jews are as silly as any other faith community.

The New Republic was another fount of scholarship and outrage against Gibson's cinematic vision of Christ's crucifixion, but they've offered no Maher critique.

Time film critic Richard Corliss, who scoured "The Passion" as "The Goriest Story Ever Told," can only say of Maher: "Even the affronted Christians who gathered to oppose Bill Maher's docu-comedy 'Religulous' (one sign read MAKE PEACE NOT MAHER) looked more like a welcoming party – what would an antireligion movie be without protesters?"

Newsweek, which has passionately displayed an ongoing love affair with atheism, has failed to notice any controversy in the Maher film.

Maher's pseudo-comic jeremiad can't even score a positive review in The Village Voice. That's in Greenwich Village. In the most bohemian corner of New York City. Their film critic J. Hoberman decries the movie in the headline as an "adolescent case against religion." Hoberman wants to like it, but scorns Maher: "Still, as a polemicist, he's hardly fair – more than a few exchanges are recalibrated in the editing, and too many end with Maher flipping Pascal's Wager, rejoining a believer's 'What if you're wrong?' with an emphatic 'What if you're wrong?' Such one-sided encounters are more depressing than fun."

But this hasn't stopped Maher from spreading his trademark drivel on every television set that will allow him. He hit all three major networks at different hours: ABC's "The View," CBS's "The Early Show," and NBC's "Late Night with Conan O'Brien."

On ABC, Maher was so doctrinaire that American historical figures from Lincoln to FDR were a cavalcade of morons for having the audacity to speak of God. When Elisabeth Hasselbeck raised these figures, he could only sneer: "of course, it's, it's a religious country, unlike every other civilized western democracy in the world, this country is still extremely religious because we're young and dumb."



Brent Bozell

But then Maher grew ridiculous. He claimed he wasn't engaged in mockery, that in his faith-mocking film, "we don't judge. We don't point fingers. We're not making anybody feel bad." Maher's film ends with pictures of exploding nuclear bombs and a chorus of the Talking Heads song "Road to Nowhere." But Maher's not trying to make anyone feel bad about his religion.

CBS touted him as bringing "the gospel of doubt." Maher announced "I don't like the word atheist because to me it mirrors the certainty of religion. I preach the gospel of I don't know." Calling a religious country "young and dumb" would seem to have a heaping helping of certainty in it.

On NBC, Maher made cuckoo noises to mock Sarah Palin and others who believe in a biblical account of creation, and declared, "I would love people to see it for no other reason than just to make a statement that we are not going to let the Sarah Palins of the world take over this country."

None of these forums even located any controversy for all of Maher's dishonesty in filming. "We never, ever used my name," Maher told Patrick Goldstein of the Los Angeles Times when asked about how interviews were arranged. "We never told anybody it was me [sic] who was going to do the interviews. We even had a fake title for the film. We called it 'A Spiritual Journey.'"

It is amazing that Maher thinks it's religion that's the "supreme hustle," and not his lying movie.

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Geithner Is Bailout King

by John Berlau

Issue 122 - December 17, 2008

President-Elect Barack Obama's decision to nominate Timothy F. Geithner to be his Treasury Secretary nominee represents a giant step away from his own promise of "change you can believe in."



**John
Berlau**

The Geithner nomination would be "more of the same" in almost every respect — more bailouts, more lack of transparency in the bailouts, and more corporate welfare. Geithner was the architect of the Bear Stearns bailout and cohort of Treasury Secretary Paulson in American International Group and the TARP bailouts. In choosing Geithner, Obama might as well have nominated Hank Paulson to another term!

Geithner's financial qualifications are in many respects quite thin. He has never been a banker nor an academic economist. As liberal columnist Robert Kuttner [noted recently](#) in the American Prospect, Geithner "has neither a doctorate in economics nor an M.B.A."

Geithner's career rise has consisted largely of falling upwards after organizing bailouts, even if the bailouts fail or prove to be unnecessary. With a B.A. in government and Asian studies from Dartmouth and an M.A. in International Economics and East Asian Studies from Johns Hopkins, Geithner went to work at Kissinger Associates before coming to the Department of Treasury under the first George Bush in the late 1980s. In 1999, he was promoted to Under Secretary of the Treasury for International Affairs under Clinton Secretaries Robert Rubin and Larry Summers. Geithner was an active player at Treasury around the time of the [bailout of Long-Term Capital Management hedge fund](#), which didn't involve any taxpayer money, but set the precedent for government intervention in bringing banks together to prop up failing non-bank firms.

He became President of the Federal Reserve Bank of New York in 2003, but elevated himself to one of the top government financial officials earlier this year by organizing the Federal Reserve's bailout of Bear Stearns that Paulson and Fed Chairman Ben Bernanke quickly signed off on. Despite questionable evidence of whether Bear would even go bankrupt — its creditors may have delayed their collateral calls if they would have been wiped out too — the Fed guaranteed JP Morgan \$29 billion from the government to take over Bear, and the government set the stock price Bear's shareholder's would get. According to [Conde Nast Portfolio](#), "It was Geithner's Federal Reserve bank, not the Treasury, that came up with the \$29 billion loan that made the deal possible or, more precisely, acceptable to J.P. Morgan." The magazine noted that Geithner "was the central figure in that drama" who "brought the parties together, [and] hashed out the details."

The Bear deal faced criticism from the left and right as both an abuse of Fed power and as a precedent that spread "moral hazard" leading to the further bailouts down the line, bailouts that Geithner would be heavily involved in, working hand-in-glove with Hank Paulson. Conservative columnist Robert Novak [wrote](#), "The Federal Reserve's unprecedented bailout of Bear Stearns was crafted not at the White House or Treasury, but in secret by a New York central banker." The precedent of Geithner's plan, Novak wrote, "can effectively substitute the central bank for the market in determining financial outcomes."

But Geithner's actions received similar criticism from former Fed Chairman Paul Volcker, an adviser to Obama who himself was considered for the Treasury job. In a speech to the Economic Club of New York, Volcker said Geithner took actions that "extend to the very edge of its lawful and implied powers, transcending certain long-embedded central-banking principles and practices." Volcker [later told](#) Conde Nast Portfolio, that the Bear deal "was a proper action, but it was extraordinary—something that's never been done before, in terms of calling upon that emergency power."

But having inserted himself in the Bear deal, Geithner got used to being a major player and argued for more power for — you guessed it — the Federal Reserve.

In a Financial Times op-ed, Geithner [declared](#), “Because of its primary responsibility for the stability of the overall financial system, the Federal Reserve should play a central role” in a new regulatory framework. As I [wrote](#) in Open Market at the time, “Geithner uses the bailout he rammed through to argue that the Fed’s role has changed, and now that it has assumed the responsibility for bailing out investment banks, it needs to add regulations as well.”

Also disturbingly, and disturbingly for his role as Treasury Secretary, Geithner made no mention of the Fed’s own role in the financial crisis through its monetary and interest rate policies. Nor did he address transparency issues in the Fed’s operations — [highlighted recently by Bloomberg](#) in the ongoing bailouts —that would be especially necessary to address if it assumed a larger role.

Geithner became the go-to guy for failing financial firms, and was at the “center of action” for the AIG bailout, [according to the New York Post](#). He “quarterbacked and advised” the government’s “taking control of tottering insurance giant AIG for a bailout deal,” the Post wrote. But more and more, it looks like Paulson and Geithner “quarterbacked” with a flawed playbook with AIG that moved the meltdown much further down the goal line.

Taxpayers are on the hook for \$85 billion, and the government granted AIG another \$40 billion. But taxpayers are not the only parties who lost from this “rescue.” The government bailed out creditors holding AIG-issued credit default swaps as well as top employees who are still [partying hearty](#) at fancy resorts. But the government’s effective nationalization of AIG — taking 80 percent of its stock and stopping the issuing of dividends — left millions of ordinary shareholders high and dry. As Alan Reynolds of the Cato Institute [writes](#), this bailout gave “bondholders more protection than they’d otherwise see - at stockholders’ expense.”

The arbitrariness of the government’s action has made it much harder for other financial institutions to raise money through issuing stock, because investors have to take into account the risk of a government wipeout of their shares as well as market risk. As Reynolds writes, “This new risk of forced mergers or a government takeover artificially depresses the stock prices of vulnerable firms.”

Market conditions worsened, and this led Paulson to come up with the TARP, which Paulson rammed through Congress, and which again, Geithner was heavily involved in designing. Geithner, [reports the Wall Street Journal](#), was “at the center of the government bank rescue, which has drawn criticism from Democrats — as well as Republicans.”

And Republicans and Democrats who dislike corporate welfare and like transparency in government, should express a bipartisan concern about Geithner’s nomination. Free-market proponents will probably disagree with most of the views of anyone President-Elect Obama chooses, but candidates like Volcker and Larry Summers would bring more experience to and aren’t tied to Paulson’s sordid dealings. One thing Obama should not want to do is fulfill the prophecy from that profound political philosopher [Pete Townsend](#) of “Meet the New Boss.”

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Editor**

Daschle on Health

by John Goodman

Issue 121 - December 3, 2008

With Tom Daschle slated to become the next HHS Secretary, there has been a mad rush to get a copy of his book, *Critical: What We Can Do About the Health Care Crisis*, which apparently no one had previously read. Since booksellers can't possibly meet the demand, here is my brief attempt to satisfy your curiosity.

The main ideas: Medicaid expansion, Federal Employee Health Benefits Program (FEHBP) for everyone who wants to enroll, Medicare for the nonelderly as a FEHBP option, a play-or-pay mandate for individuals, income-based, refundable tax credit subsidies (both at work and away from work), a play-or-pay mandate for employers, electronic medical records, a national health board ("to establish a single standard of care for every other provider and payer"...covering every disease from cancer to diabetes and even depression), preventive care, dental health, mental health, long-term care, home care, community health centers and combating obesity.

Not on the list: Health Savings Accounts, although Daschle was once an advocate, and even cosponsored HSA legislation.

Not on the list: Single-payer health insurance, but only because it is not politically practical.

Not on the list: Any way to pay for any of this. (The issue is not, can we afford reform? The issue is, can we afford not to?) I'm not kidding.

John Goodman is President of the National Center for Policy Analysis



John Goodman

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Professions Crisis

by George Liebmann

Issue 122 - December 17, 2008

There are two competing versions of the causes of the financial crisis. The right points to the Community Reinvestment Act, Fannie Mae and Freddie Mac; the left to the failure to regulate derivatives and the creation of institutions 'too big to fail' through dilution of the Glass-Steagall Act, Mc Fadden Act and Public Utility Holding Company Act. Certainly tolerance of dicey mortgages was politically driven, and not just from the left; it was Alan Greenspan who proclaimed that "protection of property rights requires a critical mass of owners to sustain political support."



George Liebmann

Both factions are on to something: markets never work more powerfully than when they work in reverse due to perverse incentives. Greenspan's faith that "markets should remain free to function without the administrative constraints, particularly those on wages, prices, and interest rates that have disabled them in the past" needs to be qualified when guarantees create moral hazard. Guarantees, as Greenspan recognized "lessen the need of financial counter-parties to earn a reputation for honest dealings." It is curious that many of the current cures also partake of this vice. Thus deposit insurance, as we learned in the savings and loan crisis, creates incentives for irresponsible investments, particularly those that allow fees to be raked off up front; it worked well only when banks were regulated in the interest rates they could pay and the investments they could make. Relief for mortgagors like the new Maryland law extending the time necessary for foreclosure from 15 to 175 days, or provisions for 'cram down' of new balances, impairs the availability of secured credit; the lack of prompt collection remedies explains much third-world poverty. The Administration proposes to do to the insurance industry what it did to public utilities: to undermine and dismantle the system of state insurance regulation devised by Charles Evans Hughes by repealing the Mc Carran-Ferguson Act.

The recent distempers have a third cause beyond the two commonly invoked: the derogation of professional values, the most conspicuous example of which was Tony Blair's infamous speech deriding 'forces of conservatism' in the professions. The classic warning of what impended was a highly entertaining best-seller, *Liar's Poker*, by Michael Lewis (1990), a *Chapters of Erie* for the present age, documenting the cynicism with which derivatives were packaged in the investment banking firms. They were not about the management of risk, but the multiplication of it. The "counter-party surveillance" celebrated by Greenspan was not enough to prevent abuse when the counter-parties were engaged in the same abuses, and naive buyers, including pension funds did not look beyond the label, the once-earned reputation of the issuing firm. The computer and the internet, like the auto and electricity in the 1920s represented real economic growth, not just a speculative bubble, but the use of computers in derivatives trading did not repeal the principle 'garbage in, garbage out.'

The objection to bare options or margin trading is not new; it was set out by the discerning journalist William Pfaff in a series of articles published over the last five years, and by Mr. Justice Holmes in his first opinion after coming to the Supreme Court in 1903: "We cannot say that there might not be conditions of public delirium in which at least a temporary prohibition of sales on margins might be a salutary thing... a slight fall leaves him penniless, with nothing to represent his outlay, except that he has had the chances of a bet. It is said that in California, when the constitution was adopted, the whole people were buying mining stocks in this way with the result of infinite disaster." Certainly there were no regulations to insure, in Greenspan's words, "that rapid risk-laden dealings are financed by wealthy professional investors, not by the general public," at least for the secondary effects of such investments. "Reputation," Greenspan rightly said, "and the trust it fosters have always seemed to me to be the core required attributes of market capitalism. When trust is lost, a nation's ability to transact business is palpably undermined." Who now trusts the 'masters of the universe' in investment firms, the lawyers in huge 'shark tanks', the inscribers of

time sheets in enormous accounting firms, the improperly incentivized loan officers in large and small banks, or the authors of appraisals to order?

There have been jeremiads about the collapse of standards in the legal profession, notably those by Sol Linowitz, Mary Ann Glendon, and Anthony Kronman, richer in lamentation than in prescriptions for cure. Part of the cure is that once prescribed by the most notable twentieth-century law professor, the late Karl Llewellyn, who noted that professionals even in the largest organizations do most of their work in small groups, and who accordingly urged loose confederations or what he called "artels" of boutique firms. Another part of it is repudiation of the purely economic model of professional practice imposed by the invariably narrow-minded Justice Blackmun in several cases on professional advertising. Today's professional mastodons are not united by personal loyalty, and the recession will dissolve many of them. We cannot expect to return to the twelve-member limit on firm size imposed by the British Law Society well into the 1970s, but it is worth remembering that the great industrial combinations of the early 20th century were put together in law offices whose members numbered in the low double digits. If a reaction in this direction ensues in the professions, we will have cause to apply to the present time the moralistic Justice Brandeis' reflections on the Depression: "the worst years were before 1929."

George Liebmann, a Baltimore lawyer, is the author of several books on the professions, including *The Common Law Tradition: A Collective Biography of Five Legal Scholars* (Transaction, 2005) and *Diplomacy Between the Wars: Five Diplomats and the Shaping of the Modern World* (Palgrave Macmillan, 2008)

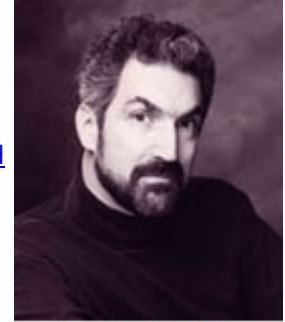
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Editor**

Are Harems Next?

by Daniel Pipes

Issue 122 - December 17, 2008

A Scottish judge recently bent the law to benefit a polygamous household. The case involved a Muslim male who drove 64 miles per hour in a 30 mph zone – usually grounds for an automatic loss of one's [driving license](#). The defendant's lawyer explained his client's need to speed: "He has [one wife in Motherwell and another in Glasgow](#) and sleeps with one one night and stays with the other the next on an alternate basis. Without his driving licence he would be unable to do this on a regular basis." Sympathetic to the polygamist's plight, the judge permitted him to retain his license.



Daniel Pipes

Monogamy, this ruling suggests, long a foundation of Western civilization, is silently eroding under the challenge of Islamic law. Should current trends continue, polygamy could soon be commonplace.

Since the 1950s, Muslim populations have grown in Western Europe and North America via immigration and conversion; with their presence has grown the Islamic form of *polygyny* (one man married to more than one woman). Estimates find 2,000 or more [British](#) polygamous men, [14,000](#) or [15,000-20,000](#) harems in Italy, 30,000 harems in [France](#), and 50,000-100,000 polygamists in the [United States](#).

Some imams openly acknowledge conducting polygamous marriage ceremonies: [Khalil Chami](#) reports that he is asked almost weekly to conduct such ceremonies in Sydney. [Aly Hindy](#) reports having "blessed" more than 30 such nuptials in Toronto.

Social acceptance is also growing. Academics [justify it](#), while politicians blithely [meet](#) with polygamists or [declare](#) that Westerners should "find a way to live with it" and journalists describe polygamy with [empathy](#), [sympathy](#), and [compassion](#). Islamists argue [polygamy's virtues](#) and call for its [official recognition](#).

Polygamy has made key legal advances in 2008. (For fuller details, see my blog, "[Harems Accepted in the West](#).") At least six Western jurisdictions now permit harems on the condition that these were contracted in jurisdictions where polygamy is legal, including [India](#) and Muslim-majority countries from [Indonesia](#) to [Saudi Arabia](#) to [Morocco](#).

- *United Kingdom*: Bigamy is punishable by up to seven years in jail but the law recognizes harems already formed in polygamy-tolerant countries. The [Department of Work and Pensions](#) pays couples up to £92.80 (US\$140) a week in social benefits, and each multiculturally-named "additional spouse" receives £33.65. The Treasury states that "Where a man and a woman are married under a law which permits polygamy, and either of them has an additional spouse, the [Tax Credits \(Polygamous Marriages\) Regulations 2003](#) allow them to claim tax credits as a polygamous unit." Additionally, harems may be eligible for additional housing benefits to reflect their need for larger properties.
- *The Netherlands*: The Dutch justice minister, [Ernst Hirsch Ballin](#), has announced that polygamous Muslim marriages should not be dealt with through the legal system but via dialogue.
- *Belgium*: The [Constitutional Court](#) took steps to ease the reunification of [harems](#) formed outside the country.
- *Italy*: A [court in Bologna](#) allowed a Muslim male immigrant to bring the mothers of his two children into the country on the grounds that the polygamous marriages had been legally contracted.
- *Australia*: The *Australian* newspaper reports "it is illegal to enter into a polygamous marriage. But the [federal government](#), like Britain, recognises relationships that have been legally

recognised overseas, including polygamous marriages. This allows second wives and children to claim welfare and benefits."

- *Ontario, Canada:* Canadian law calls for polygamy to be punished by a prison term but the [Ontario Family Law Act](#) accepts "a marriage that is actually or potentially polygamous, if it was celebrated in a jurisdiction whose system of law recognizes it as valid."

Thus, for the cost of two airplane tickets, Muslims potentially can evade Western laws. (One wonders when Mormons will also wake to this gambit.) Rare countries (such as [Ireland](#)) still reject harems; generally, as [David Rusin](#) of Islamist Watch notes, "governments tend to look the other way as the conjugal mores of seventh-century Arabia ... take root in our backyards."

At a time when Western marriage norms are already under challenge, Muslims are testing legal loopholes and even seeking taxpayer support for multiple brides. This development has vast significance: just as the concept of one man, one woman marriage has shaped the West's economic, cultural, and political development, the advance of Islamic law (Shari'a) will profoundly change life as we know it.

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Cap-and-Trade Slump

by Dennis Avery

Issue 122 - December 17, 2008

The price of carbon has slumped in Europe's emission trading—for the second time in two years. The long-term investments needed to reduce humanity's greenhouse emissions are being discouraged. The carbon price is meant to offset the economic cost of shifting from coal, gas, and oil to non-fossil energy. If the carbon price is too cheap, however, Greens worry we won't stop burning the fossil fuels.

That's why President-elect Obama told *The San Francisco Chronicle* last January "Under my plan, electricity prices will skyrocket." The Obama campaign has endorsed a U.S. carbon cap-and-trade market to price coal out of American power plants. The drop in EU carbon prices may be telling us that a straight carbon tax would be more effective, but politicians fear a carbon tax would create immediate voter rebellion.



Dennis T. Avery

No one is quite sure why the EU carbon price has dropped from nearly \$30 per ton in July to about \$22 recently:

- It could be the credit crunch spreading globally since the U.S. had to "nationalize" Freddie Mac, Fanny Mae and their sub-prime mortgages.
- It could be the ten EU are rebelling against scheduled European emission cuts they consider too ambitious. They fear the European economy can't absorb such a massive, rapid shift without industries fleeing overseas—and taking their jobs with them.
- Canada is emitting far more than its promised levels of greenhouse gases, but it says it will neither slash the emissions nor buy carbon credits to offset them. With half a dozen other countries billions of carbon-credit dollars over their Kyoto limits, Canada could undermine the whole carbon credit trading scheme.

If too much human-emitted CO² is the cause of global warming, however, the price of carbon emissions must be high enough to discourage such backward steps as building massive coal-fired power plants in Britain, or brown-coal power plants in Germany.

Carl Mortished recently warned in *The Australian* that the falling price of carbon would discourage clean energy installations, drive solar and wind-power companies into bankruptcy, and cause green jobs to be lost. The cost estimates for "clean coal" carbon capture and storage vary from \$50 to \$80 per ton.

Economists have long warned that Europe's cap-and-trade mechanism would not provide a consistently effective carbon penalty to industries and power plants. Price volatility is already a huge problem for energy companies. The price of oil has lately swung from \$140 to \$60, with the International Energy Agency forecasting \$200 per barrel again by 2030. Natural gas prices fluctuate with the movements of Russian tanks in Georgia and Sarah Palin's new gas pipeline from Alaska. The developing countries might suddenly deliver bunches of cheaper carbon credits from retooled Indian factories and/or Chinese reforestation projects.

The carbon price needs to be more stable than such factors.

"In only three months," Mortished wrote recently, "life has become a lot cheaper for polluters. The financial cost of warming the planet has plummeted in Europe's emissions trading system and the effectiveness of such a volatile market mechanism in curbing carbon is being questioned."

Or the entire fossil fuel sacrifice may seem less important with declining global temperatures. The Britain's Hadley Centre and the U.S. satellites say global temperatures have fallen at least 0.5 degree C since 1998 even as CO² levels have risen another 5 percent. NASA's Jason satellite predicts lower thermometer readings for the next 25 years due to cool phase of the Pacific Decadal Oscillation.

Dennis Avery is an environmental economist with the Hudson Institute in Washington, DC. (www.cgfi.org) He was formerly a senior analyst for the Department of State. He is co-author, with S. Fred Singer, of Unstoppable Global Warming Every 1500 Hundred Years

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Editor**

Evolution or Bang?

by Alan Caruba

Issue 122 - December 17, 2008

Charles Darwin got it wrong. But not for what you think. Science is an ever evolving process and scientific theories are subject to being replaced by newer knowledge. Most certainly, Darwin (1809-1882) got everyone thinking about evolution, but the problem is that evolution is not a slow process. It happens very fast.



Alan Caruba

Indeed, Darwin's friend, the famed biologist, Thomas Huxley, supported aspects of Darwin's theory, but didn't believe that evolution was gradual. Then, too, Darwin had to contend with those who believe that Noah built an ark and put two of all the creatures of the Earth on it. Religion is a great comfort, but it is no substitute for science.

I first became acquainted with Robert W. Felix through his book, *Not by Fire, but by Ice*, that pointed out that the Earth is on the cusp of a new ice age. Insofar as the Earth is now fully a decade into a new cycle of cooling, one that could last several decades or evolve into a new, full blown ice age, Felix not only got it right, but, in the course of writing his book, discovered an even more frightening scenario.

Magnetic Reversals and Evolutionary Leaps: The True Origin of the Species is Felix's new book (available from www.iceagenow.com) and, were it not for fans like myself and others, it is not likely to make it to the cover of leading news magazines or become a segment on "Sixty Minutes." It will be largely ignored by the mainstream news media for the same reason they ignored his first book. Enthralled by the bogus "global warming" hoax, the mainstream media will find his new book equally appalling for its presentation of facts that run contrary to their ignorance.

Felix is far from alone in this view that new species are not the result of a long accretion of changes. The late paleontologist, Stephen Jay Gould (1941-2002) popularized that field of science with articles and books. Gould noted, "Gradualism is not a fact a fact of nature. Most new species appear with a bang, not a protracted crescendo." Fossil records demonstrate that a species remains unchanged for millions of years before abruptly disappearing, "only to be replaced just as rapidly with a species that is, though clearly related, substantially different. Nature does take leaps."

Felix's great talent comes both in his ability to read and absorb the writings of scientists from different fields of study, and in his ability to explain complex issues to people like myself. I always remind readers that, while I am a science writer, I am not a scientist. Felix is a science writer and one who brings a great deal of passion to his quest to understand the history of the Earth and the life that appears to distinguish it from others in our galaxy.

While researching ice ages for his previous book, he became intrigued by a phenomenon that always coincides with them, magnetic reversals. In addition to mass extinctions of species that always accompanied magnetic reversals, Felix and others noticed that new species replaced them. For example, human beings are, in the long history of the Earth, 4.5 billion years, are "blindingly new", having existed a mere 200,000 years.

"Mass extinctions," writes Felix, "have been the rule, rather than the exception, for the 3.5 billion years that life has existed on this planet. Almost identical, each extinction was abrupt, each was extensive, and each was caused by some temporary, unexplainable event."

The real threat to life on Earth is magnetic reversals, as revealed by magnetostratigraphy, the study of the magnetic properties of ancient layers of sediment (strata) now hardened into rock. Major

reversals “appear to occur in sync with ice ages” and other measurements of time. “And it happens fast!” says Felix.

The Earth is at the end of a cyclical interglacial period. Such periods are about 11,500 years in length and it has been 11,500 years since the last ice age. That portends that another magnetic reversal is due as well.

Though decried as “deniers”, those of us who have been skeptical of the claims of Al Gore and the legion of global warming charlatans, the real deniers are those refuse to acknowledge the facts put forth and explained in Felix’s new book.

Those who would have you dramatically alter your lifestyle, by ending the use of oil, natural gas, and coal for energy, by installing thousands of wind turbines and miles of solar panels, are willfully ignoring the signs that the Earth is poised to enter a new age in which life as we know it—including our own—will be dramatically changed and to a large extent even exterminated.

There is nothing humans can do about this.

Alan Caruba writes a daily blog at <http://factsnotfantasy.blogspot.com>. Every week, he posts a column on the website of The National Anxiety Center, www.anxietycenter.com.

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Editor**

2010 Comeback?

by Paul Weyrich

Issue 122 - December 17, 2008

I have recently been sitting in on a couple of “where do conservatives go from here” panels. Bear in mind that it was the Republican brand which was in trouble in 2008, not necessarily the conservative brand. Much of the public believes in conservative principles but does not believe that Republicans can deliver upon those principles.

Conservatives have experienced two wipeouts comparable to that experienced by Republicans in 2008—in 1964 and 1974. In 1964 Senator Barry M. Goldwater was defeated, taking nearly everyone with him. Republicans were down to 32 Senators and 140 Representatives. The number of Governors could be counted on one hand.



Paul M. Weyrich

Those numbers slowly crept up in the ensuing years, to the point that Republicans had quite a number of Governors, some 45 Senators and about 175 Representatives. Then came President Gerald R. Ford's pardon of former President Richard M. Nixon, and the Republicans dropped to post-Goldwater numbers.

There is a difference between then and now. Now there are 21 Republican Governors. Not all are conservative but most are solution-oriented. I am absolutely amazed at what Governor Bobby Jindal is doing in Louisiana. I didn't know Governor Sarah Palin until Senator John S. McCain picked her as his running mate, but I was very impressed with the gas pipeline she negotiated in her first year as Alaska's Governor. Grover H. Norquist was touting her virtues before anyone had heard of her and I simply took Grover's word for her abilities. Turned out he was correct.

There are many others, including the Governor of South Carolina, Mark Sanford, and the Governor of Utah, Jon Huntsman, Jr. My longtime friend Governor Mitch Daniels won re-election in Indiana by 20 points while Senator Barack H. Obama carried the state.

There is one very troublesome aspect of a conservative comeback in 2010: In both 1964 and 1974 the culture was strong enough that the effort to run candidates against incumbents was very straightforward.

Now, however, our kids are brainwashed by the public school system. They are taught climate change catastrophe from kindergarten on. The truth appears to be that we are in a period of global cooling, but public school children are not taught as much. They worry about the supposedly disappearing polar bears. They worry about population control and are told that people are likely to starve to death if the world's population does not decline. The list goes on. Thank God about two thirds of the kids are not really paying attention. Unless we end the leftist monopoly of education we will have a problem which we may be utterly incapable of solving.

Will Republicans come back significantly in 2010? It is difficult to say. Unless Republicans become convincing conservatives who do something about public schools, energy, the economy and government reform they probably will have meager gains. There is the possibility that leftists in Congress will overreach the limits of their power, in which case American Conservative Union Chairman David Keene said conservatives will be there to take advantage of the situation. When a team has to depend upon its opponents to fumble in order to score, that team probably will lose.

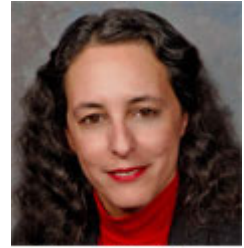
Paul M. Weyrich is Chairman and CEO of the Free Congress Foundation.

Social Issues Dead?

by Lisa Fabrizio

Issue 122 - December 17, 2008

I recently happened across a piece from the BBC humorously titled, "[Uncertain times for US Religious Right](#)." In it, the left muses on its favorite dream; that humbled by defeat in the last two elections, "Christian conservatives may find themselves working alongside Democrats" on certain social issues.



Lisa Fabrizio

BBC's Matthew Wells hopefully focuses on the "tension between the narrow social agenda of Christian conservatives and the broader, more pragmatic 'low tax' wing of the party." Well, I hate to disappoint our British brethren, but the 'religious right' has never been more certain that its cause is just; given that the "narrow social agenda" we defend originates far higher up the food chain than Washington, DC. And the events of November 4th will only make true conservatives even more determined to fight for it.

We lost this election not because this agenda wasn't important to voters, it's that their pocketbooks were more so. One has only to look to statewide elections where bans on same-sex marriage passed, to know that even in California, the radical left agenda did not hold sway across the board. The thought that a big win by Democrats will make the conservative movement dry up and blow away, is as laughable as the notion that 20 years of Reagan/Bush decimated the liberal agenda.

Of course our challenge is much greater than that of the left because of the stranglehold they still retain on the media, the public education system and especially the courts. As we are [seeing](#) in California, even when the people exercise their right to self govern by amending their Constitution, liberals seek to circumvent this process through their willing allies on the bench.

But such efforts will only serve to further strengthen our movement and commitment, especially as our very identity as Americans comes under assault. We are called conservatives because we seek to preserve that which every American should hold dear: our founding document, the U.S. Constitution.

This is why many conservatives never fully supported John McCain; we remember his political free speech-busting Campaign Reform Bill. And although he naively signed it believing that the Supreme Court would strike it down, President Bush deserves credit for appointing our current Chief Justice who, in negating some of its most offending aspects last year, [wrote](#):

[W]hen it comes to defining what speech qualifies as the functional equivalent of express advocacy subject to such a ban--the issue we *do* have to decide--we give the benefit of the doubt to speech, not censorship. The First Amendment's command that "Congress shall make no law . . . abridging the freedom of speech" demands at least that.

Again, many think that because McCain and Obama never fully discussed other issues important to conservatives, these will somehow magically fall off the political table. Not a chance. Just as Chief Justice Roberts calls the First Amendment a "command," so do we believe that its protection of religious freedom is sacrosanct.

Barack Obama is notoriously supportive of abortion in all of its vile forms. He has promised that, "The first thing I'd do as President is sign the Freedom Of Choice Act." As we all know, FOCA would erase all existing bans on abortion, and worse, force all those whose religious convictions now prevent the government from making them participants in this heinous practice, to toe the murderous line. The repercussions of this would be disastrous, even to Americans allowed to be born, as explained by [Bill Donahue](#) of the Catholic League:

[R]eligious liberty is enshrined in the First Amendment and cannot be trespassed upon lightly, and certainly not by abortion zealots. Those who support FOCA must realize that if Catholic hospitals are

ever required to perform abortions, the bishops will close every one of them; no one would be hurt more than the poor.

The left must realize that we will fight legislation like FOCA with all our strength. For the past eight years we have been on defense; especially on the War in Iraq and the economy. But Conservatives are never more united and focused than when our Constitution and our values are under direct assault, as they will most certainly be in the next four years.

Let us take the offensive in the culture wars and leave the navel-gazing and hand-wringing to those paid to do it. Let us not worship the cult of personality as the Democrats do, but let our positions on the issues lead us instead. Let us, as Ronald Reagan said, be known for communicating great ideas.

In closing his article with a burst of wishful thinking, the Beeb writer opines that if Obama "steers clear of a social and cultural policy agenda, preferring to focus all efforts on the economy and foreign affairs, the Religious Right will have nothing much to react against." Those on the left assume that they will continue to have conservatives in a defensive position; let us prove them very wrong.

[Lisa Fabrizio](#) is a columnist who hails from Connecticut.

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Editor**

Conservative Black Initiatives

by Al Lemon Grove

Issue 121 - December 3, 2008

Rasmussen polls have proved themselves very accurate.

In the recent California election, the African-American population shocked everyone by voting overwhelmingly for Prop 8, which supported traditional marriage) by 72%. Latins followed suit, supporting it by nearly two-thirds.



Michael Steele

The shockers haven't stopped. Friday the Rasmussen polls tell us that African Americans are 84% in favor of reciting the Pledge of Allegiance DAILY & 92% of them favor including "under God" in its text. And we must not forget that they overwhelmingly support school choice.

THAT'S FOUR ISSUES FOR CONSERVATIVES to use to appeal to this traditionally Democratic-voting constituency that should enable us to begin rebuilding for future elections.

This can only bring to mind the statement of Michael Steele, a candidate for chairman of the Republican Party, who when asked by his black Democrat mother how, considering her lifelong membership as a Democrat, he had turned out as such a stalwart Republican?

Michael responded, "That's easy. You raised me well, Mom"

So here is a chance to raise a sleeping monster and bring it to the party of Lincoln--and shut down Katy Couric's nonsense about lack of inclusiveness.

Al Lemon Grove

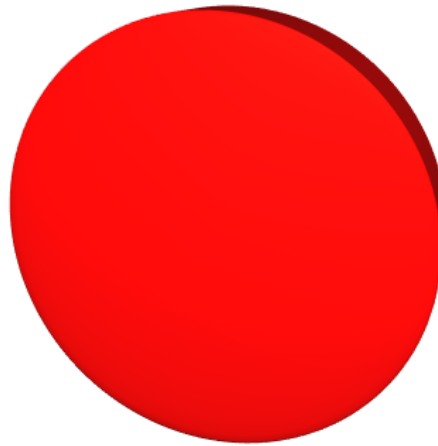
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Biggest Bailout Ever

Issue 122 - December 17, 2008

The 2008 Bailout vs. Other Large Government Projects

\$ Price (Adjusted for Inflation - Nov. 2008)	
Marshall Plan	\$115,000,000,000
Louisiana Purchase	\$217,000,000,000
Moonshot	\$237,000,000,000
S&L Crisis	\$256,000,000,000
Korean War	\$454,000,000,000
The New Deal	\$500,000,000,000
Iraq War	\$597,000,000,000
Vietnam	\$698,000,000,000
NASA (All time budget.)	\$851,000,000,000
TOTAL	\$3,925,000,000,000
2008 BAILOUT (Nov. 2008)	\$4,616,000,000,000



● 2008 BAILOUT



- Marshall Plan
- Louisiana Purchase
- Moonshot
- S&L Crisis
- Korean War
- The New Deal
- Iraq War
- Vietnam
- NASA (All time budget.)

Ford Profitable in Brazil

by George Nesterczuk

Issue 122 - December 17, 2008

Check out the video on the link below — about 2 1/2 minutes. It is a great story on an automated Ford assembly plant in Brazil. This is why the Big 3 need Chapter 11 not a bailout. Their management clearly knows what to do – they simply don't have the political backbone to lead their companies. If they can't get the UAW off their backs they have no future in the US — there are enough government disincentives to manufacturing in the US without the dead weight of the union.

Ford, GM, and Chrysler will not go under. They will survive but their assembly operations in the US likely won't -- whether we provide a bailout or not. And remember that a high percentage of the cars sold in the USA are made in the USA today -- not just by Ford, GM, and Chrysler -- but by Toyota, Honda, and many of the rest. They are built by American workers and they are profitable. Why? Because they are non-union operations and do not have the UAW hanging around their necks like large ship anchors.

Watch the video.

<http://info.detnews.com/video/index.cfm?id=1189>

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