

know it. So it's little wonder that he is so willing to tout immigration and guest-worker policies designed to bring new Mexicans across the Rio Grande, even though they impoverish Mexican-Americans.

But wait a second. Isn't it a little politically incorrect to use the term "Mexican-Americans"? Yes, indeed. According to the evolving precepts of PC, percolating out of the academy and the bureaucracy in the '70s, those who hail from Cuba or Puerto Rico or Mexico—and two dozen more countries—are now all "Hispanic" or, to use a trendier term, "Latino." Maybe somebody at the Ford Foundation, the limousine-liberal outfit that financed so many professional Hispanic activists, was poring over the big book, too—especially the chapter entitled "Unite to Win It All Back."

The ethno-*Anschluss* plan worked. Suddenly 45 million Spanish-speaking Americans aren't to be divided up into feisty little clans, each with a separate flag and tradition, but rather to be treated as one unified ethnic monolith. Moreover, those 45 million are increasingly to be seen as indivisible from the 500 million Hispanics who live south of the Mexifornia border.

It's now not just the president of Mexico who speaks of a *reconquista*; it's the entire population of Latin America. Maybe somebody south of the border has been reading *Victoria Con La Manipulación Étnica*. Poor Bush and Rove: they think they are the only ones reading the big book of ethnic manipulating and muscling. This White House thinks of itself as a citadel of political genius—because some talking-pointer dreamt up new ways to sneak amnesty provisions into the 2007 immigration bill while simultaneously pitching it to suspicious conservatives.

Specifically, Bush and Rove figure that if they can get the basic outlines of guest-worker and legalization proce-

dures into law, they won't have to worry about its absurd and unenforceable provisions. The courts, entropy—and the magnanimity of some future *jefe*—will surely erode the provisions that might require, for example, illegals to "touch back" to their home countries before gaining citizenship. This provision, complete with an escalating schedule of fines and penalties, is central to the White House strategy for getting "comprehensive immigration reform" through Congress. And if it has no chance of ever being enforced? Well, nothing in the Machiavellian Library instructs the reader to tell the truth.

But what if Robert Rector of the Heritage Foundation is right when he estimates that the Bush plan could lead to another 100 million people streaming into

the U.S.? Would the power-balance start to change if America was 30 or 40 or 50 percent Hispanic? Would the English-speaking readers of the big book, proud of their "strategy," find themselves out-strategered by others who read the same book in Spanish?

Winning Through Ethnic Manipulation is a powerful tool. But while it guarantees cynical illumination to its readers, it does not guarantee triumph. The Hapsburgs, as we have seen, used the book, and yet they still failed. And they were a lot smarter than these Machiavellis from Mayberry who are dipping into it now. ■

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Law Breaking

Untethered from tradition, ancient code becomes modern whim.

By Gerald J. Russello

WHAT IS A GOOD secular liberal to do when unliberal behavior challenges liberal legal principles? As a recent court decision in Germany shows, liberalism loses.

A German court recently ruled that a Muslim woman could not obtain a speedy divorce on the grounds that her husband had abused her. The court ruled that because the couple is of Moroccan descent, and because supposedly "it is not unusual that the husband uses physical punishment against the wife" in that culture, such abuse was not proper grounds for a divorce under German law. That the wife had been born in Germany and the husband

already had a restraining order against him for previous abuse were of no consequence.

The decision caused a predictable uproar, and the judge was removed from further participation in the case. She did not go quietly but issued a statement defending her ruling, suggesting that the husband could argue that his "honor was compromised" because his wife had adopted a more Western lifestyle and therefore, presumably, his abuse could be explained. The *New York Times* weighed in, assuring its readers that such abuse was not sanctioned by "mainstream Muslims" or the Koran, despite what the judge implied in her opinion.

Indeed, shortly thereafter, the *Times* profiled a female Islamic scholar whose work centered on new translations of the very verses that some believe give warrant for such abuse. But the report on the case ultimately sounded an ambiguous tone. It noted that there have been a string of honor killings of Muslim women in Germany and that many women in similar cultural circumstances already fear going to court to protect themselves. In other words, it is unclear just how numerous or influential those “mainstream Muslims” are.

This ruling is just the most recent in a series of confrontations between European elites and the limitations of their worldview when confronted by a sincerely religious minority. As with other controversies, such as the recent French law concerning wearing headscarves and other religious clothing in school and the temporary decision, on security and other grounds, to cancel a Mozart opera in Berlin because of its depiction of the head of Muhammad, the judge’s ruling tells us more about the death rattles of liberalism than the underlying disputes about Koranic injunctions or cultural traditions. These controversies illustrate that liberalism’s proponents increasingly face the conclusion that it cannot fully explain or defend its premises outside its own cultural context, particularly that of the heritage of Christianity.

For a generation, liberal judges have been trained to treat all cultural practices as equal and are becoming more hard-pressed to defend the very law that gives them the authority to adjudicate disputes. In America, we have seen this (so far) to a lesser degree. The recent controversy over the Supreme Court’s invocation of international law in *Roper v. Simmons* to strike down a death-penalty statute and in the military-detainee *Hamdan* decision, however, give the flavor of what is to come. If no

law or tradition is better than any other, and any source can be invoked to justify a judge’s own preference, why defer to the Congress or stick to the language of the Constitution?

The German judge faced a dilemma: multicultural tolerance required that German law not intrude upon cultural practices that it in other circumstances would forbid, yet permitting them offends the liberal principle of equality. That conflict arises from the nature of contemporary liberalism itself because its main premises are simply infeasible in practice.

Since the 1970s, liberalism has been in a death spiral because it cannot reconcile its incompatible assumptions. First, there is an obsession with material equality in which a forced distribution of wealth and income, based on a notion of people separate from any shared heritage or tradition, is considered a prerequisite for a just society. Making that equality happen requires a huge government bureaucracy and state intervention.

The second premise contradicts the first: extreme tolerance that requires everyone and every culture to be treated identically, without casting “judgment” or placing restraints on conduct. Combined, these premises have led to the full flowering of a society in which some rights, like abortion or the right to produce pornography, become absolute claims upon society, while support for traditional rights, like private property or standards of community decency, are ridiculed as violations of equality.

The final premise is the rejection of religious or other views from public discourse unless they accord with liberalism. Religious reasons, in other words, cannot be a permissible justification for action, and liberal scholars have spent many agonized words over the supremely condescending question of how to allow religious people into public life while leaving their faith behind.

These premises render a true republican, federalist political culture impossible. Instead, liberal principles encourage the emergence of a behemoth state and its attendant bureaucracies in order to safeguard favored rights, engage in income distribution, and destroy lesser authorities such as states, churches, or voluntary organizations that stand in the way of the total state.

But the problem is more basic. Liberalism really is simply a reaction against the main streams of Western thought and not an independent tradition capable of sustaining itself. In Germany, for example, while non-Western cultural circumstances can prevent a woman from obtaining a quick divorce when in physical danger, Christians have been forbidden by law from homeschooling their children, and rules of dress are being used to compel nuns to cease wearing their traditional habits. Elsewhere in the West, the trend has been similar. In England, Catholic social services agencies are being forced to place children with same-sex parents. In Quebec, the government has proposed forbidding private Christian schools from teaching Biblical ethics.

America is only a little behind. Courts have upheld laws in both California and New York requiring Catholic hospitals to include contraceptive coverage as part of their insurance programs, despite evidence that the laws were specifically directed at Catholic institutions and their resistance to contraception. Others have already argued for the application of nondiscrimination statutes against churches or other institutions that supposedly practice discrimination between genders.

These incidents debunk the supposed neutrality of liberal theory. In fact, liberalism has never outgrown its initial appearance as a rejection of the political history of the West and its religious origins and has thus always been directed

at Christian teachings and practices. Accordingly, a liberal multicultural society becomes incapable of making distinctions or judgments, even those that would increase liberal goals of tolerance and equality.

Conservatives would be wrong, however, to conclude that the flaw is the passage of particular laws and not the principle of a secularized state imposing them. The examples given above should not inspire the confidence of conservatives that government could be used solely for good ends if only it were in the right hands. (This is the perennial category mistake Republicans make when they seek political influence: they always think that their folks will use power the “right” way and are almost always disappointed.) Conservatives traditionally have feared state power—and rightfully so. Hence the conservative embrace of federalism and various forms of decentralization and localism so that multiple authorities, cultural practices, and traditions can serve as bulwarks of individual liberty and true cultural development. To argue otherwise would give the game away and permit liberalism to further erode structures still beyond the reach of government power. Conservatives should therefore to some degree be respectful of those wishing to follow their own traditions within a state that seeks to crush all intervening social, religious, or cultural traditions. The problem, however, is not necessarily (or not only) with those traditions but rather the inability of a liberal state to understand or address them.

What is needed is to replace liberal multiculturalism with a more realistic view of religion and the roots of culture. In his controversial speech last year at the University of Regensburg in Germany, Pope Benedict XVI set out a position quite at odds with secular liberalism. He said,

In the Western world it is widely held that only positivistic reason and the forms of philosophy based on it are universally valid. Yet the world’s profoundly religious cultures see this exclusion of the divine from the universality of reason as an attack on their most profound convictions. A reason which is deaf to the divine and which relegates religion into the realm of subcultures is incapable of entering into the dialogue of cultures.

This describes liberalism in a nutshell. It cannot effectively deal with religious belief, and its reliance on a false rationalism prevents an alliance with religious believers in creating a stronger and more lasting culture. Moreover, its devotion to multicultural tolerance prevents it from making a judgment in the face of cultural practices that conflict with the secular law.

The British historian Christopher Dawson diagnosed this problem decades ago in his magisterial 1920 book, *Progress and Religion*. While appreciative of some of the benefits liberalism has provided the modern world, Dawson perceived a fatal weakness in the liberal order that threatened not only the protections accorded religious belief but indeed that order’s very existence. Because it had dispensed with its religious basis, secular liberalism was vulnerable to appeals to economic utility or political power or the seeming objectivity of science. Dawson concluded that the understanding of liberalism reflected in these systems was doomed to failure: “Reason, which had entered so triumphantly on its career of explaining nature and man to itself by its own unaided power, ended in a kind of rational suicide by explaining itself away.” The German judge’s decision could not more perfectly fulfill Dawson’s prediction.

The paths suggested by Pope Benedict and Dawson may take numerous forms, but all of them would have to engage Europe’s Christian heritage. One need not look further than Germany’s own neighbor—the closest and most recent example of a truly multicultural state in Europe is the Austro-Hungarian Empire. Although the idea of empire has a bad reputation in some quarters, and rightfully so, in comparison to the ethnic cleansing and civil warfare that has characterized its former possessions in the Balkans, or to the Belgian colonial disaster in the Congo (not to mention Iraq), the Hapsburgs managed their polyglot empire reasonably well, without surrendering its own identity as a state with a definable cultural and religious tradition. The Austrian Jewish writer Joseph Roth, for example, wrote favorably about the empire and its treatment of its innumerable minority groups. (Freud once said he would not live anywhere else.) The political theory supporting such a state is as far away as possible from the fevered imagining of America bringing democracy to the world favored by most movement conservatives.

Today, the nations of Europe seem largely unable to confront the fact that the secular liberalism they have relied on for so long was only tenable because it rested on a foundation, however shaky, of its own non-liberal religious and cultural traditions. This German decision, and others like it that are sure to come, give us a glimpse into the abyss that opens when those traditions are forgotten. ■

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Arts & Letters

FILM

[Chalk]

Failing Public Schools Need a New Script

By Steve Sailer

ALTHOUGH THE AVERAGE studio film cost \$100.3 million to make and market in 2006, “Chalk,” a sympathetic mockumentary about high-school teachers by two teachers, demonstrates that competent, insightful films don’t have to be expensive. Yet while less than 0.5 percent of the typical Hollywood budget, “Chalk” still cost somewhere around \$5,000 per minute, suggesting that even with digital video, filmmaking remains a do-it-yourself undertaking only for the richest or most impassioned.

The fictional premise of “Chalk” is that a documentary crew follows four young Texas educators to find out why half of all teachers quit the profession within their first three years on the job.

Hollywood screenwriters routinely regale us with uplifting tales, such as last winter’s Hilary Swank drama “Freedom Writers,” of teachers who rebel against what President Bush denounced as “the soft bigotry of low expectations” and inspire their impoverished students to prodigious accomplishments. In this gentle but unromanticized movie, however, the teachers view the students as similar to the constantly malfunctioning office photocopier: just another frustration of the job.

“Chalk’s” main characters are two contrasting history teachers. Mr. Lowery, a shy former computer engineer, knows and cares about American history but is treated by his students with disdain until he lowers himself to their level by using his nerd skills to win a spelling bee where students quiz teachers on teen slang terms like “whoody” (which means “friend,” in case you care, which you don’t).

Meanwhile, Mr. Stroope (co-writer Peter Mass, who teaches geography in Austin, Texas) is a complete idiot. He makes his two smart kids stay after so he can privately warn them, “In class, try not to know as much as me.” Yet he is admired by most of his charges because he exhibits the masculine self-assurance embodied by Fred Willard’s smugly clueless characters in all those docu-comedies directed by Christopher Guest like “A Mighty Wind.”

“Chalk” demonstrates something that parents can find surprising: how often even the rawest teachers have to wing it in the classroom with negligible guidance. Mr. Lowery is baffled that his students don’t respond as logically as the computers he used to design, while Mr. Stroope, a master manipulator but not exactly a scholar, is required to make up his own lesson plans. When Meryl Streep goes to work, they hand her a screenplay, but teachers are frequently expected to write their own scripts.

Ironically, the stars of “Chalk” (mostly struggling stage actors in their first film) semi-improvised their lines, based on an outline by Mass and director Mike Akel, and did a fine job. Still there’s a subtle weakness inherent in ensemble improvisation that has also been plaguing Guest’s similar films, such as 2006’s “For Your Consideration.” Because the writers relinquish some control over the material

to the actors, who have varied views, the jokes tend to be scattershot. Ad-libbing can seldom achieve the deep humor exemplified by the half dozen superbly crafted repetitions, each building on the last, of the “cleft stick” joke in *Scoop* by Evelyn Waugh, that epitome of the comic writer as painstaking architect.

Similarly, satires on complex topics are less suited for ensemble development than for a single artist’s judgment. In contrast to the other workplace comedy filmed in the Texas capital, the ferocious “Office Space” by the Austin auteur Mike Judge, “Chalk’s” improv methodology blurs the point of the film, leaving ambiguous the answer to the original question of why all those teachers quit.

Indeed, American public schooling still awaits its own well-deserved *Catch-22*. Consider the madness of the federal No Child Left Behind law that mandates “that all children should reach a proficient level of academic achievement by 2014,” a goal that can be reached only by palpable fraud. In 2002, 67 percent of all students scored below proficiency on the federal government’s NAEP exam. After three years of NCLB, the 2005 test found that 69 percent were too low.

Education’s overwhelming reality is that, unlike in Garrison Keillor’s Lake Wobegon where all the children are above average, in America half the students are below average in intelligence. Yet because equality of outcome, not doing the best we can with what we have, is the goal, public education is dominated by fantasy and frenzied faddishness—“This new vogue must be the magic bullet that will turn us into Lake Wobegon H.S.!”—alternating manic-depressively—“Eh, what’s the use?”—with the lassitude of despair. ■

Rated PG-13 for some bad language.